

Branchburg Township **Affordable Housing**

Township Committee Informational Forum

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*Every municipality in the State of NJ
has a constitutional obligation to
provide for the realistic opportunity
for the production of affordable
housing.*

NJ Supreme Court, 1983 Mt. Laurel II

Historical Context

1975

Mount Laurel I

Each municipality has a constitutional obligation to provide affordable housing

1983

Mount Laurel II

Creation of municipal obligations
Court approves Housing Plans
Creates 'Builders Remedy'

1985

Fair Housing Act

COAH created to administer FHA

1986 - 2014

COAH Rule Making

COAH administered the FHA and promulgated first, second and third round rules

Third Round History

1999 - 2013

3rd Round Rules

“Growth share” rules are adopted twice and overturned

2013

Supreme Court Decision

Invalidated methodology
Ordered new rules to be adopted

2014

COAH Fails to Adopt

COAH fails to adopt 3rd round rules

2014

FSHC Motion

Fair Share Housing Center (FSHC) files motion to compel the State to adopt rules

2015

Mount Laurel IV

Supreme Court transfers approval of housing plans from COAH to Courts

Who qualifies for Affordable Housing?

Based on 2019 Regional Median Income in
Hunterdon, Middlesex & Somerset Counties

Maximum Household Income				
	1 Person	2 Person	3 Person	4 Person
Median	\$82,810	\$94,640	\$106,470	\$118,300
Moderate	\$66,248	\$75,712	\$85,176	\$94,640
Low	\$41,405	\$47,320	\$53,235	\$59,150
Very Low	\$24,843	\$28,392	\$31,941	\$35,490

What is Affordable Housing?

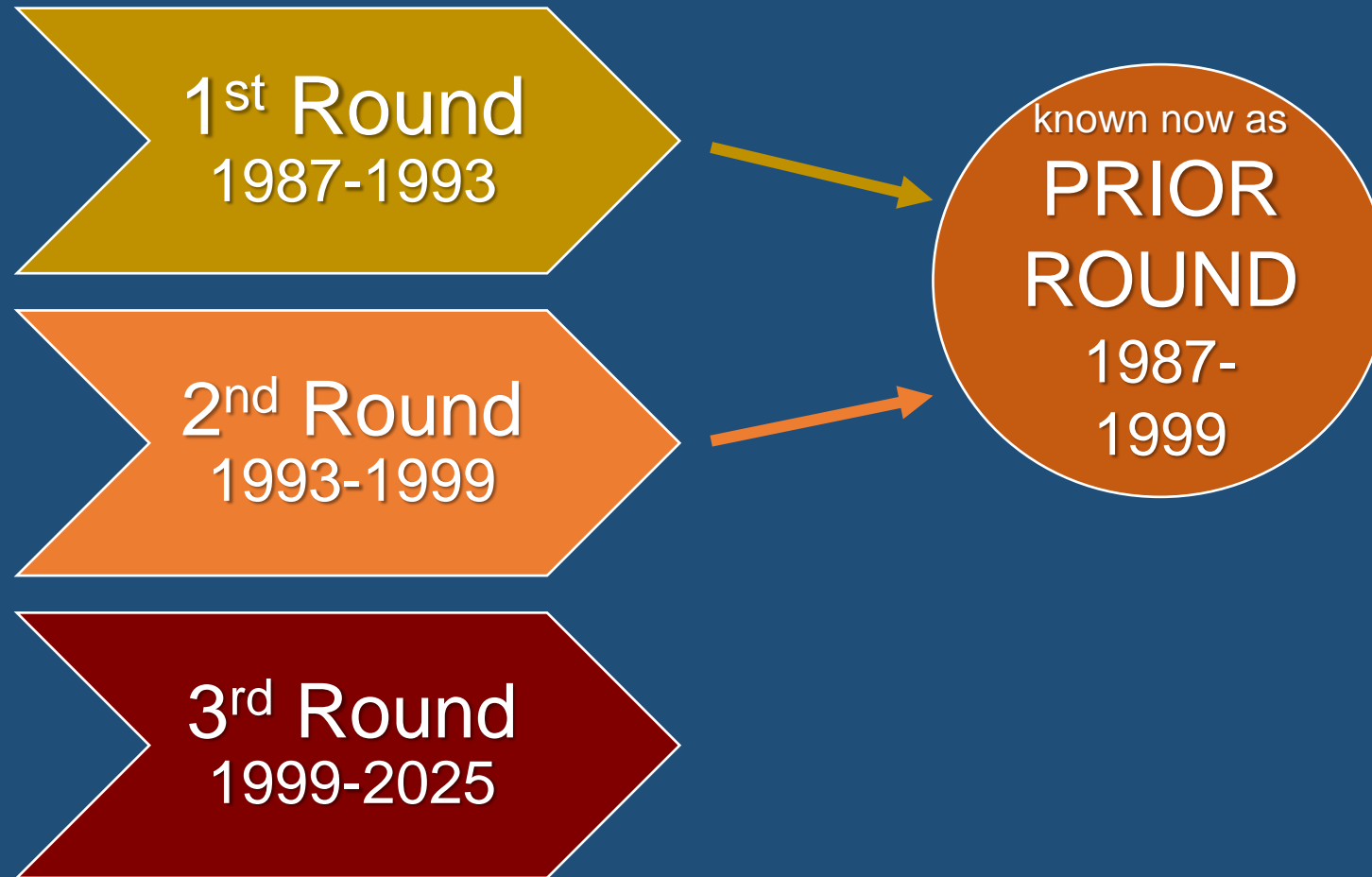
Affordable Home Sales Prices (Illustrative Low to Moderate)

- One-bedroom: \$106,000 - \$160,000
- Two-bedroom: \$127,000 - \$193,000
- Three-bedroom: \$147,000 - \$222,000

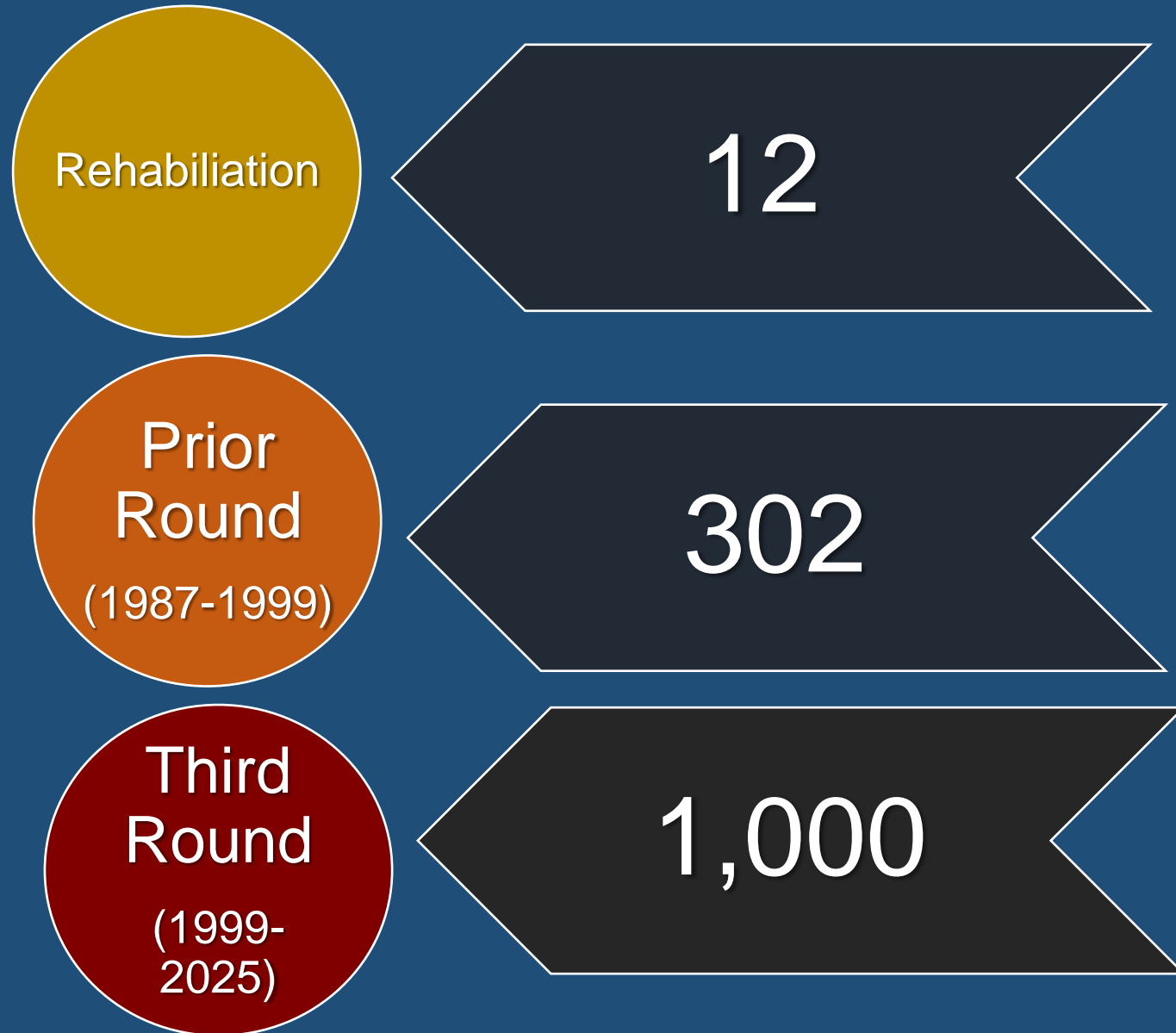
Affordable Rents (Illustrative Very Low to Moderate)

- One-bedroom: \$600 - \$1,130
- Two-bedroom: \$700 - \$1,400
- Three-bedroom: \$800 - \$1,600

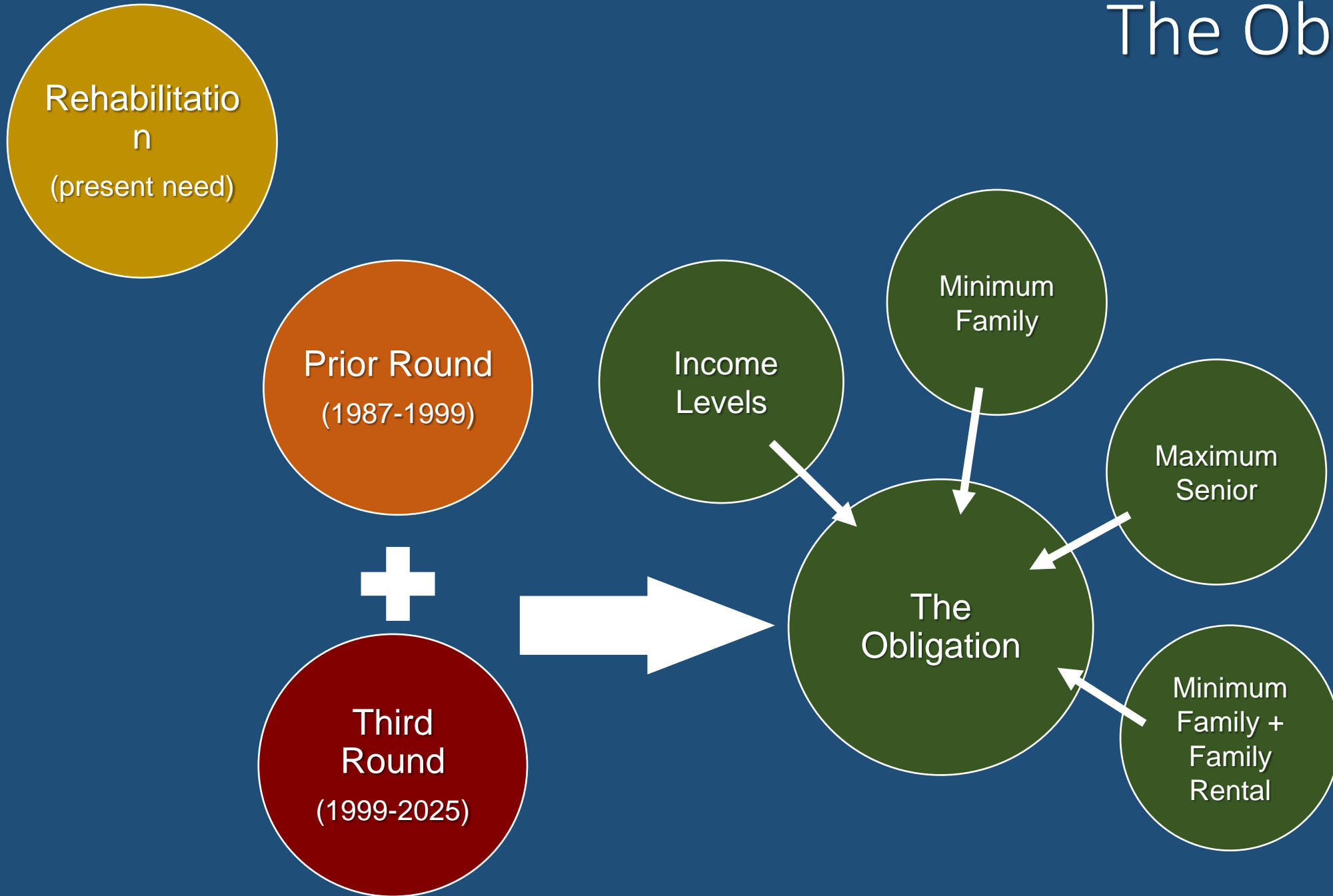
COAH Rulemaking “Rounds”



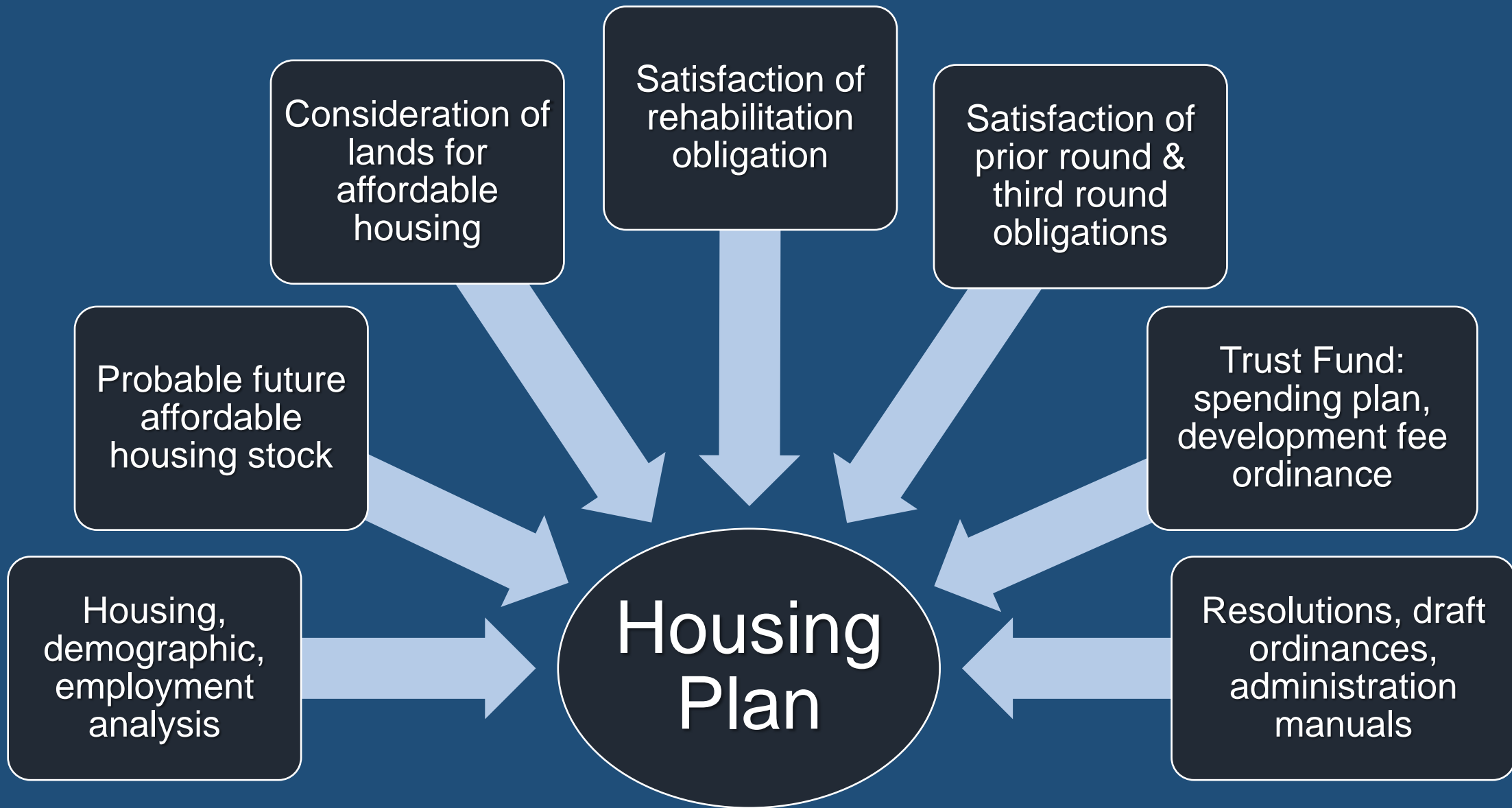
Branchburg Township Obligation



The Obligation



Housing Element/Fair Share Plan



Satisfying the Obligation

Rehabilitation: 12

- Township Program – rental rehabilitation

Prior Round: 302

- RCA – funds transferred (100 units)
- Group Homes – completed (17 bedrooms)
- Inclusionary family for sale – completed (40 units)
- Inclusionary senior rental – completed (30 units)
- Inclusionary family rental – completed (47 units)
- Group Homes – proposed (7 bedrooms)
- Rental Bonus Credits – (75 units)

Strategy for Third Round Obligation

Utilize Existing Stock of Housing

- Affordability Controls on Existing Units
- Supportive and Special Needs Bedrooms

New Units

- Maximize senior credits (25%)
- Maximize family rental bonuses (25%)
- 100% Affordable Development: Municipally Sponsored
- Inclusionary Housing

Satisfying the Obligation



- Carry Over Credits (14 units)
- Affordability Controls on Existing Units

Satisfying the Obligation



- 100% Affordable Development
- Supportive/Special Needs Housing

Satisfying the Obligation



■ 100% Affordable Development

Benefits

- Economies of scale
- Federal/State Funding
- Bonus credits for rental – 2 for 1

Challenges

- Concentration of AH units
- Funding is not guaranteed

Satisfying the Obligation



Supportive/Special Needs Housing

Benefits

- Fulfills a Community Need
- Infill Housing
- Credits by Bedroom

Challenges

- Increasing Costs

Satisfying the Obligation

What?

Zoning that requires market rate (MR) residential development to include affordable housing (AH).

Why?

To create mixed income opportunities that would not otherwise be created.



Benefits

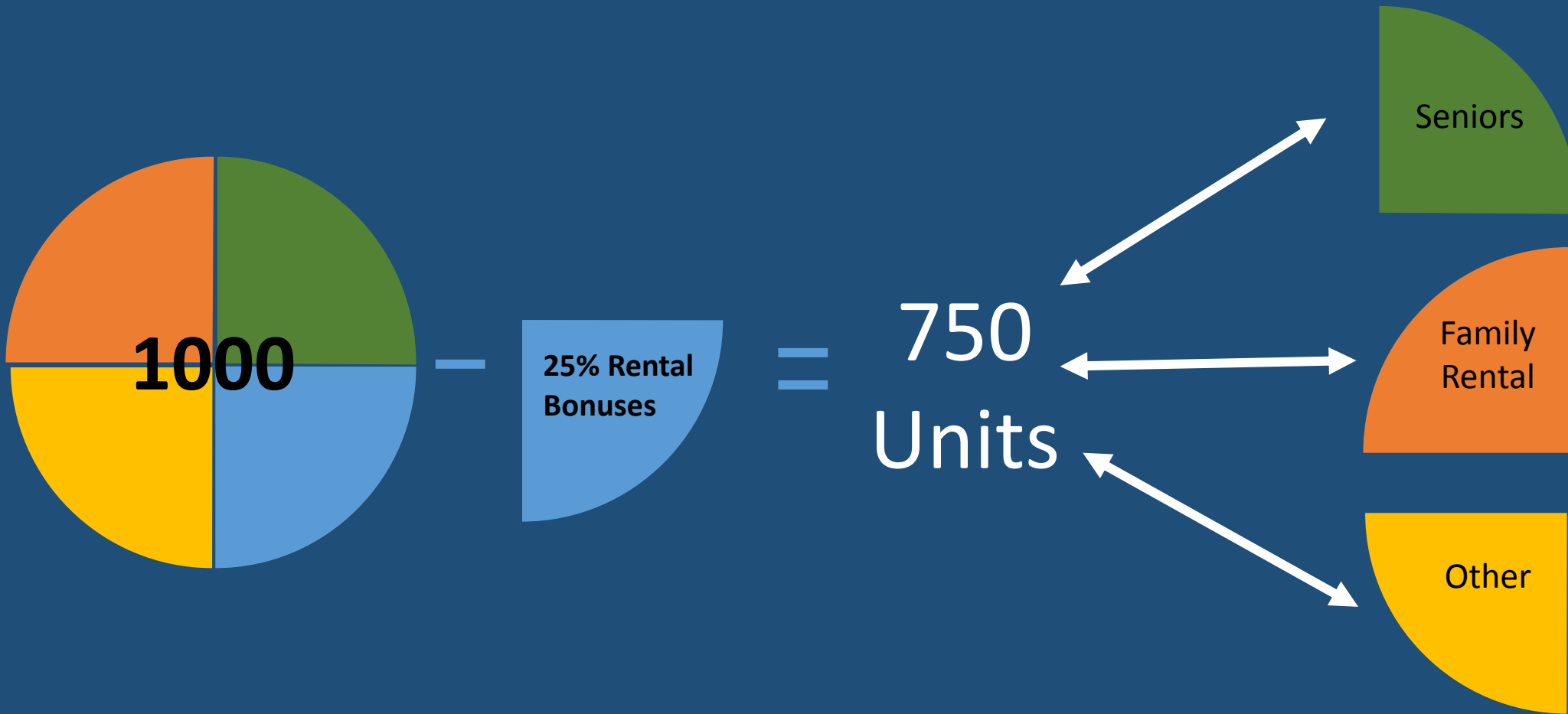
- Developer responsibility
- Integrated affordable housing

Challenges

- Increased densities, units and land area
- Base set-aside (15-20%)

5 MR units = 1 AH is required

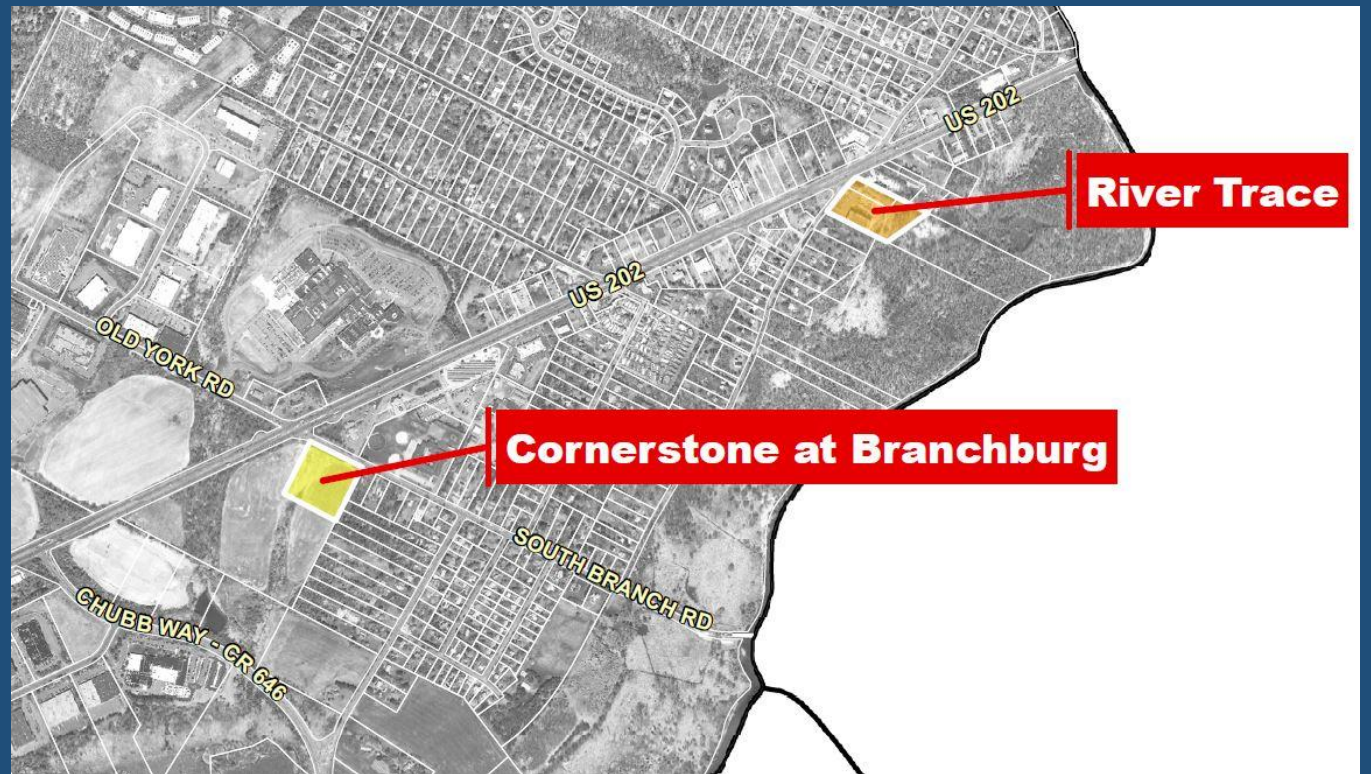
Satisfying the Third Round Obligation



Satisfying Third Round Obligation: 100% AH Municipally Sponsored

- Cornerstone @ Branchburg
 - 100% Affordable Rental (150)
 - Approved (75 of 150)
 - Old York Road
 - 150 credits

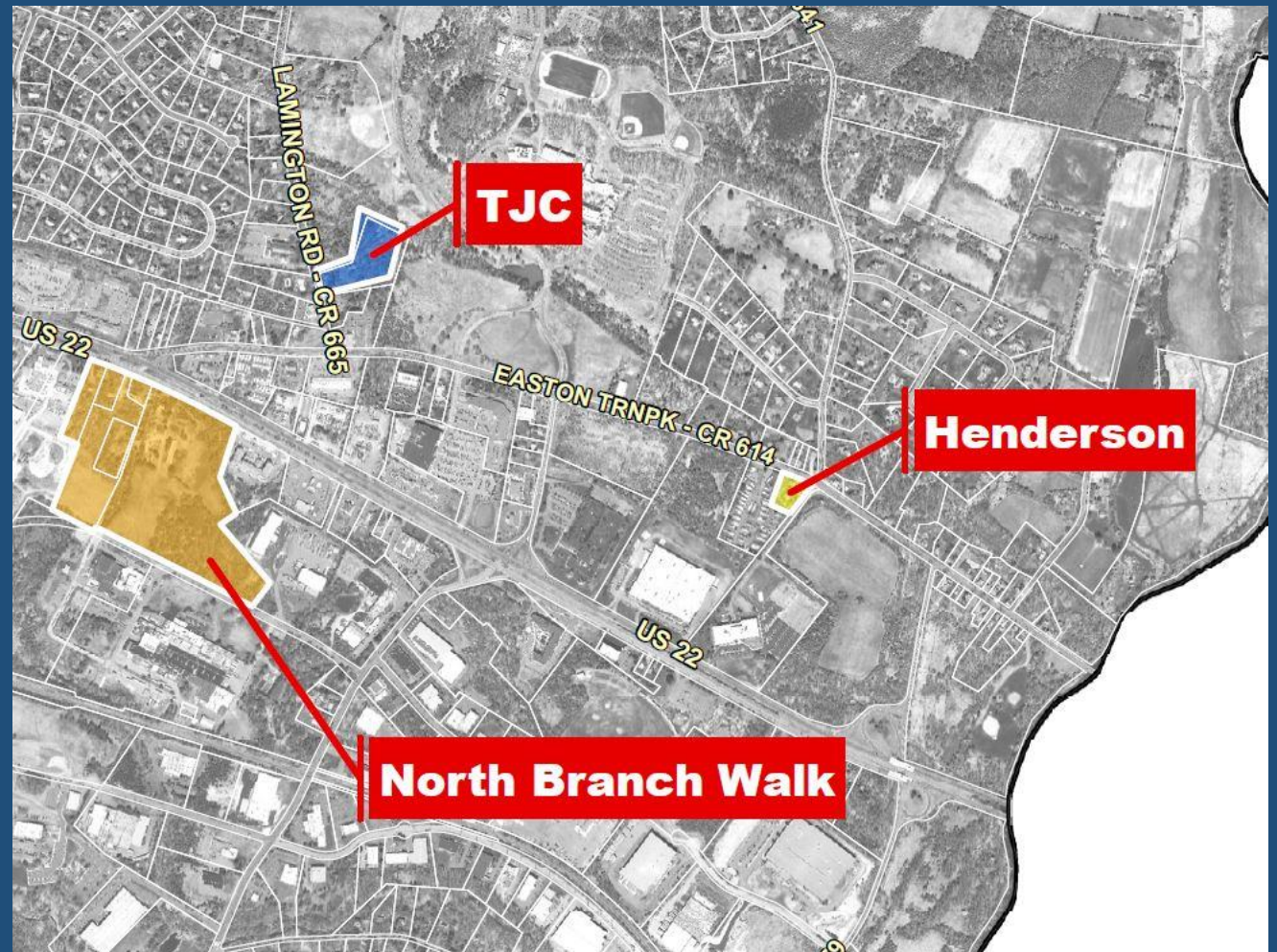
Senior



Satisfying Third Round Obligation: Municipally Sponsored

- TJC Site
 - Municipally Sponsored
 - 40% Affordable (40/100)
 - Proposed Rental
 - Lamington Road
 - 40 total credits

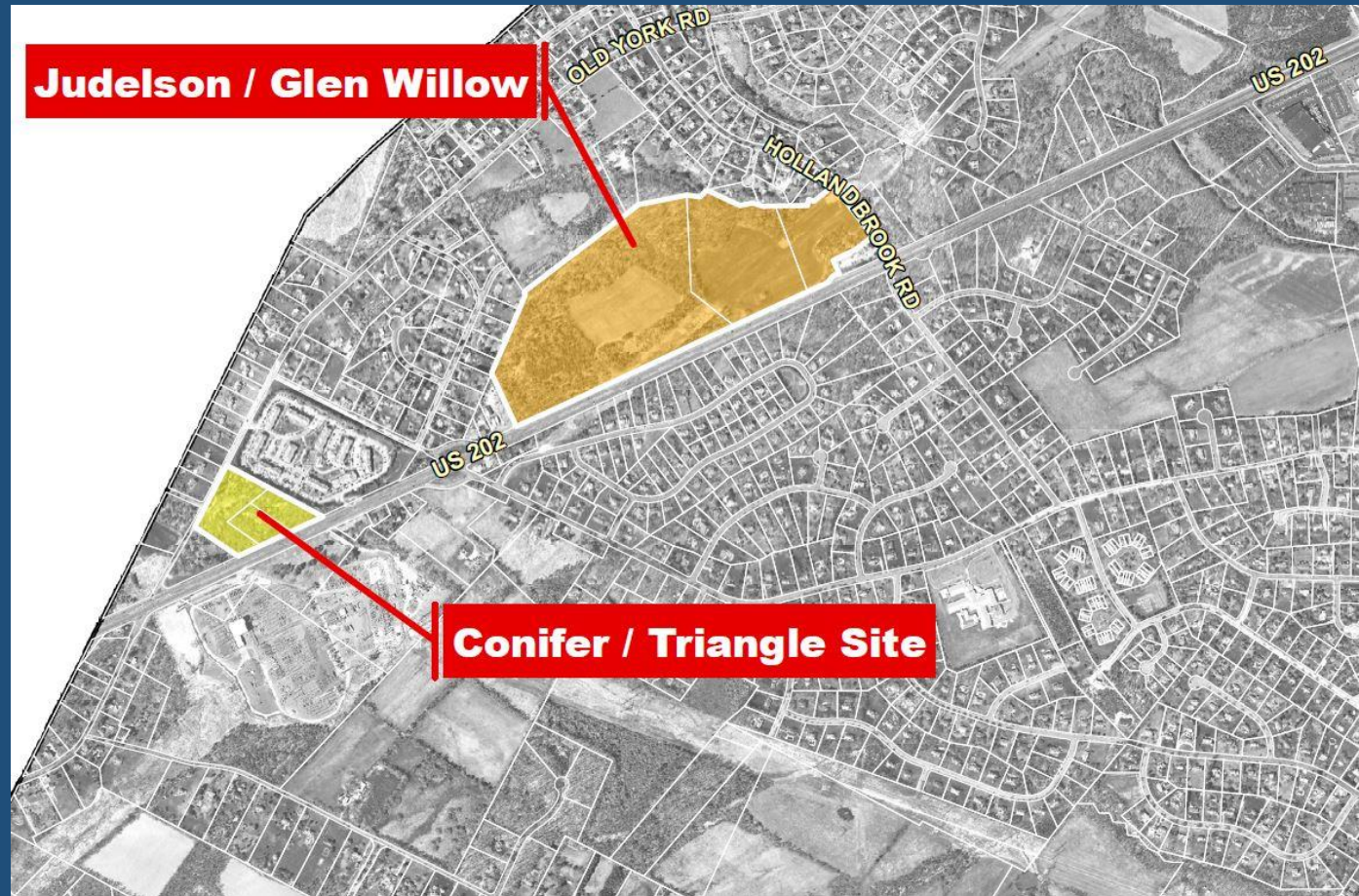
Senior



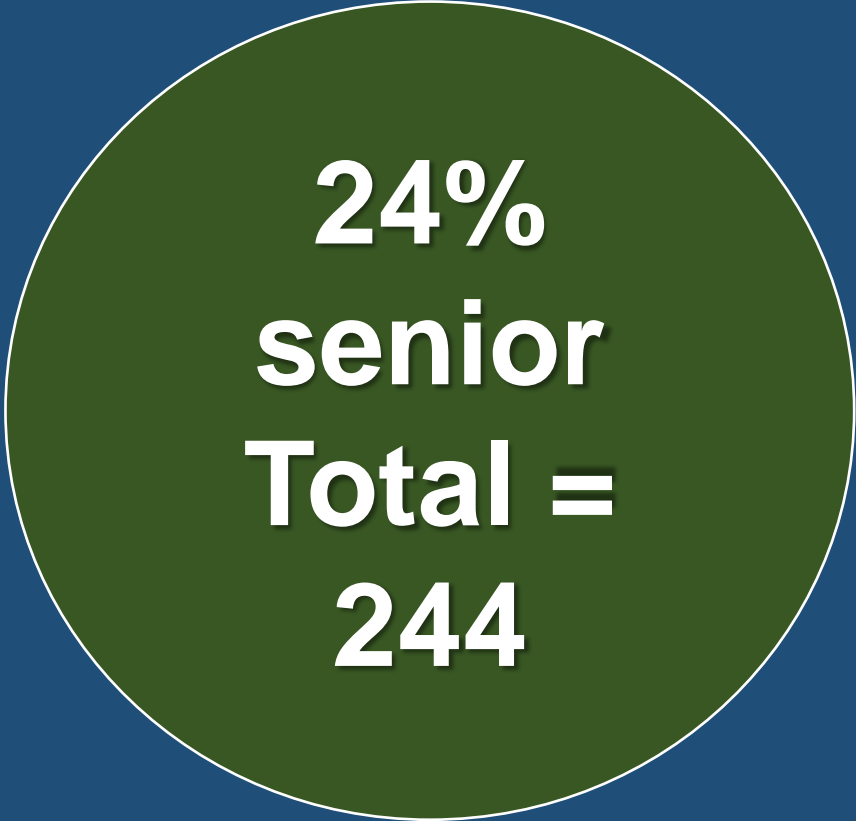
Satisfying Third Round Obligation: Inclusionary

- Judelson/Glen Willow
 - Proposed rental and for-sale (54 of 125 AH units)
 - 475 total units
 - 26% set-aside total
 - 125 total credits
 - Route 202 & Holland Brook Road

Senior



Satisfying Third Round Obligation

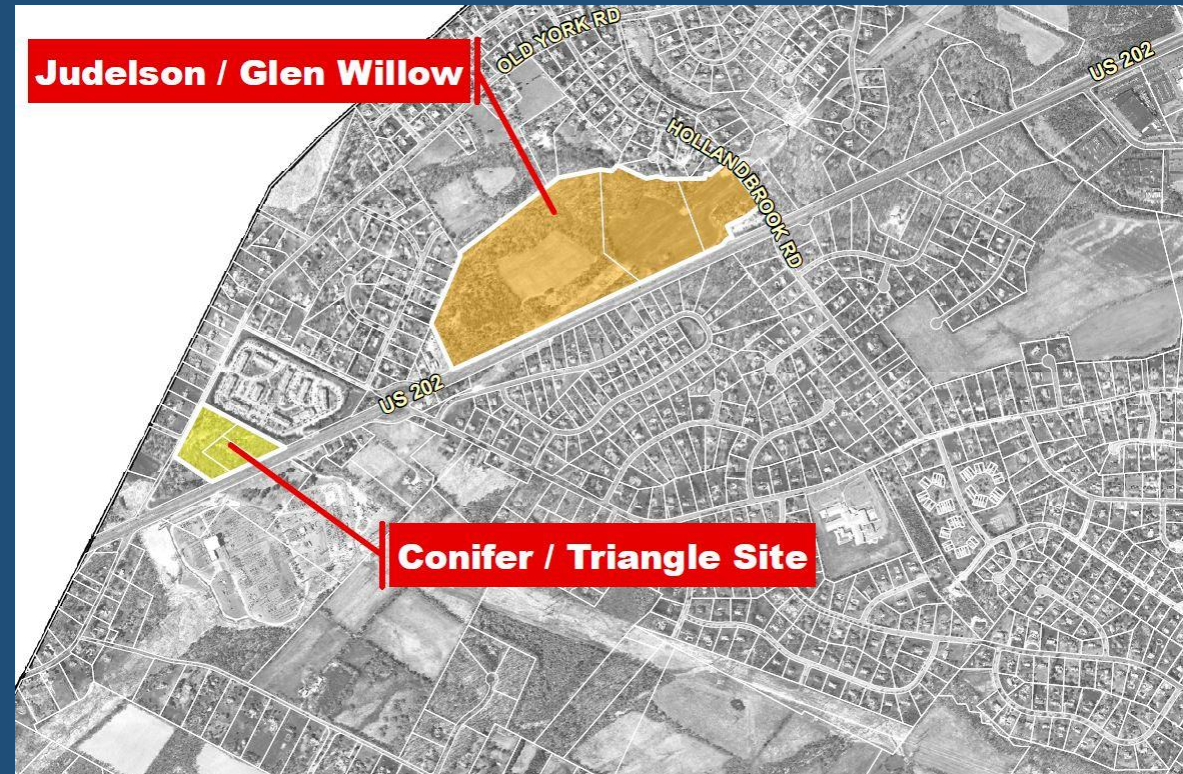


24%
senior
Total =
244

Satisfying Third Round Obligation: 100% AH Municipally Sponsored

- Conifer/Triangle Site
 - Approved (100 units)
 - Route 202 & Old York Road
 - 100 rental bonus credits
 - 200 total credits

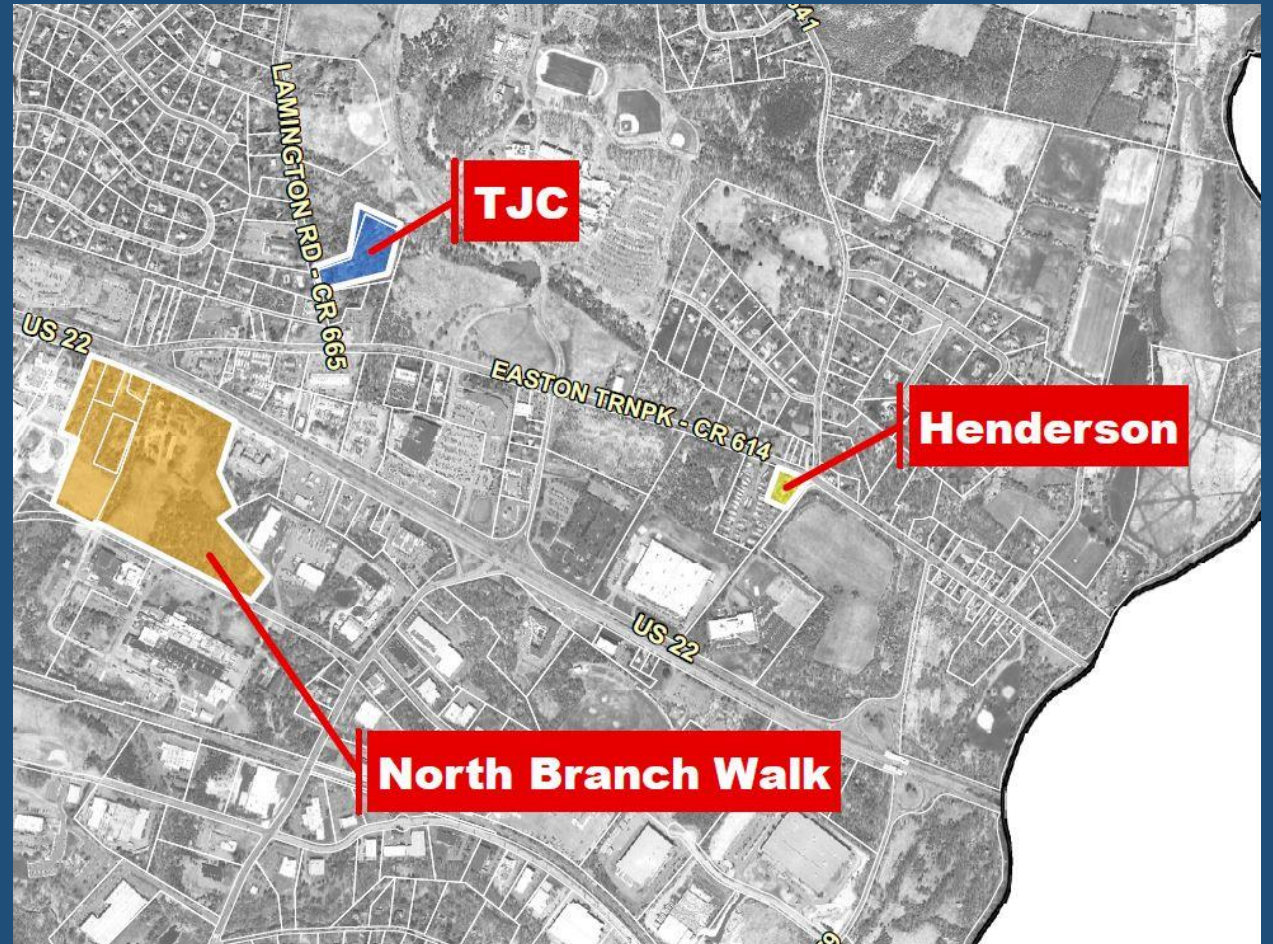
Family
rental



Satisfying Third Round Obligation: 100% AH Municipally Sponsored

- Henderson
 - Approved (9 units)
 - Route 28
 - 9 rental bonus credits
 - 18 total credits

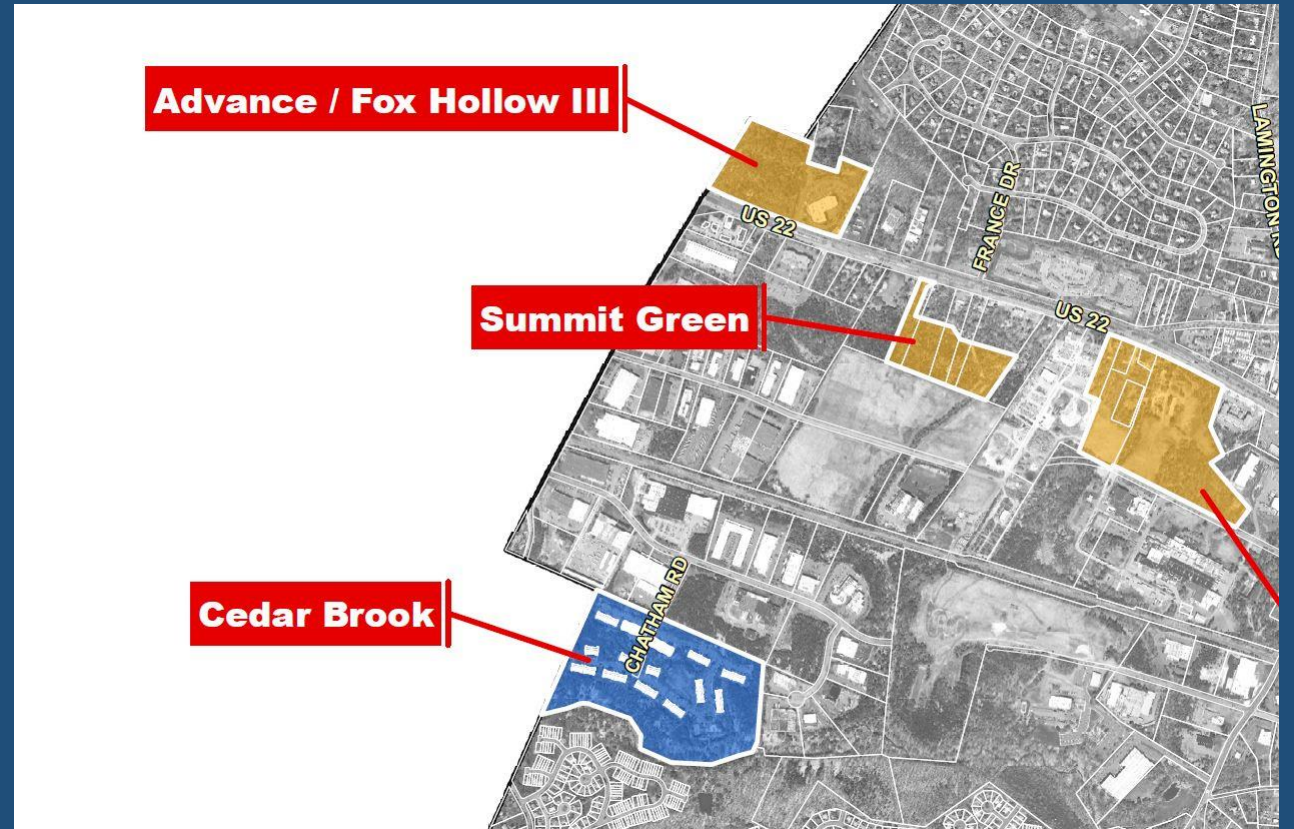
Family
rental



Satisfying Third Round Obligation: Inclusionary

- Advance/Fox Hollow
 - Approved- under construction
 - (28/81 – 35% set-aside)
 - Route 22
 - 28 rental bonus credits
 - 56 total credits

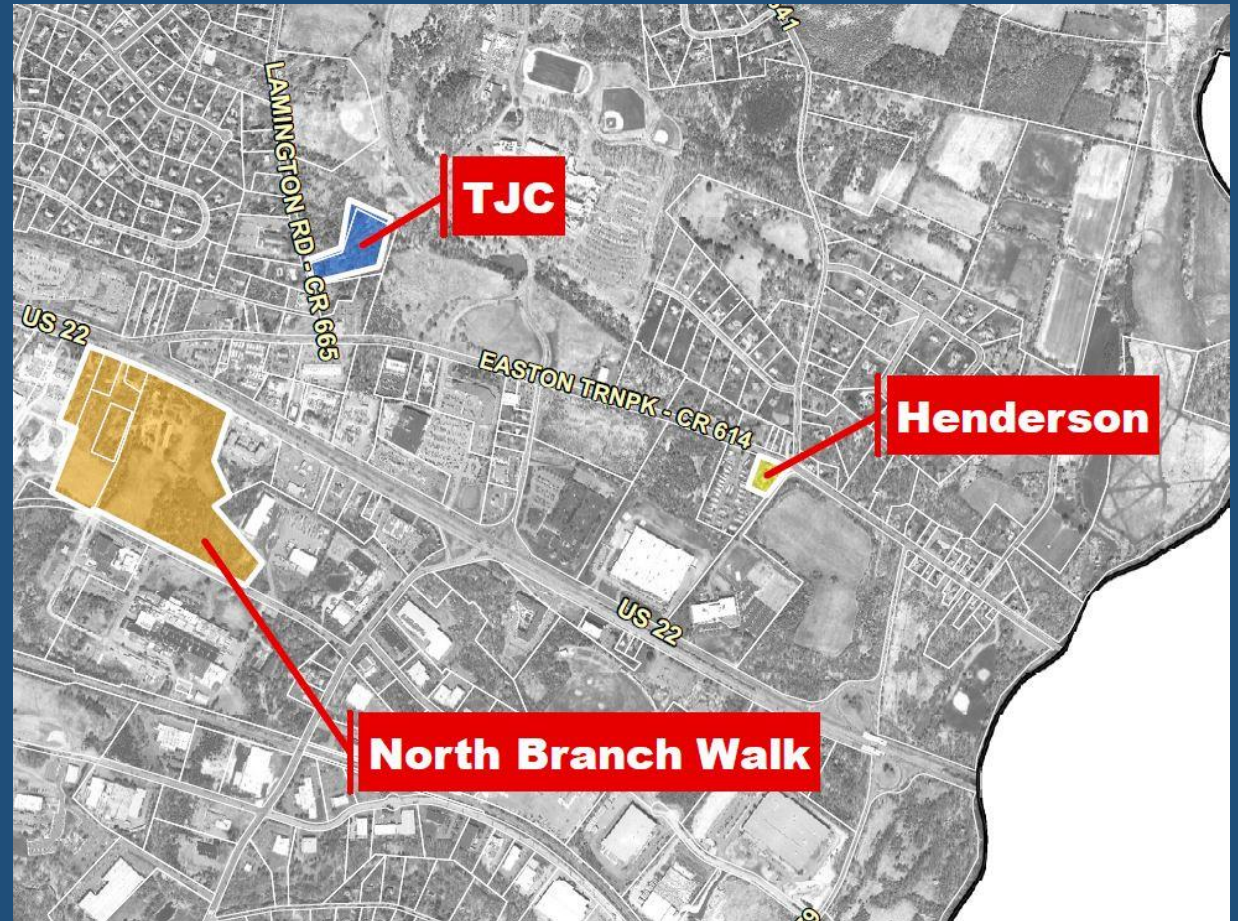
Family
rental



Satisfying Third Round Obligation: Inclusionary

- North Branch Walk
 - Approved Zoning
 - (91/364)
 - 25% set-aside
 - Route 22
 - 91 rental bonus credits
 - 182 total credits

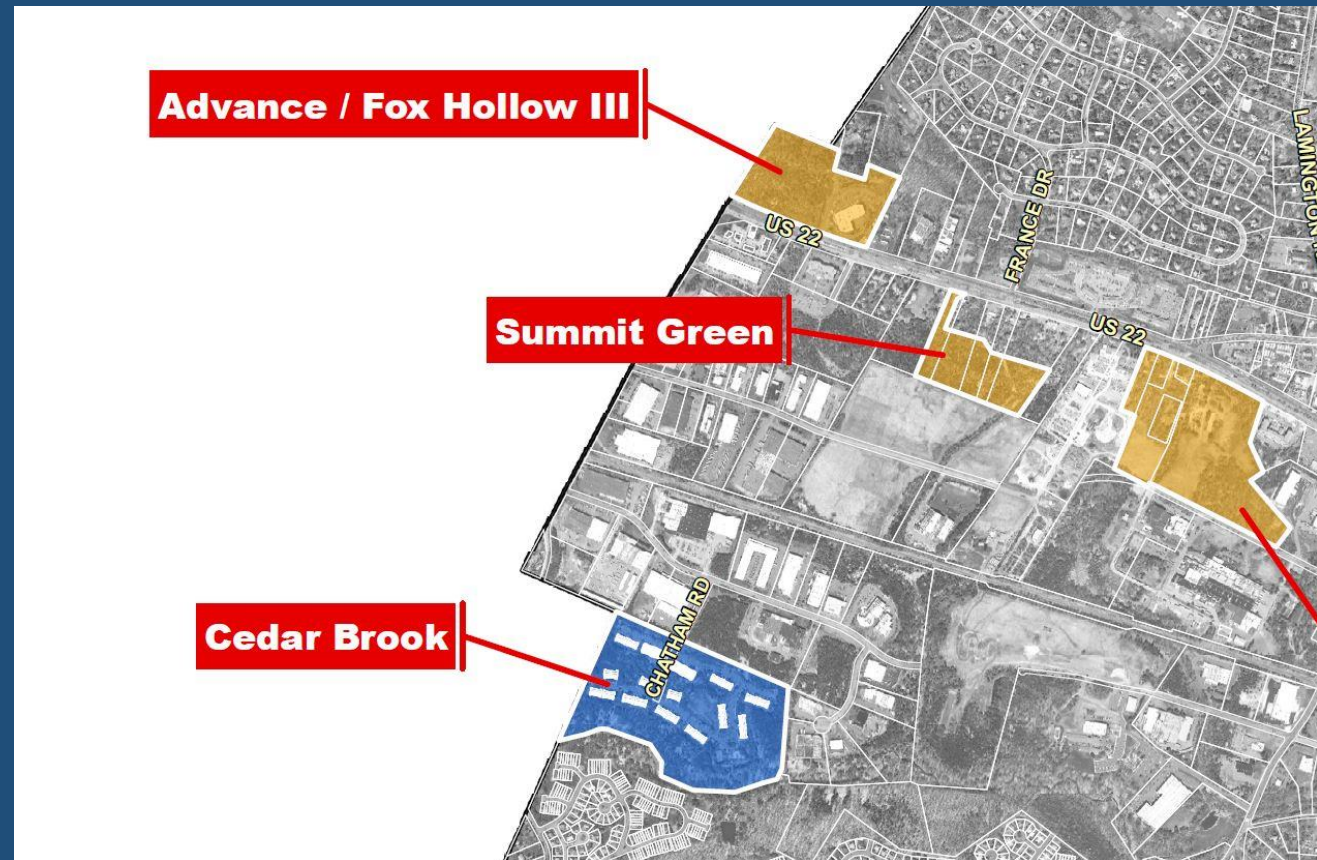
Family
rental



Satisfying Third Round Obligation: Inclusionary

- Summit Green
 - Proposed
 - (92 of 131 AH units)
 - 523 total units
 - 25% set-aside
 - Route 22
 - 22 rental bonus credits
 - 114 total credits

Family
rental

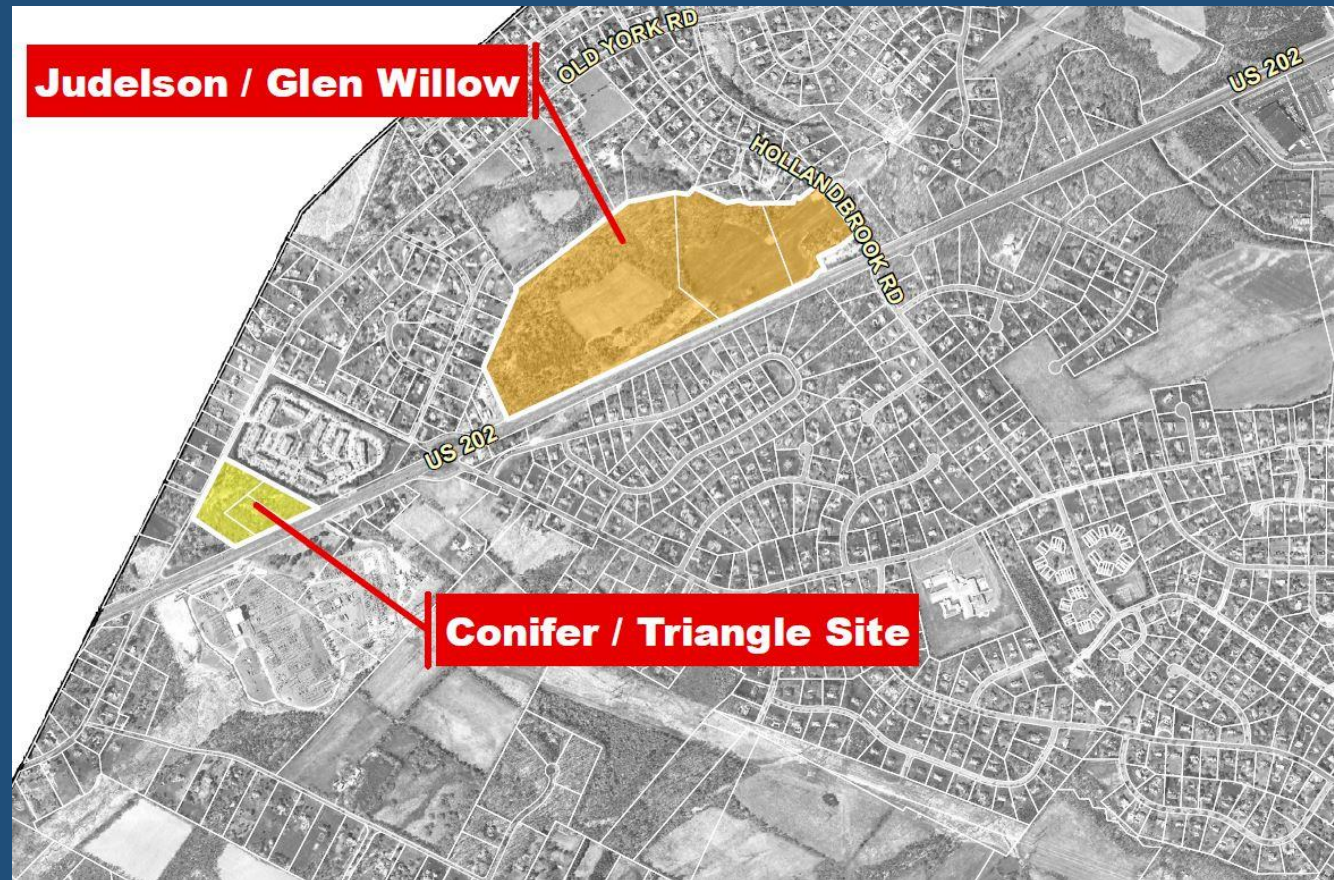


Satisfying Third Round Obligation: Inclusionary

- Judelson/Glen Willow

- Proposed
- (31 of 125 AH units)
- 475 total units
- 26% set-aside
- 125 total credits
- Route 202 & Holland Brook Road

Family
rental



Satisfying Third Round Obligation

**35% Family
rental**

**Total Units =
351**

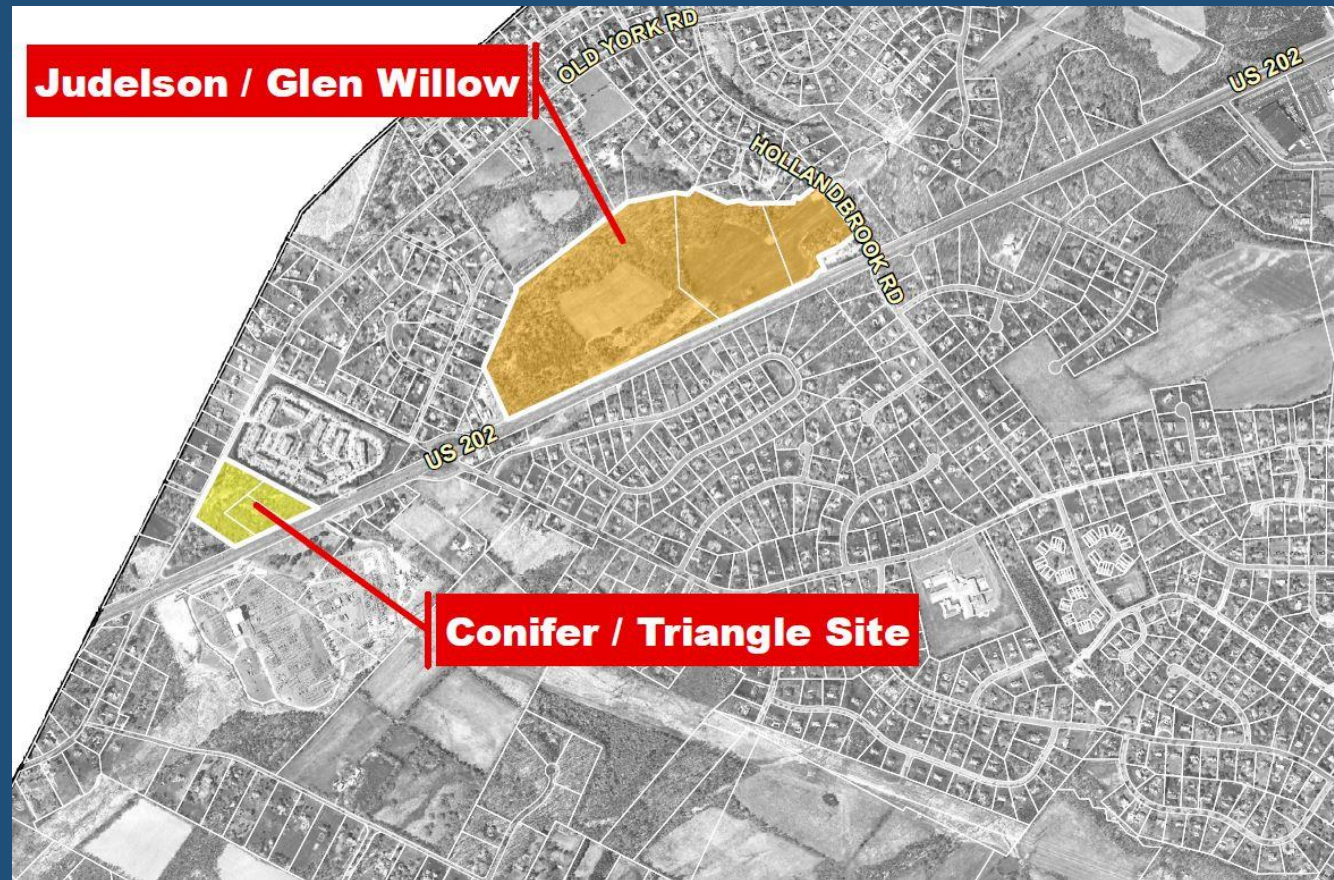
**Total Credits =
601**

Satisfying Third Round Obligation: Inclusionary

- Judelson/Glen Willow

- Proposed
- (40 of 125 AH units)
- 475 total units
- 26% set-aside
- 125 total credits
- Route 202 & Holland Brook Road

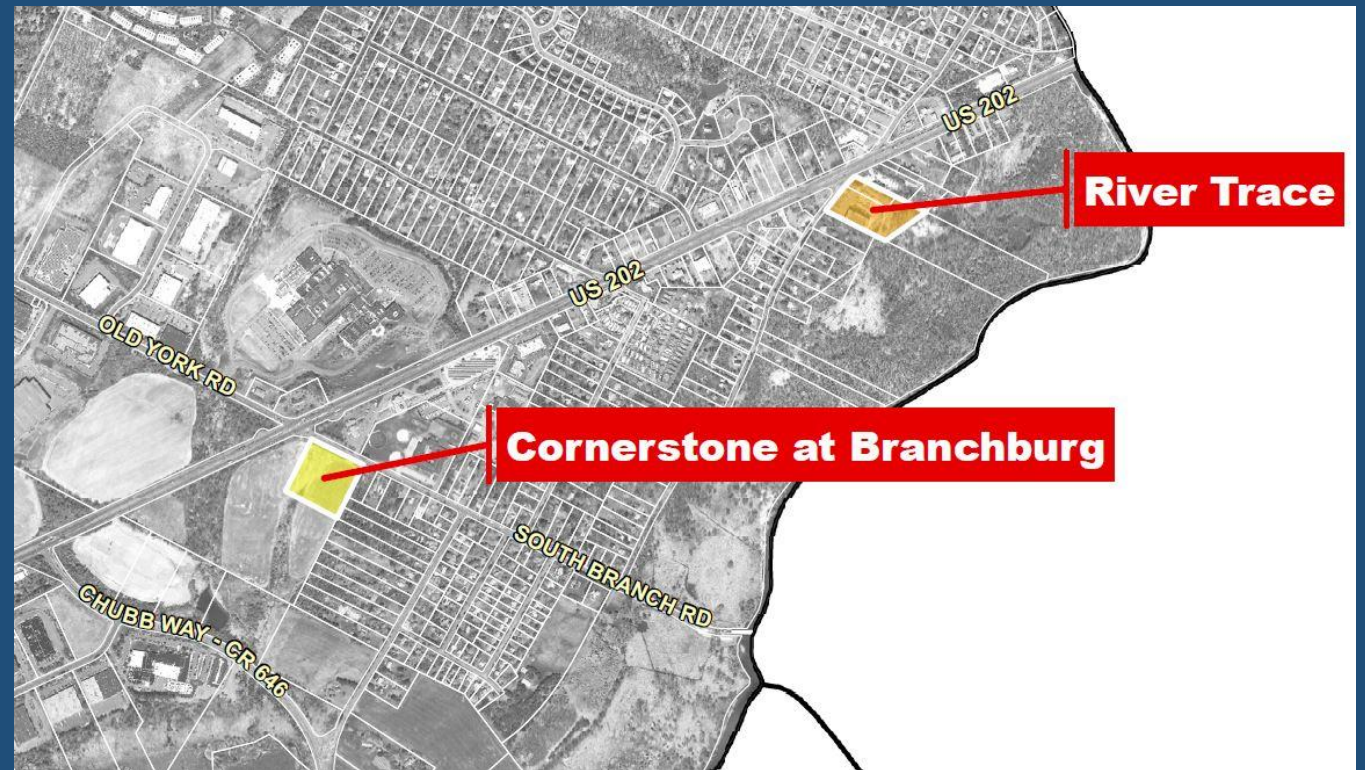
5%
Family
Sale



Satisfying Third Round Obligation: Inclusionary

- River Trace
 - Partially completed
 - (11/50)
 - 22% set-aside
 - 11 total credits
 - Route 202 & N. Branch River Road

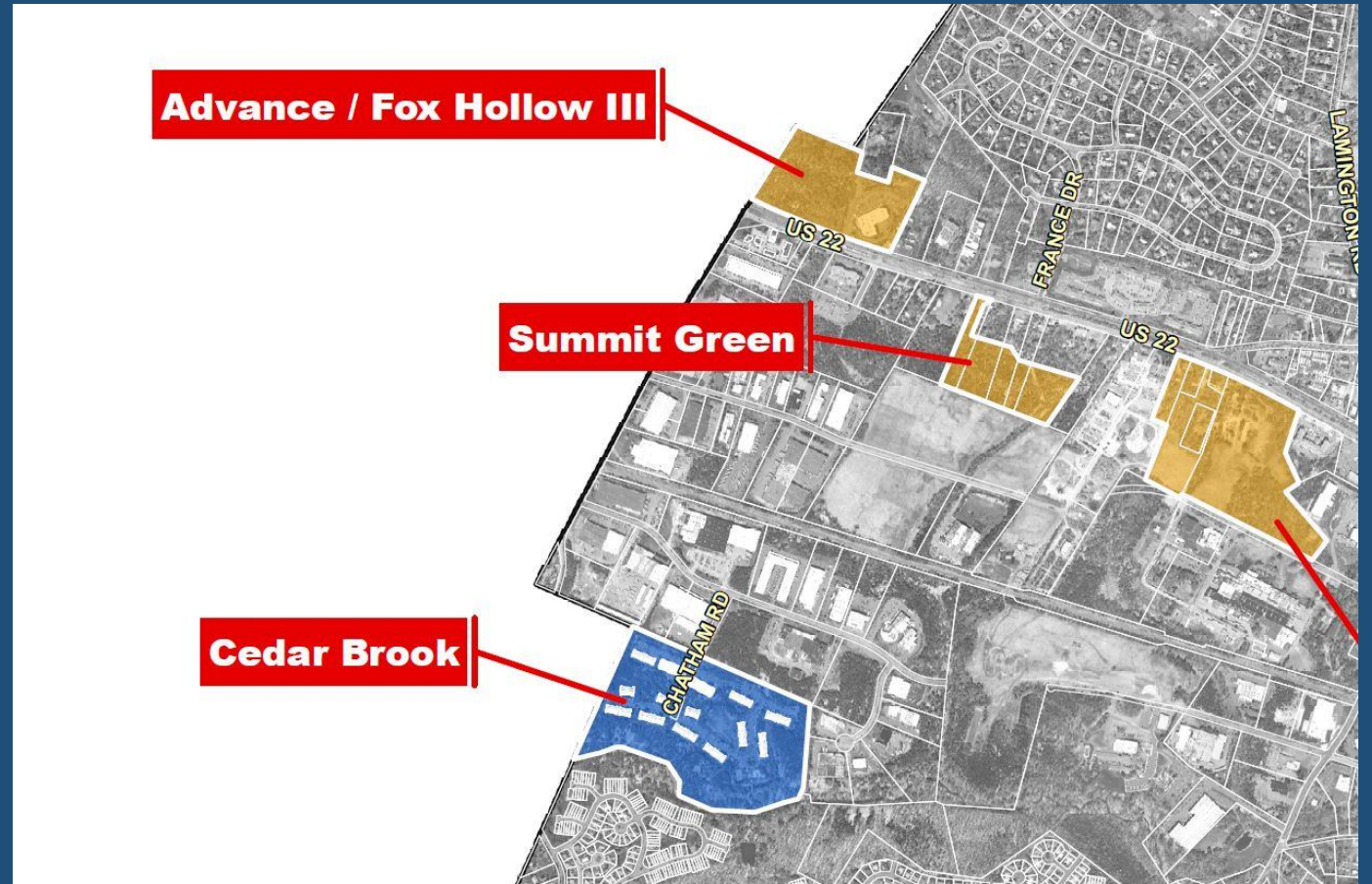
5%
Family
Sale



Satisfying Third Round Obligation: Supportive and Special Needs

- **Summit Green**
 - Inclusionary
 - (39 of 131 AH units)
 - 25% set-aside
 - Proposed
 - 113 total credits
 - Route 22

5%
Supportive
Special
Needs



Satisfying Third Round Obligation: Supportive and Special Needs

- Midland
 - Group Homes
 - (11 bedrooms in 8 units)
 - Proposed
 - To be determined

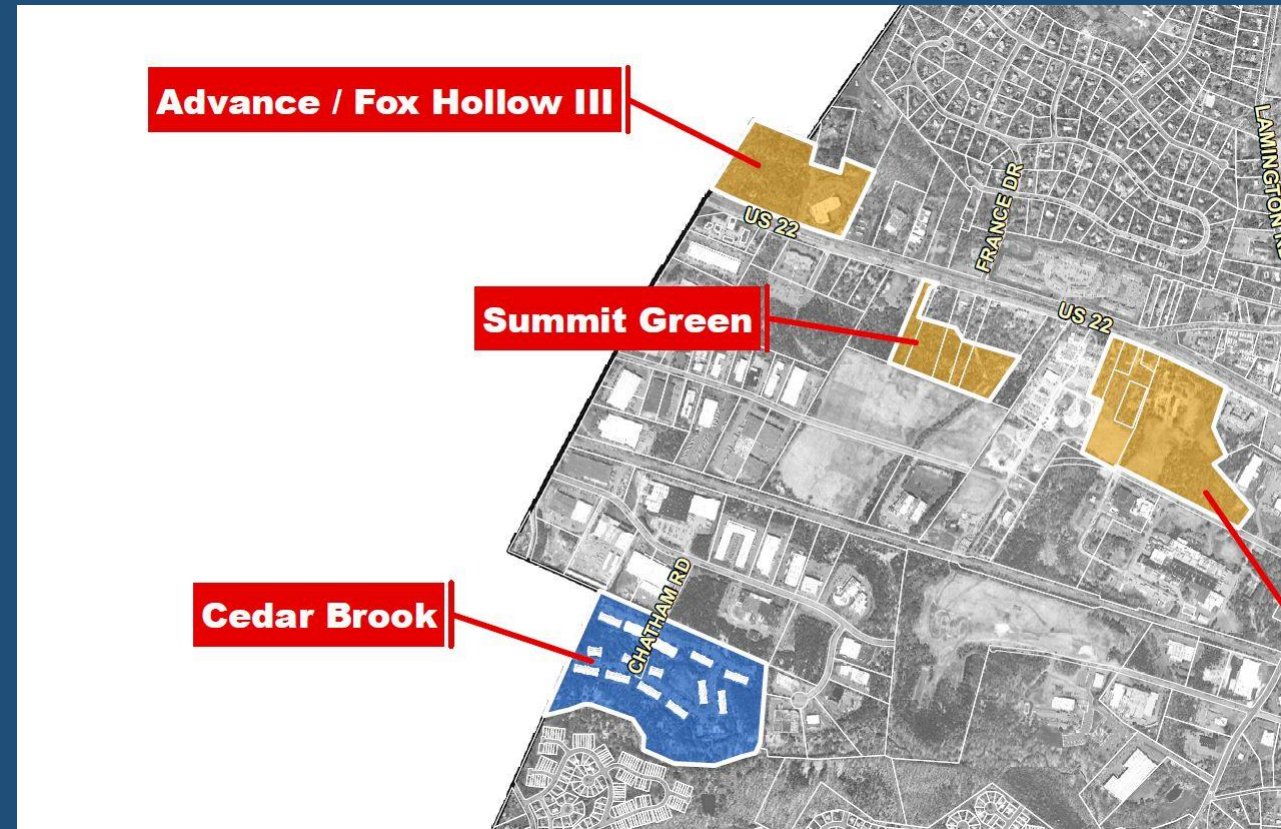


5%
Supportive
Special
Needs

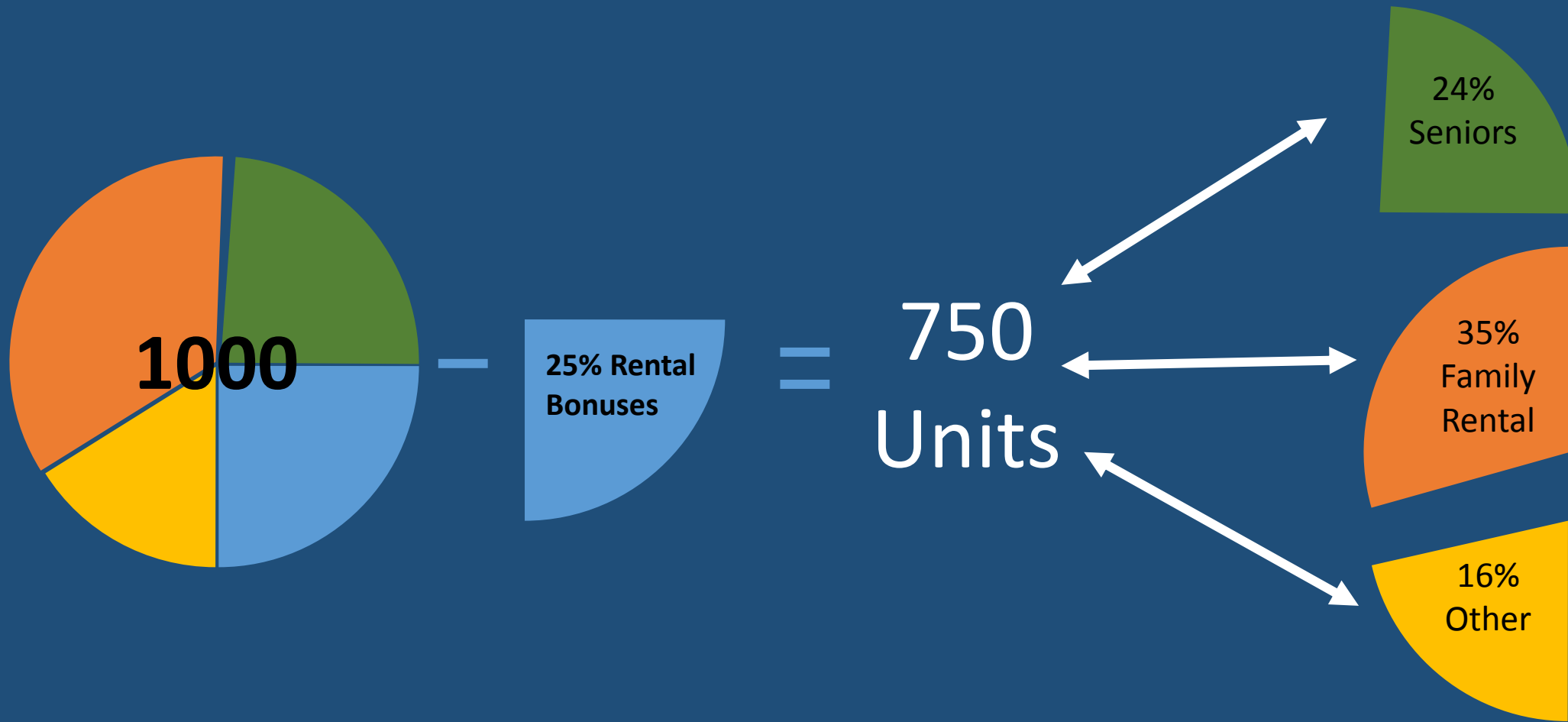
Satisfying Third Round Obligation: Other

- Cedar Brook
 - Extensions of Controls (40)
& Prior Round Credit Carry Over (14)
 - Completed
 - Industrial Parkway & Chatham Road

6%
other

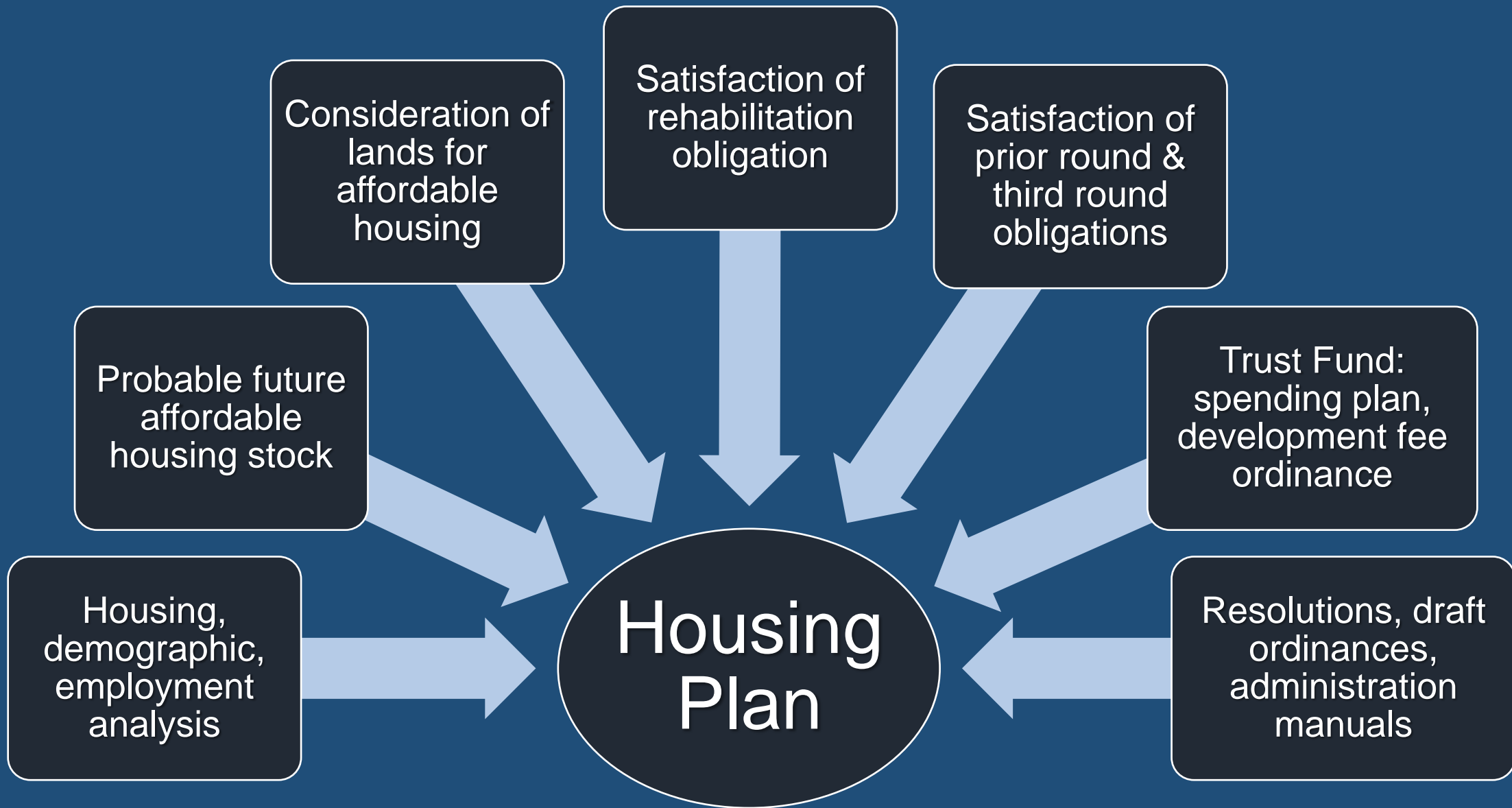


Satisfying the Third Round Obligation



Compliance Mechanisms	Total New	Credits	Bonuses	Total
1000-Unit - Third Round Obligation (1999-2025)	Units			
Credits from Prior Round				
Cedar Brook		14		14
Group Homes - by bedrooms				
Summit Green - supportive living bedrooms	13	39		39
Midland - proposed (11 of 18)	8	11		11
Extension of Controls				
Cedar Brook		40		40
Municipal Sponsored - 100% Project				
Conifer/Triangle Site - Approved	100	100	100	200
Cronheim - Proposed (Senior)	150	150		150
Henderson - Approved	9	9	9	18
TJC/Premier (Senior)- Proposed	100	40		40
Inclusionary Sites - Family For Sale - Approved				
River Trace	50	11		11
Inclusionary Sites - Family For Rent - Approved				
Advance	81	28	28	56
Inclusionary Sites - Proposed				
*North Branch Walk - rental - (24.9% setaside)	364	91	91	182
Summit Green - rental - (25% setaside)	523	92	22	114
Judelson/Glen Willow	475			
Senior for sale		26		26
Senior rental		28		28
Family for sale		40		40
Family rental		31		31
Total	1873	750	250	1000
Surplus/Deficit				0

Housing Element/Fair Share Plan



Why Settle?

- Establishes an absolute obligation
- Continued immunity to builder's remedy lawsuits
- Municipal land use control
- Stronger defensibility of plan