

207 N.J.Super. 388

AMG REALTY COMPANY, a Partnership organized under the laws of the State of New Jersey and Skytop Land Corp., a New Jersey Corporation, Plaintiffs,

Joan H. Facey, Redvers S. Facey, John W. Kraus, Mary Helen Tuchen, Mykola Bojczuk and Mae Bojczuk, his wife, Intervenor,

v.

TOWNSHIP OF WARREN, a municipal corporation of the State of New Jersey, Defendant,

and

TIMBER PROPERTIES, a corporation of the State of New Jersey, Plaintiff,

v.

TOWNSHIP OF WARREN, a municipal corporation of the State of New Jersey, Planning Board of the Township of Warren, and Warren Township Sewerage Authority, Defendants.

Superior Court of New Jersey,
Law Division.

Decided July 16, 1984.

In a *Mount Laurel* case, the Superior Court for the Counties of Somerset and Ocean, Serpentelli, J.S.C., set forth a method of fair-share allocation with regard to low and moderate-income housing and applied it to a township.

Order accordingly.

1. Zoning and Planning ⇄721

Method of fair-share allocation of low and moderate-income housing set forth and explained, including subissues of region, regional present and perspective need, and allocation factors.

2. Zoning and Planning ⇄721

Method of fair-share allocation of moderate and low-income housing was applied to township, resulting in total fair share of 946 lower income units.

3. Zoning and Planning ⇄681

Finding that land use ordinances are compliant with *Mount Laurel* obligation to provide low and moderate-income housing units required showing that township had removed all excess restrictions and exactions which would preclude actual construction of fair share of such housing.

4. Zoning and Planning ⇄721

If removal of all excess restrictions and exactions which would preclude actual construction of township's fair share of moderate and low-income housing failed to generate compliance with *Mount Laurel* obligation to provide such housing, township had to employ affirmative defenses, such as subsidies and inclusionary zoning.

5. Zoning and Planning ⇄62

Township's zoning ordinance did not comply with its determined *Mount Laurel* obligation to provide 946 low-income housing units, where amendment to ordinance might result, at best, in 324 units of low-income housing.

6. Zoning and Planning ⇄62

Excessive restrictions or exactions with regard to zone plan and zoning ordinance of township which would prevent actual construction of lower income housing, which construction was required to comply with *Mount Laurel* were noted, without passing upon validity of any such sections, including large lot zoning, efforts at high density rezoning, requirement that all townhouses have private garage, re-

requirement of different design for townhouses in close proximity, and excessive setback provisions.

7. Zoning and Planning ⇐30

Site plan provisions allowing broad discretion to deny application if use is not deemed to be in public interest are inherently suspect as matter of law since purpose of site plan ordinance is not to countermand zoning provisions.

8. Zoning and Planning ⇐30

Function of site plan ordinance is not whether use should be allowed at all; site plan ordinance should address planning standards.

9. Zoning and Planning ⇐86

Requirement in ordinance that applicant for construction permit provide statement of alternative uses in event that proposed use is not acceptable, including alternative of no project at all, was patently unreasonable.

10. Zoning and Planning ⇐721

Mount Laurel, regarding obligation to provide moderate and low-income housing, places heavy burden on defendant raising defense to builder's remedy of suitability of properties from environmental standpoint, to prove that danger is substantial and very real.

11. Zoning and Planning ⇐36.5

While studies of waste water facility plans affecting township, and water quality management plans pertaining to township, were useful long-range planning tools with regard to zoning, they were subject to modification upon proper application.

12. Zoning and Planning ⇐721

Fair-share methodology in connection with provision of moderate and low-income

housing should seek to determine objectively the precise purpose to which municipality must open its doors to the poor; however, once need is identified and obligation imposed, provision of low-income housing is not function of court, only role of which is to see that zoning does not prevent provision of such housing, and economy, private enterprise and other branches of government will decide whether need will be satisfied.

13. Zoning and Planning ⇐721

Pivotal question in determining fair-share methodology in connection with provision of moderate and low-income housing is not whether numbers are too high or too low, but whether methodology that produces numbers is reasonable; any reasonable methodology must have as its keystone three ingredients, including reliable data, as few assumptions as possible, and internal system of checks and balances, and must be sufficiently structured to produce consistent results and must be sufficiently flexible to deal with extreme cases of both ends of spectrum.

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SERPENTELLI, J.S.C.

This *Mount Laurel* case, the first to be fully tried since the decision of the New Jersey Supreme Court in *Southern Burlington Cty. N.A.A.C.P. v. Mt. Laurel Tp.*, 92 N.J. 158, 456 A.2d 390 (1983) (hereinafter *Mount Laurel II*) presents the court with the opportunity to start the process of developing a method of fair share allocation and eliminating the confusion surrounding the issue. The process is critical to the implementation of the *Mount Laurel* principle because as long as uncertainty regarding the fair share obligation prevails, "the weakness of the constitutional doctrine will continue". *Id.* at 253, 456 A.2d 390. The development of a fair share methodology constitutes a primary step in achieving the ultimate goal of *Mount Laurel II*—the actual construction of low and moderate income housing. *Id.* at 352, 456 A.2d 390. Only after the court quantifies the fair share obligation can it determine whether the municipal ordinance fully complies with *Mount Laurel* and thereafter whether the plaintiff is entitled to a builder's remedy.

Therefore, this opinion will address three issues in the following order:

- I. *Fair Share*—What number of low and moderate income units of the regional need must Warren provide for through its land use regulations?
- II. *Compliance*—Has Warren, through its present land use regulations, provided a realistic opportunity for the construction of its fair share and thereby satisfied its *Mount Laurel* obligation?
- III. *Builder's Remedy*—Have plaintiffs demonstrated noncompliance, proposed a substantial lower income component for the project and can their plans be implemented without significant negative environmental or planning impact?

Based upon my analysis of the evidence, I hold that Warren Township has a fair

share obligation of 946 dwelling units, for the decade of 1980-1990, that the township's land use ordinances do not comply with *Mount Laurel II* and that plaintiffs are entitled to a builder's remedy.

The opinion has the following structure. With respect to fair share, I will initially detail the methodology adopted before demonstrating how it produces Warren's obligation. This explanation and application should enable any municipality affected by the methodology to understand the mechanics of it so that it can precisely identify its own obligation. Next, the opinion will elaborate on the justifications for the approach, the criticisms which have been voiced by others and any shortcomings the court perceives. This should facilitate refinement of the methodology. With respect to the compliance issue, the court will examine Warren's land use regulations to explain why they fail to make realistically possible the satisfaction of the township's fair share and identify some of the areas which should be addressed in the revision process. With respect to the builder's remedy, the court shall review the evidence which demonstrates that plaintiffs are entitled to the builder's remedy. Finally, the conclusion will explore the broader ramifications of this opinion.

Before proceeding to a discussion of each of these three issues, some background information is necessary. The trial began on January 3, 1984. Shortly after testimony commenced, the parties engaged in settlement negotiations. It appeared that the matter could be resolved if the township obtained a determination of its fair share and a declaration of compliance of its ordinances, which would provide it with repose from *Mount Laurel* litigation for a period of six years. *Id.* at 291-292, 456 A.2d 390. The court emphasized that it would only grant repose in a nonadversarial setting if defendant demonstrated to a court appointed master and then to the court, that the method used to calculate the fair share was reasonable.

As a first step, counsel authorized their planning experts to discuss an appropriate methodology for identifying Warren's fair share. Each of the experts had filed a report with the court setting forth their respective fair share analysis. Each of the experts possessed copies of expert reports filed by other court appointed experts in other pending *Mount Laurel* litigation. The consultants and the court had received the recently issued report of the Center for Urban Policy Research of Rutgers University, (hereinafter CUPR), entitled "Mount Laurel II—Challenge and Delivery of Low-Cost Housing." During the process of discussions the consultants were given permission to confer freely with other recognized authorities in the field and individuals who have been involved in *Mount Laurel* litigation.

There evolved from the efforts of the experts a document which has become known as the "Warren Report." The planners developed a fair share allocation method applicable not only to the Warren Township case, but also, in their view, to municipalities throughout the State. Based upon the agreement of the planners, the parties were able to arrive at a fair share number for Warren and to resolve the other issues involved in the case including builder's remedies. Of course, the settlement was conditioned upon formal approval by Warren's governing body. The matter was adjourned for that purpose.

While the court awaited word as to the approval of the proposed settlement, it also received many inquiries concerning this first unified approach to fair share analysis. The Warren Report quickly became a topic of discussion in many case management conferences conducted by the court. One of those conferences took place in the matter of *Urban League of Greater New Brunswick v. Borough of Carteret*, one of the six consolidated cases in *Mount Laurel II* remanded to this court. Counsel in that case requested the opportunity to have all of the planners involved in that litigation attempt a consensus approach toward reso-

lution of that case. Since there were eight plaintiffs and seven defendants joined in the suit, there was naturally some doubt as to whether the same sort of harmony was attainable. Nonetheless, the court agreed to the request made by counsel, and all of the planners were authorized by their respective attorneys to engage in a discussion toward the end of arriving at a fair share allocation approach which could be applied to that case.

The planning group was chaired by Carla L. Lerman, the court appointed expert in the *Urban League* case. It initially consisted of all of the retained planners in that case and was expanded to include some of the court appointed experts functioning in other matters. In addition, the advisory group was addressed by Dr. Robert Burchell and Dr. David Listokin who participated in the preparation of the CUPR Report. The group also received the input of the Office of the Public Advocate. After several day long meetings, continuous private consultation among various planners, delegation of various data collection duties to individual members of the group and the formation of a subcommittee to deal with a specific factor in the fair share allocation, out of a series of preliminary drafts a final report evolved. That report, dated April 2, 1984, (hereinafter *Urban League Report* or *ULR*) established a method of fair share allocation not only applicable to the seven defendants in the *Urban League* litigation, but also, in the view of the planners, to any other municipality in the State.

While the *Urban League* advisory group was in the process of developing its report, the court was informed by counsel in the *Warren* case that the tentative settlement could not be consummated. Therefore, that case was brought to trial on March 15, 1984. The intervenors, who had not sought *Mount Laurel* relief, chose not to participate. The three remaining planners in the *Warren* matter had participated in the *Urban League* advisory group. When the trial in the *Warren* case recommenced, plaintiff's planners modified their original

approach and espoused the methodology developed in the *Urban League* case. More specifically, Timber Properties' expert completely embraced the *Urban League* plan and AMG Realty's expert did so with one minor reservation. Defendants (hereinafter referred to collectively as defendant) used two experts who accepted some of the fundamental assumptions of the *Urban League* blueprint, but disagreed with others. Therefore, the court was able to test, in a truly adversarial setting, the value of the accord reached in *Urban League*. In fact, the case was tried as a test of that approach since defendant sought to modify it, rather than setting forth a separate analysis of its own.

I.

FAIR SHARE

Before addressing the sub-issues of region, regional need, and allocation, the larger issue of fair share, which embodies these three issues, must be placed in its proper perspective. In an effort to provide this perspective, it would be helpful to define exclusionary zoning, to list the goals the Supreme Court felt it had to achieve through *Mount Laurel II* to eliminate exclusionary zoning, and to explain how the fair share methodology established in this opinion promotes the Court's goals.

Justice Pashman defined exclusionary zoning as involving two distinct, but interrelated practices:

- (1) the use of the zoning power by municipalities to take advantage of the benefits of regional development without having to bear the burdens of such development; and (2) the use of the zoning power by municipalities to maintain themselves as enclaves of affluence or of social homogeneity. [*So. Burl. Cty. N.A.A.C.P. v. Mt. Laurel Tp.*, 67 N.J. 151, 195, 336 A.2d 713 (1975) (Pushman, J., concurring) (hereinafter *Mount Laurel I*)].

In *Mount Laurel II*, Chief Justice Wilentz similarly expressed the two dimensional nature of exclusionary zoning:

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. [92 N.J. at 211, 456 A.2d 390]

The *Mount Laurel II* Court determined that to eliminate exclusionary zoning, voluntary compliance with the constitutional obligation must be encouraged, litigation to enforce the obligation must be simplified and judicial remedies must be made more effective. *Id.* at 214, 456 A.2d 390. The development of a reasonable fair share methodology is, perhaps, the most important step in fulfilling these three purposes. First, the fair share methodology adopted in this opinion will promote voluntary compliance because each municipality now has the ability to calculate its fair share and thereafter design its land use regulations to satisfy its responsibility. Second, the methodology will simplify litigation because the fair share number can be identified with ease, thereby limiting the remaining issues primarily to compliance and builder's remedy. Third, the methodology promotes the effectiveness of the judicial remedies which consist of three aspects: the grant of a builder's remedy, the appointment of a master, and the court imposed rezoning if the municipality fails in its effort to create a compliant ordinance. See generally *Mount Laurel II* at 278-292, 456 A.2d 390. The fair share methodology adopted here will render builder's remedies more effective because it will virtually eliminate the fair share issue which is the most time consuming and expensive component of the litigation. Experience has demonstrated that once the fair share is set, the other segments of the litigation require comparatively little time. The use of a master will be facilitated because just as demonstrating that the zoning ordinance is exclusionary is an element of the builder's remedy, it is also a prerequisite to the

appointment of a master. Lastly, once the fair share number is established, the court is in a position to invoke its own remedies for noncompliance in the event that the municipality fails to satisfactorily revise its ordinance on its own.

A. *The Fair Share Methodology*

1. *Region*

[1] The numerous expert reports received by the court in this and in other litigation generally demonstrate two different conceptual approaches to region, a fixed line approach and a commutershed approach. A fixed line approach defines a region through rigid lines derived by analyzing the standards for an appropriate region as articulated in *Mount Laurel II*. *Id.* at 256, 456 A.2d 390. In contrast, a commutershed approach defines a region by starting with the functional center of the municipality and identifying all points that could be reached during a reasonable commuting time by travelling outward in all directions on existing roadways. Thus, a commutershed approach requires an individual analysis for each municipality to determine the points reached after a reasonable commute, whereas a fixed region approach merely requires an inquiry into which predetermined region the municipality falls.

I find that it is necessary to meld both concepts in order to arrive at the most equitable and accurate fair share number. Each municipality should have a present need region and a prospective need region. The present need region will be based on a large fixed area defined by county lines, intended to balance the high levels of need in the older urban core municipalities of that region and the resources to meet that need in the less dense and newer suburban areas of the region. The prospective need region shall be a modified commutershed area which reflects a predetermined commuting time from the functional center of any given municipality but it is intended to be large enough to account for special com-

muting patterns or employment concentrations ULR at 7.

The Urban League experts felt compelled to develop present need regions for the entire State so as to be sure that the present need region selected for the municipalities engaged in the *Urban League* litigation was compatible with the division of the balance of the State into fixed present need regions. The group divided the State into four present need regions as follows:

Region I—Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex, Union and Warren counties.

Region II—Monmouth and Ocean counties.

Region III—Burlington, Camden, Gloucester and Mercer counties.

Region IV—Atlantic, Cape May, Cumberland and Salem counties.

See Appendix A for a map depicting the regions. Regions II, III and IV are identical to CUPR's regions 4, 5, and 6.

I recognize it is not my prerogative to define regional configurations for counties not within my jurisdiction. However, I also recognize that to determine regions within my jurisdiction without evaluating their consistency with other potential regional configurations could promote the inconsistency which the Supreme Court sought to avoid through the use of the three judge system. *Mount Laurel II* at 253-255, 456 A.2d 390. Given this disclaimer and based on the testimony given in the *Warren* case and the compatibility of Regions II, III and IV with the CUPR report, I believe that the recommendations of the consensus group are reasonable. Of course, my fellow *Mount Laurel* judges will address these regional configuration issues in their jurisdictions.

The prospective need region for any municipality shall be a commutershed measured in all directions from the functional center of a municipality based on a 30-minute drive time. The definition of functional center is three-tiered. The functional cen-

ter shall be the generally recognized commercial-residential core of the community. Commonly referred to as the "downtown area," this center typically contains a commercial hub surrounded by residential development. In the absence of a commercial-residential core, the functional center shall be the municipal building. Absent either a recognized commercial-residential core or a municipal building, the functional center shall be the major crossroads within the municipality.

The 30-minute drive will be measured by the following speeds:

1. 30 miles per hour on local and county roads,
2. 40 miles per hour on state and federal highways,
3. 50 miles per hour on interstates, the Garden State Parkway and the New Jersey Turnpike.

The entire area of a county is to be considered included within the commutershed if the 30-minute drive time enters into that county at any point. Thus, the commutershed utilized here is a "modified" commutershed rather than a pure 30-minute commutershed because a pure commutershed would terminate wherever the 30-minute commute ended.

2. *Regional Need*

There shall be two separate methods for calculating present and prospective need.

a. *Present Need*

Present need consists of the indigenous need of a municipality and the fair share of the reallocated excess need of the municipality's present need region. Indigenous need is defined as substandard housing currently existing in any municipality. Every municipality, regardless of its characterization in the State Development Guide Plan (hereinafter SDGP) is responsible for meeting its own indigenous need. However, certain municipalities, even though located in areas characterized as growth in the SDGP, have an indigenous need which

far exceeds their fair share. They should not be expected to provide decent housing for a disproportionate share of the need. *Id.* at 243, 456 A.2d 390. Therefore, when the total regional housing stock is determined and the percentage of that stock which is substandard is identified, any municipality whose indigenous need in relationship to its housing stock is in excess of that regional percentage, will have its excess assigned to a reallocation pool. This pool will be distributed to all municipalities which contain any area designated as growth in the SDGP, excluding selected urban aid municipalities as hereafter identified.

A housing unit will be considered to fall into the indigenous need category if it has any one of the following characteristics:

1. Overcrowded units—defined as dwelling units occupied by more than 1.01 persons per room.
2. Units lacking complete plumbing facilities for the exclusive use of the occupants.
3. Units lacking adequate heating.

The number of such units can be obtained in an unduplicated count from the 1980 census figures in schedules STF-1 and STF-3. The identification of units lacking adequate heating requires a mathematical computation which need not be set forth here. An example of the process of deriving the total indigenous obligation is set forth in Appendix B. A total of the unduplicated count for these three categories will result in the total number of units hereinafter referred to as "substandard." To obtain the number of substandard units occupied by lower income households, one additional adjustment is necessary. A study by the Tri-State Regional Planning Commission in 1978 reported that 18% of those people occupying substandard housing were not of low and moderate income. Therefore, to accurately compute the indigenous need, the gross number of substandard units must be multiplied times 82%.

As noted, the extent to which any municipality contributes to the present need pool

depends on the relationship of its substandard housing percentage to that of its present need region. In order to arrive at that relationship and to establish the regional reallocation pool, the following steps must be taken. First, the total number of substandard units in the present need region must be identified and expressed as a percentage of the total housing stock of the region. For ease in discussion, this percentage will hereafter be referred to as the regional substandard housing percentage. Second, the total number of substandard units for each municipality in the present need region must be identified and expressed as a percentage of each municipality's housing stock. For ease in discussion, this percentage will hereafter be referred to as the municipal substandard housing percentage. Third, any municipality whose percentage of substandard housing exceeds the regional percentage shall have its number of substandard housing units reduced until it conforms to the regional percentage. The units subtracted from such a municipality shall form the pool of present need which will be reallocated to those towns containing any growth area, except for selected urban aid towns, through the use of the present need allocation factors discussed below. An appendix showing the surplus present need calculation by county, region and for each municipality in the State is annexed as Appendix C. It is included for the purposes of showing the derivation of Warren's present regional need discussed later and, as to all other municipalities not presumptively bound by this opinion, *id.* at 254, 456 A.2d 390, for informational purposes only.

b. *Prospective Need*

The term prospective need refers to household formation expected to occur between 1980 and 1990. Any need generated prior to 1980 and still existing constitutes present need. In order to project household formation, utilize two methods of population projection prepared by the New Jersey Department of Labor, Office of Demo-

graphic and Economic Analysis (hereinafter ODEA). The first method is known as the ODEA Economic/Demographic Model 1 (Economic Model) and the second method is known as the ODEA Demographic Cohort Model 2 (Demographic Model). These models divide expected population growth into age groups known as cohorts. The CUPR report provides data which predicts the expected percentage of household formation in each age cohort. That data is known as a headship rate.

To determine the prospective regional need, project the total population by age cohort for 1990 by averaging the two models. Next, multiply each age cohort by the projected 1990 headship rate for that cohort, and total all the cohorts to produce the number of households expected to exist in 1990. Then, subtract the number of households existing in the region as published in the 1980 census in order to derive the net increase or decrease in households during the ten year projection period. Finally, obtain the number of low and moderate households within the total projected household increase or decrease by multiplying that total times 39.4%. That figure has been recognized in *Mount Laurel II*, at 221 n. 8, 456 A.2d 390, and by most experts as the proportion of units which will be occupied by lower income households. An appendix showing the prospective need calculation for each county in the State is annexed as Appendix D. It is included for the purposes of showing the derivation of Warren's prospective regional need discussed later, and as to all other municipalities not presumptively bound by this opinion, *id.* at 254, 456 A.2d 390, for informational purposes only.

3. Allocation Factors

Having defined the present and prospective need regions and having identified a method for calculating the housing needs within those regions, I now turn to the appropriate formula to allocate the regional need among those municipalities having an obligation to assume a fair share. The

present need allocation method uses three factors and the prospective need allocation method uses four factors.

a. Present Need

As noted above, all municipalities have the obligation to provide for at least some portion of their indigenous need and certain municipalities must provide for more than the indigenous need generated within the municipality. The surplus present need of certain municipalities forms the excess pool which is reallocated. The three factors used to reallocate are:

1. *Growth Area*: The percentage created by dividing the number of growth area acres within the municipality by the number of growth area acres within the present need region.

2. *Present Employment*: The percentage created by dividing the total number of private sector jobs as of 1982 covered by unemployment compensation within the municipality by the total number of covered jobs within the present need region.

3. *Median Income*: The ratio of municipal median income to the present need region median income.

In computing all three factors, exclude from the regional computation any data from any selected urban aid municipality as identified below or from any non-growth municipality.

Since the first two factors are expressed in terms of a percentage and the third factor in terms of a ratio, the third factor has to be expressed as a percentage so that the three factors can be averaged. This is accomplished by averaging the first two factors to create one percentage which is then multiplied by the median income ratio. The resulting percentage should then be averaged along with the first two percentages by dividing factors one, two and the converted third factor, by three to create a single percentage. The resulting number should be multiplied times the total reallocation pool for the region to determine the municipality's fair share of that pool.

This method of calculation of the present need is illustrated in section I-B of this opinion which applies the entire fair share methodology to Warren Township.

b. *Prospective Need*

The projected lower income households to be formed during the decade of 1980 to 1990 should be allocated through the use of the following four factors:

1. *Growth Area*: The percentage created by dividing the number of growth area acres within the municipality by the number of growth area acres within the prospective need region.

2. *Present Employment*: The percentage created by dividing the total number of private sector jobs as of 1982 covered by unemployment compensation within the municipality by the number of covered jobs within the prospective need region.

3. *Employment Growth*: The percentage created by dividing the covered employment growth from 1972 to 1982 within the municipality by the covered employment growth within the prospective need region for the same period.

4. *Median Income*: The ratio of municipal median income to the prospective need region median income.

In computing all four factors, exclude from the regional computation any data from any selected urban aid municipality as identified below or from any non-growth municipality.

Again, to express the median income factor as a percentage, average the first three factors to obtain one percentage and multiply that percentage against the median income ratio to create a percentage. Thereafter, average the first three factors and the new resulting fourth factor by dividing by four to create a single percentage. Multiply that percentage by the prospective regional need to obtain the municipality's prospective need obligation. This method of calculation of the present need is illustrated in section I-B of this opinion which applies the entire methodology to Warren Township.

To fully understand the application of the present and prospective need factors, further clarifications are necessary. With respect to the growth area factor, exclude from the regional acreage computation those municipalities designated as urban aid by the State for the funding year 1984-85, only if they have one of the following characteristics:

1. The municipal substandard housing percentage exceeds the regional substandard housing percentage; or
2. The population density of the municipality exceeds 10,000 people per square mile; or
3. The population density of the municipality falls between 6,000 and 10,000 people per square mile, and the "Revised Statewide Housing Allocation Report for New Jersey," dated May 1978 assigns a value of zero to the municipality's vacant developable land.

The Urban League Report states that the application of these criteria to the municipalities designated as urban aid in the eleven county present need region results in the following list:

<u>COUNTY</u>	<u>MUNICIPALITY</u>
Bergen	Garfield
	Lodi
Essex	Belleville
	Bloomfield
	East Orange
	Irvington
	Montclair
	Newark
	Orange
Hudson	Bayonne
	Hoboken
	Jersey City
	North Bergen
	Union City
	Weehawken
	West New York
Middlesex	New Brunswick
	Perth Amboy
Passaic	Passaic
	Paterson
Union	Elizabeth
	Hillside
	Plainfield

These municipalities represent the traditional urban core areas, as well as other towns also not likely to attract high density *Mount Laurel* type housing. Appendix E contains a listing of all urban aid municipalities in the State meeting the criteria. It is provided for informational purposes only with respect to the counties not located in Warren's regions.

With respect to the employment factors in both present and prospective need regions, four clarifications must be made. First, exclude from the computation of regional employment figures the covered employment in any non-growth municipality and in the selected urban aid municipalities. Second, in calculating the total regional employment growth figure, subtract from the total positive employment growth any negative employment growth because what is being measured is the net growth of the municipality to the net growth of the region. Third, in calculating the employment growth for the municipality and the region, use a linear regression approach instead of a straight arithmetical measurement of employment growth. Finally, it should be noted that the job figures used in the employment factors are obtained through what is designated as covered employment data that is produced by the New Jersey Department of Labor and Industry. "Covered employment" refers to all those private sector jobs qualifying for unemployment compensation.

With respect to the median income factor, the 1980 census reports both the median household income and the number of households by county and municipality. The municipal median income ratio is obtained as follows:

- (1) Identify the municipal median income.
- (2) Identify the median income of each county in the region. Multiply the median income for each county times the number of households in that county thereby producing a gross county income, excluding the gross income of any urban aid or non-growth municipality in

the process. Aggregate all of the gross county incomes and divide that figure by the total number of households in the region to obtain the regional median income.

- (3) Derive the municipal median income ratio by dividing the municipal median income by the regional median income.

Through the proper application of the factors, the fair share of the municipality can be obtained by totaling the indigenous, the surplus present and the prospective need figures. However, once those figures are obtained, adjustment must be made to the surplus present and the prospective need figures to reflect inadequate vacant developable land and needed vacancy rates.

To provide for those municipalities which have inadequate vacant developable land to absorb their full fair share, increase the surplus present and prospective need of every municipality by 20%. As will be more fully explained, any municipality lacking adequate vacant developable land to satisfy its full fair share shall have the right to seek an adjustment downward of its fair share. By increasing by 20% the obligation of every municipality having a fair share responsibility, the units which will be lost to the vacant developable land defense will be offset.

The surplus present need and prospective need, as increased by 20%, should be further increased by 3%. That increase will provide for sufficient vacancies, so as to facilitate mobility in housing choice.

In order to round out the explanation of the fair share methodology, it is necessary to tie up some loose ends. First, the methodology which I have described assumes that all selected urban aid municipalities shall be exempt from any fair share obligation other than the portion of their indigenous need which represents the regional substandard housing percentage.

Second, *Mount Laurel II* requires the trial court to decide the proportion between low and moderate income housing in the process of determining fair share unless there are substantial reasons not to do so.

Id. at 256-57, 456 A.2d 390. The evidence presented in this case justifies an equal division of Warren's fair share between low and moderate income housing, that is, 473 low and 473 moderate. Statewide, the *Mount Laurel* households are distributed approximately two-thirds low and one-third moderate. ULR at 29. However, expert testimony reveals that such a division is generally attainable only through the use of significant external subsidies in addition to the subsidies which the municipality may be called upon to provide. *Cf. Mount Laurel II* at 262-265, 456 A.2d 390. At the present time, the absence of subsidies requires the builders to internally absorb the loss involved in selling units below fair market value. Since there is greater loss on low income units than for moderate, the court must balance the needs of the builder against the needs of the poor and select a proportion which is most likely to result in actual construction of *Mount Laurel* housing. *Id.* at 257, 352, 456 A.2d 390.

Third, *Mount Laurel II* gives the trial judge the discretion to phase in the fair share obligation over a period of years. *Id.* at 219, 456 A.2d 390. Notwithstanding that phasing should be used with circumspection, Warren's fair share of the reallocated pool should be reduced from now to 1990 by approximately two-thirds. I do not address here phasing as it relates to the issue of when the lower income units must be completed in the construction schedule in a project consisting of lower and market value homes. *Id.* at 270, 281, 456 A.2d 390. Nor am I discussing the phasing which may be necessary to ameliorate the impact on the municipality which may occur because of the granting of a builder's remedy. *Id.* at 331-332, 456 A.2d 390. Those aspects of phasing do not relate to development of a fair share methodology.

$$\begin{array}{l} \text{Growth Area} \\ \text{Present Employment} \\ \text{Median Income Ratio} \\ \frac{1.780 + .179}{2} = .9795\% \times 1.45 \end{array}$$

B. *Application of the Fair Share Methodology to Warren Township*

[2] Warren Township is located entirely within a growth area and must provide for both indigenous and regional need. Consequently, all aspects of the fair share methodology described above apply to it.

1. *Region*

The present need region for Warren (Region I) consists of eleven counties: Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex, Union and Warren. Appendix A. The prospective need region for Warren consists of the following six counties: Essex, Hunterdon, Morris, Middlesex, Somerset and Union. Appendix F. Although the evidence created a dispute concerning whether the commutershed should also have included Hudson County, the court appointed an expert who, through the use of large scale maps, determined unequivocally that Hudson was not touched by the 30-minute commute.

2. *Regional Need*

The indigenous need of Warren is 52. The 11-county reallocated present need pool is 35,014, Appendix C, and the six-county prospective need is 49,004. Appendix D.

3. *Allocation Factors*

a. *Present Need*

Using the 11-county present need region, Warren's fair share of the reallocation pool of 35,014 is 162 for the decade of 1980-1990 based on the following calculation.

Warren's present need percentage of the present regional need is 1.126%. That figure is arrived at as follows:

$$\begin{array}{l} = 1.780\% \\ = .179\% \\ = 1.45 \\ = 1.420\% \text{ (represents the percentage modified by the ratio)} \end{array}$$

$$\frac{1.780 + .179 + 1.420}{3} = 1.126\%$$

Reallocation Excess Pool	=	35,014	
	×	$\frac{1.126}{394}$ (Fair Share %)	
Municipal Share	=	131	
Phased in by one third (394/3)		=	131
Additional 20% reallocation (131 × 1.2)		=	157
Vacancy allowance (157 × 1.03)		=	162
Total Present Need is:			
Indigenous			52
Reallocated Present			162
			<hr/> 214

b. *Prospective Need*

Warren's fair share of the prospective regional need of 49,004 is 732 units for the decade of 1980-1990.

Warren's prospective need percentage of the prospective regional need is 1.208%. That figure is arrived at as follows:

Growth Area	=	2.556%	
Present Employment	=	.304%	
Employment Growth	=	.428%	
Median Income Ratio	=	1.41	
$\frac{2.556 + .304 + .428}{3} = 1.096\% \times 1.41$	=	1.545% (represents the percentage modified by the ratio)	
$\frac{2.556 + .304 + .428 + 1.545}{4}$	=	1.208%	
Prospective Regional Need	=	49,004	
	×	$\frac{1.208}{592}$ (Fair Share %)	
Municipal Share	=	732	
Additional 20%			
Reallocation (592 × 1.2)	=	710	
Vacancy Allowance (710 × 1.03)	=	732	
<u>Summary</u>			
Total Present Need	=	214	
Total Prospective Need	=	732	
Total Fair Share	=	946	

C. *Justification of Methodology*

1. *Region*

Mount Laurel II recognized the paramount importance of delineating regions in the development of a fair share methodology. Thus, referring to its opinion in *Oakwood at Madison, Inc. v. Township of*

Madison, 72 N.J. 481, 371 A.2d 1192 (1977), the *Mount Laurel II* Court said that:

We also noted that the determination of region was more important in achieving the goals of *Mount Laurel* than the fair share allocation itself ("harm to the objective of securing adequate opportunity for lower income housing is less likely from imperfect allocation models than

from undue restriction of the pertinent region ...") [92 N.J. at 253, 456 A.2d 390]

However, to keep the importance of the regional definition in perspective, this language of the Court should also be noted:

Clearly, however, the method adopted was simply a judicial remedy of a constitutional injury. Achievement of the constitutional goal, rather than the method of relief selected to achieve it, was the constitutional requirement. [at 237, 456 A.2d 390]

Consequently, while the defining of regions is of paramount importance in designing a method to distribute fair share, it is only a vehicle towards accomplishing the ultimate goal—satisfaction of the constitutional obligation.

The *Mount Laurel II* Court provided some guidance towards the process of regional delineation. In its most direct statement, the Court reaffirmed its general approval of Judge Furman's definition of region as "that general area which constitutes, more or less, the housing market area of which, the subject municipality is a part, and from which the prospective population of the municipality would substantially be drawn, in the absence of exclusionary zoning." *Id.* at 256, 456 A.2d 390. Yet, the Court also recognized that the trial judge could consider other factors and particularly those mentioned in Justice Pashman's concurring opinion in *Mount Laurel I*, 67 N.J. at 151, 336 A.2d 713. Justice Pashman cited the following relevant considerations which must be evaluated in fashioning regions:

1. the area included in the interdependent residential housing market;
2. the area encompassed by significant patterns of commutation;
3. the area served by major public services and facilities, and
4. the area in which the housing problem can be solved. [*Id.* at 215, n. 16, 336 A.2d 713]

The definitions provided by the Court highlight the conflicting goals which any

methodology must accommodate. On the one hand, the Court stressed the strong connection between the housing market and commuting patterns by its reliance on Judge Furman's definition. That language provides support for a commutershed concept. On the other hand, the Court noted the importance of linking areas of significant need with the areas of significant resources to meet that need by its reference to Justice Pashman's concurring opinion. A needs-resources approach supports a large, fixed region concept.

This dichotomy reflects itself in an analysis of housing needs. The *present* housing needs arise out of substandard units which must be replaced or rehabilitated, and the shortage of decent housing units for lower income people. In contrast, the *prospective* housing needs arise out of a different aspect of the housing problem. The significant factors affecting future housing construction are location, availability and costs. Consequently, the problems are, where will housing be built for lower income people in relation to where they work, will supply meet the demand, and will the housing be affordable.

In light of the conflicting goals to be accommodated by the definition of region and given the difference between present and prospective housing needs, there is practical difficulty in formulating one region which would achieve all the stated objectives. A region which focuses on enabling people to live in proximity to their work may satisfy prospective housing demands, but it may be too small to provide the resources necessary to absorb the excess present need generated by the urban areas. Conversely, a region which focuses on providing the resources necessary to absorb the excess present need of the urban areas may be too large to accurately address the prospective housing demand.

The answer to the problem is a dual region concept. A large region is needed to properly measure and allocate present housing needs. A smaller region, centered

on the specific municipality involved, should be utilized to predict and allocate the future lower income housing demand generated by relationship of jobs to the place of residence. This will result in each municipality being part of fixed present need region and being at the heart of its own modified commutershed.

While one cannot find any literal support for this dual region concept, nothing in *Mount Laurel II* precludes such an approach. In fact, the Court provides support for both a commutershed and fixed region approach. Judge Furman's definition implicitly sanctions a commutershed theory. Since people would generally tend to live in proximity to where they work, the prospective population of a municipality would be drawn from the commutershed in the absence of exclusionary zoning. However, the Court also implicitly sanctions a fixed region concept:

Except for municipalities on the outer edges of a region, the regional determinations are not likely to be significantly varied by the judges.... [*Mount Laurel II*, 92 N.J. at 254-255, 456 A.2d 390]

Because a municipality is always at the center of its own region in a commutershed approach and thus never "on its other edges," this language strongly supports a fixed region concept.

I note parenthetically that since the dual region concept was first introduced in the *Warren* case and thereafter carried over into the Urban League Report, it has been widely embraced by members of the planning community as being much more reflective of the goals expressed in *Mount Laurel II* than any single region concept.

Aside from the value of the dual region concept as it relates to the goals of *Mount Laurel*, the development of large metropolitan regions, the limitation of the number of present need regions in the State, and the marriage of the fixed present need regions with the commutershed prospective need regions should sharply reduce the potential for conflict as compared to the regional configurations which have been pre-

viously suggested to this court. Regarding the present need regions, the creation of a few large configurations minimizes the possible number of conflicts. Regarding the prospective need regions, the creation of the configuration is merely a component of developing the fair share allocation of that municipality. Once the allocation is developed, the prospective need region disappears and any conflict with another municipality's region disappears with it. Finally, since the prospective need region typically represents the largest portion of the municipality's fair share, the extent of any regional conflict is even further reduced.

Now I will move from the general justification for a dual region concept to the specific justifications for an 11-county present need region (Region I) and the modified commutershed explained above. The evidence reveals that Region I contains over 60% of the State's population, over 50% of the State's land area, over 50% of the State's growth area, and approximately 70% of the selected urban aid municipalities. These statistics demonstrate that the vast majority of the State's housing need exists in Region I, as well as the majority of the growth area necessary to accommodate that need.

The expansiveness of the region is dictated by the large concentration of lower income housing located within it. This bottled up need is the product of many years of exclusionary practices. It requires large land areas to release it. Counties like Somerset, in which Warren is located, can contribute their resources to the need. But, because of the magnitude of the need, many other counties must be called upon to assist. Further support for the use of large regions is found in *Oakwood at Madison, Inc. v. Township of Madison*, *supra*. There the Court appeared to approve a region of *at least* seven counties. 72 N.J. at 528, n. 35, 371 A.2d 1192.

The question remains is it necessary to create a region of the configuration of Region I? Should it be larger or smaller? Should it involve different counties?

Region I is part of the greater New York metropolitan area. It represents a classic core, suburb, exurb and rural configuration radiating outward from the urban core in concentric rings. It is tied together by a network of major highways, rail links and growth corridors. Approximately 90% of the surplus present need of Region I emanates from the core in Hudson, Essex, Passaic, and southern Bergen counties and seeks the resources lying in the outer rings.

Any reduction of Region I would require either a shrinkage of the radius of the region or a slicing of the pie into smaller pieces. Shrinking the radius, in this case, could cause the excluded counties to become out of balance in terms of the needs-resources goals which underlie the satisfaction of the present need within their own newly created regions. Conversely, the reduced Region I would be robbed of the resources it needs to satisfy its large existing demand. Specifically, the most likely reduction in the radius would exclude such counties as Sussex, Warren, and Hunterdon. While it is true that there is presently not a large amount of growth area in those counties, there is even less demand. Given the major highway links of Routes 80 and 78, the radiating of growth corridors from east to west and the magnitude of the need which must be satisfied, there is no reason to exclude these counties. Furthermore, examination of the 1980 census data concerning county commutation patterns reveals a substantial relationship of these three counties to the remaining counties in Region I. Lastly, notwithstanding the limited growth acreage in these counties, one cannot ignore the rapid growth occurring there.

Slicing Region I in a manner which does not follow county lines creates significant problems in terms of reliable data. In contrast, slicing Region I along county lines disrupts the needs-resources balance both in the new region created and the leftover pieces of the excluded counties. This view is best illustrated by an evaluation of the

region proposed for Somerset County by the CUPR. That area, designated as Region III, consists of Middlesex, Hunterdon, Warren and Somerset. Simply stated, it has significant resources but fails to capture a significant portion of the present need.

Any expansion of Region I to include either Mercer or Monmouth would also be inappropriate. While it may be conceded that either Mercer or Monmouth have substantial relationships with the counties bordering them on the north and beyond, their orientation makes them the logical division line between Region I and other regions. Monmouth County is linked to Ocean County by geography, transportation, and the sharing of the seashore corridor. The most vivid demonstration of Ocean's link to Monmouth is that approximately 44% of Ocean's residents travelling out of the county commute to Monmouth. Clearly, Ocean would not stand alone as a region. The CUPR designation of Region IV, consisting of Monmouth and Ocean further supports this conclusion.

Mercer County uniquely has its strongest commutation pattern internally. Nearly 90% of its residents commute within the county. Mercer and Burlington have a significant commutation relationship and, in the larger perspective, they can be viewed as part of the Philadelphia consolidated metropolitan area. The CUPR Region V supports this southern orientation of Mercer by including it in a region with Burlington, Camden and Gloucester. Thus while the outer lines of a region tend to be tenuous, I believe that Region I is properly balanced to meet its needs and resources and that the division line between counties included and excluded is amply justified.

As is more fully discussed above, the modified commutershed used to delineate the prospective need region includes all counties touched by a 30-minute commute as measured from the functional center of the municipality. Various aspects of that somewhat novel concept deserve more detailed comment.

The three-tiered definition of functional center is designed to promote certainty. This certainty overcomes any objection of arbitrariness. While in physically small towns the distinction will make no difference, in physically large towns, the distance between the geographic center and the functional center could make the difference in whether a county is included in or excluded from the commutershed.

In designing an appropriate commutershed, the following factors must be considered:

1. It must be big enough to adequately reflect the large percentage of commutation occurring to and from the municipality.
2. It must have easily ascertained boundaries, and
3. Reliable data for the fair share analysis must be available.

The evidence reveals that in Warren Township, as in most other municipalities, approximately 59% of the population travels to work in 30 minutes or less, and that 84% of the population travels to work in 45 minutes or less. That means that close to half of the population is travelling more than 30 minutes and that a commutershed based on 45 minutes would be entirely reasonable. Indeed, it has been suggested in testimony before this court and in prior litigation elsewhere that even a sixty minute commute is a commonly acceptable limit for commutation. Cf. *Oakwood at Madison, Inc. v. Township of Madison*, supra at 528, 371 A.2d 1192. The difficulty with using a pure 45-minute commutershed is that the configuration created will split municipal or county boundaries. That, in turn, creates two other difficulties. First, when a political subdivision is split, is it included or excluded and should that decision be based on the amount of land area touched, the amount of population involved, or other factors? Second, even if this problem can be resolved, a more significant obstacle cannot be overcome. Specifically, most experts agree that municipally based data is not as reliable as that compiled for

counties or other political subdivisions. Most federal and state data is gathered utilizing county lines. Therefore, the decision to use only a 30-minute commutershed, but to include the entire county if touched by that commute generates a region that has definite boundaries, has a reliable data base and generally reflects established patterns of commutation. Thus, the three ingredients of a sound commutershed are present.

I recognize that including the entirety of a county touched could create a travel time exceeding 45 minutes. As noted, a travel time beyond 45 minutes is not inherently unreasonable. For example, a significant employment center might be located a short distance beyond the 45-minute commute which would nonetheless attract job seekers. Also, the evidence before the court indicates that seldom will the travel time significantly exceed 45 minutes. Finally and most importantly, the reliability of the county data justifies any arbitrariness that may arise from the touch-the-county standard.

Two final details concerning the commutershed concept warrant attention. First, the use of specific speeds for various types of roads is based on accepted planning standards. That approach seems far more reliable than to depend upon the vagaries inherent in measuring the commute by actual driving experience. Today's commute may differ drastically from yesterday's based on the difference in weather, road conditions, the driving habits of the other people on the road or indeed, of the driver measuring the commute. Second, when the modified commutershed was first introduced, some suggested that this approach would create a multitude of overlapping regions. No overlap exists. Establishing a prospective need region is merely a step in the process of reaching a fair share number for a municipality. One planner has described the creation of the prospective need region as analagous to the construction of scaffolding for a building. The scaffolding is constructed merely for

the purposes of putting the building in place and thereafter removed to another location so that another building might be constructed. Similarly, the formulation of a commutershed is done solely for the purpose of permitting the computation of the fair share number. Once that has been accomplished the individual municipality's commutershed no longer has any relevance.

2. Regional Need

The determination of regional need has the potential, statewide, to impact on each municipality's fair share number more significantly than any reasonable fair share factor which has been considered by this court. Therefore, the subject deserves a detailed analysis. I will first address issues directly related to present need, then prospective need. Thereafter, I will address issues that concern both.

a. Present Need

As noted, the present need of a municipality consists of two components. The indigenous need within the municipality must be added to that municipality's share of the reallocated excess regional need. Both the indigenous and reallocated excess need represents units lacking complete plumbing, or adequate heating or units that are overcrowded. The reallocated excess pool for Region I consists of 35,014 units.

The three categories used here to determine substandard units grow out of a recommendation contained in the Urban League Report. These categories represent readily identifiable classifications which can be obtained in an unduplicated count from the 1980 census. Moreover, few would argue that a unit lacking adequate plumbing or heating or which is overcrowded is not "substandard" as that word is commonly understood. The CUPR expands upon these categories. CUPR at 100-118. It establishes a two-level analysis depending on whether the unit was built before 1940 or after. If the unit was built before 1940, it will be considered substand-

ard if it has any one of six deficiencies. If built after 1940, the unit is substandard if it has any two of the same six deficiencies. These six deficiencies include the three categories used in the Urban League Report as well as lack of exclusive access, lack of complete kitchen facilities and lack of an elevator in a structure of four stories or more.

The CUPR acknowledges that there is no unambiguous way of testing the validity of these categories. CUPR at 111. It also recounts, at some length, the difficulties inherent in properly measuring the need. CUPR at 100 *et seq.* Unfortunately, it does not address the apparent anomaly that a unit which is substandard in 1939 may become standard in 1940. I find that the Urban League approach is less ambiguous, more accurately reflects substandardness and is easier to work with. Finally, an examination of the statistics contained in the CUPR reveals that the resulting pool of substandard units is substantially equivalent to that derived from the Urban League method.

Defendant's experts have not challenged the mathematical accuracy of the count in any of the three categories, they have not suggested utilizing any other categories, nor have they challenged the propriety of including overcrowded units in the present housing need. Defendant's experts argue against the inclusion of units lacking adequate heating or plumbing because they have been or can be rehabilitated or demolished. Depending on which of defendant's experts was relied upon, the present need pool would be reduced by 25% to 50%, to as low as 17,875 units.

One of defendant's experts cited figures as to the extent of rehabilitation or demolition which has occurred in Newark or Jersey City since 1980. However, he made no effort to ascertain whether that activity was offset since 1980 by further deterioration elsewhere in the urban core or in the ring of municipalities surrounding the core. It could as easily be assumed that the pool number has increased since 1980 due to the

continuing decay of the cities and the evaporation of subsidies. Furthermore, the identification of indigenous need does not include unoccupied units. Therefore, the demolition of unoccupied units would not reduce the pool number, as assumed by defendant's experts.

The effort to remove from the pool all units which can be rehabilitated fails for two reasons. First, there is no reason to believe that the urban aid towns which contain the vast majority of present need that must be reallocated, have the capacity to repair the physically deficient units. As mentioned, the ability of those municipalities to undertake substantial rehabilitation has decreased in recent years due to the paucity of governmental subsidies. Second, the approach taken by defendant's experts is fundamentally unfair because it places on the urban poor municipalities an obligation beyond their fair share of their indigenous need. *Mount Laurel* goes the other way and relieves the core cities of that obligation. *Mount Laurel II*, 92 N.J. at 243, 456 A.2d 390.

On the other side of the ledger, an argument was made that the present need count should not only include substandard units, but also include units in which lower income families are paying a disproportionate share of their income for housing. The Court has suggested that not more than 25% of a household's income should be spent for housing costs. *Id.* at 221, n. 8, 456 A.2d 390. The inclusion of the financial need category would dramatically increase the present need. The Urban League Report states that the regional percentage of substandard housing in Region I is 6.4%. ULR at 18. In contrast, the financial need in Region I ranges from 16% to 35% of lower income households paying in excess of 30% of income for housing. ULR at 18.

Some argue that to include all of those households in the fair share number would make that number unattainable. The testimony in this case indicates that Warren's fair share could increase as much as 380

units if a financial need category was included. The sheer size of the numbers does not justify their exclusion from the formula. However, other more specific reasons support their exclusion. In the first instance, it must be recognized that many people do not fully report their income. Second, there are many people who by choice are willing to pay a disproportionate amount of their income for housing. Third, there is a considerable housing "mismatch." On the one hand, some rental units which meet the affordability standards are occupied by families not in a lower income category. On the other hand, lower income families are occupying units which they cannot afford. If the families and units could be matched up, more affordable units, particularly for moderate income households, could be occupied by needy families. Fourth, it must be recognized that many people of retirement age have developed substantial assets which allows them to acquire homes. However, based upon their reported income, they could nonetheless fall into the category of financial need at least within the *Mount Laurel II* definition. At 221, n. 8, 456 A.2d 390. Fifth, some argue that the needs of lower income households can be met more appropriately through income maintenance programs or other extended rent supplement programs rather than the construction of new housing. Sixth, many families in financial need are occupying substandard units thereby creating a duplication in the count of present need. For all of these reasons, it is most difficult to develop a trustworthy count of financial need which should be satisfied through *Mount Laurel* solutions. In summary, notwithstanding that there is some unmet need, the untrustworthiness of the data and the desire to avoid questionable assumptions compels me to not incorporate this category.

Assuming that all the reasons to exclude a financial component could be overcome, *Mount Laurel II* is not entirely clear as to whether the inclusion of a financial need category is expected. The Supreme Court

mentioned the inclusion of a financial component in Mount Laurel's fair share number. *Id.* at 299-300, 456 A.2d 390. However, the Court made no mention of that category when it directly discussed present need:

As noted before, *all* municipalities' land use regulations will be required to provide a realistic opportunity for the construction of their fair share of the region's present lower income housing need generated by present *dilapidated or overcrowded* lower income units, including their own. Municipalities located in "growth areas" may, of course, have an obligation to meet the present need of the region that goes far beyond that generated in the municipality itself. . . . [at 243, 456 A.2d 390; emphasis in original as to "all"; emphasis supplied as to "dilapidated or overcrowded"]

Nothing that has been said here concerning exclusion of a financial component should countenance a municipality's failure to undertake an aggressive program of pursuing any available rent supplement programs which may be available to assist those who are in financial need.

I now shift from a consideration of what constitutes the present need to a determination of what triggers the creation of the excess pool. As discussed earlier, the excess of deficient units in any municipality over the region's percentage of substandard units will be placed in the pool, which will be allocated to growth area municipalities at or below the regional percentage. In this case, I have found that the regional percentage of substandard housing in Region I is 6.4%. Thus, a contribution to the pool is triggered when a municipality's percentage of substandard housing stock exceeds 6.4%.

It should be kept in mind that the 6.4% is not a ceiling. The percentage is developed to create the pool and to exclude the selected urban aid municipalities from any obligation beyond that percentage. The percentage was not intended to exclude the possibility that a growth area municipality

which was reduced to the 6.4% level in the process of forming the excess pool, but was not an a selected urban aid municipality, would still receive a reallocation taking it over 6.4%. Nor was the figure intended to preclude the possibility that a municipality which was under the 6.4% of substandard units would exceed that percentage by virtue of reallocation. No effort was made to make all municipalities a mirror image of each other. *Cf. Mount Laurel II* at 350, 456 A.2d 390. The point is that the identification of the excess pool is merely a step in the process of determining a municipality's obligation. The final step is to make a fair distribution of the pool in a manner which reflects the Supreme Court's decision.

One final aspect of the calculation of the present need requires attention. The computation of Warren's fair share number allows for its reallocated excess obligation of 394 units to be phased in over 18 years in three almost equal portions of 131. That represents a reduction of the fair share to 1990 of 263. The concept of automatically phasing present need was developed by the Urban League Report, despite the Court's warning that the power should be exercised sparingly. *Id.* at 218-219, 456 A.2d 390. As noted above, I have allowed Warren Township's present need to be phased in over three, six-year periods. However, I do not support the concept of the automatic phasing of present need. The circumstances of each case should dictate the result. For example, it would seem questionable to phase a small present need number over a long period of time. In this case, however, the phasing is warranted. The present need pool has been accumulating over many decades. It should be our goal to empty that pool as rapidly as possible. I could not justify the automatic phasing of prospective need in this case or any other case based on the size of the number alone. There would have to be other circumstances to warrant it. *Ibid.* The prospective need number should be met, if it can be met, so as to prevent it from becoming part of the 1990 present need pool. It seems reasonable therefore, given the size of the

present need number, to allow the township to satisfy its obligation over a longer period of time. That should further ensure Warren's ability to meet its prospective need, and start towards the goal of eliminating its present obligation.

b. *Prospective Need*

As explained earlier, the prospective need is calculated by projecting population increases by age cohort through the averaging of two projection models, applying a headship rate to obtain the number of households expected to be formed and by multiplying that number by the percentage of the population which is classified as lower income. Defendant vigorously attacks the propriety of this method.

The two models used to project population are the Economic/Demographic (Model 1) and Demographic Cohort (Model 2). The central difference between the two models is the manner in which migration is projected. Model 1 projects migration of the population in response to labor market conditions. If the labor demand is higher than the supply then in-migration is projected to match the demand. If the labor demand is lower than the supply, out-migration occurs. Model 2 projects migration based on historical patterns of the prior decade. It assumes that the rate of increase or decrease of migration in the prior decade will be duplicated in the present decade.

Exclusive use of either model is risky. Model 2 predicts based on past trends. We do not know that what happened in the past will happen in the future. Some testimony suggested that the out-migration from the northeastern states to the sun belt is diminishing. Model 1 predicts the future based on economic and demographic analysis. Projections of what will happen without reference to history is also difficult. Some testimony suggested that the anticipated labor demand is overly optimistic. One of defendant's experts asserted that the Model 1 projections were so overstated that the 1980 projection developed during the 1970's was 238% higher

than actual growth for the 1970 decade. It was his position that at most, New Jersey will grow at a pace equal to the 1970-1980 rate during the 1980's and in all likelihood, the rate would be even slower. Consequently, he suggested the use of historical growth rates similar to Model 2. Though he insisted that the growth rate of the 1970's was not likely to be duplicated during the 1980's, he agreed to assume the same rate of growth as a concession to those who would argue that he was underestimating. The approach suggested by this expert flies in the face of *Mount Laurel II*. In addition to the inherent weaknesses of a purely historical approach outlined above, it is unknown to what extent the lack of household formation in the 1970's reflects exclusion.

The purpose of utilizing two population projection methods is to even out the possible wide fluctuations in those projections. The Urban League Report, through the averaging of the two models projected an increase in our State's population by 1990 to approximately 7,735,000. The accuracy of the result achieved by averaging is demonstrated by an analysis of census data. According to a publication of the bureau of census entitled "Estimates of Populations of States, by Age: July, 1981," the population of New Jersey as of April 1, 1980 was approximately 7,365,000. That same document projected a 1990 population of 7,513,000. The census estimates are periodically updated by provisional projections during the decade. The most recent estimates published in 1984, entitled "Estimates of Populations of States: July 1, 1981 to 1983" (advanced report) contain population estimates as of July 1, 1983, as well as information concerning the average annual percentage of change. Those figures show that the New Jersey population is estimated at 7,468,000 as of July 1, 1982. That represents an average annual growth of .464%—nearly $\frac{1}{2}\%$ a year. That compares to the earlier projection of an average annual growth of .20%. If one accepts the census bureau estimate of New Jer-

sey's population in 1980 as the most reliable data available and projects growth for the decade of the 1980's at the rate of .464% on a straight-line cumulative basis, the projected 1990 population would be 7,714,000—a figure virtually identical to the 7,735,000 projected by averaging the two models.

The only other criticism of the prospective regional need calculation which defendant vigorously pursued was the argument that defendant's prospective obligation should be reduced by 40% because it is being assessed in 1984 for the ten-year period from 1980 to 1990. As defendant concedes, its prospective need obligation did start in 1980. Any reduction of the fair share based on the elimination of responsibility for the first four years would cause 40% of the decade's need to be lost. It would also encourage towns to hide from their obligation as long as they could, since the number would continue to reduce as long as it is based on a 1980-1990 projection. To the extent that defendant is arguing that the township cannot satisfy a need developed over ten years in six years, the issue is compliance. If, when the defendant submits revised land use regulations, it can demonstrate that it cannot satisfy its obligation by 1990, *despite its best efforts*, the court will have to fashion an appropriate schedule. To the extent that defendant suggests that the compliance period should be from 1984-1994, the argument fails for two reasons. First, as already explained, it will leave four years of need unaccounted for. Second, it will require projection of prospective need into the 1990's. That will force reliance upon a 1980 data base for projection into the 1990's. For example, a municipality sued in 1988 would have its prospective need projected to 1998 thereby creating an 18-year projection. It is obviously preferable to maintain as current a data base as possible by taking advantage of the 1990 Census. That is the reason why Warren's prospective need has been calculated to 1990.

c. *Present and Prospective Need*

Certain criticisms raised by defendant relate to both the present and prospective need methodology. Specifically, the defendant objects to the 20% adjustment for vacant developable land and the three percent adjustment for vacancies.

As discussed above, the methodology increases the surplus present and prospective need number of each municipality by 20% across the board. Underlying the concept of this adjustment is the desire to avoid the loss of housing units which occurs by virtue of the reduction of fair share obligations due to the absence of adequate land or credits given for prior *Mount Laurel* compliance. If the fair share methodology generates a number which a town cannot accommodate because it has inadequate land or if the town is entitled to a credit against that number because it has already built some lower income housing, the obligation of the town must be reduced. However, the regional need remains. That need is not a theoretical number. It represents housing required for lower income households. Unless that responsibility is transferred elsewhere, it is lost.

This concept is not new. A similar approach was embodied in "A Revised Statewide Housing Allocation Report for New Jersey," dated May, 1978. In that report, the New Jersey Division of State and Regional Planning evaluated all municipalities to determine whether they had adequate vacant land to absorb the housing obligation which the report assigned to them. If a municipality lacked adequate land, that portion of its allocation which could not be absorbed was reallocated to the remaining municipalities. To prevent the possibility that reallocation brought borderline municipalities over their ability to absorb their allocation, a second evaluation was undertaken. This process was repeated until the entire need was satisfied without exceeding the capacity of any municipality. The judiciary cannot utilize this administrative technique because it does not have the opportunity to determine the fair share of all of the

municipalities in the state in a single case. However, through the 20% readjustment a similar result can be accomplished.

The housing allocation report estimates that it was necessary to reallocate 23% of all presently needed housing units. Virtually all experts agree that there is no reliable statewide data concerning vacant developable land today. However, a reasonable assumption can be made that the need for reallocation is of approximately the same magnitude today as it was in 1978. Therefore, the Urban League Report recommended the use of a 20% reallocation across the board ULR at 12. I find the recommendation to be sound.

One of defendant's experts agreed that some reallocation procedure was appropriate. The other defendant's expert asserted it should be eliminated. Both of them contended that the 20% adjustment makes the fair share number too large. It is not enough to say that the adjustment should be reduced or eliminated merely because it is one's subjective view that the resulting number is too high. The question is whether the adjustment is reasonable standing alone. Objective reasons have not been presented to me to justify its modification.

The reallocation procedure accomplishes several goals. It enables the judiciary to engage in statewide reallocation even though it is setting fair share obligations on a case-by-case basis. It avoids the loss of needed housing units. It permits the court to give repose to a municipality without concern that after repose the court might be required to reallocate additional housing to that municipality based on the inability of other towns in the region to absorb their fair share.

Note that the reallocation procedure is made necessary because of the absence of reliable vacant land data. At such time as verifiable data becomes available, the reallocation procedure might be revised.

In addition to the 20% adjustment, the methodology increases the fair share by 3% to allow for mobility in the housing market. If fair share numbers were designed to

match evenly the need and the fair share numbers were satisfied, any family desiring to move could not do so unless another family also moved to make room for them. Therefore, there must be a reserve of unoccupied units to permit mobility. The planning community generally recognizes the need for a vacancy allowance of 1.5% in sales housing and 5% in rental housing. However, the Urban League Report, ULR at 25, and plaintiffs' experts noted the likelihood that presently, most *Mount Laurel* housing will be satisfied through sales units. Therefore, it recommended the use of 3%. Again, defendant's experts do not challenge the theory of the adjustment, but rather its result. Again, they contend it makes the fair share number too large. The answer is the same. The question is whether the adjustment is reasonable standing alone.

3. Allocation Factors

The last step in this analysis of the fair share methodology is to examine the rationale for each of the factors selected.

a. Present Need Factors

(1) Growth Area

This factor measures the amount of growth area acres in a municipality as compared to the growth area acres in the region. Any reasonable methodology must account for a municipality's physical capacity to provide space for new construction. The growth area factor is designed to reflect that capacity. It identifies that area within the municipality which has been earmarked by the SDGP as an appropriate place for development. Moreover, the Supreme Court strongly supported the use of this factor when, in referring to circumstances in which exceptions would be made to SDGP classifications, it said:

The foregoing exceptions will allow a party to have the court impose a *Mount Laurel* obligation on a municipality that has no growth area as shown on the concept map, or to impose a greater

Mount Laurel obligation by, in effect, proving that the growth area should be enlarged, or, conversely, to relieve a municipality from any *Mount Laurel* obligation even though the concept map shows it as including a "growth area," or to diminish the obligation by proving that the "growth area" shown on the concept map should be cut down. [*Mount Laurel II* at 241, 456 A.2d 390]

Also, the strong implications of the Supreme Court's instruction in two of its *Mount Laurel* remands was that the extent of the growth area should affect the extent of the fair share. In *Round Valley v. Township of Clinton*, the Court directed that:

On remand the trial court shall determine whether the fair share can be accommodated completely in the growth area consistent with sensible planning. If it can, then the fair share determination below shall stand; if not, it shall be revised appropriately. [*Mount Laurel II* at 329, 456 A.2d 390]

In *Urban League of Greater New Brunswick v. Borough of Carteret*, the Court instructed:

In determining fair share, the trial court shall review the SDGP's characterization of each of the municipalities before it.... As previously stated, determination of fair share must take into consideration, where it is a fact, the inclusion within particular municipalities of non-growth areas where, according to the plan, growth is to be "discouraged." [*Mount Laurel II* at 351; cf. 225, 227, 456 A.2d 390.]

It should be recognized that a municipality's capacity to accept lower income housing would be better measured by a factor which identifies the amount of vacant developable land within the growth area. Not all growth area land is vacant or suitable for development. Some towns designated as growth are fully developed. Other vacant land is either physically constrained due to slopes, watercourses or other conditions or is inappropriate for *Mount Laurel*

high density development because of other planning or environmental concerns. The decision not to use vacant developable land is dictated by the inherent unreliability of that data. The last effort to compile such data was undertaken in the early 1970's. An aerial survey was made of the State. There is virtual agreement in the planning community that these photos are so outdated that they are unusable for allocation purposes. Therefore, despite the desirability of using only vacant developable land in a growth area as a land factor, I cannot utilize that alternative. To the extent that land within a growth area is developed or constrained, the vacant developable land defense can be raised to reduce the town's fair share.

A second alternative would be to use vacant developable land as a factor in lieu of growth area. Aside from the unreliability problem, the language of the Court just cited emphasizes the importance of linking the land factor to growth area considerations.

The last alternative is to eliminate any land factor on the theory that it cannot be assumed that a growth area designation assures that the land in the growth area is either vacant or developable for high density construction and on the theory that no other land factor is suitable. This would leave the allocation of fair share heavily dependent upon employment factors. That, in turn, would shift the obligation to the already developed, industrialized municipalities—those municipalities least able to handle the responsibility. Conversely, those towns with substantial vacant land but little employment would have their fair share reduced. Finally, the fact of the matter is, no fair share methodology would be complete without a factor which assesses the physical capacity of a municipality to accommodate development in that area into which the Supreme Court sought to channel *Mount Laurel* growth.

(2) Present Employment

This factor measures the number of existing jobs in a municipality as compared to

existing jobs in the region. The Supreme Court has singled out the importance of employment as an allocation factor, *id.* at 256, 456 A.2d 390, as have all planning experts before this court. A major goal of *Mount Laurel* is to enable people to live in decent housing near their place of employment. *Id.* at 210-211, *n.* 5, 456 A.2d 390. This factor represents a present housing demand since the existence of jobs creates the need for shelter. It may also reflect a policy of exclusion which has existed for many years because some towns have invited factories but excluded the workers. It is just as exclusionary to prevent workers from living near their workplace as it is to prevent the poor from living in more affluent communities. *Id.* at 211, 456 A.2d 390. Finally, to the extent that jobs create ratables, it affects the municipality's fiscal capacity.

Defendant's experts embrace the use of employment as a factor but assert that it should be more heavily weighted and question the adequacy of the data upon which it is based. While accepting the three present need factors, one of the experts contended that present employment should represent 50% of the equation rather than 33 $\frac{1}{3}$ %. Regrettably, he provided no justification for weighting. In the absence of some clear reason to do so, it should not be done. There is a built-in relationship of all of the factors in the methodology, a balance, which is crucial to its overall structure. As just discussed, overemphasizing employment tends to move the fair share back to the more industrialized towns which are usually developed. It would move it away from the suburban bedroom communities which have less employment but more land.

Defendant challenges the reliability of the data for this factor. The factor uses "covered employment" information provided by the New Jersey Department of Labor and Industry. Covered employment represents all private sector jobs covered by unemployment compensation. Consequently, the figures do not include military em-

ployment, state employees and some other smaller categories. Also, the data reports jobs based on a post-office address rather than actual location. Therefore, if a job is located in a town which uses another town's post office or if the place of employment crosses municipal boundaries but uses only one post office address, the figures can be misleading with respect to a municipality. From a regional standpoint, in most cases, the figures would not be misleading because they would be counted only once in the regional total. Despite the isolated problems with municipal data, the figures are the most reliable data available. They represent the vast majority of people in the work force and constitute a valid figure in most cases. In special circumstances, adjustments can be made on a case-by-case basis. No such circumstances exist in Warren. The critical importance of including a job factor mandates referral to some statistical base. No one has even suggested a better source.

(3) Median Income

This factor measures the relative position of a municipality's median income as compared to the regional median income. It is intended to account for the town's ability to defray the infrastructure costs of high density building, to identify prior exclusionary policies or to reward prior inclusionary efforts. This factor, like the other factors, has its roots in *Mount Laurel II*. As to the ability to absorb infrastructure, the Court recognized that satisfaction of the *Mount Laurel* obligation may impose substantial financial burdens on a municipality. *Id.* at 265, 456 A.2d 390. The factor seeks to equitably distribute those burdens. As to exclusion, the Supreme Court emphasized that towns must plan for all income levels. *Id.* at 211, 456 A.2d 390. As to inclusionary efforts, fairness requires that prior inclusionary construction, even if it does not qualify for credit toward the fair share, should be rewarded.

The criticism leveled at this factor centers on the wisdom of using any economic

factor and on its manner of implementation, if it is to be used at all. Those who would eliminate the median income factor argue that the mere existence of a higher median income does not support the conclusion that the municipality can absorb greater infrastructure costs, nor the conclusion that the municipality can absorb greater infrastructure costs, nor the conclusion that the municipality has been exclusionary in the past. The proponents of the use of the factor stress that insofar as *Mount Laurel* is an economic decision, the use of an income factor is entirely appropriate. They also contend that a municipality which has inclusionary zoning or assisted housing will probably have a lower median income than a municipality which has been more exclusionary. For example, a municipality that has permitted substantial multiple dwelling construction will likely have a lower median income than one which has restricted development to single family homes on large lots. Warren illustrates this proposition. It has no multiple dwelling developments. Most single-family zoning is large lot and its median income is over 140% of its regions.

While I have some reservations as to whether further experience will demonstrate that this factor will accomplish its objectives, those concerns are overridden by the importance of having an economic indicator which mirrors fiscal capacity, prior exclusion, and most importantly, past inclusion. Eventually, the planners and statisticians may develop data which will verify whether there is a connection between median income and these objectives. At such time, the assumptions made here can be retested and the factor can be re-evaluated.

Those who find the manner of implementing an economic factor troublesome

argue that the median income should be computed in a different manner or that a different economic factor should be used.

The argument that the median income should be computed in a different manner arises out of the fact that, in the present formula, median income is initially expressed as a ratio whereas all other factors are expressed as a percentage. That is, the other factors represent the municipality's *proportion* of the regional growth area or employment while median income represents the *position* of the municipality in relationship to the regional median. Thus, factors expressed as percentages of a region will total 100% when the percentages for each municipality in the region are added. The same is not true with a ratio which, for example, in Warren's case is expressed as approximately 140% of its regions median income.

The methodology in this opinion uses the ratio as a modifier by multiplying it by the average percentage of the other factors. Two alternative means of calculation have been suggested. First, the ratio could be maintained as a ratio and multiplied times the fair share number produced by the other percentages. Second, the ratio could be converted to a percentage and multiplied directly times the fair share number rather than being incorporated into the formula and divided equally as in the methodology adopted in this opinion. The difference is most graphically illustrated using Warren's prospective need calculation. For ease of comparison, the examples shall not include the 20% vacant land or 3% vacancy adjustments.

1. *The methodology used in this opinion*

$$\begin{array}{rcl}
 2.556 \text{ (Growth Area)} + .304 \text{ (Present Emp.)} + .428 \text{ (Emp. Growth)} & & = 1.096 \\
 1.096 \text{ (sum of 3 factors divided by 3)} \times 1.41 \text{ (141\% median income)} & & = 1.545\%
 \end{array}$$

The fourth factor of 1.545%, which represents the three-factor percentage modified by the median income ratio, is then added to the equation and a final percentage obtained as follows:

$$\frac{2.556 + .304 + .428 + 1.545}{4} = 1.208\%$$

The new percentage of 1.208% is multiplied times the regional need to obtain the fair share as follows:

$$\begin{array}{rcl} \text{Prospective Need} & = & 49,004 \\ & \times & \underline{1.208} \\ \text{Fair Share} & & \underline{592} \end{array}$$

2. *As a ratio multiplied times the fair share produced by three factors*

As noted in 1 above, the three factors divided by three generate a percentage of 1.096. When multiplied times the regional need of 49,004 they produce a fair share of 537. If the median income ratio is multiplied by that number, instead of being averaged as a fourth percentage, the following results:

$$\begin{array}{rcl} \text{3 Factor Fair Share} & = & 537 \\ & \times & \underline{1.41 \text{ Ratio}} \\ \text{New Fair Share} & = & \underline{757} \end{array}$$

3. *As a fourth percentage multiplied times the fair share produced by three factors*

As noted in 1 above, the three factors produce a percentage of 1.096 and the ratio modifies this percentage to 1.545. The three factors multiplied times the regional need produced a fair share of 537. If the median income ratio expressed as a percentage is multiplied times 537, instead of being averaged as a fourth percentage, the following results:

$$\begin{array}{rcl} \text{3 Factor Fair Share} & = & 537 \\ & \times & \underline{1.545 \text{ (modified \%)}} \\ \text{New Fair Share} & = & \underline{830} \end{array}$$

To summarize, the fair share number without an income factor would be 537.

With the median income as a modifier of the three-factor percentage, the number increases by approximately 10% to 592. The median income used as a ratio multiplier causes an increase of approximately 41% to 757. The median income ratio expressed as a percentage and used as a multiplier causes an increase of approximately 55% to 830.

As has been repeatedly emphasized throughout this opinion, the touchstone of a well-designed methodology is that it relies on sound data and that no aspect of it overpowers the formula. It should be a system of checks and balances. The mathematical analysis set forth above demonstrates that the use of alternative means of calculating median income can have a disproportionate effect upon the overall fair share analysis. Furthermore, the mere fact that the median income factor is initially stated as a ratio and then used as a modifier of a percentage does not detract from its validity. The purpose of the use of a ratio is to reflect the position of a municipality in relation to other municipalities and to do it in a manner which does not skew the results.

Another alternative suggested by one of defendant's experts was to avoid expressing median income as a ratio altogether and instead create what he saw as a "true percentage." This expert would derive what he has labelled the municipal median income percentage by multiplying municipal median income times the number of households in the town to produce a gross municipal income. He would then follow the same procedure for all other municipalities in the region and aggregate the municipal totals to obtain a gross regional income. By dividing the municipal gross income by the regional gross income, a municipal median income percentage could be arrived at without ever using a ratio.

This method produces some obviously unsatisfactory results. An example will illus-

trate. Assume a region having a total gross median income of 60 million dollars. Assume next that Town A has a median income of \$30,000 and 100 households. The gross median income of that town would be three million dollars. Assume that Town B has a median income of \$20,000, but 1,000 households. The gross median income of that town would be 20 million dollars. Therefore, Town A's regional percentage of median income would be 5%, and Town B's would be 33 $\frac{1}{3}$ %. Yet, by virtue of its substantial growth, Town B might very well have been less exclusionary than Town A. This expert's approach would, in all likelihood, decrease the fair share number of those smaller, affluent towns having large vacant developable land and fewer households. In fact, if applied to Warren, the prospective fair share (without including the 20% vacant land or 3% vacancy adjustments) would be reduced by approximately 25%.

Having completed the analysis of the median income factor, two alternative economic factors should be considered. One recommendation is to use tax ratables as an economic factor. Another is to use the change in the proportion of lower income households in the municipality in relationship to all municipal households.

The use of a ratable factor tends to duplicate the employment growth factor, but less accurately, because of unavoidable deviations in assessment and equalization practices throughout the State. Empirical testing of the ratable factor by the Urban League group demonstrated its disparate results.

The use of a factor based on the change of the proportion of lower income households emanates from an analysis of footnote 49 in *Mount Laurel II*. *Id.* at 297, 456 A.2d 390. This factor appears to identify exclusion. However, not only does it have a tenuous connection to fiscal capacity but also there is a data problem. Footnote 49 refers to statistics for families. This information is now accumulated for households instead of families. Since this factor

is intended to measure a trend over many years, insufficient comparable data is available. Alternatively, it would be necessary to convert the family figures to households and that conversion requires assumptions that would render the data base unreliable. The family to household ratio is a figure which is subject to much debate and frequent change.

b. *Prospective Need Factors*

(1) *Applicability of the Three Present Need Factors*

The methodology allocates the prospective regional need through the use of the three present need factors analyzed above, as well as a fourth factor—employment growth. Before discussing the fourth factor, it should be noted that the rationale supporting the use of the three factors for allocation of present need apply equally to their use in the prospective need formula. The allocation of future housing, as with the distribution of present housing, is directly related to the availability of land, the financial capacity to absorb infrastructure costs and the extent of the municipality's past exclusionary practices. Thus, the growth area and median income factors are as appropriate for allocating prospective need as for present need. The present employment factor is intended to show the current job status of the municipality. It represents a present need for housing because the existence of jobs also dictates the need for housing. It also reflects prior employment history and to the extent that jobs create ratables, it reflects upon a municipality's financial capacity. The reasons supporting the present employment factor have equal applicability to the prospective need and, as will be seen, the factor also serves as a balancing mechanism to the employment growth factor.

(2) *Employment Growth*

The employment growth factor is intended as a predictor of future job growth. It measures employment trends and mirrors the land use policies promoted by the mu-

nicipality. It is tied together with the current employment factor by the fact that people are attracted to live in the area in which they are employed. As noted, *Mount Laurel II* specifically favors the use of employment factors in fair share allocation. *Id.* at 256, 456 A.2d 390. The presence of the two employment factors in the prospective need formula tends to avoid the unfair results which could occur if only employment growth were considered. For example, a municipality which historically had little employment, but has had a recent, sudden and possibly aberrant burst of employment could be assessed a fair share number which might be unrealistically high. Again, the two factors check and balance each other.

Three criticisms of the employment growth factor should now be considered. Defendant suggests weighting the employment factors and also argues with the reliability of the employment data. Those arguments have been fully addressed above in the discussion of the present employment factors.

The last argument raised by defendant concerns the mathematical method by which employment growth is projected. Defendant contends that a straight arithmetic measurement is preferable to the linear regression method used in this opinion. The straight arithmetic approach involves identifying the job base in the first year of the period to be measured and the job base in the last year of the period to be measured. Assuming there has been any job growth, the number of jobs in the first year would be subtracted from the number of jobs in the last year. The number produced would be divided by the number of years spanned and would represent the average job growth over that period. The linear regression method involves a much more sophisticated statistical approach, the complexities of which need not be addressed in this opinion. Suffice it to say that the purpose of using linear regression analysis is to establish a trend line which is truly reflective of the employment growth

picture. It does so by evening out sharp increases and decreases which occur over the trend period and by reducing the impact of a sharp increase or decrease occurring in the last year of the trend period.

The value of the linear regression method over the straight line method is amply demonstrated in this case and, indeed, to Warren's benefit. The testimony discloses that for the decade 1972-1973 to 1983-1984, Warren had an employment growth of 539 jobs or roughly 54 jobs per year. Plaintiff's rebuttal testimony, utilizing employment statistics which became available towards the close of the case, revealed that Warren had experienced a growth in the 1983-1984 period of 1786 jobs. If the projection decade is moved forward one year to include the new data, the average employment growth on a straight line for the new decade would be 242 jobs per year—almost a 350% increase. If the full 11-year period for which covered employment figures are available was utilized on a straight line, the average growth would be 211 jobs per year or almost a 300% increase. The result of applying linear regression would be to soften the impact of the tremendous growth in 1983-1984. Again, the desire to avoid extreme results controls the selection of the proper method.

Before completing the discussion of the allocation factors, it is again necessary to tie up some loose ends. As to the calculation of all four factors, the regional figure, which is the denominator used to obtain the percentage, excludes data from all selected urban aid and non-growth municipalities. There is a common theme which justifies this exclusion as well as specific reasons pertinent to each factor.

The common theme evolves from the fact that non-growth municipalities have no responsibility to the regional need. Similarly, selected urban aid municipalities do not have an obligation to handle more than the regional average of substandard housing and, therefore, they have no regional obligation, because realism requires a recognition that their present circumstances render it impossible for them to absorb more

than the regional average. *Id.* at 243, 456 A.2d 390. Since the fair share methodology seeks to distribute 100% of the obligation among those municipalities who have it, it is unreasonable to include the data of those municipalities which have no regional obligation. That is so because in dividing up the regional pie equitably, the primary consideration is the relationship of every municipality having the obligation to every other municipality having the obligation. Inclusion of municipalities having no obligation would distort that relationship.

Specific reasons concerning each factor also call for this exclusion. This formula excludes selected urban towns from the growth area calculation because they are the traditional core areas or similar towns not likely to attract *Mount Laurel* type housing and because they generally lack significant vacant land. Non-growth municipalities obviously cannot contribute to a count of growth acreage. This formula excludes selected urban aid municipalities from both employment figures because it would unreasonably diminish the responsibility of towns having a fair share obligation. If the high concentration of employment, albeit declining, in the selected urban aid municipalities was included in the regional total it would decrease the percentage of all municipalities having a regional obligation. The formula excludes selected urban aid municipalities in the calculation of the regional median income in order to make it more likely that towns which have made inclusionary efforts will be rewarded. If the median income of the selected urban aid municipalities were included, it would probably depress the regional median income so low that virtually no town having a fair share obligation would fall below the median. Therefore, even the most commendable efforts would go unrewarded.

II.

COMPLIANCE

[3, 4] Having determined that Warren Township's fair share is 946, it is now

necessary to evaluate Warren's ordinances to ascertain whether they meet the *Mount Laurel* obligation. A finding that the land use ordinances are compliant requires a showing that Warren has removed all excessive restrictions and exactions which would preclude actual construction of its fair share. *Id.* at 258-259, 456 A.2d 390. If the removal fails to generate compliance, then Warren must employ affirmative devices such as, subsidies and inclusionary zoning. *Id.* at 260-274, 456 A.2d 390.

With this legal framework in mind the township's response should be reviewed. On December 2, 1982, the township adopted ordinance 82-19 which amended its existing zoning ordinance. That amendment purports to establish two high density zones (R-20th and R-20tha) consisting of three parcels. The ordinance provides for density bonuses which, in one district, would allow a density level up to seven units per acre and, in the other, up to eight units per acre. The amendment also rezoned three other parcels, only one of which was offered by defendant for *Mount Laurel* compliance purposes. That parcel was rezoned R-10 to allow 10,000-square foot lots which could be varied in size down to a minimum of 7,500 square feet if sufficient lots are increased in size to maintain an average lot size of 10,000 square feet. On December 1, 1983, ordinance 83-20 was adopted providing for the mandatory construction of 30% lower income homes in any developments constructed in R-20th and R-20tha zones created by ordinance 82-19 but not for R-10 zones. Ordinance 83-20 also provided for the submission of a *pro forma* statement concerning low and moderate income housing, mechanisms to guarantee the maintenance of housing at lower income levels, provision for a waiver or reduction of the 30% mandatory set aside and allowance for least cost housing, in lieu of lower income units.

[5] By defendant's own admission these modifications would result, at best, in 324

units of lower income housing. In light of defendant's additional admission that the fair share obligation is at least 419 units, there is no question that the zoning ordinance does not comply with *Mount Laurel*. The conclusion is even more powerfully buttressed by the court's finding that Warren's fair share is 946 and by the finding that the modifications to the ordinance will not generate even the 324 units that defendant claims it will produce.

Given defendant's admissions that its modifications are inadequate to reach its fair share number, it is not necessary to spend a substantial amount of time analyzing Warren's land use regulations. However, to provide some guidance to the master and the township in its revision efforts, certain aspects of the ordinance warrant comment.

Removal of Excessive Restrictions and Exactions

[6] The removal of excessive restrictions or exactions refers to both the zone plan and those provisions of the zoning ordinance which would prevent actual construction of lower income housing. *Id.* at 258-259, 456 A.2d 390. Even if the zone plan allows for sufficient density, it may also be necessary to remove other provisions of the ordinance to insure actual construction. The vast majority of the residential zoning in the town is restricted to 1½-acre lots. Such large lot zoning will not produce *Mount Laurel* housing. Furthermore, even the "smaller" lot zoning requires a minimum average of 10,000 square feet (approximately ¼ acre) and imposes other conditions which render it useless for *Mount Laurel* compliance. *Cf. Mount Laurel I*, 67 N.J. at 183, 336 A.2d 713. The township's efforts at high density rezoning are also suspect. Ordinance 82-19 does not contain any density bonus for lower income housing. Rather, the bonuses are for such things as energy conservation, senior citizen housing, voluntary square footage limitation and open space. Finally, the multiple housing and density bonuses permitted in the high density zones are only permit-

ted on a conditional use basis, thus requiring anyone seeking to construct lower income housing to undertake a possibly lengthy approval process.

[7-9] Other excessive restrictions and exactions will merely be noted. As to chapter XVI of the township codification dealing with zoning, see the following:

1. § 16-4.5(b) requires all townhouses to have a private garage.
2. § 16-5.18 requires every townhouse to have a significantly different design from every other townhouse within 150 feet of the lot upon which the structure is erected.
3. § 16-10.3(b)(2) appears to require excessive setback provisions, which could be either cost generating or severely constrain the site layout thereby affecting densities.

As to chapter XV, see the following:

1. § 15-13(d)(3) requires parking and traffic problems to be "resolved". This vague language could inhibit the approval process.
2. § 15-13(d)(5), dealing with screening requirements, would appear to apply to high density development and apparently requires screening in the front yard of such developments.
3. § 15-13(d)(7) appears to give the broad discretion to deny an application if the use were not deemed to be in the public interest. Such site plan provisions are inherently suspect as a matter of law since the purpose of the site plan ordinance is not to countermand zoning provisions. Furthermore, that vague language could be used as a method of inhibiting the approval process.
4. § 15-19, dealing with design standards of roads, appears to have inadequate flexibility concerning road widths and other requirements as it relates to multiple dwellings for *Mount Laurel* purposes. *Mount Laurel* construction frequently necessitates waiver or modifications of requirements for curbs, road construction standards and other design standards.

5. The provisions of § 15-20 dealing with environmental assessment should be reviewed. Some of the requirements apparently go beyond issues of environmental concern and speak to the question of whether the use should be allowed at all. Again, that is not the function of a site plan ordinance. There is also some very subjective and vague language including such terms as "disruption of desirable community and regional growth" in § 15-20(c)(5), evaluation of "social impact" in § 15-20(c)(7) and similar phrases which could disrupt the expeditious handling of applications. Note, additionally, § 15-20(c)(7) which requires the applicant to provide a statement of alternative uses in the event that the proposed use is not acceptable, including an alternative of no project at all. Such a provision is patently unreasonable and the requirement that the applicant must substantiate numerous alternatives is without bounds. A site plan ordinance should address planning standards and not the issue of whether the use should be permitted. It should address those standards in clear, concise language which avoids cost generation.

Using Affirmative Devices

With respect to the municipality's use of affirmative devices, ordinance 83-20 provides for a 30% mandatory set aside for lower income housing. Plaintiffs argue that a mandatory set aside of 30% is not feasible and that, in the absence of subsidies, not more than 20% of the housing can be devoted to lower income housing. For a mandatory set aside to be effective, the set aside must be reasonable and the unit density must be reasonable. If the set aside is reasonable and the density is reasonable, actual construction will result. If the set aside is too high or the density too low, no construction will occur because the project must be profitable. *Cf., id.* at 268, 279, n. 37, 336 A.2d 713. If plaintiff's argument in this case is correct, an issue not passed upon at this time, the 30% mandatory set aside could actually frustrate the construc-

tion of lower income housing. The township must reexamine its position. The provision in ordinance 83-20, which allows the waiver of the 30% requirement, may be an inadequate answer to this concern. As noted, the waiver is part of a conditional use procedure, which may be cost generating and the existence of the waiver provision could be abused so as to result in no lower income housing at all.

The foregoing comments are not intended to pass upon the validity of any of the sections noted, nor are they intended to catalogue completely the potential inadequacies of the existing ordinance. The revision of the ordinance should not be done by court review or fiat at this time. Rather the governing body, planning board, the master and all those interested in the process should have the opportunity to submit a compliant ordinance to the court.

III.

BUILDER'S REMEDY

Mount Laurel II requires that a builder's remedy be granted if the builder has succeeded in the litigation and proposes to construct a substantial amount of lower income housing, and if the municipality has failed to prove that the proposed project would either substantially harm the environment or be otherwise clearly contrary to sound land use planning. *Id.* 92 N.J. at 279-280, 456 A.2d 390.

[10] It is evident from what I have said that plaintiffs have succeeded in demonstrating that Warren's ordinances fail to comply with *Mount Laurel* guidelines. Furthermore, plaintiffs have demonstrated their intention to construct a minimum of 20% lower income housing units through concept plans and the testimony of their principals. The only defense raised to the builder's remedy concerns the suitability of the properties from an environmental standpoint. In that regard, *Mount Laurel* places a heavy burden on the defendant raising this defense to prove that the dan-

ger is substantial and very real. *Mount Laurel I*, 67 N.J. at 186-187, 336 A.2d 713; *Mount Laurel II* at 331, n. 68, 456 A.2d 390.

Defendants attempted to establish, through the testimony of an expert in waste water management, that the proposed projects would have a negative effect upon the Dead River and also that there was inadequate sewer capacity within the township to accommodate the projects. Plaintiffs sought to counter that testimony through their own waste water expert who took the position that adequate existing capacity could be found or a method of treatment could be developed which would not degrade the water quality in the Dead River. Most of the testimony centered around the issues of whether governmental approval could be obtained by plaintiffs for the use or expansion of existing sewer facilities and the right to discharge the volume of effluent involved. Warren's expert pointed to the Wastewater Facility Plans affecting Warren (commonly known as the 201 studies) and the Water Quality Management Plans pertaining to Warren (commonly known as the 208 studies). Both studies are planning tools designed to establish a blueprint well into the twenty-first century for avoiding water pollution. The plans are developed based on expected water flow which, in turn, is extrapolated from population projection. The projections are made by the State predicated upon existing land use regulations in each municipality. Once the projections are aggregated, a total wastewater flow figure is obtained by using standard ratios of population to wastewater. Thereafter, the expected flows are disaggregated to the counties and ultimately to the municipalities. The municipalities or regional authorities, then develop wastewater management treatment plans utilizing their allocation of anticipated flow. Based on this allocation, Warren constructed its treatment plants through a subscription procedure which required landowners who desired sewer capacity to pay for a portion of the cost of the facility. In exchange, the

property owner received a subscription contract which entitled the owner to a gallonage reserve. As a result, defendant argues that the growth of the township is necessarily limited by the wastewater allocation to Warren and the commitment Warren has made to its prospective users.

[11] The reasoning is fallacious. The state population projections embody existing zoning patterns. In Warren's case and others, that zoning is exclusionary. To permit Warren to hide behind a state policy which incorporates exclusionary zoning, is to permit Warren to do indirectly what it cannot do directly. Furthermore, testimony revealed that while these studies are useful long range planning tools, they are subject to modification upon proper application. As our Supreme Court has emphasized, without the assistance of the municipalities, the prospect of lower income housing is practically impossible. *Id.* at 263, 456 A.2d 390. The court expects that Warren will do whatever is necessary to help plaintiffs obtain modification of existing limitations.

At this posture the court will invite the master's opinion as to whether, notwithstanding the township's best efforts, the builders' projects are precluded by the unavailability of sewer capacity or the likelihood that no means are available to handle their effluent in the foreseeable future. Certainly, the court does not want to award a builder's remedy which cannot be fulfilled. The master should carefully scrutinize this issue so that the court can be assured that the builder's remedy received by plaintiffs is likely to be implemented within a reasonable time frame. If the court cannot be so assured, Warren will be called upon to satisfy its obligation elsewhere.

The court does not pass upon the densities requested by the builders or other specific aspects of the concept plans submitted. The governing body, planning board, plaintiffs, the master and other interested parties should all confer with re-

spect to plaintiffs' proposed project for the purposes of attempting to agree upon appropriate development plans. *Id.* at 280, 456 A.2d 390. To the extent that the interest of the municipality and the parties can be accommodated within the bounds of *Mount Laurel II* requirements, the court should defer to those judgments. Of course, in the event that the positions of the parties cannot be reconciled, the master should recommend to the court a solution to the problem for the court's subsequent review.

In light of the court's finding that the land development ordinances of Warren violate *Mount Laurel II*, Warren Township is hereby directed to revise its ordinances within a period of 90 days of the filing of this opinion. Warren shall eliminate from its ordinances all cost generating provisions which would stand in the way of the construction of lower income housing. If necessary it shall also incorporate in its revised ordinances all affirmative devices necessary to lead to the construction of its fair share of lower income housing. See generally *Mount Laurel II* at 258-278, 456 A.2d 390.

I shall appoint by separate order, a special master to assist the municipal officials in developing constitutional zoning and land use regulations in conformity with *Mount Laurel II*.

IV.

CONCLUSION

The authoring of this opinion has strained my literary capacity to make the subject matter easily intelligible while at the same time not sacrificing accuracy and thoroughness. No doubt the opinion has also strained the reader's patience. However, the tedium is now over, for this conclusion will address the broader issues underlying the technical concepts discussed above.

Notwithstanding the importance of a fair share methodology in fulfilling the stated purposes of *Mount Laurel II*, the bottom

line to all those involved in the litigation is the number generated. Despite the imprecision of the tools used for calculating the number, the Supreme Court requires me to fix a precise number because it believes that requirement is most likely to achieve the goals of *Mount Laurel*. *Id.* at 257, 456 A.2d 390. As in other areas of the law, a plaintiffs' and defendants' bar has developed in *Mount Laurel* litigation. Plaintiffs complain that the numbers produced by most of the formulas suggested are too low because they will not meet the need, because they are too low in areas most suited for lower income construction and because they are too low to attract builders to sue. Plaintiffs' first complaint assumes that, in the absence of governmental subsidies, not more than 20% of any project will consist of lower income units. Based on that assumption and the statement that 40% of the state's families qualify as lower income, *id.* at 221-222, *n.* 8, 456 A.2d 390, one-half of the need will not be met in each project. Plaintiffs' second complaint, that the allocation methods do not give the most suitable municipalities a larger burden, rests on their assertion that the methodology adopted emphasizes employment. They theorize that this emphasis shifts the obligation to the more industrialized and developed communities. Plaintiffs' third contention, that the numbers are too low to attract builders, rests on principles of economics. Where fair share numbers are low, the builders are not likely to be attracted to those communities. The low numbers mean that few parcels are available. This, in turn, can inflate the market price, cause the availability of the tracts to depend on the individual predilections of the owners, subject those owners to political pressures and otherwise depress the activity of the real estate market for *Mount Laurel* housing. *Id.* at 261-262, *n.* 26, 456 A.2d 390. In short, there must be a climate created that fosters *Mount Laurel* construction.

Defendant argues that the numbers are too high because it will be necessary to

build more market units than are needed to satisfy the lower income demand, because the size of the obligation will discourage voluntary compliance and because the magnitude of the construction is bound to damage the environment. The first argument presupposes that, in order to build one lower income unit without external subsidies, it is necessary to construct an additional four market units. Hypothetically, if there is a total regional need for 100,000 housing units and 40,000 (40%—the approximate state average) of those are to be lower income units, it would be necessary to build 200,000 units to satisfy the lower income need. In the process of constructing the 40,000 *Mount Laurel* homes, a surplus of 100,000 market value homes would be built. A corollary argument is that historically, building rates in New Jersey have never reached a level which could satisfy this volume of construction by 1990. Defendant's second argument, that the numbers discourage voluntary compliance, rests on the hypothesis that if the numbers were lower, the towns would be less prone to fight them. If they are too high, they must fight because the numbers are unattainable without degrading the quality of life in the municipality. The third environmental argument is related to the second in that defendant equates large construction with irreparable environmental damage.

[12] While all of plaintiffs' and defendant's arguments concerning the numbers game have varying degrees of merit, it is not necessary to address them individually. Depending on one's philosophical bent, degree of concurrence with *Mount Laurel's* objectives and propensity for subjective analysis, one could easily join plaintiffs' or defendants' bar. However, while others may be entitled to such perspectives, I am not. The Supreme Court has charged the three *Mount Laurel* judges with the responsibility of formulating a methodology which identifies the housing needs of lower income people and thereafter fairly distributes the needs. Once the need is identified, it cannot be ignored to satisfy defendants

or inflated to satisfy plaintiffs. The answer to the numbers game is squarely addressed by the Supreme Court:

The provision of decent housing for the poor is not a function of this Court. Our only role is to see to it that zoning does not prevent it, but rather provides a realistic opportunity for its construction as required by New Jersey's Constitution. The actual construction of that housing will continue to depend, in a much larger degree, on the economy, on private enterprise, and on the actions of the other branches of government at the national, state and local level. We intend here only to make sure that if the poor remain locked into urban slums, it will not be because we failed to enforce the Constitution. [*Id.* at 352, 456 A.2d 390]

In designing a fair share methodology, subjective preconceptions should not control. Rather, the methodology should seek to determine objectively the precise extent to which a municipality must open its doors to the poor. Once that need is identified and the obligation imposed, the economy, private enterprise and other branches of government will decide whether the need will be satisfied.

[13] The pivotal question is not whether the numbers are too high or low, but whether the methodology that produces the numbers is reasonable. Any reasonable methodology must have as its keystone three ingredients: reliable data, as few assumptions as possible, and an internal system of checks and balances. Reliable data refers to the best source available for the information needed and the rejection of data which is suspect. The need to make as few assumptions as possible refers to the desirability of avoiding subjectivity and avoiding any data which requires excessive mathematical extrapolation. An internal system of checks and balances refers to the effort to include all important concepts while not allowing any concept to have a disproportionate impact.

The emphasis on these three ingredients is the continuous thread weaving itself

throughout the fabric of the justification of the methodology. For example, with regard to reliability, the methodology relies heavily on census data wherever possible since all concede it is generally the most trustworthy source. A primary reason for adopting a prospective need region based on county lines was to obtain the benefit of county data which is more reliable than municipal data. *Cf. Mount Laurel II* at 258, 456 A.2d 390. In choosing a land allocation factor, the formula utilized only growth area because it is significantly more reliable than the data on vacant developable land. Finally, the employment factors used covered employment data, by all accounts, the most accurate statistics available.

With regard to the effort to avoid assumptions, several examples will illustrate. The methodology avoids subjectivity by focusing the definition of substandard housing only on three factors because they are the clearest indicators of deficient housing. The inclusion of other categories of deficiencies are less certain indicators of substandardness. The methodology avoids excessive mathematical extrapolation by rejecting an economic factor devised from *Mount Laurel II*. *Id.* at 297, n. 49, 456 A.2d 390. That factor would evaluate exclusionary or inclusionary efforts premised upon the changes in the percentage of lower income families residing in the town. One reason for dismissing it was that it involved a conversion of family data into household data since reporting methods have changed. That conversion requires assumptions which, if even slightly incorrect, can create a large margin of error.

With regard to internal checks and balances, two examples will suffice. The projection of population to determine prospective regional need averages two population models, one which is considered to be conservative and the other more liberal. The allocation factors contain numerous checks and balances. The growth factor tends to draw fair share to large areas of suitable land and thereby offsets the pull

of the employment factors to more urban and developed areas. The two employment factors in the prospective need formula tend to check each other because one reflects past trends and the other, future projections. The median income and growth area factors tend to balance the absence of significant employment in the bedroom communities by their emphasis on greater wealth and greater land capacity.

Not only must any reasonable methodology have as its keystone the three ingredients just discussed, but also it must be sufficiently structured to produce consistent results and it must be sufficiently flexible to deal with extreme cases at both ends of the spectrum. In the *Mount Laurel* context, the need for a bright line standard is paramount because "confusion, expense and delay have been the primary enemies of constitutional compliance in this area." *Id.* at 292, 456 A.2d 390. Our Supreme Court has eloquently described the result:

The waste of judicial energy involved at every level is substantial and is matched only by the often needless expenditure of talent on the part of lawyers and experts. The length and complexity of trials is often outrageous, and the expense of litigation is so high that a real question develops whether the municipality can afford to defend or the plaintiffs can afford to sue. [*Id.* at 200, 456 A.2d 390]

Such results compelled the Court "to put some steel," *ibid.*, into the *Mount Laurel* doctrine by providing certainty in its implementation. The Court itself resorted to bright line standards. Thus, the SDGP replaced the developing standard. *Id.* at 225, 456 A.2d 390. The precise fair share number standard replaced the numberless approach. *Id.* at 222, 456 A.2d 390. The centralized management by three judges replaced the county based management of the cases. *Id.* at 253, 456 A.2d 390. Similarly, the methodology set forth in this opinion draws bright lines which should eliminate confusion and strengthen the doctrine.

Despite the imperative of certainty, the methodology is not blindly rigid. It recognizes that some towns will lack the vacant developable land to handle the fair share the formula would assign—and so creates the vacant developable land defense. It acknowledges that some towns have made inclusionary efforts—and so rewards them through the use of the median income factor and by direct credits where appropriate. It understands that the methodology will not produce equitable results in every case—and so in extreme cases the litigants shall have the opportunity to persuade the trial court that an adjustment is appropriate. *Cf. Mount Laurel II* at 239–240, 456 A.2d 390.

This opinion would not be complete without commenting upon the task which has confronted this court and the challenge that lies ahead. The Supreme Court aptly characterized the assignment as follows:

The most troublesome issue in *Mount Laurel* litigation is the determination of fair share. It takes the most time, produces the greatest variety of opinions, and engenders doubt as to the meaning and wisdom of *Mount Laurel* Each of these issues (region, regional need and allocation) produces a morass of facts, statistics, projections, theories and opinions sufficient to discourage even the staunchest supporters of *Mount Laurel*. The problem is capable of monopolizing counsel's time for years, overwhelming trial courts and inundating reviewing courts with a record on review of superhuman dimensions. [*Id.* at 248, 456 A.2d 390]

While the Supreme Court provided some general guidance concerning fair share, it envisioned that the specialized trial court it created would undertake the task of devising a comprehensive approach to the subject. *Id.* at 253–255, 456 A.2d 390.

Over the year which has elapsed since my assignment, I have had the opportunity to examine innumerable fair share reports, to engage in many court proceedings centering on fair share and have presided over

two full blown trials which focused on fair share issues. This exposure has provided me with exactly the background which the Supreme Court foresaw as essential to resolving the difficult issues involved in fair share allocation. In that process, the Urban League Report has evolved. It has captured the attention of counsel in litigation and in conferences. I have become fully familiar with it, examined it as well as any other alternatives, in light of all of my experience. The methodology, both in its individual elements and as a whole, has survived every test and remains as the most carefully conceived approach presented to me. To those who would say that this opinion merely rubber stamps the Urban League approach, I invite them to examine the justifications for the methodology set forth in this opinion and, I urge them to offer a better alternative.

Indeed, the methodology represents the beginning of the refinement process. It is not written in stone and it should therefore provide the impetus for those in the legal and planning community, as well as others, to improve upon it or replace it with something better. However, in the interim, the *Mount Laurel* doctrine which has too long awaited a political consensus must not wait as long for a judicial resolution. *Id.* at 212, 456 A.2d 390. A substantial segment of the planning community has had its chance to achieve agreement and it has now done so. They could have debated for years over equally reasonable alternatives. Over the course of that debate, the uncertainty which has plagued the doctrine would have continued, the doctrine would have remained weak and the day when housing opportunities for lower income citizens became realistic would have been delayed. Instead, the planners have put aside their academic differences and taken a significant step towards the certainty contemplated by the Supreme Court, *id.* at 252–253, 456 A.2d 390, until a clearly preferable approach evolves. This decision is intended to take another step toward the achievement of the goal of consistency, which is

critical to the fulfillment of the constitutional obligation. *Id.* at 254, 456 A.2d 390.

This opinion has explored in depth the most minute aspects of fair share allocation and the broadest implications of the methodology espoused. Yet, it should not be forgotten that all that has been said most directly affects the residents of Warren Township. This community of approximately 20 square miles and 10,000 people is nestled in the Watchung range in a portion of our State known for its rural character and scenic beauty. It has significant undeveloped land, has relatively little commerce, has had comparatively slow population growth and its housing includes many high cost homes on spacious lots. In short, it is a very desirable place to live. Nonetheless, Warren is in the process of change. The construction of Route 78 and other factors have caused the entire Clinton corridor, of which Warren is a part, to burgeon. As a result Warren and its neighbors have drawn highly desirable commercial development along with the executives seeking to live in comfort near their place of employment. Absent *Mount Laurel*, Warren would experience substantial attractive ratable growth and continued exclusive residential development. With *Mount Laurel*, change will also occur, but of a different character. Warren is also appealing for *Mount Laurel* development because it is located entirely within a growth area, has an excellent employment picture and has a much higher income base than its regions. Although the exact affect of lower income development cannot be gauged, there will be demands on the infrastructure and the public services may require expansion. Warren complains that it must accept this alternative and that it must do so without assurance that other municipalities will do their part.

The issue is one of equity—the “fair” in fair share. Warren’s complaints are under-

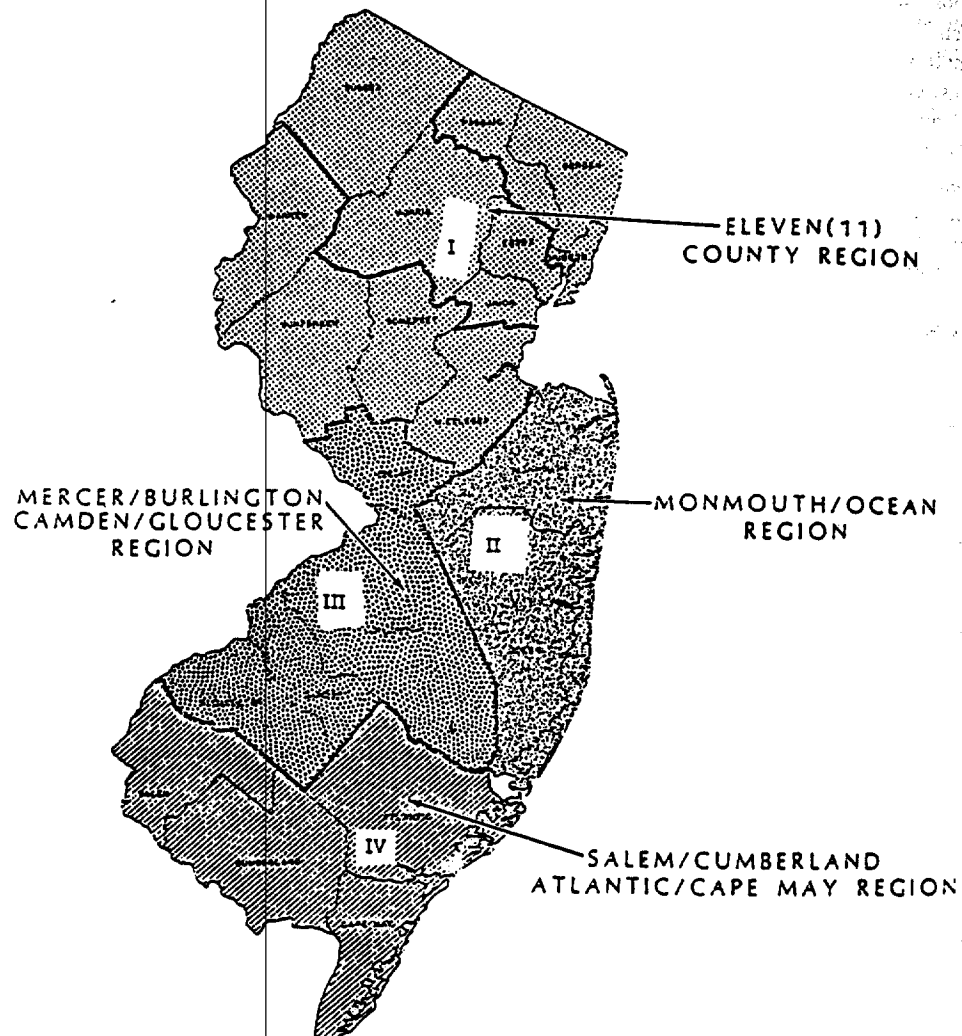
standable. Naturally it cherishes its character and it has a right to expect others to equally bear the burden of housing the poor. Warren’s equity argument is twofold. It is unfair to require Warren to satisfy its fair share before other municipalities do their part. Secondly, it is unfair to bring such change to Warren.

As to the equity amongst municipalities, complete equity is not reachable, as the Supreme Court clearly stated:

There may be inequities between and among these municipalities located within growth areas, as there undoubtedly are between all of them and municipalities outside of growth areas, for the tax and other burdens caused by the location of lower income housing will not be fairly spread. [*Id.* at 239; *cf.* 304, n. 54, 456 A.2d 390]

As to the equity between those who live in Warren and those who do not, candor requires a recognition that when Warren fulfills its *Mount Laurel* obligation there will be significant change. However, this decision represents only the first step in an ongoing process. The real challenge lies ahead in sensibly and sensitively planning the change which must occur. Our Supreme Court emphasized that the change caused by the satisfaction of the fair share need not be destructive. All who are involved in the process—the governing body, the planning board, plaintiffs, the master and the court must strive to devise a solution which will maximize the housing opportunity for the poor and minimize the impact on Warren. In the final analysis, in striking the appropriate balance between the rights of the residents of Warren and the rights of those who have been excluded, Warren must make the changes necessary to receive our lower income citizens if their constitutional rights are to be enforced.

APPENDIX A
Present Housing Need Regions



APPENDIX B

PRESENT NEED CALCULATION: TOWN X

[illegible]

APPENDIX B—Continued
EXPLANATION OF APPENDIX B
PRESENT NEED CALCULATION

A. To determine the number of substandard units in Town X, use the table shown on the previous page as follows:

1. Identify the number of overcrowded units by using column A.
2. Identify the number of units lacking complete plumbing for the household's exclusive use, but which are not overcrowded by using column C.
3. Identify the number of units reported in the 1980 census which qualify as substandard as a result of having one of three types of heating deficiencies: (1) have room heaters with no flue; (2) are heated by fireplaces, stoves or portable room heaters; or (3) have no heating whatsoever. The census also reports a fourth type of heating deficiency—room heaters with a flue. This fourth category is not considered substandard. To identify the substandard heating units in an unduplicated count, utilize columns D through H, which represent the following:

Column D—Represents units not overcrowded, with one of the four types of deficiencies.

Column E—Represents all units with the fourth type of heating deficiency—even if those units are also overcrowded.

Column F—Represents all units with any of the first three types of heating deficiencies—even if those units are also overcrowded.

Column G—Represents the percentage of units with the three types of heating deficiencies that qualify a unit as substandard, in relationship to the total number of units with the four types of heating deficiencies. This number is derived by dividing column F by the total of columns E and F.

Column H—Represents all units with the three types of heating deficiencies that render a unit substandard—which are NOT overcrowded. This number is derived by multiplying column G by column D.

Column D, E, and F represent data taken directly from the 1980 census. Columns G and H represent computations that must be done with the census data to identify those units, which have one of three heating deficiencies that render them substandard, and which also are not overcrowded.

There are two reasons why these computations are necessary:

First: Column D cannot be used alone because it includes units having room heaters with flues—that is units with heating deficiencies which do not render them substandard.

Second: Column E cannot be subtracted from column D or, in the alternative, column F cannot be used alone to obtain a clear count of unit with the three heating deficiencies because columns E and F include units with heating deficiencies even if they are also overcrowded. Since column A already accounts for overcrowded units, inclusion of any of the overcrowded units in columns E and F would constitute double counting.

The computations involved in deriving columns G and H solve these two problems by initially determining the percentage of units with any of four deficiencies as compared to those having the three deficiencies considered substandard (column G). By multiplying this percentage times the number representing the total of units which have any of the four deficiencies and which are not overcrowded, (column D) the resulting number represents those units which have any of the three critical types of heating deficiencies and which are not overcrowded. Thus, those units that are substandard as a result of heating deficiencies are provided in an unduplicated count. However, there is implicit assumption in this calculation that the ratio of room heaters with flues (column E) as compared to the other units lacking adequate heating (column F) is the same in both overcrowded and non-overcrowded units.

Warren Township's data cannot be used to illustrate the procedures discussed above

APPENDIX B—Continued

because none of the units that fall into any of the four categories of heating deficiency in columns E and F are also overcrowded. Thus, it is not necessary to go through the computations to determine the extent to which column D represents units with one of the three deficiencies which are not overcrowded. Instead, the extent to which heating deficient units contribute to Warren's total count of substandard units comes directly from column F.

4. Determine Town X's total number of substandard units by adding columns A, C and H. Note that column B plays no role in the derivation of the municipality's obligation. This column represents a category of substandardness provided for informational purposes only. Note also that the data for Atlantic, Cape May, Cumberland, Monmouth, Ocean and Salem counties omits column B. Therefore, when using the Town X example for those counties treat the second column as column C, the third column as D and so forth.

B. Once the total number of substandard units is ascertained, Town X's indigenous need is determined by reducing that total by 18% to reflect those households living in substandard units that do not qualify as lower income. Column J reports Town X's indigenous need.

C. To determine whether Town X contributes to the present need pool, compare the municipal substandard housing percentage to the regional substandard housing percentage. The municipal substandard housing percentage consists of the indigenous need (reported in column J) divided by the total number of occupied units within the municipality (represented by column K). The regional substandard housing percentage is 6.4% for Region I of which Town X is assumed to be a part. By multiplying 6.4% times the number of occupied dwelling units within the municipality, the number of units that would have to be substandard within the municipality for the municipal substandard housing percentage to equal the regional substandard housing

percentage can be ascertained. That number is reported in column L. Since column L exceeds column J, that means Town X has fewer substandard units than the number produced by the regional average. That number is shown with a minus sign in column M. Had column L been less than column J, then Town X would have had a higher number of substandard units than its number produced by the regional percentage. In such a case, the difference between columns L and J would have represented Town X's contribution to the surplus present pool and would be shown in column M without a minus sign.

APPENDIX C

SURPLUS PRESENT NEED DATA

DISCLAIMER

This appendix is based on documents prepared by a member of the Urban League advisory group. It is provided *for informational purposes only* as to those municipalities not included in Warren Township's present need region.

PURPOSE OF APPENDIX C

The summary sheet on the following page is designed to enable the reader to understand the derivation of the surplus present need for each present need region set forth in Appendix A. The summary sheet also permits the reader to identify the surplus present need generated by any other regional configurations, providing those regions follow county lines and providing the same method for identifying surplus present need is used.

The five pages, which follow the summary sheet, lists by county each municipality having a present surplus need.

The remainder of Appendix C is the source data for the surplus present regional need for each municipality listed by county. With regard to Warren's present need region, no litigant has challenged the mathematical accuracy of the data. With

regard to the counties not in Warren's not been the subject of adversarial litigation before this court.
 present need region, the source data has

SURPLUS PRESENT NEED TOTALS

BY COUNTY AND REGION

<u>COUNTY</u>	
1. Atlantic	714
2. Bergen	229
3. Burlington	832
4. Camden	2,313
5. Cape May	239
6. Cumberland	762
7. Essex	13,511
8. Gloucester	463
9. Hudson	10,718
10. Hunterdon	174
11. Mercer	1,284
12. Middlesex	1,463

13. Monmouth	1,827
14. Morris	89
15. Ocean	735
16. Passaic	6,106
17. Salem	222
18. Somerset	0
19. Sussex	348
20. Union	2,199
21. Warren	177

REGION

Region I:	35,014
Region II:	2,562
Region III:	4,892
Region IV:	1,937

REGION I

Bergen County

Fairview	33
Garfield	188
Wallington	8
	<u>229</u>

Essex County

East Orange	1,165
Irvington	425
Newark	11,406
Orange	515
	<u>13,511</u>

Hudson County

Bayonne	352
East Newark	31
Guttenberg	68
Harrison	203
Hoboken	2,141
Jersey City	4,921
North Bergen	167
Union City	1,732
Weehawken	146
West New York	957
	<u>10,718</u>

Hunterdon County

Alexandria	13
Bethlehem	5
Califon	5
East Amwell	12
Glen Gardner	1

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APPENDIX C—Continued

<u>Hunterdon County</u>	Kingwood	36
	Lambertville	43
	Lebanon Township	58
	Union	<u>1</u>
		174
<u>Middlesex County</u>	New Brunswick	701
	Perth Amboy	<u>762</u>
		1,463
<u>Morris County</u>	Dover	36
	Jefferson	47
	Victory Garden	<u>6</u>
		89
<u>Passaic County</u>	Passaic	1,997
	Paterson	4,072
	Prospect Park	6
	West Milford	<u>31</u>
		6,106
<u>Somerset County</u>	None	
<u>Sussex County</u>	Andover	1
	Frankford	31
	Hamburg	5
	Hardyston	18
	Lafayette	17
	Montague	37
	Sandyston	47
	Stillwater	18
	Sussex	30
	Vernon	51
	Walpack	2
	Wantage	<u>91</u>
		348
<u>Union County</u>	Elizabeth	1,975
	Plainfield	<u>224</u>
		2,199
<u>Warren County</u>	Blairstown	47
	Franklin	4
	Frelinghuysen	13
	Hardwick	32
	Harmony	22
	Hope	9
	Knowlton	24
	Liberty	15
	Washington Twp.	1
	White	<u>10</u>
		177

REGIONAL TOTAL = 35,014

APPENDIX C—Continued

REGION II

Monmouth County

Aberdeen Township	25
Asbury Park	525
Belmar	72
Bradley Beach	77
Englishtown	7
Freehold Borough	56
Highlands	14
Howell	52
Keansburg	150
Keyport	44
Long Branch	394
Manasquan	21
Millstone	52
Neptune Township	201
Red Bank	48
Roosevelt	3
Shrewsbury Township	12
South Belmar	11
Union Beach	48
Upper Freehold	15
	<u>1,827</u>

Ocean County

Barnegat Township	19
Barnegat Light	5
Eagleswood	15
Harvey Cedars	1
Jackson Township	18
Lacey Township	47
Lakehurst	58
Lakewood	219
Little Egg Harbor	39
Long Beach	3
Ocean Township	9
Ocean Gate	13
Plumsted Township	89
Seaside Heights	48
Seaside Park	12
Ship Bottom	13
South Toms River	43
Stafford Township	36
Surf City	6
Tuckerton	42
	<u>735</u>

REGIONAL TOTAL = 2,562 dwelling units

REGION III

Mercer County

Hightstown	27
Trenton	<u>1,257</u>
	1,284

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APPENDIX C—Continued

Burlington County

Bass River	25
Beverly	20
Bordentown City	30
Burlington City	42
Burlington Township	21
Fieldsboro	1
Hainesport	11
Mansfield	18
Mt. Holly	61
New Hanover	28
No. Hanover	24
Pemberton Borough	5
Pemberton Township	340
Riverside	24
Riverton	4
Shamong	12
Springfield	26
Tabernacle	25
Washington	34
Woodland	44
Wrightstown	37
	<u>832</u>

Gloucester County

Clayton	28
Deptford	77
Elk	36
Franklin	109
Glassboro	56
Harrison	10
Logan	10
Monroe	8
National Park	9
Paulsboro	46
S. Harrison	11
Swedesboro	39
Woolwich	24
	<u>463</u>

Camden County

Barrington	19
Camden	2,132
Chesilhurst	7
Gloucester City	20
Lawnside	34
Winslow	101
	<u>2,313</u>

REGIONAL TOTAL = 4,892 dwelling units

REGION IV

Atlantic County

Atlantic City	424
Buena Vista	53
Corbin City	1

APPENDIX C—Continued

<u>Atlantic County</u>	Egg Harbor City	8
	Estelle Manor	21
	Hamilton	29
	Mullica	142
	Port Republic	6
	Weymouth	30
		<u>714</u>
<u>Cape May County</u>	Cape May Point	2
	Dennis	80
	Middle	44
	Upper	7
	West Cape May	9
	West Wildwood	2
	Wildwood	80
	Woodbine	15
		<u>239</u>
<u>Cumberland County</u>	Bridgeton	81
	Commercial	186
	Deerfield	15
	Downe	75
	Fairfield	80
	Greenwich	20
	Lawrence	61
	Maurice River	104
	Stow Creek	16
	Vineland	124
		<u>762</u>
<u>Salem County</u>	Alloway	30
	Lalloway Creek	20
	Mannington	37
	Penns Grove	52
	Pilesgrove	8
	Quinton	28
	Salem	35
	Upper Pittsgrove	12
		<u>222</u>

REGIONAL TOTAL = 1937 dwelling units

APPENDIX C—Continued

ATLANTIC														
MNCPLTY	Overcrowded Units	STF-1 Tbl 18	STF-1 Tbl 15 Units	Lack Com Plumbing not o/c	STF-3 XII-35 Units	STF-3 X-17 Room Heaters w/flu	STF-3 X-17 Other Units	% Units w/o Ctr Htn, With Inad Htn	Units Lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
ATLANTIC														
Absecon	30		11		60	65	46	.41441441	25	66	54	2297	148	-94
AtlantCity	956	333			1717	1658	765	.31572431	542	1831	1502	16736	1078	424
Brigantine	48	17			115	107	118	.52444444	60	125	103	3443	222	-119
Buena	41	17			44	42	12	.22222222	10	68	56	1267	82	-26
Buena Vista	108	18			253	197	135	.40662651	103	229	188	2085	134	53
CorbinCity	1	4			12	20	15	.42857143	5	10	8	109	7	1
EggHarbor	198	37			543	416	215	.34072900	185	420	344	6809	438	-94
EggHrbCity	82	39			102	109	30	.21582734	22	143	117	1695	109	8
EstelleMnr	10	3			59	30	41	.57746479	34	47	39	270	17	21
Folsom	21	2			39	21	18	.46153846	18	41	34	566	36	-3
Galloway	111	34			334	224	171	.43291139	145	290	237	3915	252	-15
Hamilton	118	46			332	245	163	.39950980	133	297	243	3321	214	29
Hammoncton	157	55			178	152	60	.28301887	50	262	215	4099	264	-49
Linwood	20	3			44	27	17	.38636364	17	40	33	1941	125	-92
Longport	6	1			11	11	23	.67647059	7	14	12	561	36	-24
MargateCity	32	16			159	167	138	.45245902	72	120	98	3844	248	-149
Mullica	114	15			267	136	248	.64583333	172	301	247	1626	105	142
Northfield	38	3			96	86	34	.28333333	27	68	56	2518	162	-106
Pleasantvl	212	53			375	387	115	.22908367	86	351	288	4662	300	-12
PortRepub	1	1			34	6	31	.83783784	28	30	25	298	19	6
SomersPnt	67	19			129	121	34	.21935484	28	114	94	4295	277	-183
VentnorCity	46	49			194	195	152	.43804035	85	180	148	5031	324	-176
Weymouth	19	10			61	28	53	.65432099	40	69	57	418	27	30
TOTALS	2436	786			5158	4450	2634		1895	5117	4196	71806	4624	

APPENDIX C—Continued

BERGEN

MNCPLTY	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl Units Lack Com	STF-1 Tbl 15 Net Units Plumbing	STF-3 XII-35 Units Lack Heat	STF-3 X-17 Room Heaters	STF-3 X-17 Other Units Lack Heat	% Units w/o Ctrl Htn, With Inad Htng	Units Lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
BERGEN	8	0	0	0	6	0	6	1	6	14	11	1700	109	-97
Allendale	1	1	0	0	18	2	18	.9	16	17	14	495	32	-18
Alpine	208	79	73	73	297	217	90	.29315961	87	368	302	8836	566	-264
Bergenfld	71	33	31	31	46	34	18	.34615385	16	118	97	2856	183	-86
Bogota	54	47	45	45	80	42	45	.51724138	41	140	115	2311	148	-33
Carlstadt	232	221	199	199	288	210	122	.36746988	106	537	440	9055	580	-139
Cliffsd Pk	31	11	11	11	49	33	28	.45901639	22	64	53	2622	168	-115
Closter	28	2	2	2	37	25	12	.32432432	12	42	34	2357	151	-116
Cresskill	9	1	1	1	17	17	0	0	0	10	8	1520	97	-89
Demarest	110	49	46	46	128	96	32	.25	32	188	154	6095	390	-236
Dumont	72	69	67	67	166	77	89	.53614458	89	228	187	3122	200	-13
E. Ruth	73	41	39	39	92	63	50	.44247788	41	153	125	2080	133	-8
Edgewater	181	80	74	74	128	89	39	.3046875	39	294	241	6715	430	-189
Elmwood Pk	32	5	5	5	35	11	24	.68571429	24	61	50	2216	142	-92
Emerson	384	129	111	111	327	235	159	.40355330	132	627	514	8612	551	-37
Englewood	20	4	3	3	19	19	0	0	0	23	19	1751	112	-93
Englwd Clf	98	49	48	48	140	104	36	.25714286	36	182	149	11571	741	-591
Fair Lawn	159	135	121	121	187	113	107	.48636364	91	371	304	4230	271	33
Fairview	411	230	209	209	343	233	134	.36512262	125	745	611	14884	953	-341
Fort Lee	17	3	3	3	12	5	7	.58333333	7	27	22	2504	160	-138
Frnkln Lks	363	345	321	321	821	479	422	.46836848	385	1069	876	10754	688	188
Garfield	17	4	4	4	15	9	6	.4	6	27	22	3740	239	-217
Glen Rock	701	377	332	332	414	289	214	.42544732	176	1209	991	15827	1013	-21

APPENDIX C—Continued

BERGEN—Continued

MNCPLTY	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	STF-3 X-17	STF-3 X-17			Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
	Overcrowded Units	Ttl Units Lack Com Plumbing	Ttl Units Lack Com Plumbing	Net Units	Lack Heat not o/c	Room Heaters w/flue	Lack Ctr Heating	Units w/o Ctrl Htn, With Inad Htng	% Units Lacking Adequate Heating					

Hargtn Pk	12	1	1	14	7	7	7	.5	7	20	16	1341	86	-69
Hsbrcck Hts	47	42	41	63	32	31	31	.49206349	31	119	98	4445	284	-187
Haworth	3	0	0	14	14	0	0	0	0	3	2	1087	70	-67
Hillside	32	18	18	37	6	39	39	.86666667	32	82	67	3222	206	-139
Ho-Ho-Kus	7	3	2	0	0	0	0	0	0	9	7	1381	88	-81
Leonia	39	24	23	62	44	21	21	.32307692	20	82	67	3095	198	-131
LittleFerry	129	67	58	100	86	42	42	.328125	33	220	180	3751	240	-60
Lodi	361	185	172	319	268	114	114	.29842932	95	628	315	9323	597	-82
Lyndhurst	192	155	148	167	129	46	46	.26285714	44	384	315	7402	474	-159
Mahwah	63	25	21	137	117	76	76	.39378238	54	138	113	3721	238	-125
Maywood	43	41	40	26	17	22	22	.56410256	16	99	81	3630	232	-151
Mdln Park	26	25	23	68	34	39	39	.53424658	36	85	70	2563	164	-94
Montvale	15	7	7	37	19	18	18	.48643649	13	40	33	2276	146	-113
Moanachie	25	11	9	63	54	14	14	.20588235	13	47	39	1003	65	-26
New Milford	93	25	24	49	35	14	14	.28571429	14	131	107	6209	397	-290
N.Arlington	120	75	72	106	74	32	32	.30188679	32	224	184	6471	414	-230
Northvale	30	6	6	20	16	10	10	.38461538	8	44	36	1506	96	-61
Norwood	19	4	4	23	0	23	23	1	23	46	38	1292	83	-45
Oakland	39	13	13	97	57	51	51	.47222222	46	98	80	3880	248	-168
OldTappan	9	1	1	13	7	6	6	.46153846	6	16	13	1177	75	-62
Oradell	22	3	3	27	24	6	6	.2	5	30	25	2769	177	-152
Plsds Pk	172	130	122	140	75	65	65	.46428571	65	359	294	5520	353	-59
Paramus	73	25	24	70	52	22	22	.29729730	21	118	97	7644	489	-393
Park Ridge	29	16	16	58	17	46	46	.73015873	42	87	72	2758	177	-105
Ramsey	29	9	9	96	64	32	32	.33333333	32	70	57	4134	265	-207
Ridgefield	77	59	57	65	47	32	32	.40506329	26	160	131	3895	249	-118

APPENDIX C—Continued

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APPENDIX C—Continued

BURLINGTON														
STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	STF-3 X-17	STF-3								
Ttl Units Lack Com Plumbing		Net Units	Units	Lack Heat	Room Heaters	Units	% Units w/o Ctrl Htn, With Inad Htn		Lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
Overcrowded Units	Lack Com Plumbing	not o/c	not o/c	not o/c	w/flue	Lack Heat	Heating							
MNCPLTY														
BURLINGTON														
Bass River	17	9	9	46	30	51	.62962963	29	55	45	489	20	25	
Beverly	36	9	8	89	77	37	.32456140	29	73	60	982	40	20	
Brdntn Cty	37	15	15	154	102	92	.47422680	73	125	103	1761	72	30	
Brdntn Twp	38	14	14	105	97	17	.14912281	16	68	55	2467	101	-46	
BrngtnCty	98	63	61	229	175	96	.35424354	81	240	197	3783	155	42	
BrngtnTwp	136	24	24	181	142	68	.32380952	59	219	179	3858	158	21	
Chstrfld	10	4	4	35	14	21	.6	21	35	29	735	30	-1	
Cinnamnsn	45	12	11	147	120	57	.32203390	47	103	85	4600	189	-104	
Delanco	16	15	15	17	17	0	0	0	31	25	1282	53	-27	
Delran	64	26	25	127	74	84	.53164557	68	157	128	4768	195	-67	
Eastampton	18	14	14	50	45	24	.34782609	17	49	41	1473	60	-20	
Edgwtr Pk	61	27	25	71	53	23	.30263158	21	107	88	3374	138	-50	
Evesham	52	10	10	133	103	41	.28472222	38	100	82	6796	279	-197	
Fieldsboro	10	0	0	0	0	3	1	0	10	8	184	8	1	
Florence	65	28	26	201	143	67	.31904762	64	155	127	3307	136	-8	
Hainesport	25	7	7	46	9	41	.82	38	70	57	1125	46	11	
Lumberton	36	11	9	57	24	45	.65217391	37	82	67	2002	82	-15	
Mansfield	14	11	8	55	15	48	.76190476	42	64	52	827	34	18	
MapleShade	142	49	48	158	105	53	.33544304	53	243	199	8576	352	-152	
Medford	47	13	13	144	60	108	.64285714	93	153	125	5466	224	-99	
MedfrdLkes	5	5	5	58	12	59	.83098592	48	58	48	1483	61	-13	
Moorestown	30	27	26	79	65	24	.26966292	21	77	63	5268	216	-153	
Mt. Holly	146	52	51	186	159	78	.32911392	61	258	212	3679	151	61	
Mt. Laurel	40	23	23	160	48	116	.70731707	113	176	144	5429	223	-78	
NewHanover	64	15	13	57	49	14	.22222222	13	90	74	1107	45	28	

APPENDIX C—Continued

MNC	PCLTY	Overcrowded Units	STF-1 Tbl 18		STF-1 Tbl 13		STF-1 Tbl 15		STF-3 XII-35 Units		STF-3 X-17		STF-3 X-17		Other Units	% Units w/o Cntrl Htn Inad		Units Lacking Adequate Heating		Total Adjusted Present Need		Occupied Dwelling Units		Fair Share Cap		Surplus Present Need
			Lack Plumbing	Com Plumbing	Lack Plumbing	Com Plumbing	Lack Heat not o/c	Heat w/flue	Room Heaters	Room w/c	Lack Heating	Ctr Heating	Units	Units		Units	Units	Units	Units	Units	Units	Units	Units	Units	Units	
No	Hanover	86	25	23	154	105	67	.38953488	60	169	139	2784	114	24												
Palmyra		44	15	15	119	85	41	.32539683	39	98	80	2707	111	-31												
Pmbrtn	Bor	12	6	6	31	26	13	.33333333	10	28	23	450	18	5												
Pmbrtn	Twp	481	75	66	803	606	394	.394	316	863	708	8979	368	340												
Riverside		57	30	30	252	191	100	.34364261	87	174	142	2884	118	24												
Riverton		7	25	25	31	4	31	.88571429	27	59	49	1088	45	4												
Shamong		14	8	8	117	60	64	.51612903	60	82	68	1343	55	12												
Southernhamton		33	18	18	105	74	72	.49315068	52	103	84	3518	144	-60												
Sprngfield		22	14	13	60	25	46	.64788732	39	74	61	844	35	26												
Tabernacle		36	17	14	141	73	74	.50340136	71	121	99	1808	74	25												
Washington		24	6	6	40	28	47	.62666667	25	55	45	271	11	34												
Westampton		1:	2	2	51	21	30	.58823529	30	43	35	1115	46	-10												
Willingbor		300	4	4	226	138	90	.39473684	89	393	322	10915	448	-125												
Woodland		15	26	25	50	23	44	.65671642	33	73	60	377	15	44												
Wrightstwn		52	11	11	46	17	38	.69090909	32	95	78	986	40	37												
TOTALS		2446	765	730	4811	3214	2418		2052	5228	4287	114890	4710													

APPENDIX C—Continued

CAMDEN																	
STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Net Units	STF-3 XII-35 Units	STF-3 X-17 Lack Heat	STF-3 X-17 Room Heaters	STF-3 X-17 Other Units	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad	STF-3 X-17 Htn, Inad
Overcrowded Units	Lack Com Plumbing	Lack Com Plumbing not o/c	Lack Heat not o/c	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue	Lack Heat w/flue
MNCPLTY	Units	Plumbing	not o/c	not o/c	w/flue	Room	Other	Units	Units	Units	Units	Units	Units	Units	Units	Units	Units
CAMDEN	27	29	27	76	74	2	.02631579	2	4	.11428571	4	22	56	46	3592	147	-101
Audubon	17	16	1	33	31	4	.11428571	4	4	.11428571	4	22	56	46	3592	147	-101
Audubon Pk	45	16	16	114	22	149	.87134503	99	99	.87134503	99	160	160	18	495	20	-2
Barrington	144	17	15	220	195	63	.24418605	63	63	.24418605	63	213	213	131	2744	113	19
Bellmawr	32	16	16	89	92	26	.22033898	26	26	.22033898	26	68	68	174	4462	183	-9
BerlinBor	57	10	10	45	63	7	.1	7	7	.1	7	72	72	55	1847	76	-20
BerlinTwlp	16	2	2	9	16	0	0	0	0	0	0	18	18	15	778	32	-17
Brooklawn	2455	440	375	4767	5108	1881	.24760642	1881	1881	.24760642	1881	4010	4010	3288	28204	1156	2132
Camden	196	92	87	366	241	146	.37726098	146	146	.37726098	146	421	421	345	21855	896	-551
Cherry Hill	24	1	1	38	38	8	.17391304	8	8	.17391304	8	32	32	26	467	19	7
Chesilhrst	64	19	17	71	67	22	.24719101	22	22	.24719101	22	99	99	81	2202	90	-9
Clementon	91	74	69	245	160	92	.36507937	92	92	.36507937	92	249	249	205	6469	265	-61
Collingswd	10	1	1	47	31	16	.34042553	16	16	.34042553	16	27	27	22	758	31	-9
Gibbsboro	251	55	51	504	453	104	.18671454	104	104	.18671454	104	396	396	325	15052	617	-292
Gloucester	111	45	41	354	279	114	.29007634	114	114	.29007634	114	255	255	209	4606	189	20
Haddon	55	40	39	108	89	24	.21238938	24	24	.21238938	24	117	117	96	6247	256	-160
Haddonfld	18	20	20	42	26	16	.38095238	16	16	.38095238	16	54	54	44	4486	184	-140
HaddonHts	18	30	28	108	66	57	.46341463	57	57	.46341463	57	96	96	79	3091	127	-48
Hi-Nella	11	6	5	23	15	8	.34782609	8	8	.34782609	8	24	24	20	487	20	0
Laurel Spr	12	7	7	25	6	19	.76	19	19	.76	19	38	38	31	770	32	0
Lawnside	43	7	7	152	136	54	.28421053	54	54	.28421053	54	93	93	76	1039	43	34
Lindenwold	192	32	29	291	283	83	.22677596	83	83	.22677596	83	287	287	235	7566	310	-75
Magnolia	43	5	5	69	69	0	0	0	0	0	0	48	48	39	1651	68	-28
Merchntvle	12	18	18	39	20	19	.48717949	19	19	.48717949	19	49	49	40	1572	64	-24
Mt. Ephraim	34	5	5	95	84	11	.11578947	11	11	.11578947	11	50	50	41	1865	76	-35

APPENDIX C—Continued

	16	18	18	45	38	15	28301887	13	47	38	1765	72	34
Onklyn	179	57	54	351	290	101	.25831202	91	324	265	11537	473	-208
Pennsauken	105	11	10	135	100	37	.36305732	49	164	134	3304	135	-1
Pine Hill	0	0	0	0	0	0	0	0	0	0	0	0	0
Pine Vally	73	25	23	97	79	18	.18556701	18	114	93	3292	135	-41
Runnemede	45	11	11	112	91	29	.24166667	27	83	68	1996	82	-14
Somerdale	55	14	13	59	50	9	.15254237	9	77	63	2605	107	-44
Stratford	0	0	0	0	0	0	0	0	0	0	0	0	0
Tavistock	58	9	7	100	75	37	.33035714	33	98	80	4605	189	-108
Voorhees	44	5	4	138	108	50	.31645570	44	92	75	2462	101	-26
Waterford	153	132	128	333	216	164	.43157895	144	425	348	6029	247	101
Winslow	23	8	8	18	18	0	0	0	31	25	947	39	-13
Woodlynne	4729	1278	1168	9318	8729	3205	0	2510	8407	6394	162508	6663	0
TOTAL													

CAMDEN—Continued

APPENDIX C—Continued

CAPE MAY													Total Surplus Present Need, Atlantic County 714												
Avalon	8	4	71	75	60	.44444444	32	44	36	927	60	-24													
Cape May	36	18	97	97	51	.34459459	33	87	72	1847	119	-47													
CapeMayPt	2	0	14	5	15	.75	11	13	10	131	8	2													
Dennis	46	18	183	66	174	.725	133	197	161	1268	82	80													
Lower	161	39	598	426	501	.54045307	323	523	429	6719	433	-4													
Middle	129	39	612	534	284	.34718826	212	380	312	4159	268	44													
NWildwood	29	28	238	193	130	.40247678	96	153	125	1992	128	-3													
OceanCity	86	60	269	188	170	.47486034	128	274	224	6255	403	-178													
SeaisleCty	13	12	68	60	25	.29411765	20	45	37	1086	70	-33													
StoneHrbr	3	6	51	32	34	.51515152	26	35	29	581	37	-8													
Upper	34	19	200	71	168	.70292887	141	194	159	2361	152	7													
WCapeMay	10	5	63	35	39	.52702703	33	48	40	481	31	9													
WWildwood	5	3	36	35	9	.20454545	7	15	13	160	10	2													
Wildwood	86	37	337	258	178	.40825688	138	261	214	2081	134	80													
WildwdCrst	27	27	111	103	52	.33548387	37	91	75	1686	109	-34													
Woodbine	40	9	72	70	22	.23913043	17	66	54	613	39	15													
TOTALS	715	324	3020	2248	1912		1387	2426	1989	32347	2083														

CUMBERLAND

MNCPLTY	STF-1 Tbl 18	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	STF-3 X-17
	Lack Com Units	Plumbing not o/c	Heat Lack Ctl o/c	Rm Heaters w/flue	Other Heating Units
	%	Ctrl Htn, Inad	Htg With	Adequate Heating	Total Present Need
	Fair Share Cap	Occupied Dwelling Units	Adjusted Present Need	Fair Share Cap	Surplus Present Need
CUMBERLAND					
Bridgeton	365	101	905	960	203 .17454858
Commercial	102	125	340	335	192 .36432638
Deerfield	43	11	79	63	36 .36363636
Downe	34	38	119	109	.57915058
Fairfield	152	29	250	273	75 .21551724
Greenwich	10	7	52	27	49 .64473684
Hopewell	25	11	87	66	34 .34
Lawrence	42	34	83	62	89 .58940397
MauriceRiv	48	29	265	149	179 .54573171
Millville	239	12	628	458	263 .36477115
Shiloh	3	2	19	121	9 .42857143
Stewartcreek	11	5	54	20	47 .70149254
UpDeerfld	74	13	259	301	58 .16155989
Vineland	914	204	1446	1263	481 .27580275
TOTALS	2062	730	4586	4098	1865

APPENDIX C—Continued

ESSEX																
STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	
Overcrowded Units	Lack Com Plumbing	Lack Com Plumbing	Net Units	Units not o/c	Heat not o/c	Room w/flue	Lack Heaters	Other Units	Units Lacking Heating	Units w/o Ctrl Htn, With Inad Htn	Units Lacking Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
MNCPLTY																
ESSEX																
Belleville	354	233	220	504	365	193	34587814	174	748	614	13108	839	-225			
Bloomfld	298	242	235	500	305	237	43726937	219	752	616	18587	1190	-573			
Caldwell	42	26	25	59	29	43	59722222	35	102	84	3003	192	-108			
CedarGrove	23	19	19	48	44	6	12	6	48	39	3792	243	-204			
E Orange	2021	889	785	1833	1146	951	45350501	831	3637	2983	28398	1817	1165			
EssexFells	6	0	0	22	16	6	27272727	6	12	10	718	46	-36			
Fairfield	23	15	14	56	39	29	42647059	24	61	50	2217	142	-92			
Glen Ridge	18	4	4	24	11	19	63333333	15	37	31	2442	156	-126			
Irvington	1280	626	572	1843	1551	739	32270742	595	2447	2006	24714	1582	425			
Livingston	40	5	5	84	42	42	.5	42	87	71	8513	545	-473			
Maplewood	59	47	46	216	111	105	48611111	105	210	172	8017	513	-341			
Millburn	26	20	20	55	27	32	54237288	30	76	62	6969	446	-384			
Montclair	278	275	266	590	441	225	33783784	199	743	610	14500	928	-318			
Newark	13665	5117	4184	10376	7807	6509	45466611	4718	22567	18505	110912	7098	11406			
NCaldwell	8	4	3	11	11	0	0	0	11	9	1589	102	-93			
Nutley	181	77	74	312	208	114	35403727	110	365	300	10518	673	-373			
Orange	828	474	430	793	678	453	40053050	318	1576	1292	12138	777	515			
Roseland	6	6	6	23	18	11	37931034	9	21	17	1793	115	-98			
SOrange	43	53	52	132	91	62	40522876	53	148	122	5173	331	-209			
Verona	43	22	22	108	61	53	46491228	50	115	94	5197	333	-238			
WCaldwell	30	11	10	22	22	0	0	0	40	33	3609	231	-198			
WOrange	207	127	122	379	261	146	35872236	136	465	381	14027	898	-516			
TOTALS	19479	8292	7114	17990	13284	9975		7675	34268	28100	299934	19196	8904			

GLOUCESTER

MNCPLTY	STF-1				STF-1		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3		STF-3	
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Cite as 504 A.2d 692 (N.J.Super.L. 1984)

N. J. 751

APPENDIX C—Continued

HUDSON																			
STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	STF-3 X-17	Ttl Units Lack Com Plumbing	Net Units Lack Com Plumbing	not o/c	not o/c	Heat Ctr	Room w/flue	Lack Heat	Units	% Ctrl	Units Lacking Heating	Total Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
MNCPLTY	Overrwdg Units	Lack Plumbing	Plumbing	Ctrl not o/c	Heaters not o/c	Wtng Inad Htnng	With Adequate Heating												
HUDSON																			
Bayonne	763	636	604	2170	1325	1232	48181463	1046	2413	1978	25405	1626	352						
E Newark	57	14	12	81	77	27	.25961538	21	90	74	664	42	31						
Guttenberg	153	96	87	217	126	104	.45217391	98	338	277	3265	209	68						
Harrison	219	113	107	645	404	292	.41954023	271	597	489	4472	286	203						
Hoboken	1604	739	672	3002	2011	2111	.51213003	1537	3813	3127	15407	986	2141						
Jer City	7346	3227	2759	7987	6529	2477	.27503886	2197	12302	10087	80720	5166	4921						
Kearny	416	273	255	667	525	246	.31906615	213	884	725	12942	828	-104						
N Bergen	771	735	685	656	514	256	.33246753	218	1674	1373	18833	1205	167						
Secaucus	96	72	71	168	113	59	.34302326	58	225	184	4899	314	-129						
Union Cty	2127	1092	936	1780	1375	831	.37669991	671	3784	3061	20781	1330	1732						
Weehawken	320	189	168	241	181	98	.35125448	85	573	470	5050	323	146						
West NY	1245	749	669	1218	925	555	.375	457	2371	1944	15419	937	957						
TOTALS	15117	7985	7025	18832	14105	8288		6870	29012	23790	207857	13303	10487						

HUNTERDON

MNCPLTY	HUNTERDON																
	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17		STF-3 X-17		STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	
					Units	Lack	Room	Units									Other
Overcrowded Units	Lack Plumbing	Com Plumbing	Ctrl not o/c	Heat not o/c	Heaters w/flue	Lack Ctr	Units Htn, With Inad Htg	Units Lacking Adequate Heating	Total Present	Adjusted Present	Occupied Dwelling	Fair Share	Surplus Present				
Alexandria	9	4	4	87	20	90	.81818182	71	84	69	877	56	13				
Bethlehem	12	6	5	66	6	68	.91891892	61	78	64	918	59	5				
Bloomsbury	7	5	4	16	8	10	.55555556	9	20	16	308	20	-3				
Califon	3	4	4	31	5	30	.85714286	27	34	28	352	23	5				
Clinton	5	6	6	28	15	17	.53125	15	26	21	697	45	-23				
ClintonTwp	26	24	24	67	24	52	.68421053	46	96	79	2110	135	-56				
Delaware	18	17	16	86	26	70	.72916667	63	97	79	1263	81	-2				
EastAmwell	15	17	15	80	9	89	.90816327	73	103	84	1134	73	12				
Flemington	30	47	45	89	62	27	.30337079	27	102	84	1794	115	-31				
Franklin	15	9	9	35	12	24	.66666667	23	47	39	752	48	-9				
Frenchtown	8	10	10	25	14	14	.5	13	31	25	586	38	-12				
Glen Gard	8	5	5	22	15	13	.46428571	10	23	19	278	18	1				
Hampton	12	7	7	22	7	17	.70833333	16	35	28	557	36	-7				
HighBridge	18	14	13	53	0	53	1	53	84	69	1142	73	-4				
Holland	15	8	8	94	12	99	.89189189	84	107	88	1485	95	-7				
Kingwood	22	20	16	111	39	91	.7	78	116	95	922	59	36				
Lambtrtyle	34	31	29	253	90	75	.45454545	115	178	146	1613	103	43				
Lebanon	5	0	0	14	13	9	.40909091	6	11	9	279	18	-9				
LebanonTwp	29	32	29	181	48	207	.81176471	147	205	168	1719	110	58				
Milford	9	4	4	28	10	18	.64285714	18	31	25	484	31	-6				
Raritan	40	26	25	73	48	88	.64705882	47	112	92	2563	164	-72				
Readington	54	35	34	88	47	56	.54368932	48	136	111	3317	212	-101				
Stockton	1	2	2	29	16	14	.46666667	14	17	14	252	16	-3				
Tewksbury	8	10	10	79	11	71	.86585366	68	86	71	1285	82	-11				
Union	9	10	9	81	16	65	.80246914	65	83	68	1053	67	1				
WestAmwell	13	14	12	48	36	35	.49295775	24	49	40	775	50	-10				
TOTALS	425	367	345	1786	609	1402		1218	1988	1630	28515	1825	-195				

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APPENDIX C—Continued

MNCPLTY	MERCER																		
	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Net Units Lack Com	STF-1 Tbl 15	STF-3 XII-35 Units	STF-3 X-17	STF-3 Room	STF-3 X-17	STF-3 Other	STF-3 Units	% Units w/o Ctrl	Units Htn, With	Lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need	
	Overcrowded Units	Ttl Lack Com Plumbing	Plumbing not o/c	Ctl Heat not o/c	Lack Heat w/flue	Heaters	Lack Ctr	Heating Inad				Htg							
MERCER																			
East Wnsr	124	33	32	190	98	115	.53990610	103	259	212	7516	308	-96						
Ewing	174	68	65	476	379	122	.24351297	116	355	291	11660	478	-187						
Hamilton	460	155	148	1065	908	366	.28728414	306	914	749	29356	1204	-454						
Hightstown	45	16	13	127	69	62	.47328244	60	118	97	1696	70	27						
HpwllBoro	5	12	12	25	11	17	.60714286	15	32	26	765	31	-5						
HpwllTwtp	21	27	27	151	66	110	.625	94	142	117	3527	145	-28						
Lawrence	83	27	26	129	73	70	.48951049	63	172	141	6114	251	-110						
Pennington	3	3	3	24	12	14	.53846154	13	19	16	752	31	-15						
PrncntnBor	62	32	28	39	27	17	.38636364	15	105	86	3179	130	-44						
PrncntnTwtp	48	31	29	353	254	129	.33681462	119	196	161	4862	199	-39						
Trenton	1829	768	685	2652	2641	844	.24218077	642	3156	2588	32463	1331	1257						
Washington	23	8	7	51	30	21	.41176471	21	51	42	1234	51	-9						
West Wnsr	32	11	11	52	19	33	.63461538	33	76	62	2695	110	-48						
TOTALS	2909	1191	1086	5334	4587	1920		1600	5595	4588	105819	4339							

MIDDLESEX

MNCPLTY	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3		STF-3		STF-3 X-17	STF-3 X-17	STF-3 Other	Units Lack Com Plumbing	Net Units	not o/c	o/c	Heat Cntl	Room Heaters	w/flue	Units w/o Cntl Hung	Lacking Adequate Heating	Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
				Units	Units																			
MIDDLESEX	221	118	112	358	329	103	.23842593	85	418	343	6919	443	-100											
	11	10	15	15	13	12	.48	7	28	23	691	44	-21											
	46	86	84	74	23	51	.68918919	51	181	148	2414	154	-6											
	154	37	35	188	171	27	.13636364	26	215	176	11189	716	-540											
	446	139	130	516	401	155	.27877698	144	720	590	23427	1499	-909											
	10	5	5	30	27	6	.18181818	5	20	17	313	20	-3											
	109	48	46	105	96	40	.29411765	31	186	152	5605	359	-206											
	60	15	14	80	72	13	.15294118	12	86	71	1398	89	-19											
	70	27	27	57	41	36	.46753247	27	124	101	4959	317	-216											
	91	22	22	87	79	15	.15957447	14	127	104	4478	287	-183											
	30	13	13	17	11	6	.35294118	6	49	40	2411	154	-114											
	91	33	29	76	55	68	.55284553	42	162	133	5765	369	-236											
	1042	741	663	699	626	223	.26266196	184	1889	1549	13244	848	701											
	703	85	81	127	112	47	.29559748	38	222	182	7484	479	-297											
	427	78	73	344	317	96	.23244552	80	580	476	16593	1062	-586											
	1096	644	567	1216	1080	400	.27027027	329	1992	1633	13617	871	762											
	393	64	60	262	171	128	.42809365	112	565	463	12299	787	-324											
	25	14	13	67	47	25	.34722222	23	61	50	3080	197	-147											
	184	45	44	319	246	92	.27218935	87	315	258	9396	601	-343											
	92	54	50	137	86	72	.45569620	62	204	168	2877	184	-16											
92	32	27	137	84	73	.46496815	64	183	150	5443	348	-199												
114	24	22	153	116	51	.30638922	47	183	150	6224	398	-249												
154	96	93	328	40	26	.39393939	129	376	308	5091	326	-17												
75	16	14	55	40	26	.39393939	22	111	91	2494	160	-69												
572	185	172	760	579	250	.30156815	229	973	798	29297	1875	-1077												
5708	2631	2406	6207	4862	2041		1855	9969	8175	196708	12589	-4415												

MONMOUTH

MNCPLTY	Overcrowded Units	STF-1	STF-1	STF-3	STF-3	STF-3	STF-3			Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
		Tbl 18	Tbl 15	XII-35 Units	X-17 Units	X-17 Units	Other Units	% w/o Ctrl Htn, With Inad Htn	Units Lacking Adequate Heating					
		Plumbing not o/c	Ctrl Heat not o/c	Lack Heat not o/c	Room Heaters w/flue	Lack Ctr Heating	Units w/o Ctrl Htn, With Inad Htn	Units Lacking Adequate Heating						
MONMOUTH														
Aberdeen	151	33	209	141	87	38157895	80	5293	191	25				
Allenhurst	1	0	13	10	5	33333333	4	328	12	-7				
Allentown	17	5	23	19	6	.24	6	662	24	-1				
Asbury Pk	477	299	810	863	250	22461815	182	7207	260	525				
Atl Highland	27	17	39	33	12	26666667	10	1776	64	-20				
Avon	3	9	34	33	45	57692308	20	1004	36	-10				
Belmar	55	55	191	152	209	57894737	111	3019	109	72				
Brdly Beh	71	37	124	76	113	59788360	74	2013	73	77				
Brielle	17	2	44	38	19	33333333	15	1489	54	-26				
Colts Neck	12	12	7	7	0	0	0	2151	78	-58				
Deal	3	4	0	0	0	0	0	650	23	-18				
Eatontown	83	27	69	73	25	25510204	18	4959	179	-74				
Englshtwn	11	9	21	18	3	14285714	3	339	12	7				
Fair Haven	11	1	69	44	25	36231884	25	1895	68	-38				
Farmingdale	7	3	19	11	11	.5	10	521	19	-3				
Freehld Br	148	35	137	148	68	31481481	43	3573	129	56				
Freehld Tp	57	30	107	113	39	25657895	27	5565	201	-107				
Hazlet	123	11	193	174	34	16346154	32	6595	238	-102				
Highlands	48	17	244	240	62	20529801	50	2216	80	14				
Holmdel	18	5	22	15	7	31818182	7	2229	80	-56				
Howell	226	48	384	290	156	34977578	134	7822	282	52				
Interlaken	1	1	7	3	4	57142857	4	389	14	-9				
Keansburg	182	34	421	337	131	27991453	118	3431	124	150				
Keyport	94	73	70	55	18	24657534	17	2957	107	44				
Little Slvr	6	0	30	11	19	63333333	19	1840	66	-46				
Loch Arbr	0	0	9	5	4	44444444	4	125	5	-1				

APPENDIX C—Continued

MONMOUTH—Continued

MNCPLTY	Overcrowded Units	STF-1 Tbl 18	STF-1 Net Units	STF-3 XII-35 Units	STF-3 X-17 Room Heaters w/flue	STF-3 X-17 Other Units	STF-3 X-17 Lack Ctr Htn, With Inad Htg	Units Lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
Long Brnch	586		201	529	383	248	.39302694	208	995	816	11672	421	394
Manalapan	88	23	29	120	50	94	.65277778	78	189	155	5578	201	-46
Manasquan	27		29	82	19	63	.76829268	63	119	98	2119	76	21
Marlboro	35		41	85	76	23	.23232323	20	96	79	4542	164	-85
Matawan	63		19	48	26	22	.45833333	22	104	85	3086	111	-26
Middletown	272		56	431	332	138	.29361702	127	455	373	18841	680	-307
Millstone	35		15	118	54	64	.54237288	64	114	93	1146	41	52
Mon Beach	12		7	4	4	37	.90243902	4	23	19	1336	48	-30
Nptne Twp	334		157	522	408	236	.36645963	191	682	559	9917	358	201
Nptne City	44		18	107	99	20	.16806723	18	80	66	2204	80	-14
Ocean Twp	67		40	149	122	53	.30285714	45	152	125	8449	305	-180
Oceanport	13		3	19	7	12	.63157895	12	28	23	1768	64	-41
Red Bank	135		62	209	161	96	.37354086	78	275	226	4908	177	48
Roosevelt	6		0	16	6	11	.64705882	10	16	13	282	10	3
Rumson	23		4	58	42	35	.45454545	26	53	44	2502	90	-47
Sea Bright	16		7	80	69	15	.17857143	14	37	31	941	34	-3
Sea Girt	3		1	11	9	2	.18181818	2	6	5	977	35	-30
Shrewsbury	11		0	10	4	6	.6	6	17	14	995	36	-22
Shrews Twp	22		3	17	11	9	.45	8	33	27	400	14	12
S. Belmar	17		6	40	39	34	.46575342	19	42	34	654	24	11
Spring Lake	12		3	66	46	39	.45882353	30	45	37	1476	53	-16
S.S.L. Hights	21		6	40	26	14	.35	14	41	34	2341	85	-51
Tinton Fls	67		6	56	48	14	.22580645	13	86	70	2315	84	-13
Union Beh	94		18	161	154	39	.20207254	33	145	119	1967	71	48
Up Freehld	16		14	47	26	37	.58730159	28	58	47	892	32	15
Wall Twp	63		24	331	211	167	.44179894	146	233	191	6533	236	-45
W Long Br	16		7	32	34	6	.15	5	28	23	2241	81	-58
TOTALS	3947		1537	6684	5375	2886		2295	7779	6379	170130	6142	

APPENDIX C—Continued

MORRIS

MORRIS—Continued

MNCPLTY	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	STF-3 X-17	STF-3 Other	Units Lack Ctr Htn, With Inad Htg Heating	% w/o Ctrl	Units lacking Adequate Heating	Total Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present
Overcrowded Units	Lack Plumbing	Net Units Lack Com Plumbing	Curl Heat not o/c	Heaters w/flue	Lack Ctr Htn, With Inad Htg Heating	Other Units	Units	Units	Units	Units	Need	Units	Cap	Need
Mt Olive	82	32	31	182	104	99	.48768473	89			202	165	6369	408 -242
Netcong	31	12	12	13	13	0	0	0			43	35	1297	83 -48
Parsippany	275	87	81	341	290	94	.24479167	83			439	360	17374	1112 -752
Passaic	25	5	5	48	43	15	.25862069	12			42	35	2326	149 -114
Pequannock	44	11	11	49	25	24	.48979592	24			79	65	4139	265 -200
Randolph	76	32	32	151	41	115	.73717949	111			219	180	5946	381 -201
Riverdale	12	3	3	36	10	26	.72222222	26			41	34	842	54 -20
Rockaway	41	34	33	85	65	20	.23529412	20			94	77	2323	149 -72
RocknwyTwop	82	32	27	239	143	153	.51689189	124			233	191	6251	400 -209
Roxbury	102	40	36	125	29	110	.79136691	99			237	194	5575	357 -163
VictGrdns	35	2	2	23	24	2	.07692308	2			39	32	398	25 6
Washington	35	17	17	170	76	107	.58469945	99			151	124	3341	214 -90
Wharton	59	13	12	47	21	26	.55319149	26			97	80	1911	122 -43
TOTALS	2169	930	848	3548	2044	1941		1732			4740	3886	131820	8436 -4550

APPENDIX C—Continued

MNCPLTY	STF-1 Tbl 18	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	OCEAN							Fair Share Cap	Surplus Present Need																																																																																																																																																																																																																																																																																																																																															
					Overcrowded Units	Not Units	Lack Com Plumbing	Lack Heat not o/c	Ctrl Heat not o/c	Room Heaters	STF-3 X-17			STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3

APPENDIX C—Continued

OCEAN—Continued

MNCPLTY	STF-1 Tbl 18	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	STF-3 X-17	STF-3 Other	% Units w/o Ctrl Htn, With Inad Htn	Units Lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
	Overcrowded Units	Not Units Lack Com Plumbing not o/c	Units Lack Heat not o/c	Room Heaters w/flue	Lack Ctr Heating	Units Ctrl Htn							
Pt Pls Bch	42	13	96	74	52	.41269841	40	95	78	2167	78	78	-1
Seaside Ht	29	20	93	82	80	.49382716	46	95	78	832	30	30	48
Seaside Pk	14	12	44	64	70	.52238806	23	49	40	784	28	28	12
Ship Bottm	9	7	56	46	41	.47126437	26	42	35	608	22	22	13
S Toms Rvr	87	3	41	40	10	.2	8	98	81	1042	38	38	43
Stafford	71	9	352	250	147	.37027708	130	210	172	3789	137	137	36
Surf City	8	6	46	35	41	.53947368	25	39	32	709	26	26	6
Tuckerton	28	9	127	74	61	.45185185	57	94	77	981	35	35	42
TOTALS	2512	523	5679	4279	2913		2254	5289	4337	128304	4632		

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APPENDIX C—Continued

MNCPLTY	PASSAIC														Fair Share Cap	Surplus Present Need													
	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17															
																	Units	Lack Com	Plumbing	not o/c	Heat	o/c	Room	Heaters	w/flue	lack ctr	Units	w/o ctrl htn, with inad htng	Lacking Adequate Heating
Overcrowded Units	57	16	366	14	156	107	68	388	571	61	132	108	2591	166	-58														
Bloomngdle Clifton	450	366	352	352	1114	655	539	451	2379	503	1305	1070	2888	1849	-779														
Haledon	49	55	54	54	149	123	48	280	701	42	145	119	2609	167	-48														
Hawthorne	87	92	91	91	161	109	59	351	190	57	235	192	6871	440	-247														
Little Falls	52	29	29	29	129	113	32	220	689	28	109	90	4208	269	-180														
No Haledon	29	11	11	11	33	15	24	61	538	20	60	49	2441	156	-107														
Passaic	1835	758	634	634	3008	1904	1801	486	099	1462	3931	3224	19161	1226	1997														
Paterson	4723	1942	1653	1653	6158	4968	2740	355	47	2189	8565	7023	46113	2951	4072														
PomptonLks	47	23	20	20	47	31	16	340	425	16	83	68	3570	228	-160														
ProspectPk	72	41	38	38	125	91	51	359	154	45	155	127	1897	121	6														
Ringwood	69	10	10	10	93	33	71	682	692	63	142	117	3617	231	-115														
Totowa	54	24	21	21	83	49	34	409	638	34	109	89	3395	217	-128														
Wanaque	86	27	25	25	131	100	43	300	699	39	150	123	3007	192	-69														
Wayne	154	42	37	37	298	204	103	335	504	100	291	239	14298	915	-676														
WMilford	179	60	50	50	452	130	390	75		339	568	466	6795	435	31														
WPaterson	85	66	61	61	75	66	22	.25		19	165	135	4003	256	-121														
TOTALS	8028	3562	3100	3100	12212	8698	6041			5017	16145	13239	153463	9822	3418														

SALEM

	STF-1 Tbl 18	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	STF-3 X-17	STF-3 Other	Units	%	W/o ctrl	lack ctr htn,	heating inad htng	lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
MNCPLTY	Overcrowded Units	Lack Com Plumbing not o/c	Ctrl Heat not o/c	Room Heaters w/fluo	Heats lack heating	Units	Units	Units	ctrl htn, with inad htng	with heating	Adequate Heating	Present Need	Present Need	Present Need	Dwelling Units	Share Cap	Need
SALEM																	
Alloway	14	17	127	76	99	.56571429	72						103	84	850	55	30
CarneysPt	59	19	174	161	59	.26818182	47						125	102	2977	192	-89
Elmor	13	7	25	32	2	.05882353	1						21	18	561	36	-19
Elainboro	10	5	36	20	27	.57446809	21						36	29	489	31	-2
LallowayCr	10	18	58	28	48	.63157895	37						65	53	515	33	20
Mannington	24	20	67	36	63	.63636364	43						87	71	532	34	37
Oldmns	16	7	47	40	18	.31034483	15						38	31	589	38	-7
PennsGrove	91	31	258	177	123	.41	106						228	187	2099	135	52
Pennsville	73	19	324	195	166	.45983380	149						241	198	4835	311	-114
Pilesgrove	23	23	51	25	61	.70930233	36						82	67	927	60	8
Pittsgrove	71	20	105	72	80	.52631579	55						146	120	2189	141	-21
Quinton	35	17	85	39	79	.66949153	57						109	89	959	62	28
Salem	89	27	393	350	170	.32692308	128						244	200	2567	165	35
UpPittsgrv	33	15	107	78	54	.40909091	44						92	75	987	64	12
Woodstown	13	15	90	86	36	.29508197	27						55	45	1254	81	-36
TOTALS	574	260	1947	1415	1085		836						1670	1370	22330	1438	

APPENDIX C—Continued

MNCPLTY	SOMERSET													Fair Surplus Present
	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 XII-35	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	STF-3 X-17	
	Overcrowded Units	Lack Com Plumbing	Net Units Lack Com Plumbing	Ctrl Heat not o/c	Heat not o/c	Heaters w/flue	Room w/heat	Units lack ctr heating	Units w/o ctr htng	% Units adequate heating	Lacking Heating	Adjusted Present Need	Occupied Dwelling Units	Share Cap
SOMERSET	6	9	9	34	5	37	88095238	30	45	51	37	884	57	-20
Bedminster	16	5	5	75	45	30	.4	30	51	196	238	146	228	-92
Brandsville	11	13	13	65	23	42	.64615385	42	66	245	54	2278	3564	-27
Bound Brook	134	73	67	107	81	56	.40875912	44	245	201	201	3564	228	-120
Branchburg	17	7	7	46	29	17	.36956522	17	41	195	34	2396	153	-404
Bridgewater	97	28	28	135	71	76	.51700680	70	195	9	7	8804	563	-8
Far Hills	1	1	1	7	0	7	1	7	9	420	344	10060	644	-300
Franklin	265	61	60	207	125	105	.45652174	95	420	39	32	1368	88	-56
Green Brook	15	3	3	28	7	21	.75	21	39	125	103	6439	412	-309
Hillsbor	49	28	26	120	84	61	.42068966	50	224	224	183	3878	248	-65
Manville	111	77	71	80	47	51	.52040816	42	3	57	2	171	11	-8
Millstone	2	1	1	2	2	0	0	0	3	57	47	1975	126	-79
Montgomery	17	19	19	37	26	36	.58064516	21	253	208	208	7525	482	-274
N Plainfld	143	78	76	90	63	39	.38235294	34	31	31	25	698	45	-19
Peapack-Glad	5	16	15	21	13	14	.51851852	11	149	122	122	2212	142	-20
Raritan	55	68	64	73	66	45	.40540541	30	7	7	6	267	17	-11
Rocky Hill	0	3	3	6	2	4	.66666667	4	188	154	154	4686	300	-145
Somerville	119	58	53	69	58	18	.23684211	16	94	77	77	1582	101	-24
Somerville	52	26	26	40	28	19	.40425532	16	63	52	52	2999	192	-140
Warren	20	5	5	51	13	38	.74509804	38	21	17	17	1630	104	-87
Watchung	11	2	2	47	45	9	.16666667	8	2326	1907	1907	67368	4312	-2404
TOTALS	1146	581	554	1340	833	725		626						

SUSSEX

MNCPLTY	STF-1 Tbl 18	STF-1 Tbl 13	STF-1 Tbl 15	STF-3 XII-35 Units	STF-3 X-17 Room Heaters	STF-3 X-17 Other Units	% Units w/o ctrl htn, with inad htn	Units Lacking Adequate Heating	Total Present Need	Adjusted Present Need	Occupied Dwelling Units	Fair Share Cap	Surplus Present Need
	Overcrowded Units	Lack Com Plumbing	Lack Com Plumbing	Lack Heat	not o/c w/flue	lack ctr heating	inad htn	Lacking Adequate Heating	Present Need	Present Need	Units	Cap	Need
SUSSEX													
Andover	12	8	6	10	6	7	.53846154	5	23	19	289	18	1
AndoverTwp	19	6	5	68	32	48	.6	41	65	53	1250	80	-27
Branchville	4	4	4	16	10	7	.41176471	7	15	12	343	22	-10
Byram	37	9	8	108	19	96	.83478261	90	135	111	2266	145	-34
Frankford	42	29	25	100	28	130	.82278481	82	149	122	1435	92	31
Franklin	57	6	6	72	40	59	.59595960	43	106	87	1540	99	-12
Fredon	9	2	2	28	6	28	.82352941	23	34	28	692	44	-16
Green	8	2	2	51	6	50	.89285714	46	56	46	727	47	-1
Hamburg	18	4	4	37	8	33	.80487805	30	52	42	593	38	5
Hampton	23	7	6	80	33	57	.63333333	51	80	65	1244	80	-14
Hardyston	38	13	10	100	5	128	.96240602	96	144	118	1560	100	18
Hopatcong	136	25	23	241	145	158	.52145215	126	285	233	4939	316	-83
Lafayette	9	6	5	54	9	55	.859375	46	60	50	504	32	17
Montague	22	10	9	96	26	93	.78151261	75	106	87	778	50	37
Newton	69	78	70	117	87	51	.36956522	43	182	149	2889	185	-35
Ogdensburg	26	3	3	58	32	31	.49206349	29	58	47	805	52	-4
Sandyston	13	15	15	126	127	181	.58766234	74	102	84	568	36	47
Sparta	26	26	25	141	32	114	.78082192	110	161	132	4254	272	-140
Stanhope	27	16	15	31	19	12	.38709677	12	54	44	1250	80	-36
Stillwater	24	14	14	104	24	101	.808	84	122	100	1284	82	18
Sussex	37	39	36	57	28	35	.55555556	32	105	86	873	56	30
Vernon	85	19	19	390	61	408	.86993603	339	443	363	4886	313	51
Walpack	1	1	1	7	4	6	.6	4	6	5	54	3	2
Wantage	54	26	24	250	49	217	.81578947	204	282	231	2198	141	91
TOTALS	796	368	337	2342	836	2105		1692	2825	2316	37221	2382	-66

APPENDIX C—Continued

APPENDIX C—Continued

MNCPLTY	UNION														Fair Surplus Share Present			
	STF-1 Tbl 18		STF-1 Tbl 13		STF-1 Tbl 15		STF-3 XII-35		STF-3 X-17		STF-3 X-17		Total Adjusted Present Need	Occupied Dwelling Units		Need	Cap	Need
	Units		Lack Com Plumbing		Ctrl Heat not o/c		Lack Heat not o/c		Room Heaters w/flue		Other Units							
	Units	Plumbing	Units	Plumbing	Units	Plumbing	Units	Plumbing	Units	Plumbing	Units	Plumbing						
BerklyHts	10	6	6	6	35	22	13	.37142857	13	29	24	3698	237	-213				
Clark	40	16	16	15	16	16	0	0	0	55	45	5564	356	-311				
Elizabeth	3143	1371	44	42	95	72	23	.24210526	23	148	121	8232	527	-405				
Fanwood	20	4	4	1160	3295	2726	1441	.34581234	1139	5442	4463	38878	2488	1975				
Garwood	14	25	25	25	48	24	29	.54716981	0	24	20	2497	160	-140				
Hillside	202	87	83	83	446	197	279	.58613445	26	65	54	1736	111	-58				
Kenilworth	37	15	15	15	82	85	22	.20560748	261	546	448	7184	460	-12				
Linden	409	195	185	185	555	399	242	.37753510	17	69	56	2751	176	-120				
Mntside	8	3	3	3	0	0	0	0	210	804	659	14232	911	-252				
NewProvidnc	19	25	25	25	24	14	10	.41666667	0	11	9	2362	151	-142				
Plainfld	985	294	247	247	1058	1005	284	.22032583	233	1465	44	4135	265	-220				
Rohway	306	137	125	125	339	257	114	.30727763	104	535	1201	15269	977	224				
Roselle	278	93	81	56	198	185	63	.25403226	50	409	336	9793	627	-188				
RosellePk	95	57	56	56	65	49	23	.31944444	21	172	141	5038	483	-147				
ScotchPlns	54	30	29	29	84	44	40	.47619048	40	123	101	6682	428	-182				
Springfld	33	11	10	10	115	81	34	.29565217	34	77	63	5538	354	-291				
Summit	75	80	77	77	172	132	43	.24571429	42	194	159	7738	495	-336				
Union	198	130	126	126	245	221	58	.20788530	51	375	307	18132	1160	-853				
Westfield	83	67	64	64	183	142	44	.23655914	43	190	156	10271	657	-501				
Winfield	39	2	2	2	56	50	6	.10714286	6	47	39	698	45	-6				
TOTALS	6131	2692	2380	2380	7116	5726	2768		2324	10824	8876	177973	11390	-2363				

WARREN

MNCPLTY	STF-1	STF-1	STF-1	STF-3	STF-3	STF-3	STF-3			Total Adjusted Present Need	Occupied Dwelling Units	Fair Share Present Cap	Fair Surplus Need
	Tbl 18	Tbl 13	Tbl 15	XII-35	XII-35	X-17	X-17						
	Units	Units	Units	Units	Units	Other	Units	Units	Units				
WARREN													
Allamuchy	15	8	8	29	24	19	.44186047	13	36	29	969	62	-33
Alpha	13	7	7	33	10	23	.69696970	23	43	35	949	61	-25
Belvidere	14	19	19	12	12	13	.52	6	39	32	935	60	-28
Blairstown	14	21	20	134	4	160	.97560976	131	165	135	1380	88	47
Franklin	12	11	10	67	28	44	.61111111	41	63	52	741	47	4
Frelinghysn	4	7	7	48	9	49	.84482759	41	52	42	456	29	13
Greenwich	7	11	11	31	5	28	.84848485	26	44	36	573	37	0
Hacketstwn	66	38	38	89	35	71	.66981132	60	164	134	2863	183	-49
Hardwick	1	3	3	61	4	75	.94936709	58	62	51	287	18	32
Harmony	19	16	16	75	18	68	.79069767	59	94	77	865	55	22
Hope	14	8	8	42	24	46	.65714286	28	50	41	494	32	9
Independnce	34	11	10	37	10	30	.75	28	72	59	953	61	-2
Knowlton	21	12	12	85	44	61	.58095238	49	82	68	682	44	24
Liberty	11	3	3	70	23	55	.70512821	49	63	52	574	37	15
Lopatcong	16	7	5	45	0	45	1	45	66	54	1807	116	-62
Mansfield	24	28	28	129	55	110	.66666667	86	138	113	2015	129	-16
Oxford	13	22	22	40	15	43	.74137931	30	65	53	570	36	17
Pahaquarry	0	0	0	0	0	0	0	0	0	0	13	1	-1
Phlipsburg	111	138	134	296	259	116	.30933333	92	337	276	6242	399	-124
Polatcong	23	14	14	105	51	64	.55652174	58	95	78	1315	84	-6
Washington	53	42	40	125	80	52	.39393939	49	142	117	2414	154	-38
WshngtnTwp	13	20	19	96	22	95	.81196581	78	110	90	1388	89	1
White	20	11	10	85	40	72	.64285714	55	85	69	921	59	10
TOTALS	518	457	444	1734	772	1339		1104	2066	1694	29406	1882	-187

APPENDIX D

PROSPECTIVE NEED DATA

DISCLAIMER

This appendix is based on documents prepared by members of the Urban League advisory group. It is provided *for informational purposes only* as to those municipalities not included in Warren Township's prospective need region.

PURPOSE OF APPENDIX D

The summary sheet is designed to enable the reader to understand the derivation of the need of Warren's prospective need region, as set forth in Appendix F. The

summary sheet also permits the reader to identify the prospective need for any other municipality in the State, providing that the regional configurations selected follow county lines and providing that the same methodology is used to identify the prospective regional need.

The remainder of Appendix D is the source data for the prospective need for each county in the State. With regard to Warren's prospective need region, no litigant has challenged the mathematical accuracy of the data. With regard to the counties not in Warren's prospective need region, the source data has not been the subject of adversarial litigation before this court.

Projected Mt. Laurel Households, 1990, by County

County	1990 Households	Less	1980 Households	$\times .394 =$	Additional Mt. Laurel Households
1. Atlantic	90,680	—	71,806	$\times .394 =$	7,436
2. Bergen	340,666	—	300,410	$\times .394 =$	15,860
3. Burlington	154,987	—	114,890	$\times .394 =$	15,798
4. Camden	183,897	—	162,508	$\times .394 =$	8,427
5. Cape May	40,186	—	32,347	$\times .394 =$	3,089
6. Cumberland	51,940	—	44,287	$\times .394 =$	3,015
7. Essex	287,009	—	299,934	$\times .394 =$	-5,092
8. Gloucester	84,892	—	65,129	$\times .394 =$	7,787
9. Hudson	194,964	—	207,857	$\times .394 =$	-5,080
10. Hunterdon	37,857	—	28,515	$\times .394 =$	3,680
11. Mercer	118,997	—	105,819	$\times .394 =$	5,192
12. Middlesex	245,989	—	196,708	$\times .394 =$	19,417
13. Monmouth	214,573	—	170,130	$\times .394 =$	17,510
14. Morris	171,692	—	131,820	$\times .394 =$	15,702
15. Ocean	170,941	—	128,304	$\times .394 =$	16,798
16. Passaic	163,202	—	153,463	$\times .394 =$	3,837
17. Salem	25,291	—	22,330	$\times .394 =$	1,167
18. Somerset	89,681	—	67,368	$\times .394 =$	8,791
19. Sussex	53,829	—	37,221	$\times .394 =$	6,543
20. Union	194,487	—	177,973	$\times .394 =$	6,506
21. Warren	35,306	—	29,406	$\times .394 =$	2,325

APPENDIX D—Continued

FEBRUARY 15, 1984
 PROSPECTIVE NEED—AVERAGE OF ECONOMIC/DEMOGR
 AND DEMOGRAPHIC MODELS N.J. DEPT. OF LABOR

COUNTY	YEAR 2000			YEAR 1990		
	MODEL 1	ECO/DEM	MODEL 2 DEM	AVERAGE	MODEL 1	MODEL 2 AVERAGE
ATLANTIC	277400		245800	261600	240200	220000 230100
BERGEN	951400		707800	829600	915600	767100 841350
BURLINGTON	471900		487000	479450	407300	422300 414800
CAMDEN	555900		526400	541150	508900	497400 503150
CAPE MAY	91600		138300	114950	87800	109100 98450
CUMBERLAND	142600		153700	148150	139300	143700 141500
ESSEX	760700		739900	750300	789400	785400 787400
GLOUCESTER	269100		265700	267400	233200	233600 233400
HUDSON	516500		506000	511250	530500	524400 527450
HUNTERDON	112800		113200	113000	98600	101300 99950
MERCER	359400		301900	330650	340000	306300 323150
MIDDLESEX	757100		603300	680200	690400	601200 645800
MONMOUTH	588200		580800	584500	534400	546400 540400
MORRIS	511800		423900	467600	467700	418200 442950
OCEAN	447300		605700	526500	393500	470200 431850
PASSAIC	445100		421200	433150	451000	434800 442900
SALEM	69100		71400	70250	66600	68700 67650
SOMERSET	284000		199600	241800	246800	201700 224250
SUSSEX	172600		198200	185400	141200	156700 148950
UNION	518800		454200	486500	526500	467800 497150
WARREN	93800		107400	100600	89100	96300 92700
NEW JERSEY	8396600		7851500	8124050	7898000	7572300 7735150

NEW JERSEY LOW AND MODERATE INCOME
 HOUSEHOLDS 1990

COUNTY	1990 HOUSEHOLDS	PCT. LOW AND MOD	#LOW AND MODERATE
ATLANTIC	90680	.394	35728
BERGEN	34066	.394	134222
BURLINGTON	154988	.394	61065
CAMDEN	183897	.394	72455
CAPE MAY	40186	.394	15833
CUMBERLAND	51940	.394	20464
ESSEX	287010	.394	113082
GLOUCESTER	84892	.394	33447
HUDSON	194965	.394	76816
HUNTERDON	37858	.394	14916
MERCER	118998	.394	46885
MIDDLESEX	245989	.394	96920
MONMOUTH	214573	.394	84542
MORRIS	171693	.394	67647
OCEAN	170941	.394	67351
PASSAIC	163202	.394	64302
SALEM	25291	.394	9965
SOMERSET	89682	.394	35335
SUSSEX	53829	.394	21209
UNION	194487	.394	76628
WARREN	35307	.394	13911
TOTAL STATE	2,951,074	.394	1,162,723.

APPENDIX D—Continued

COHORT PROJECTIONS 1990

FEBRUARY 15, 1984

ATLANTIC COUNTY

COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS
UNDER 5	15200	13900	14550				
5-9	13000	12400	12700				
10-14	12600	12300	12450				
15-19	16000	14800	15400				
20-24	16100	15700	15900				
25-29	18500	17600	18050	LESS THAN 25 YRS	.0453	71000	3216.30
30-34	24000	21400	22700	25-29 YEARS	.4253	18050	7676.67
35-39	28000	19400	23700	30-34 YEARS	.4972	22700	11286.44
40-44	16900	15200	16050	35-44 YEARS	.5408	39750	21496.80
45-49	11600	11200	11400				
50-54	9800	9400	9600	45-54 YEARS	.5623	21000	11808.30
55-59	9700	9200	9450				
60-64	11100	10600	10850	55-64 YEARS	.5844	20300	11863.32
65-69	11700	10900	11300				
70-74	9300	9300	9300	65-74 YEARS	.6305	20600	12988.30
75-79	7300	7300	7300				
80-84	4600	4600	4600				
85 + OVER	4800	4800	4800	75 + OVER	.6194	16700	10343.98
				TOTALS		230100	90680.11

APPENDIX D—Continued

BERGEN							
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS
UNDER 5	47200	40400	43800				
5-9	44400	42600	43500				
10-14	47500	42600	45050				
15-19	56300	46600	51450				
20-24	69000	49700	59350	LESS THAN 25 YRS	.0453	243150	11014.70
25-29	78300	48700	63500	25-29 YEARS	.4253	63500	27006.55
30-34	82000	59000	70500	30-34 YEARS	.4972	70500	35052.60
35-39	81100	66300	73700				
40-44	74600	63900	69250	35-44 YEARS	.5408	142950	77307.36
45-49	61400	54600	58000				
50-54	50300	46000	48150	45-54 YEARS	.5623	106150	59688.15
55-59	49200	44800	47000				
60-64	54200	47000	50600	55-64 YEARS	.5844	97600	57037.44
65-69	46300	41000	43650				
70-74	29400	29400	29400	65-74 YEARS	.6305	73050	46058.03
75-79	21000	21000	21000				
80-84	13600	13600	13600				
85 + OVER	9800	9800	9800	75 + OVER	.6194	44400	27501.36
				TOTALS		841300	340666.2

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APPENDIX D—Continued

BURLINGTON									
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS		
UNDER 5	25500	27200	26350						
5-9	25100	25700	25400						
10-14	26500	27100	26800						
15-19	33100	33400	33250						
20-24	32300	32700	32500	LESS THAN 25 YRS	.0453	144300	6536.79		
25-29	26300	31200	28750	25-29 YEARS	.4253	28750	12227.38		
30-34	34600	35200	34900	30-34 YEARS	.4972	34900	17352.28		
35-39	36100	39000	37550						
40-44	32800	34700	33750	35-44 YEARS	.5408	71300	38559.04		
45-49	26100	26700	26400						
50-54	20700	20800	20750	45-54 YEARS	.5623	47150	26512.45		
55-59	20100	20000	20050						
60-64	19400	19700	19550	55-64 YEARS	.5844	39600	23142.24		
65-69	17100	17600	17350						
70-74	13100	13100	13100	65-74 YEARS	.6305	30450	19198.73		
75-79	8600	8600	8600						
80-84	5200	5200	5200						
85 + OVER	4700	4700	4700	75 + OVER	.6194	18500	11458.90		
					TOTALS	414950	154987.8		

APPENDIX D—Continued

CAMDEN

COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS
UNDER 5	39000	38700	38850				
5-9	36700	36500	36600				
10-14	35200	34800	35000				
15-19	35800	34700	35250				
20-24	37200	33800	35500				
25-29	38600	37900	38250	LESS THAN 25 YRS	.0453	181200	8208.36
30-34	49200	46300	47750	25-29 YEARS	.4253	38250	16267.73
35-39	45800	45000	45400	30-34 YEARS	.4972	47750	23741.30
40-44	37100	37200	37150	35-44 YEARS	.5408	82550	44643.04
45-49	28800	28500	28650				
50-54	22500	21900	22200	45-54 YEARS	.5623	50850	28592.96
55-59	21400	20700	21050				
60-64	22500	21800	22150	55-64 YEARS	.5844	43200	25246.08
65-69	20400	20600	20500				
70-74	16000	16000	16000	65-74 YEARS	.6305	36500	23013.25
75-79	11200	11200	11200				
80-84	6700	6700	6700				
85 + OVER	5000	5000	5000	75 + OVER	.6194	22900	14184.26
				TOTALS		503200	183897.0

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N. J. 773

APPENDIX D—Continued

CAPE MAY						
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER HOUSEHOLDS
UNDER 5	5300	6500	5900			
5-9	5100	5600	5350			
10-14	4800	5800	5300			
15-19	5300	6600	5950			
20-24	6000	7700	6850	LESS THAN 25 YRS	.0453	29350
25-29	6100	8200	7150	25-29 YEARS	.4253	7150
30-34	6000	8900	7450	30-34 YEARS	.4972	7450
35-39	5900	8700	7300			
40-44	5100	6700	5900	35-44 YEARS	.5408	13200
45-49	4100	5000	4550			
50-54	3300	4300	3800	45-54 YEARS	.5623	8350
55-59	3300	4600	3950			
60-64	3900	5700	4800	55-64 YEARS	.5844	8750
65-69	5500	6800	6150			
70-74	6800	6800	6800	65-74 YEARS	.6305	12950
75-79	5400	5400	5400			
80-84	3300	3300	3300			
85 + OVER	2600	2600	2600	75 + OVER	.6194	11300
						98500
				TOTALS		6999.22
						40186.05

COHORT PROJECTIONS 1990

 FEBRUARY 16, 1984

CUMBERLAND COUNTY

COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS
UNDER 5	9800	10100	9950				
5-9	9000	9400	9200				
10-14	9600	9800	9700				
15-19	11200	11500	11350				
20-24	10800	11100	10950				
25-29	10500	11600	11050	LESS THAN 25 YRS	.0453	51150	2317.10
30-34	11200	11500	11350	25-29 YEARS	.4253	11050	4699.57
35-39	10500	11300	10900	30-34 YEARS	.4972	11350	5643.22
40-44	9400	9700	9550	35-44 YEARS	.5408	20450	11059.36
45-49	7800	7900	7850				
50-54	6500	6600	6550	45-54 YEARS	.5623	14400	8097.12
55-59	6100	6200	6150				
60-64	6600	6600	6600	55-64 YEARS	.5844	12750	7451.10
65-69	6300	6400	6350				
70-74	5300	5300	5300	65-74 YEARS	.6305	11650	7845.33
75-79	4100	4100	4100				
80-84	2400	2400	2400				
85 + OVER	2100	2100	2100	75 + OVER	.6194	8600	5326.84
				TOTALS		141400	51939.63

APPENDIX D—Continued

APPENDIX D—Continued

ESSEX									
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS		
UNDER 5	54300	55400	54850						
5-9	54400	53500	53950						
10-14	54100	53200	53650						
15-19	59400	58400	58900						
20-24	66400	63100	64750	LESS THAN 25 YRS	.0453	286100	12960.33		
25-29	64300	63600	63950	25-29 YEARS	.4253	63950	27197.94		
30-34	62500	64800	63650	30-34 YEARS	.4972	63650	31646.78		
35-39	61800	61700	61750						
40-44	55400	55300	55350	35-44 YEARS	.5408	117100	63327.68		
45-49	47400	46900	47150						
50-54	40100	39400	39750	45-54 YEARS	.5623	86900	48863.87		
55-59	37900	37200	37550						
60-64	38400	37700	38050	55-64 YEARS	.5844	75600	44180.64		
65-69	31800	33900	32850						
70-74	24800	24800	24800	65-74 YEARS	.6305	57650	36348.33		
75-79	17700	17700	17700						
80-84	10300	10300	10300						
85 + OVER	8300	8300	8300	75 + OVER	.6194	36300	22484.22		
				TOTALS		787250	287009.8		

APPENDIX D—Continued

GLOUCESTER COUNTY									
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS		
UNDER 5	16500	16800	16650						
5-9	16300	16100	16200						
10-14	16200	16600	16400						
15-19	16900	17300	17100						
20-24	17700	17000	17350						
25-29	18100	18600	18350	LESS THAN 25 YRS	.0453	83700	3791.61		
30-34	27600	23100	25350	25-29 YEARS	.4253	18350	7804.26		
35-39	19500	22100	20800	30-34 YEARS	.4972	25350	12604.02		
40-44	16800	18200	17500	35-44 YEARS	.5408	38300	20712.64		
45-49	12900	13000	12950						
50-54	9800	9900	9850	45-54 YEARS	.5623	22800	12820.44		
55-59	9500	9400	9450						
60-64	9700	9700	9700	55-64 YEARS	.5844	19150	11191.26		
65-69	8600	8800	8700						
70-74	6900	6900	6900	65-74 YEARS	.6305	15600	9835.80		
75-79	4600	4600	4600						
80-84	2800	2800	2800						
85 + OVER	2500	2500	2500	75 + OVER	.6194	9900	6132.06		
						233150	84892.09		
				TOTALS					

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APPENDIX D—Continued

HUDSON						
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER HOUSEHOLDS
UNDER 5	39000	38800	38900			
5-9	36400	36000	36200			
10-14	33700	32700	33200			
15-19	36400	36000	36200			
20-24	41300	41100	41200	LESS THAN 25 YRS	.0453	185700
25-29	46700	46500	46600	25-29 YEARS	.4253	46600
30-34	47000	45400	46200	30-34 YEARS	.4972	46200
35-39	41400	40200	40800			
40-44	35300	35300	35300	35-44 YEARS	.5408	76100
45-49	29500	29300	29400			
50-54	26200	25700	25950	45-54 YEARS	.5623	55350
55-59	24800	24400	24600			
60-64	25600	25200	25400	55-64 YEARS	.5844	50000
65-69	22800	23200	23000			
70-74	18000	18000	18000	65-74 YEARS	.6305	41000
75-79	13100	13100	13100			
80-84	7400	7400	7400			
85 + OVER	6000	6000	6000	75 + OVER	.6194	26500
					TOTALS	527450
						16414.10
						194964.6

APPENDIX D—Continued

HUNTERDON COUNTY					COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS
COHORT	MODEL 1	MODEL 2	AVERAGE					
UNDER 5	6000	6200	6100					
5-9	5800	6000	5900					
10-14	6400	6700	6550					
15-19	7600	8000	7800					
20-24	7000	7200	7100					
25-29	5500	6600	6050	LESS THAN 25 YRS	.0453	33450	1515.29	
30-34	7700	7200	7450	25-29 YEARS	.4253	6050	2573.07	
35-39	9600	9100	9350	30-34 YEARS	.4972	7450	3704.14	
40-44	9600	10000	9800					
45-49	8400	8900	8650	35-44 YEARS	.5408	19150	10356.32	
50-54	5900	6200	6050	45-54 YEARS	.5623	14700	8265.81	
55-59	4900	5000	4950					
60-64	4400	4500	4450	55-64 YEARS	.5844	9400	5493.36	
65-69	3400	3400	3400					
70-74	2500	2500	2500	65-74 YEARS	.6305	5900	3719.95	
75-79	1700	1700	1700					
80-84	1100	1100	1100					
85 + OVER	800	800	800	75 + OVER	.6194	3600	2229.84	
						99700	37857.77	
				TOTALS				

APPENDIX D—Continued

MERCER COUNTY						
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER HOUSEHOLDS
UNDER 5	21000	18700	19850			
5-9	19500	17300	18400			
10-14	19300	17400	18350			
15-19	27400	25000	26200			
20-24	34200	30700	32450	LESS THAN 25 YRS	.0453	115250
25-29	29200	24800	27000	25-29 YEARS	.4253	27000
30-34	28300	23200	25750	30-34 YEARS	.4972	25750
35-39	26700	24000	25350			
40-44	23600	22300	22950	35-44 YEARS	.5408	48300
45-49	19500	18200	18850			
50-54	15900	14700	15300	45-54 YEARS	.5623	34150
55-59	15600	14100	14850			
60-64	17400	14800	16100	55-64 YEARS	.5844	30950
65-69	15400	14100	14750			
70-74	10700	10700	10700	65-74 YEARS	.6305	25450
75-79	7700	7700	7700			
80-84	4600	4600	4600			
85 + OVER	3900	3900	3900	75 + OVER	.6194	16200
				TOTALS		923050
						118997.7

APPENDIX D—Continued

MIDDLESEX COUNTY												
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS					
UNDER 5	39000	35100	37050									
5-9	34800	34200	34500									
10-14	37200	33600	35400									
15-19	50600	43900	47250									
20-24	61500	53600	57550									
25-29	61200	51400	56300	LESS THAN 25 YRS	.0453	211750	9592.28					
30-34	67300	55400	61350	25-29 YEARS	.4253	56300	23944.39					
35-39	64300	51000	57650	30-34 YEARS	.4972	61350	30503.22					
40-44	53700	43400	48550	35-44 YEARS	.5408	106200	57432.96					
45-49	41300	34900	38100									
50-54	33100	28600	30850	45-54 YEARS	.5623	68950	38770.59					
55-59	32000	28300	30150									
60-64	34300	30200	32250	55-64 YEARS	.5844	62400	36466.56					
65-69	30700	28200	29450									
70-74	21300	21300	21300	65-74 YEARS	.6305	50750	31997.88					
75-79	14100	14100	14100									
80-84	7800	7800	7800									
85 + OVER	6000	6000	6000	75 + OVER	.6194	27900	17281.26					
						TOTALS						
						645600	245989.1					

LESS THAN 25 YRS

25-29 YEARS

30-34 YEARS

35-44 YEARS

45-54 YEARS

55-64 YEARS

65-74 YEARS

75 + OVER

APPENDIX D—Continued

MONMOUTH COUNTY									
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS		
UNDER 5	31700	32700	32200						
5-9	31600	31800	31700						
10-14	33100	33400	33250						
15-19	36400	36800	36600						
20-24	33900	33500	33700	LESS THAN 25 YRS	.0453	167450	7585.49		
25-29	30700	34300	32500	25-29 YEARS	.4253	32500	13822.25		
30-34	42700	43500	43100	30-34 YEARS	.4972	43100	21429.32		
35-39	47400	49900	48650						
40-44	44300	46000	45150	35-44 YEARS	.5408	93800	50727.04		
45-49	36300	36800	36550						
50-54	28000	28300	28150	45-54 YEARS	.5623	64700	36380.81		
55-59	26600	26800	26700						
60-64	27500	28000	27750	55-64 YEARS	.5844	54450	31820.58		
65-69	25800	26200	26000						
70-74	21800	21800	21800	65-74 YEARS	.6305	47800	30137.90		
75-79	16200	16200	16200						
80-84	10400	10400	10400						
85 + OVER	10000	10000	10000	75 + OVER	.6194	36600	22670.04		
						540400	214573.4		
					TOTALS				

APPENDIX D—Continued

MORRIS COUNTY									
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS		
UNDER 5	27800	24900	26350						
5-9	24900	24700	24800						
10-14	26700	25300	26000						
15-19	31000	29300	30150						
20-24	35200	28800	32000						
25-29	39700	29200	34450	LESS THAN 25 YRS	.0453	139300	6310.29		
30-34	40400	36000	38200	25-29 YEARS	.4253	34450	14651.59		
35-39	52500	40800	46650	30-34 YEARS	.4972	38200	18993.04		
40-44	42600	38100	40350	35-44 YEARS	.5408	87000	47049.60		
45-49	33700	32700	33200						
50-54	25100	24400	24750	45-54 YEARS	.5623	57950	32585.29		
55-59	22100	21300	21700						
60-64	20800	19400	20100	55-64 YEARS	.5844	41800	24427.92		
65-69	17300	15500	16400						
70-74	10400	10400	10400	65-74 YEARS	.6305	26800	16897.40		
75-79	7300	7300	7300						
80-84	5200	5200	5200						
85 + OVER	4900	4900	4900	75 + OVER	.6194	17400	10777.56		
					TOTALS	442900	171692.7		

APPENDIX D—Continued

OCEAN COUNTY							
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS
UNDER 5	25200	29800	27500				
5-9	23600	26800	25200				
10-14	24400	30000	27200				
15-19	26400	32600	29500				
20-24	27000	31600	29300	LESS THAN 25 YRS	.0453	138700	6283.11
25-29	26200	32300	29250	25-29 YEARS	.4253	29250	12440.03
30-34	24300	32400	28350	30-34 YEARS	.4972	28350	14095.62
35-39	26200	35500	30850				
40-44	27500	35200	31350	35-44 YEARS	.5408	62200	33637.76
45-49	20800	25100	22950				
50-54	15300	18900	17100	45-54 YEARS	.5623	40050	22520.12
55-59	14000	18400	16200				
60-64	15000	20300	17650	55-64 YEARS	.5844	33850	19781.94
65-69	19200	22900	21050				
70-74	25900	25900	25900	65-74 YEARS	.6305	46950	29601.98
75-79	25000	25000	25000				
80-84	16800	16800	16800				
85 + OVER	10800	10800	10800	75 + OVER	.6194	52600	32580.44
				TOTALS		431950	170941.0

APPENDIX D—Continued

PASSAIC COUNTY							
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS
UNDER 5	32800	31500	32150				
5-9	30400	29800	30100				
10-14	28900	27800	28350				
15-19	32000	30700	31350				
20-24	35800	34300	35050				
25-29	38500	36700	37600	LESS THAN 25 YRS	.0453	157000	7112.10
30-34	39200	38100	38650	25-29 YEARS	.4253	37600	15991.28
35-39	35600	34100	34850	30-34 YEARS	.4972	38650	19216.78
40-44	31600	30100	30850	35-44 YEARS	.5408	65700	35530.56
45-49	26500	25600	26050				
50-54	21600	20900	21250	45-54 YEARS	.5623	47300	26596.79
55-59	20400	19500	19950				
60-64	21100	20100	20600	55-64 YEARS	.5844	40550	23697.42
65-69	19800	18800	19300				
70-74	14100	14100	14100	65-74 YEARS	.6305	33400	21058.70
75-79	10400	10400	10400				
80-84	6600	6600	6600				
85 + OVER	5600	5600	5600	75 + OVER	.6194	22600	13998.44
				TOTALS		442800	163202.1

APPENDIX D—Continued

SALEM COUNTY						
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER HOUSEHOLDS
UNDER 5	4800	4900	4850			
5-9	4800	4900	4850			
10-14	4900	5000	4950			
15-19	5100	5200	5150			
20-24	3900	4400	4150	LESS THAN 25 YRS	.0453	23950
25-29	4000	4400	4200	25-29 YEARS	.4253	4200
30-34	4900	5300	5100	30-34 YEARS	.4972	5100
35-39	5800	5900	5850			
40-44	5000	5100	5050	35-44 YEARS	.5408	10900
45-49	3900	3900	3900			
50-54	3300	3300	3300	45-54 YEARS	.5623	7200
55-59	3100	3100	3100			
60-64	3200	3200	3200	55-64 YEARS	.5844	6300
65-69	3200	3200	3200			
70-74	2700	2700	2700	65-74 YEARS	.6305	5900
75-79	1900	1900	1900			
80-84	1100	1100	1100			
85 + OVER	1100	1100	1100	75 + OVER	.6194	4100
				TOTALS		67650
						25291.41

APPENDIX D—Continued

SOMERSET COUNTY					NUMBER	HOUSEHOLDS
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	
UNDER 5	15100	11600	13850			
5-9	12000	12000	12000			
10-14	13200	12100	12650			
15-19	13800	12500	13150			
20-24	15700	11800	13750			
25-29	25600	13600	19600	LESS THAN 25 YRS	.0453	2939.97
30-34	22100	18200	20150	25-29 YEARS	.4253	8335.08
35-39	29800	19800	24800	30-34 YEARS	.4972	10018.58
40-44	20900	17300	19100	35-44 YEARS	.5408	23741.12
45-49	15700	14800	15250			
50-54	12800	12400	12600	45-54 YEARS	.5623	15660.06
55-59	12600	11700	12150			
60-64	12000	10700	11350	55-64 YEARS	.5844	13733.40
65-69	10500	8400	9450			
70-74	5900	5900	5900	65-74 YEARS	.6305	9678.18
75-79	4000	4000	4000			
80-84	2600	2600	2600			
85 + OVER	2400	2400	2400	75 + OVER	.6194	5574.60
				TOTALS	224250	89681.78

APPENDIX D—Continued

SUSSEX COUNTY									
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS		
UNDER 5	10700	11600	11150						
5-9	9800	11000	10400						
10-14	10600	12400	11500						
15-19	11000	12500	11750						
20-24	9800	10600	10200	LESS THAN 25 YRS					
25-29	8600	10600	9600	25-29 YEARS	.0453	55000	2491.50		
30-34	10500	11600	11050	30-34 YEARS	.4253	9600	4082.88		
35-39	14200	15200	14700		.4972	11050	5494.06		
40-44	14000	16100	15050	35-44 YEARS	.5408	29750	16088.80		
45-49	10300	11500	10900						
50-54	6800	7300	7050	45-54 YEARS	.5623	17950	10093.29		
55-59	5200	5700	5450						
60-64	5000	5500	5250	55-64 YEARS	.5844	10700	6253.08		
65-69	4700	4900	4800						
70-74	3900	3900	3900	65-74 YEARS	.6305	8700	5485.35		
75-79	2700	2700	2700						
80-84	1800	1800	1800						
85 + OVER	1700	1700	1700	75 + OVER	.6194	6200	3040.28		
				TOTALS		148950	53829.24		

APPENDIX D—Continued

UNION COUNTY												
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS					
UNDER 5	31900	28300	30100									
5-9	29100	28300	28700									
10-14	29800	27900	28850									
15-19	34500	30800	32650									
20-24	40200	32800	36500									
25-29	43200	32800	38000	LESS THAN 25 YRS	.0453	156800	7103.04					
30-34	46600	37400	42000	25-29 YEARS	.4253	38000	16161.40					
35-39	43300	38700	41000	30-34 YEARS	.4972	42000	20882.40					
40-44	39800	36500	38150	35-44 YEARS	.5408	79150	42804.32					
45-49	33100	30900	32000									
50-54	27600	25500	26550	45-54 YEARS	.5623	58550	32922.67					
55-59	27500	24800	26150									
60-64	29900	26100	28000	55-64 YEARS	.5844	54150	31645.26					
65-69	27000	24000	25500									
70-74	17500	17500	17500	65-74 YEARS	.6305	43000	27111.50					
75-79	12400	12400	12400									
80-84	7700	7700	7700									
85 + OVER	5500	5500	5500	75 + OVER	.6194	25600	15856.64					
				TOTALS		497250	194487.2					

APPENDIX D—Continued

WARREN COUNTY												
COHORT	MODEL 1	MODEL 2	AVERAGE	COHORT AGGREGATE	HEADSHIP RATE	NUMBER	HOUSEHOLDS					
UNDER 5												
5-9	6000	6200	6100									
	5500	5900	5700									
10-14	5900	6300	6100									
15-19	6800	7100	6950									
20-24	6200	6700	6450	LESS THAN 25 YRS	.0453	31300	1417.89					
25-29	5800	6500	6150	25-29 YEARS	.4253	6150	2615.60					
30-34	6300	8000	7150	30-34 YEARS	.4972	7150	3554.98					
35-39	7800	9200	8500									
40-44	7300	8000	7650	35-44 YEARS	.5408	16150	8733.92					
45-49	5900	6200	6050									
50-54	4200	4400	4300	45-54 YEARS	.5623	10350	5819.81					
55-59	4100	4200	4150									
60-64	4300	4500	4400	55-64 YEARS	.5844	8550	4996.62					
65-69	4100	4200	4150									
70-74	3500	3500	3500	65-74 YEARS	.6305	7650	4823.33					
75-79	2600	2600	2600									
80-84	1500	1500	1500									
85 + OVER	1300	1300	1300	75 + OVER	.6194	5400	3344.76					
						TOTALS	92700					
							35306.90					

APPENDIX E

SELECTED URBAN AID MUNICIPALITIES

ATLANTIC COUNTY

None

BERGEN COUNTYLodi
GarfieldBURLINGTON COUNTY

None

CAMDEN COUNTYCamden
WinslowCAPE MAY COUNTY

None

CUMBERLAND COUNTYVineland
BridgetonESSEX COUNTYBelleville
Bloomfield
East Orange
Irvington
Montclair
Newark
OrangeGLOUCESTER COUNTY

Glassboro

HUDSON COUNTYBayonne
Hoboken
Jersey City
North Bergen
Union City
Weehawken
West New YorkHUNTERDON COUNTY

None

MERCER COUNTY

Trenton

MIDDLESEX COUNTYNew Brunswick
Perth AmboyMONMOUTH COUNTYAsbury Park
Keansburg
Long BranchMORRIS COUNTY

None

OCEAN COUNTY

Lakewood

PASSAIC COUNTYPassaic
PatersonSALEM COUNTY

None

SOMERSET COUNTY

None

SUSSEX COUNTY

None

UNION COUNTYElizabeth
Hillside
PlainfieldWARREN COUNTY

None

DISCLAIMER

This appendix was prepared by a member of the Urban League advisory group.
It is provided *for informational purposes only* as to those municipalities not included in Warren Township's present and prospective need regions.

APPENDIX F

