

# Zoning in Mahwah Is an Issue Again

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Special to The New York Times

MAHWAH, April 20—The shrubs for spring planting are lined up outside the Towne Trellis Florist Shop and residents here are busy sprucing up their properties in the manner of the annual spring ritual.

## The Talk of Mahwah

The homes on the one-acre lots in the Darlington section and the two-acre plots in Deerhaven seem almost to bloom with color on the sunny days that are beginning to occur with greater frequency.

All around these homes are thousands of acres of undeveloped land that have become the focal point of the state's most celebrated zoning battle, one that local residents fear will destroy the value of their properties, alter the character of their community and create overnight slums where wooded green fields stand today.

Open-zoning advocates have mounted two attacks on the township, one a court challenge to its zoning code and the second a demand that the township planning board grant a variance to permit construction of town houses along Route 202, opposite Ramapo State College.

It is the town-house project, which officials fear could double the township's 11,200 population practically overnight, that causes the most immediate concern for area residents, especially in the wake of a recent State Supreme Court decision that affirmed the obligation of developing communities to provide housing opportunities for all economic classes.

"We had to have an acre of land when we built our home here 15 years ago and I think everyone else should be required to do the same," said Kathleen Fierro, who lives in a brick-front split-level home on Darlington Avenue with her husband and two children.

"The project they want to build near here will have people sitting on each other's laps," she said. "I'm not a snob, but it would attract a lower class of people, who would run that area into a slum."

"I also have nothing against colored people and wouldn't care if a family moved in next door, as long as they had to meet the same requirements we did," she said.

The township became the target of the drive by the nonprofit Garden Cities Development Corporation, a subsidiary of Suburban Action Institute, Inc., to build a town-house project because, the corporation said, of the municipal zoning policy of accepting industrial ratables to reduce local taxes, but, in effect, refusing to permit the workers at the plants to live in town by zoning out high-density housing.

The largest industries are the Abex Engineering Com-

pany and the Ford Motor Company, whose large assembly plant employs thousands of workers who live in New York, Pennsylvania and throughout northern and central New Jersey.

The pressure for multi-family housing also stems from the fact that much of the township's 27-square-mile area is still undeveloped.

Federal, state and county governments and the Roman Catholic Archdiocese of Newark own large tracts of land in the township, but portions of these tracts are no longer needed for their original purposes. For example, the Federal Government closed its Nike missile base a few years ago—and much of this land is viewed as prime real estate for development.

Herbert Clausen, township administrator, said a new master plan was being prepared to map development of these areas, but he said he did not know if it made any provision for high-density housing zones. Township officials have been advised not to discuss pending zoning cases, Mr. Clausen said.

Both of the suits against the township were shelved while the Supreme Court considered the challenge to the zoning code in Mount Laurel, Burlington County, on which it based its recent landmark decision. Now these Mahwah suits are expected to be rescheduled for hearings in Superior Court.

The Mount Laurel decision also has reawakened the interest of open-housing advocates in the entire New York region, according to Paul Davidoff, executive director of Suburban Action Institute. He said, "The whole thing has come alive again, from being dormant for about two years."

Mr. Davidoff said the Mount Laurel decision might prove as important in providing equal housing opportunities as *Brown v. the Board of Education* was in barring racial segregation in schools.

"But I'd like to point out that *Brown* was handed down in 1954 and some battles are still being fought, so I don't expect overnight results," Mr. Davidoff said.

He said he expected the State Supreme Court to expand on his ideas about regional housing responsibilities of developing communities when it handed down its decision in a case involving the Madison Township zoning code. A lower court in that case has ruled that a community's responsibilities may extend outside its own county.

Dr. George Sternlieb, director of the Center for Urban Policy Research at Rutgers University, said the Mount Laurel decision put New Jersey on the road to statewide planning and tax reform, but he said the timing of the decision during the current economic depression had robbed it of much of its immediate impact.

"If a decision was handed down in 1950 it would have been revolutionary; it would have been meaningful in the midnineteen-sixties," he said, "but because of a lack of funding at the present time it is of little immediate consequence."

"The failure of the Urban Development Corporation in New York has killed moral-pledge bonds, and the chances for a public-housing bond issue in New Jersey are absolutely dead," Dr. Sternlieb said.

Some form of housing-construction or rent-subsidy program would be needed before the poor would be able to move from city slums to new high-density projects in towns such as Mahwah, he said. Without subsidies the new housing would be affordable only by those in middle and upper-middle-income groups, he added.

"As far as new housing for the poor is concerned, the decision could turn out to be counterproductive," he said.