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Third Round Housing Element & Fair Share Plan

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Adopted by the Planning Board May 25, 2010



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EXECUTIVE SUMMARY

This amended third round housing element and fair share plan has been prepared for Greenwich Township, Warren County in accordance with the 2008 revised rules of the New Jersey Council on Affordable Housing (“COAH”) at *N.J.A.C. 5:96 et seq.* and *N.J.A.C. 5:97 et seq.* In addition, as Greenwich Township is within the NJ Highlands Region, the Town’s affordable housing plan components were reviewed for consistency with the Highlands Regional Master Plan (“Highlands RMP”). This amended third round housing element and fair share plan was also guided by COAH’s August 12, 2009 Guidance for Municipalities that Conform to the Highlands Regional Master Plan as well as the August 2009 Highlands Council “Module 3: Housing Element and Fair Share Plan Instructions – Highlands Mod 3”.

This plan is an amendment to the previous third round housing element and fair share plan adopted by the Planning Board November 2005 and subsequently submitted as a third round petition to COAH. This Plan will serve as the foundation for the Town’s re-petition to COAH for substantive certification by June 8, 2010. The Plan will also be submitted to the Highlands Council by June 8, 2010.

There are three components to a municipality’s affordable housing obligation: the rehabilitation share, the prior round obligation and the third round obligation. The Township’s total affordable housing obligation can be summarized as the following:

- Rehabilitation Obligation: 20 units
- Prior Round Obligation: 41 units
- Third Round Obligation: 53 units (Highlands RMP)

The Township will contract with Warren County to operate the rehabilitation program which satisfies the 20 unit rehabilitation obligation. The Township will satisfy the prior round obligation with units from Greenwich Chase an inclusionary development. The third round will be satisfied with remaining units at Greenwich Chase, a market to affordable program and municipally sponsored construction.



AFFORDABLE HOUSING IN NEW JERSEY

INTRODUCTION TO COAH

In its landmark 1975 decision referred to now as “*Mount Laurel I*”, the New Jersey Supreme Court ruled that developing municipalities have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing.¹ In its 1983 “*Mount Laurel II*” decision, the Supreme Court extended the obligation to all municipalities, designated the State Development Guide Plan or any successor State Plan as a critical touchstone to guide the implementation of this obligation and created an incentive for private developers to enforce the “*Mount Laurel* doctrine” by suing municipalities which are not in compliance.²

In 1985, the Fair Housing Act (“FHA”) (N.J.S.A. 52:27D-310) was adopted as the legislative response to the *Mt. Laurel* court decisions. The FHA created the Council on Affordable Housing as the administrative alternative to the Courts. COAH is responsible for establishing housing regions, estimating low and moderate income housing needs, setting criteria and guidelines for municipalities to determine and address their fair share numbers, and reviewing and approving housing elements and fair share plans.

Municipalities have the option of filing their adopted and endorsed housing elements and fair share plans with COAH and petitioning for COAH’s approval, known as “substantive certification”. Municipalities that opt to participate in the COAH certification process are granted a measure of legal protection against exclusionary zoning litigation. By petitioning, COAH allows a municipality to maximize control of its planning and zoning options in addressing its affordable housing obligation. Similarly, under the FHA, a municipality can apply to the Superior Court for a Final Judgment of Compliance and Repose, which is the judicial equivalent of COAH’s grant of substantive certification.

Under the Municipal Land Use Law (“MLUL”), a municipal Planning Board must adopt the housing element as part of the Master Plan. COAH’s process also requires the governing body to endorse the housing element by resolution. In addition, the governing body’s resolution requests that COAH review the housing element and fair share plan along with supporting documents for substantive certification action. Once the municipality’s housing element and fair share plan have been granted substantive

¹ Southern Burlington NAACP v. Township of Mt. Laurel, 67 NJ 151 (1975)

² Southern Burlington NAACP v. Township of Mt. Laurel, 92 NJ 158 (1983)



certification by COAH, the municipality's zoning ordinance enjoys a presumption of validity against any lawsuits challenging it.

COAH'S FIRST AND SECOND ROUND METHODOLOGY

The FHA empowered COAH to create criteria and guidelines for municipalities to determine and address their respective fair share numbers. In response, COAH established a formula for determining municipal affordable housing obligations for the six-year period between 1987 and 1993 (*N.J.A.C. 5:92-1 et seq.*), which became known as the "first round." That formula was superseded by the 1994 COAH regulations (*N.J.A.C. 5:93-1.1 et seq.*) which recalculated a portion of the 1987-1993 affordable housing obligation for each municipality and computed the additional municipal affordable housing need from 1993 to 1999; this 12 year cumulative period from 1987 through 1999 is known as the "second round."

COAH'S THIRD ROUND METHODOLOGY

On December 20, 2004, COAH's first version of the third round rules became effective. At that time the third round was defined as the time period from 1999 to 2014 condensed into an affordable housing delivery period from January 1, 2004 through January 1, 2014. The third round rules marked a significant departure from the methodology utilized in COAH's two prior rounds. Previously, COAH assigned an affordable housing obligation as an absolute number to each municipality. These third round rules implemented a "growth share" approach that linked the production of affordable housing with future residential and non-residential development within a municipality. Each municipality was required to project the amount of residential and nonresidential growth that would occur during the period 2004 through 2014. Then municipalities were required to provide one affordable unit for every 8 market rate housing units developed and one affordable unit for every 25 jobs created (expressed as non-residential building square footage).

However, in a unanimous decision in January 2007, the New Jersey Appellate Court invalidated key aspects of COAH's third round rules. The Court ordered COAH to propose and adopt amendments to its rules to address the deficiencies identified by the Court. COAH's revised rules, effective on June 2, 2008 as well as a further rule revision, adopted September 22, 2008 and effective on October 20, 2008, provide residential development and job projections for the third round (which was expanded to encompass the years 2004 through 2018). Additionally, COAH revised its ratios to require one



affordable housing unit for every four market rate housing units developed and one affordable housing unit for every 16 jobs created, still expressed as non-residential building square footage. As discussed below, municipalities within the Highlands that are conforming with the Highlands RMP are required to use the aforementioned affordable housing ratios; however, they may elect to utilize either COAH's household and employment projections or the projections based on the Highlands RMP build-out under Module 2.

Municipalities must set forth in the Housing Element and Fair Share Plan how they intend to accommodate the projected affordable housing obligation. However, COAH's substantive rules also require that a municipality provide a realistic opportunity for affordable housing in proportion to its actual growth during the third round as expressed in permanent certificates of occupancy issued for residential and nonresidential development.

HIGHLANDS REGIONAL MASTER PLAN

In 2008, the Township began the process of preparing a revised third round housing element and fair share plan to address COAH's revised third round rules at *N.J.A.C. 5:96 et seq.* and *5:97 et seq.*, which became effective on June 2, 2008. During the same time period, the Township reviewed the Highlands RMP and initiated conversations regarding participation in the Highlands RMP conformance process.

On September 5, 2008, Governor Corzine issued Executive Order #114 to coordinate actions between COAH and the Highlands Council. The Executive Order directed the Highlands Council to work with COAH and the Department of Environmental Protection ("DEP") to establish a framework for municipalities in the Highlands to provide for a realistic opportunity for affordable housing while also conforming to the Highlands RMP.

In response to the Executive Order, in October, 2008, COAH and the Highlands Council entered into a Memorandum of Understanding (MOU) that outlined the structure of the relationship between COAH and the Highlands Council. Among other items, the MOU provided for joint determinations of the suitability of affordable housing sites. Additionally, the MOU identified a process for developing revised growth projections for Highlands municipalities that are consistent with the RMP. Under the MOU, the projections created under this process would serve as the basis for allocating third round growth share obligations to municipalities in the Highlands.



Pursuant to the MOU, COAH granted waivers from the December 31, 2008 petition submission deadline established in its rules at *N.J.A.C. 5:96-16.2(a)* for Highlands municipalities that submitted: 1) a Notice of Intent in accordance with the Highlands Council's Plan Conformance Guidelines; and 2) submitted an adopted resolution notifying COAH of its intent to petition COAH no later than December 8, 2009. COAH also imposed a scarce resource order for all municipalities in the Highlands that are under COAH jurisdiction in order to preserve scarce land, water, and sewer capacity for the production of affordable housing. The Township accepted the December 8, 2009 extension.

On August 12, 2009, COAH again extended the deadline for municipalities in the Highlands Region to petition for substantive certification from December 8, 2009 to June 8, 2010. COAH also adopted *Guidance for Municipalities that Conform to the Highlands Regional Master Plan*, and granted a waiver from COAH's regulations that outlined how a municipality may calculate its projected growth share obligation. Instead, COAH permitted a municipality to base its third round growth share obligation on projections completed under the Highlands Module 2 build-out analysis. On August 20, 2009, the Highlands Council issued additional instructions on completing a housing element and fair share plan.

RECENT EFFORTS AT AFFORDABLE HOUSING REFORM

On July 17, 2008 Governor Corzine signed P.L.2008, c.46 (also known as the "Roberts Bill" after NJ Assembly Speaker Joseph Roberts), which amended the Fair Housing Act in a number of ways. Key provisions of the bill included the following:

- Established a statewide 2.5% nonresidential development fee instead of a nonresidential growth share delivery for affordable housing;
- Eliminated regional contribution agreements; and
- Requirement for 13% of affordable housing units and 13% of all units funded by the Balanced Housing Program and the Statewide Affordable Housing Trust Fund to be restricted to very low income households (30% or less of median income).

COAH has not yet promulgated rules to effectuate the "Roberts Bill". COAH's 2008 revised third round rules were again challenged and the Appellate Division heard oral arguments in December 2009. A decision is expected in 2010. In addition, on July 27, 2009, Governor Corzine signed P.L. 2009, c. 90 "NJ Economic Stimulus Act of 2009",



which instituted a moratorium on the collection of non-residential affordable housing development fees.

On February 9, 2010, new Governor Chris Christie signed Executive Order No. 12. This Order established a five-member Housing Opportunity Task Force which was charged with reviewing the effectiveness of the Fair Housing Act, COAH and COAH's regulatory structure in meeting the constitutional obligations under the *Mount Laurel* doctrine. The Executive Order also ordered COAH to refrain from continuing to process applications for substantive certification or from otherwise implementing the third round rules during the Housing Opportunity Task Force's 90-day review period. On February 19, 2010, the Appellate Division issued a stay on the portion of the Executive Order that prevented COAH from processing applications and implementing its third round rules. On March 20, 2010, Governor Christie issued Executive Order No. 20, which rescinded Executive Order No. 12.

The Governor's Executive Order No. 20 coincided with the release of the report prepared by the Housing Opportunity Task Force on March 20, 2010. In the report, the Task Force recommended that the Governor revisit COAH's original growth share methodology, reinstate the use of regional contribution agreements and eliminate prior round obligations. To date, the Christie Administration has not advanced the recommendations outlined in the Task Force's report.

In addition to affordable housing reform activities in the Executive branch, the legislature has introduced a number of pieces of legislation aimed at reforming affordable housing in New Jersey. The most notable is Senate Bill No. 1, known as "S-1", which would abolish COAH and completely restructure the State's affordable housing operation. Despite all of this uncertainty about the future of COAH, the Township must proceed with its compliance with the current COAH regulations, which require the Township to petition for third round substantive certification by June 8, 2010 in order to remain under COAH's jurisdiction and therefore be protected from builder's remedy lawsuits.

A municipality's third round fair share plan must address (1) its rehabilitation share, (2) the prior round obligation and (3) the COAH-projected third round growth share obligation or the Highlands projections based on actual growth through 2008 and the RMP build-out for Module 2. The rehabilitation share is the estimated number of existing substandard housing units in a municipality that are occupied by low or moderate income households, as determined by COAH (Appendix B. to *N.J.A.C. 5:97*). The prior round obligation is a municipality's adjusted second round new construction



component brought forward to the third round (Appendix C. to *N.J.A.C. 5:97*). Third round housing plans must document how existing or proposed affordable housing units satisfy this prior round obligation.

As stated above, the third round obligation is based on growth projections for the period of 2004 and 2018. Municipalities within the Highlands that are conforming with the RMP are required to use the aforementioned affordable housing ratios. Greenwich Township has elected to utilize the Highlands Council's household and employment projections. A more detailed explanation of how the third round growth share obligation is established is described later in the plan.

AFFORDABILITY REQUIREMENTS

Affordable housing is defined under New Jersey's Fair Housing Act as a dwelling, either for sale or rent that is within the financial means of households of low or moderate income as income is measured within each housing region. The Township is in COAH's Region 2, which includes Essex, Morris, Union and Warren counties. Moderate-income households are those earning 80% or less of the regional median income. Low-income households are those with annual incomes below 50% of the regional median income. With changes to the law in July of 2008, COAH has also created a very low-income category, which is defined as households earning 30% or less of the regional median income.

Through the Uniform Housing Affordability Controls ("UHAC") at *N.J.A.C. 5:80-26.3(d)* and (e), COAH requires that the maximum rent for a qualified unit be affordable to households that earn no more than 60% of the median income for the region. The average rent must be affordable to households earning no more than 52% of the median income. The maximum sale prices for affordable units must be affordable to households that earn no more than 70% of the median income. The average sale price must be affordable to a household that earns no more than 55% of the median income.

The regional median income is defined by COAH using the federal Department of Housing and Urban Development ("HUD") income limits on an annual basis. In the spring of each year HUD releases updated regional income limits which COAH reallocates to its regions. It is from these income limits that the rents and sale prices for affordable units are derived. See Tables 1 through 3 for additional information. Table 1 provides the 2009 Income Limits for Region 3, however, COAH has published figures for up to eight person households; the most common figures have been supplied here. Income limits are updated annually and are available from COAH. The sample rents



and sale prices in Tables 2 and 3 are gross figures and do not account for the specified utility allowance.

Table 1. 2009 Income Limits for Region 2

Household Income Levels	1 Person Household	2 Person Household	3 Person Household	4 Person household	5 Person Household
Moderate Income	\$49,008	\$56,009	\$63,010	\$70,011	\$75,612
Low Income	\$30,630	\$35,006	\$39,381	\$43,757	\$47,258
Very Low Income	\$18,378	\$21,003	\$23,629	\$26,254	\$28,355

Source: COAH 2009 Regional Income Limits

Table 2. Sample 2009 Affordable Rents for Region 2

Household Income Levels	1 Bedroom Unit Rent	2 Bedroom Unit Rent	3 Bedroom Unit Rent
Moderate Income at 60%	\$985	\$1,181	\$1,365
Low Income at 46%	\$755	\$906	\$1,047
Very Low Income at 30%	\$492	\$591	\$683

Source: COAH Illustrative 2009 Low and Moderate Income Rents for New Construction and/or Reconstruction

Table 3. Sample 2009 Affordable Sale Prices for Region 2

Household Income Levels	1 Bedroom Unit Purchase	2 Bedroom Unit Purchase	3 Bedroom Unit Purchase
Moderate Income at 70%	\$103,376	\$124,051	\$143,348
Low Income at 50%	\$73,840	\$88,608	\$102,391
Very Low Income at 30%	\$44,304	\$53,165	\$61,435

Source: COAH Illustrative 2009 Low & Moderate Income Sales Prices for New Construction



HOUSING ELEMENT AND FAIR SHARE REQUIREMENTS

In accordance with the MLUL, found at *NJSA 40:55D-1*, et seq., a municipal Master Plan must include a housing element as the foundation for the municipal zoning ordinance. Pursuant to the FHA, a municipality's housing element must be designed to provide access to affordable housing to meet present and prospective housing needs, with particular attention to low and moderate income housing. The housing element must contain at least the following, as per the FHA at *NJSA 52:27D-310*:

- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development trends;
- An analysis of the municipality's demographic characteristics, including, but not necessarily limited to, household size, income level, and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share of low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low and moderate income housing; and
- A consideration of the lands most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

In addition, pursuant to COAH regulations (*N.J.A.C. 5:97-2.3*), the housing element and fair share plan must address the entire third round cumulative (1987-2018) affordable housing obligation consisting of the rehabilitation share, any remaining balance of the prior round obligation and the third round obligation based either on COAH's projections or the Highlands RMP Adjusted Growth Projections. COAH's regulations require the following documentation to be submitted with the housing element and fair share plan:



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- The minimum requirements of the FHA listed above (*NJSA 52:27D-310*);
- Household and employment projections created by COAH;
- Municipal rehabilitation, prior round and third round obligations;
- Descriptions of any credits intended to address any portion of the fair share obligation, including all information required by *N.J.A.C. 5:97-4*;
- Descriptions of any adjustments to any portion of the fair share obligation, including all information required by *N.J.A.C. 5:97-5*;
- Descriptions of any mechanisms intended to address the prior round obligation, the rehabilitation share and the third round obligation;
- An implementation schedule with a detailed timetable that demonstrates a “realistic opportunity” for the construction of affordable housing, as defined by *N.J.A.C. 5:97-1.4*.
- Draft and/or adopted ordinances necessary for the implementation of the mechanisms designed to satisfy the fair share obligation;
- A demonstration that existing zoning or planned changes in zoning provide adequate capacity to accommodate any proposed inclusionary developments, pursuant to *N.J.A.C. 5:97-6.4*;
- A spending plan, pursuant to *N.J.A.C. 5:97-8.10*;
- A map of all sites designated by the municipality for the production of low and moderate income housing;
- A copy of the most recently adopted Master Plan and, where required, the immediately preceding adopted Master Plan;
- A copy of the most recently adopted zoning ordinance;
- A copy of the most up-to-date tax maps; and
- Any other information required by *N.J.A.C. 5:97* or requested by COAH or the Superior Court.



GREENWICH TOWNSHIP AFFORDABLE HOUSING HISTORY

The Township received first round substantive certification on June 13, 1990 and second round substantive certification on April 1, 1998. The Township received an extension of their second round substantive certification on April 13, 2005. Greenwich Township adopted a third round housing element and fair share plan in November 2005 (“2005 Plan”). This 2005 Plan was the subject of a petition to COAH for third round substantive certification. COAH has not acted on the petition. The Township received an extension from the December 2008 deadline as part of the extension granted by COAH to all municipalities who entered the Highlands Council Plan Conformance process. Since that time, the Township has been proceeding with the Highlands Plan Conformance process.



GOALS AND OBJECTIVES

The NJ Highlands Council has established the following goals, objectives, and policies related to Housing and Community Facilities identified in the RMP:

- Market-rate and affordable housing sufficient to meet the needs of the Highlands region within the context of economic, social, and environmental considerations and contexts.
- To establish a region-wide, comprehensive approach to addressing housing needs in the
- Highlands Region, serving all age groups, income levels, and mobility options.
- A comprehensive housing program addressing regional housing needs within the context of preserving the character and environmental integrity of the Highlands.
- An interagency partnership with the COAH in support of the achievement of both the resource protection requirements of the RMP and the municipal constitutional obligation, in “growth areas,” to provide a realistic opportunity for the construction of a fair share of affordable housing for low and moderate income households.
- Preserve and monitor existing stocks of affordable housing.
- To promote, where appropriate and permitted by the Land Use Capability Zone, center- based development approaches that address a mix of housing types, support mixed uses, and implement compact development approaches.
- To promote, where appropriate and permitted by the Land Use Capability Zone, affordable housing within new residential and mixed use development, redevelopment, or adaptive reuse projects.
- To encourage the targeting of new housing to areas with compatible existing densities and within walking distance of schools, employment, transit, and community facilities and services.
- To locate and maintain community facilities and services that support compact development patterns, shared services, and provide a high level of service.
- To require that conforming municipalities identify existing and planned community facilities and encourage shared service opportunities as part of the local Community Facility Plan element.
- To require that conforming municipalities implement both the resource protection requirements of the RMP along with the New Jersey Supreme Court’s doctrine, in its Mount Laurel decisions, that every municipality in a “growth area” has a



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constitutional obligation to provide through its land use regulations, sound land use, and long range planning, a realistic opportunity for a fair share of its region's present and prospective needs for housing for low and moderate income families.

- To require that conforming municipalities update and adopt a housing element, fair share plan, and implementing ordinance(s) to reflect current conditions and resource protection requirements of the RMP.



HOUSING STOCK AND DEMOGRAPHIC ANALYSIS

HOUSING STOCK INVENTORY

In 2000 there were 1,477 housing units in Greenwich, of which 56 or 3.8% were vacant. Of the 1,421 occupied units, 92.2% were owner occupied and 7.8% were rented. According to a report recently issued by the Governors Housing Opportunity Task Force (March 2010), 22% of the total households in Greenwich Township are occupied by low/moderate income households. Table 5, *Housing Units by Occupancy Status*, illustrates the occupancy status in 2000.

Single-family detached housing units comprise 89.8% of all housing units in Greenwich Township. Of the owner occupied units, 97.6% are single family detached units. The majority of other homes in the Township are one family attached and two family units. The Township has 111 occupied rental units or 7.8%. See Table 4, *Housing Units by Occupancy Status*, for a detailed explanation of the housing units in 2000.

Table 4. Housing Units by Occupancy

Units in Structure	Vacant Units	Occupied Units		
		Total	Owner	Renter
1, detached	15	1,311	1,278	33
1, attached	21	31	25	6
2	15	49	7	42
3 or 4	5	30	0	30
5 +	0	0	0	0
Other	0	0	0	0
Mobile Home or trailer	0	0	0	0
TOTAL	56	1,421	1,310	111

Source: 2000 US Census

Table 5, *Housing Units by Age*, below illustrates the aging of the Township's housing stock. The largest period of housing construction in Greenwich occurred most recently between 1990 and 2000, and resulted in the creation of 791 new units or 53.6% of the total housing stock. In comparison, 111 homes were constructed between 1980 and 1990. It is noteworthy that the majority of homes constructed between 1990 and 2000 were the result of a builder's remedy that resulted in an inclusionary development



known as Greenwich Chase consisting of a total of 740 units of which 70 were affordable housing units.

Table 5. Housing Units by Age

Year Built	Vacant Units	Occupied Units		
		Total	Owner	Renter
1990-2000	36	755	755	0
1980-1989	0	111	105	6
1970-1979	0	117	117	0
1960-1969	0	39	39	0
1950-1959	0	83	78	5
1940-1949	5	27	27	0
Pre-1940	15	289	189	100

Source: US Census, 2000

The average household size in Greenwich was 3.07 persons. This is larger than the New Jersey average household size of 2.68 persons. See Table 6, *Household Size in Occupied Housing Units by Tenure*, for additional information. As shown in Table 7, *Household Size in Occupied Housing Units by Tenure*, two person and four person homes are most common in the Township.

Table 6. Household Size in Occupied Housing Units by Tenure

Jurisdiction	All Occupied	Owner-occupied Units	Renter-occupied units
Greenwich Township	3.07	3.12	2.53
Warren County	2.61	2.77	2.19
New Jersey	2.68	2.81	2.43



Table 7. Household Size in Occupied Housing Units by Tenure

Household Size	Total Units	Owner-Occupied Units	Renter-Occupied Units
1 person	162	137	25
2 persons	413	381	32
3 persons	280	253	27
4 persons	352	329	23
5 persons	164	160	4
6 persons	40	40	0
7+ persons	10	10	0
Total	1,421	1,310	111

The housing stock in Greenwich Township includes 55.3% four bedroom and 1.9% five or more bedroom units. 15% of the units have one or two bedrooms. The Township's housing stock has more bedrooms than that of the County or the State. See Table 8, *Housing Units by Number of Bedrooms* and Table 9, *Percentage of all Units by Number of Bedrooms*, for additional information.

Table 8. Housing Units by Number of Bedrooms, 2000

Number of Bedrooms	Total Units	Percent	Vacant Units	Occupied Units		
				Total	Owner	Renter
No bedrooms	0	0.0%	0	0	0	0
1 bedroom	27	1.8%	0	27	12	15
2 bedrooms	195	13.2%	25	170	119	51
3 bedrooms	410	27.8%	21	389	356	33
4 bedrooms	817	55.3%	10	807	795	12
5+ bedrooms	28	1.9%	0	28	28	0

Source: US Census, 2000



Table 9. Percentage of All Units by Number of Bedrooms

Jurisdiction	None or one	Two or Three	Four or More
Greenwich Township	1.8%	41%	57.2%
Warren County	13.9%	62.1%	24.1%
New Jersey	18.3%	59.2%	22.6%

There are approximately 150 housing units whose value was under \$150,000 or approximately 12.5% of the total number of housing units in Greenwich Township. This data from the 2000 Census is a self-reported value. Past studies have noted that this value tends to be under reported because of the respondent's uncertainty about how the data will be used. See Table 10, *Housing Values, Owner Occupied*, for additional information.

Table 10. Housing Values, Owner Occupied

Value	Numbers of Units	%
\$0-50,000	6	0.5
\$50,000-99,999	37	3.1
\$100,000-149,999	107	8.9
\$150,000-199,999	306	25.4
\$200,000-299,999	442	36.7
\$300,000-499,999	307	25.5
\$500,000-999,999	0	0.0
\$1,000,000+	0	0.0

Source: US Census, 2000.

Table 11, *Gross Rents for Specified Renter-Occupied Housing Units*, provides information on the gross costs of rental housing in Greenwich Township. In 2000, the majority of units were rented at a cost of \$750 to \$999 per month. 18.9% of units were rented for \$749 or less per month.



Table 11. Gross Rents for Specified Renter-Occupied Housing Units

Monthly Rent	Number of Units	Percent
Under \$200	0	0.0%
\$200-299	0	0.0%
\$300-499	0	0.0%
\$500-749	20	18.9%
\$750-999	45	42.5%
\$1,000-1,499	17	16.0%
\$1,000 or more	6	5.7%

*Includes only those units with cash rents.

Source: US Census, 2000.

In the year 2000, 0.8% of Greenwich's housing stock had inadequate plumbing and 0.8% had an inadequate kitchen. This figures are equal to or greater than that of the County and the State. These households may not be able to afford to maintain the home, leading to deteriorated conditions. See Table 12, *Selected Quality Indicators for Occupied Housing Stock*.

Table 12. Selected Quality Indicators for Occupied Housing Stock, 2000.

Condition	Percent of Occupied Housing Stock		
	Greenwich Township	Warren County	New Jersey
Inadequate plumbing	0.8%	0.4%	0.7%
Inadequate kitchen	0.8%	0.7%	0.8%

Source: US Census, 2000

The population of Greenwich Township increased dramatically between 1990 and 2000 – nearly 130%. The majority of this growth can be attributed to the Greenwich Chase Inclusionary Housing Development discussed earlier. This growth far outpaces what the County and State experienced during this time with 12% and 9% growth, respectively. Since 1980, the Township has grown faster than both the County and the State. See Table 13, *Population Growth Between 1980 and 2000* for additional detail.



Table 13. Population Growth Between 1980 and 2000

	1980	Percent Change	1990	Percent Change	2000	Percent Change
Greenwich Township	1,738	17.27%	1,899	9.26%	4,365	129.86%
Warren County	84,429	14.15%	91,607	8.50%	102,437	11.82%
New Jersey	7,364,823	2.70%	7,730,188	4.96%	8,414,350	8.85%

Source: 1970, 1980, 1990, 2000 US Census

Greenwich Township, between 1990 and 2000, lost population in the young adult brackets ages 15 to 24 and 25 to 34. The Township also lost population in the 55 to 64 age bracket. All other age brackets increased a modest amount. See Table 14, *Population by Age and Sex* and Table 15, *Age Distribution*, for additional detail.

Table 14. Population by Age and Sex

Age	Total Persons	Male	Female
0-4	527	258	269
5-19	992	502	490
20-34	774	356	418
35-54	1,566	799	767
55-69	308	154	154
70+	198	85	113
Total	4,365	2,154	2,211



Table 15. Age Distribution, 1990 – 2000

Age Group	1990	Percent	2000	Percent	Percent Change
Under 5	177	9.3	527	12.1	2.8
5-14	294	15.4	814	18.7	3.3
15-24	209	11.0	277	6.4	-4.6
25-34	331	17.4	675	15.5	-1.9
35-44	343	18.1	985	22.6	4.5
45-54	213	11.2	581	13.3	2.1
55-64	139	7.3	236	5.4	-1.9
65-74	117	6.1	135	3.1	-3
75+	76	4.0	135	3.1	-0.9
Total	1,899	100	4,365	100	
Median Age			33.9		

Source: US Census, 1990-2000

HOUSEHOLD CHARACTERISTICS

A household is defined by the U.S. Census Bureau as those persons who occupy a single room or group of rooms constituting a housing unit; however, these persons may or may not be related. By comparison, a family is identified as a group of persons including a householder and one or more persons related by blood, marriage or adoption, all living in the same household. In 2000, there were 1,421 households in Greenwich, with an average of 3.07 persons per household and an average of 3.34 persons per family.

Table 16, *Households by Household Type*, breaks down the different household types. In 2000, families made up 86.1% of all households in Greenwich, with married couples comprising 91.9% of all family households. Of married couples 60.8% have children. The Township also was home to 162 one person households, 43.2% of which were male householders and 56.8% were female householders.



Table 16. Households by Household Type

	Total
In family Households:	1,224
With own children under 18 years	733
Married-couple family	1,125
With own children under 18 years	684
Female householder, no husband present	69
With own children under 18 years	35
In Non-Family Households:	197
Male householder:	91
Living alone	70
Not living alone	21
Female householder:	106
Living alone	92
Not living alone	14
In group quarters:	0

Source: US Census, 2000

EMPLOYMENT & INCOME CHARACTERISTICS

In 2000, persons residing in Greenwich Township had on average significantly higher incomes than in Warren County and New Jersey as a whole. The 2000 median household income in Greenwich Township was \$87,613 for households and \$92,579 for families. Comparable figures for the County were \$56,100 for households and \$66,223 for families. Table 17, *Median Income*, further illustrates these findings by noting the median per capita income.



Table 17. Median Income

Jurisdiction	Median Per Capita Income	Median Income	
		Households	Families
Greenwich Township	\$32,886	\$87,613	\$92,579
Warren County	\$25,728	\$56,100	\$66,223
New Jersey	\$27,006	\$55,146	\$65,370

Source: 2000 US Census

Table 18, *Percent of Persons and Households Below Poverty Level*, shows that 2.4% of all Greenwich residents and 1.1% of persons in families live below the poverty level as defined by the 2000 U.S. Census, compared to 5.4% of individuals and 3.6% of persons in families in Warren County and 8.5% of individual and 6.3% of persons in family in the State.

Table 18. Percent of Persons and Households Below Poverty Level

Jurisdiction	Percent of Persons	Percent of Families
Greenwich Township	2.4%	1.1%
Warren County	5.4%	3.6%
New Jersey	8.5%	6.3%

Source: 2000 US Census

Table 19, *Distribution of Employment by Industry*, shows the distribution of employment by industry for employed Greenwich Township residents. Other industries which captured the large segments of the population include retail trade at 12% and construction and manufacturing, both at 11%.



Table 19. Distribution of Employment by Industry, Employed Greenwich Residents

Sector Jobs	Number	Percent
Agriculture, Forestry, Fishing and Hunting, and Mining	0	0.00%
Construction	239	11.47%
Manufacturing	232	11.14%
Wholesale Trade	84	4.03%
Retail Trade	251	12.05%
Transportation and Warehousing, and Utilities	139	6.67%
Information	191	9.17%
Finance, Insurance, Real Estate, and Rental and Leasing	192	9.22%
Professional, Scientific, Management, Administrative, and Waste Management Services	187	8.98%
Education, Health and Social Services	292	14.02%
Arts, Entertainment, Recreation, Accommodation, and Food Services	82	3.94%
Public Administration	148	7.11%
Other Services (except public administration)	46	2.21%
Total	2,083	100%

Source: 2000 US Census

Table 20, *Employment by Occupation*, identifies the occupations of employed persons. While Greenwich residents worked in a variety of industries in 2000, 49% of residents were employed in management, professional, and related occupations. An additional 27% of residents were employed in sales and office occupations.



Table 20. Employment by Occupation, Employed Greenwich Residents

Sector Jobs	Number	Percent
Management Professional, and Related Occupations	1012	48.58%
Service Occupations	192	9.22%
Sales and Office Occupations	570	27.36%
Farming, Fishing, and Forestry Occupations	0	0.00%
Construction, Extraction, and Maintenance Occupations	148	7.11%
Production, Transportation, and Materials Moving Occupations	161	7.73%
Total	2,083	100.00%

Source: 2000 US Census

The number of employed people residing in Greenwich exceeded the number of jobs located within the Township by 1,373 jobs. The New Jersey Department of Labor tracks covered employment throughout the state. Covered employment data includes only those jobs for which unemployment compensation is paid. By definition it does not cover public employees (federal, state, county and municipal), nor the self-employed, unpaid family workers, most part-time or temporary employees, and certain agricultural and in-home domestic workers. See Table 21, *Covered Employment Estimates*.

Table 21. Covered Employment Estimates, 2008

Year	Greenwich Township	Warren County
2008	710	36,859

Source: New Jersey Department of Labor & Workforce Development, Labor Market Information, Quarterly Census of Employment and Wages, 2008 Annual Municipal Data



GROWTH TRENDS & PROJECTIONS

According to the Highlands RMP Module 2 Build-out Analysis released by the Highlands Council, Greenwich Township has sufficient capacity to accommodate the projected housing and job growth equivalent to 193 housing units and 226 jobs.

RESIDENTIAL TRENDS AND PROJECTIONS

According to the projections based on the Highlands RMP build-out analysis under Module 2, Greenwich Township is expected to add a total of 193 units between 2004 and 2018 (17 units from actual growth and 176 units from projected growth). The Township intends to continue pursuing Plan Conformance with the Highlands Council to ensure that adequate capacity exists to accommodate the projections in the Highlands RMP Module 2 Build-out Analysis. The average number of housing units created yearly in Greenwich Township between 2004 and 2009 was approximately three units. The Township anticipates that moderate amounts of new development will occur during the third round.

NONRESIDENTIAL TRENDS AND PROJECTIONS

According to the projections based on the Highlands RMP build-out analysis under Module 2, Greenwich Township is expected to add 226 jobs between 2004 and 2018 (222 jobs from actual growth and 4 jobs from projected growth). Greenwich Township has experienced modest non-residential growth in the last decade consisting of retail and office space. This actual growth and limited growth in the Township will meet the nonresidential projection.

CAPACITY FOR GROWTH

The Highlands Council has determined that the Township has the capacity to meet the Highlands RMP growth projections of 193 housing units and 226 jobs which is equivalent to a third round growth share obligation of 53 affordable units.

Availability of Existing and Planned Infrastructure

The Township has adequate sewer and water capacity to accommodate the residential and nonresidential growth projections.



Anticipated Land Use Patterns

Anticipated land use patterns range from single family infill development to multi-family housing as part of municipally sponsored construction. It is fully anticipated that there is demand for the variety of housing types permitted based on historic demand and the variety of age-groups and household sizes in the Township and surrounding area. The Township's future land use patterns will be guided by the Highlands RMP and will be consistent with the projections based on the Highlands RMP build-out analysis completed for Module 2 of Highlands RMP Plan conformance.

Township Economic Development Policies

The Township anticipates that future development will primarily occur along and in proximity to the Route 22 and Route 173 corridor where existing water and sewer infrastructure exists. Municipal economic development policies include opportunities for future development, consistent with the Highlands RMP, that are compatible with achieving the anticipated household and job growth projections.

Constraints on Development

Approximately 225 acres of the Township is located within the Highlands Preservation area, which has limited growth potential. The remaining portion of the Township, 88% of its land area or 5,986 acres, is located within the Highlands Planning Area. The majority of the Highlands Planning Area within Greenwich Township is identified as Environmentally Constrained, which will limit future development potential. The Township has previously expressed its intent to conform to the Highlands RMP, which will impact the level of residential and non-residential development in the Town. This plan relies on Greenwich Township's housing and employment projections that were based on the Highlands RMP build-out analysis completed for Module 2 and as such, the Highlands RMP should not impede the Township's ability to meet its Highlands RMP adjusted growth share obligation.

Greenwich is generally a rural agricultural Township with some areas of suburban development located in the western portion of the municipality. The Township has approximately $\frac{3}{4}$ of its lands in the Conservation Zone and Protection Zone and $\frac{1}{4}$ in the Existing Community Zone. Most of the lands within the Conservation Zone are also environmentally constrained. When combined with the environmentally sensitive Protection Zone, nearly 75% of the municipality has significant development



restrictions. A small portion totaling just over half a percent is located in the Wildlife Management Subzone.

There are no known federal regulations that would hinder the development projected as part of the Town's adopted third round housing element and fair share plan.

According to the Township's Master Plan, there do not appear to be any constraints on development related to land ownership issues, i.e., the necessity to consolidate lots, small lots sizes, or isolated lot development. Thus, existing land ownership patterns in the Township have been taken into account in the anticipated growth as detailed in the Township's plan.

According to NJ DEP data, there is one known contaminated site in the Township's borders. The contaminated site will not preclude the Township's ability to accommodate the growth projections or the proposed affordable housing mechanisms.

The Township's Master Plan, Land Use Ordinance and existing land review procedures provide the measures to address the development constraints noted above, as set forth at *N.J.A.C. 5:97-3.13(b)*, and others as further land use regulations evolve.



CONSIDERATION OF LANDS APPROPRIATE FOR AFFORDABLE HOUSING

The Township has sufficient existing credits that it intends to use to satisfy the affordable housing need for development that has occurred. Any future sites chosen by the Township for affordable housing shall be reviewed for consistency with the Highlands RMP and shall be located within areas that have adequate water and sewer capacity to service the proposed development and otherwise meet the site suitability criteria established by COAH at *N.J.A.C. 5:97-3.13*. Further analyses will take place in the future as the need for affordable housing is triggered by future growth.



RMP HOUSING AND EMPLOYMENT PROJECTIONS

On December 8, 2009, Greenwich Township submitted its petition for Highlands RMP Plan Conformance. As part of its petition, the Township requested six RMP Updates that should not affect anticipated growth projections. Greenwich Township is awaiting comments from the Highlands Council on its petition and will request RMP Updates and/or Adjustments where necessary and appropriate to provide for the future inclusion of municipally sponsored affordable housing site consistent with the requirements of the Highlands RMP. The only update impacting the Town's affordable housing sites was one which requested a change from the Existing Community Zone to the Existing Community Environmentally Constrained Zone. This change includes the lands of Greenwich Chase; however, as a developed site, the change would have no impact on its ability to continue providing housing for low and moderate income households. The Highlands Council has not yet responded to the Township's request.



GREENWICH TOWNSHIP'S AFFORDABLE HOUSING PLAN

Greenwich Township will satisfy the rehabilitation obligation, the prior round obligation and the third round obligation consistent with COAH's substantive rules, *N.J.A.C. 5:97* and the Highlands RMP.

CALCULATION OF THE AFFORDABLE HOUSING OBLIGATION

The Rehabilitation Obligation

The rehabilitation obligation is defined as the number of deficient housing units occupied by low and moderate income households within a municipality (*N.J.A.C. 5:97-1.4*). COAH calculates this figure using indices such as overcrowding of units constructed prior to 1950, incomplete kitchen facilities, incomplete plumbing facilities and the estimated number of low and moderate income households in the municipality. COAH has calculated Greenwich's rehabilitation obligation to be 20 units. Please see Table 22. *Calculation of the Rehabilitation Obligation*, for additional information.

Table 22. Calculation of the Rehabilitation Obligation.

Overcrowding of units constructed prior to 1950	4
Incomplete plumbing facilities	+ 12
Incomplete kitchen facilities	+ 12
Low and moderate income share	*0.715
Rehabilitation share credit	- 0
<i>Rehabilitation Obligation</i>	<i>20 units</i>

The Prior Round Obligation

The prior round obligation can be defined as the cumulative 1987 through 1999 affordable housing obligation (*N.J.A.C. 5:97-1.4*). This time period corresponds to the first and second rounds of affordable housing. COAH has calculated Greenwich's prior round obligation to be 41 units (Appendix C. to *N.J.A.C. 5:97*).



The Third Round Obligation

COAH has taken a very different approach to calculating third round affordable housing obligations. The COAH third round obligation is initially based solely on COAH's household and job projections for each municipality during the third round. For every five households, or units, projected during the third round, one affordable housing unit must be provided. Dividing the total projected by five allows for the projections to account for any affordable units that may need to be developed during the third round in order to satisfy the obligation generated. As such, the actual growth of market rate residential units must be divided by four to determine the growth share obligation. For every 16 jobs projected, the Township must provide one affordable housing unit. Municipalities within the Highlands that are conforming with the RMP are required to use the aforementioned affordable housing ratios; however, they may elect to utilize either COAH's household and employment projections or the projections based on the RMP build-out under Module 2. Greenwich Township has elected to utilize the projections based on the RMP build-out under Module 2 as the basis for its affordable housing obligation.

The Highlands Council has projected the creation of 193 households (17 units of actual growth and 176 units of projected growth) and 226 jobs (222 jobs of actual growth and 4 jobs of projected growth) in Greenwich Township during the third round. Please see the *Greenwich Township Municipal Build-out Report* submission to the Highlands Council for additional information.

COAH's substantive rules, N.J.A.C. 5:97-2.4, permit municipalities to exclude certain market and affordable units from the third round household projections. The Township has no eligible exclusions. The projected third round obligation which the Township must satisfy in the Housing Element and Fair Share Plan is 53 affordable units. Table 5 shows what the third round obligation is composed of:



Table 23. Calculation of Highlands' Projected Third Round Obligation

Residential	
Actual Residential Growth (Units) (2004-2008)	17
Highlands RMP Residential Build-out (Units)	176
Permitted COAH Exclusions	
None	0
<i>Total</i>	0
Units Creating Growth Share	193
<i>Residential Growth Share</i>	38.60
Nonresidential	
Actual Non-Residential Growth (Jobs)(2004-2008)	221.8
Highlands RMP Non-Residential Build-out (Jobs)	4
Permitted COAH Exclusions	
None	0
<i>Total</i>	0
Jobs Creating Growth Share	226
<i>Nonresidential Growth Share</i>	14.11
Total Third Round Obligation	53

Based upon the *Greenwich Township Municipal Build-out Report*, the Township has incurred a growth share obligation through 2008 due to actual growth equivalent to 18 affordable housing units. See Table 24 for additional information. As discussed later in this Element, Greenwich Township has a surplus of 29-previously constructed affordable housing units that are available to apply to satisfy a portion of its third round obligation.



Table 24. Actual Growth Share Obligation 2004 - 2008

Residential Units	
Actual Residential Growth (Units) (2004-2008)	17
<i>Residential Growth Share</i>	4.25
Nonresidential	
Actual Non-Residential Growth (Jobs)(2004-2008)	221.8
<i>Nonresidential Growth Share</i>	13.86
Total Third Round Obligation 2004 - 2018	18

SATISFACTION OF THE REHABILITATION OBLIGATION

The Township will continue its contract with Warren County to operate the rehabilitation program to satisfy the 20 unit rehabilitation obligation. To date, five rehabilitations, which are eligible for credit have been completed. The rehabilitation program will adhere to the regulations in *N.J.A.C. 5:97-6.2*. Specifically, all rehabilitated units will comply with the definition of a deficient unit in *N.J.A.C. 5:97-1.4*, which states, “a housing unit with health and safety code violations that require the repair or replacement of a major system”. Major systems include weatherization, roofing, plumbing, heating, electricity, sanitary plumbing, lead paint abatement and/or load bearing structural systems. All rehabilitated units shall meet the applicable construction code. Additionally, all rehabilitated units shall be occupied by low or moderate income households and upon completion of the rehabilitation and 10 year affordability controls shall be placed on the property in the form of a lien or deed restriction. The program shall be available to both owner occupied and renter occupied housing units. All rehabilitations shall have an average hard cost of \$10,000. Greenwich will see that funding for a minimum of 10 rehabilitations (at least half of the obligation) is available by 2014, the midpoint of the compliance period.

SATISFACTION OF THE PRIOR ROUND OBLIGATION

The Township has one previously constructed prior round affordable housing site – Greenwich Chase (previously referred to as Straw Church Village).

In addition to satisfying the total prior round obligation, the Township must also adhere to a minimum rental obligation and maximum number of age-restricted units.



- Minimum Rental Obligation = 0 units
.25 (prior round obligation – prior cycle credits– impact of the 20% cap – impact of the 1000 unit cap) = .25 (41-0-0-0) = 10.25, rounded up to 11
 - *In 1998 COAH granted the Township substantive certification for the second round of affordable housing. This grant of substantive certification stated that the Township did not have a prior round rental obligation. The Township may continue to rely upon this in the Third Round Housing Element and Fair Share Plan.*
 - A rental unit available to the general public receives one rental bonus;
 - An age-restricted unit receives a .33 rental bonus, but no more than 50 percent of the rental obligation shall receive a bonus for age-restricted units; and
 - No rental bonus is granted in excess of the rental obligation.
- Maximum Age Restricted = 11 units
.25 (prior round obligation + rehabilitation share – prior cycle credits – rehabilitation credits – impact of the 20% cap – impact of the 1,000 unit cap – transferred or proposed prior round RCAs) = .25 (41+10-0-5-0-0 - 0) = 11.5, rounded down to 11
 - *The Warren County Housing Program has completed five rehabilitations in Greenwich Township which are eligible for COAH credit.*

Greenwich Chase Inclusionary Development

This site satisfies the entirety of the prior round obligation. This site, Block 23, Lots 1, 36 and 40, is an inclusionary development along County Routes 519 and 638 that consists of 570 housing units, including 70 affordable family sale units. The site is located in the Township's PDZ Planned Development Zone. The development received General Development Plan approval in 1990 from the Greenwich Township Planning Board and project construction was completed in 2000. The affordable units are administered by Housing Affordability Service. The development is currently served by public water and public sewer. The site is located in the Highlands Planning Area, Existing Community Zone.

In 1998 COAH granted the Township substantive certification for the second round of affordable housing. This grant of substantive certification stated that the Township did not have a prior round rental obligation. The Township may continue to rely upon this in the Third Round Housing Element and Fair Share Plan.



Prior Round Summary

The Greenwich Chase Inclusionary Development satisfies the entirety of the prior round obligation.

Table 25. Affordable Units Meeting the 41 Unit Prior Round Obligation

Project	Family	Rental	Senior	Units	Bonus Credits	Total Credits
Greenwich Chase	x			41	0	41
TOTAL				41	0	41

SATISFACTION OF THE THIRD ROUND OBLIGATION

The Township will rely on a variety of compliance mechanisms to satisfy the 53 unit third round obligation.

In addition to satisfying the total third round obligation, the Township must also adhere to standards pertaining to minimum total family units, minimum rental obligation, minimum family rental units, a maximum age-restricted units, maximum bonus credits and minimum very low income units.

- Minimum Family Obligation = 27 units
.50(third round affordable units) = .50(53) = 26.5, rounded up to 27
- Minimum Rental Obligation = 14 units
.25 (third round obligation) = .25 (53) = 13.25, rounded up to 14
- Minimum Family Rental Obligation = 7 units
.50(third round rental obligation) = .50(14) = 7
- Maximum Age-restricted Units = 13 units
.25 (third round obligation) = .25 (53) = 13.25, rounded down to 13
- Maximum Bonus Credits = 13 credits
.25 (third round obligation) = .25 (53) = 13.25, rounded down to 13



- Minimum Very Low Income = 3 units
 $= 0.13(\text{Number of units created after July 17, 2009}) = .13(19) = 2.47$, rounded to 3

Greenwich Chase Inclusionary Development

The Township will carry over 29 of the 70 family sale affordable units in this project to the third round. All units have affordability controls which extend through the end of the third round. These units will satisfy a portion of the family obligation.

Market to Affordable Program

The Township will administer a five unit rental market to affordable program. There are sufficient moderately priced units in the Township to support the five unit program. Pursuant to *N.J.A.C. 5:97-6.9(b)*, the Township will provide a minimum subsidy of \$25,000 for each moderate income unit and \$30,000 for each low income unit.

All units created through this program shall be marketed and administered by the Township's administrative entity as rental units. All units will have thirty (30) year affordability controls and will be in compliance with the Uniform Housing Affordability Controls, *N.J.A.C. 5:80-26*. These affordable units shall be exempt from bedroom distribution requirements. The Township will fund this program with monies from the Affordable Housing Trust Fund.

This program will contribute five credits toward the third round obligation. This program will contribute five family units toward the Township's rental obligation and will satisfy a portion of the family obligation.

Future Municipally Sponsored Construction Project

The Township will construct 14 family rental units on one or more sites that have not yet been identified. These rental units will not be needed in early years of the third round; as such, the Township will identify the site within two years of beginning construction as identified on the implementation schedule (*N.J.A.C. 5:97-6.7(d)*). This program will satisfy nine units of the rental obligation and the family rental obligation and a portion of the family obligation. The project will contribute toward the Township's very low income obligation. Additionally, eight of the units exceed the rental obligation; each is



Clarke Caton Hintz

eligible for a rental bonus credit. As such, this project will contribute a total of 19 credits toward the third round obligation.

Third Round Summary

The Township will satisfy the third round obligation with Greenwich Chase, the market to affordable program and a municipally sponsored construction program.

Table 26. Affordable Units Meeting the 53 Unit Third Round Growth Share Obligation

Project	Family	Rental	Senior	Units	Bonus Credits	Total Credits
Greenwich Chase	x			29	0	29
Market to Affordable Program	x	x		5	0	5
Future Municipally Sponsored Construction	x	x		14	5	19
TOTAL				48	5	53

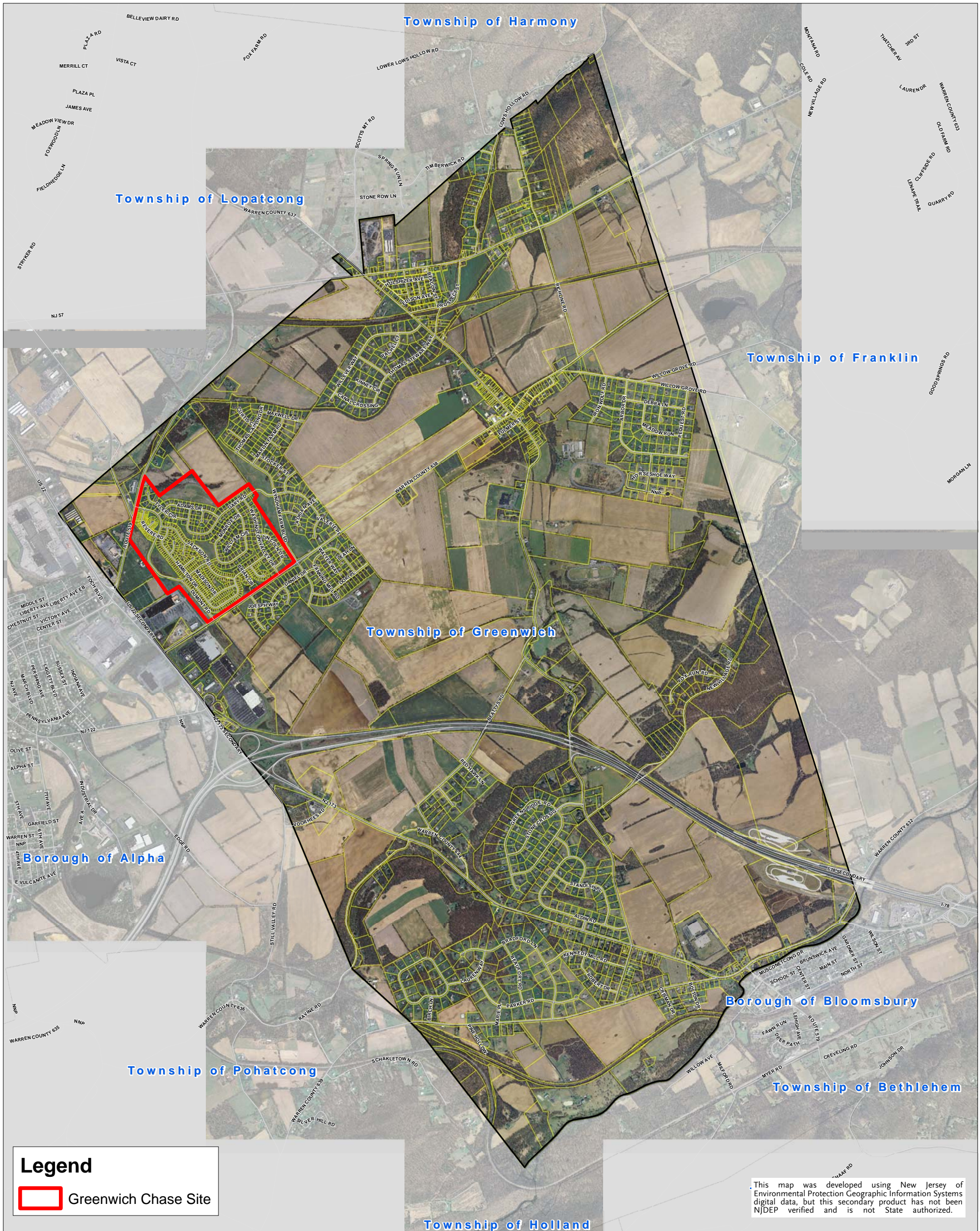


IMPLEMENTATION SCHEDULE

Table 27, *Implementation Schedule*, outlines the Township’s timeline for meeting its third round fair share obligation. As shown below, the Township anticipates that it will provide an adequate number of affordable units / bonus credits by 2012 (earliest initial growth share evaluation) to address the actual growth during this period.

Table 27. Implementation Schedule

Program	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total Credits
Greenwich Chase	29	0	0	0	0	0	0	0	0	29
Market to Affordable Program	0	0	0	0	1	1	1	1	1	5
Future Municipally Sponsored Construction & Bonus Credits	0	0	0	0	0	19	0	0	0	19
Total Units/Bonuses	29	0	0	0	1	20	1	1	1	53



Affordable Housing Site

Greenwich Township, Warren County, NJ April 2010



Clarke Caton Hintz
 Architects
 Planners
 Landscape Architects





COST GENERATION

Greenwich Township's Land Development Ordinance has been reviewed to eliminate unnecessary cost generating standards. Such expedition may consist of, but is not limited to, scheduling of pre-application conferences and special monthly public hearings. Furthermore, development applications that are consistent with this plan to provide opportunity to satisfy the townships affordable housing obligation shall be reviewed for consistency with the Land Development Ordinance, Residential Site Improvement Standards (*N.J.A.C. 5:21-1 et seq*) and the mandate of the Fair Housing Act regarding unnecessary cost generating features. The focus of such development review shall not be whether the site is appropriately zoned. Greenwich shall comply with COAH's requirements for unnecessary cost generating requirements, *N.J.A.C. 5:97-10.2*, procedures for development applications containing affordable housing, *N.J.A.C. 5:97-10.3*, and requirements for special studies and escrow accounts where an application contains affordable housing, *N.J.A.C. 5:97-10.4*.



MONITORING

In accordance with *N.J.A.C. 5:96-11*, beginning two years from substantive certification, Greenwich Township shall complete the annual monitoring reports of the Affordable Housing Trust Fund and of the affordable housing units and programs. Furthermore, the Township will assist COAH with the biennial plan evaluation, pursuant to *N.J.A.C. 5:96-10*, where the actual growth of housing units and jobs is compared to the provision of affordable housing. If upon any biennial review the difference between the number of affordable units constructed or provided in a municipality and the number of units required pursuant to *N.J.A.C. 5:97-2.4* results in a pro-rated production shortage of 10 percent or greater, the Township may not be adhering to its implementation schedule pursuant to *N.J.A.C. 5:97-3.2(a)4*, or the mechanisms addressing the projected third round obligation may no longer present a realistic opportunity for the creation of affordable housing, the Township may be required by COAH to amend its plan in conformance with *N.J.A.C. 5:96-14* to address the affordable housing obligation set forth in *N.J.A.C. 5:97-2.5*.



FAIR SHARE ORDINANCES AND AFFIRMATIVE MARKETING

Greenwich Township has prepared an Affirmative Marketing and Fair Share Ordinance in accordance with COAH's substantive rules, *N.J.A.C. 5:97-9*, and the Uniform Housing Affordability Controls (hereinafter "UHAC") at *N.J.A.C. 5:80-26*. The Fair Share Ordinance will govern the establishment of affordable units in the Township, as well as regulating the occupancy of such units. The Township's Fair Share Ordinance covers the phasing of affordable units, the low/moderate income split, bedroom distribution, occupancy standards, affordability controls, establishing rents and prices, affirmative marketing, income qualification, etc.

The affirmative marketing plan is designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to the affordable units located in the Township. Additionally, the affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units and who reside in the Township's housing region, Region 2, consisting of Warren, Essex, Morris and Union counties.

The affirmative marketing plan includes regulations for qualification of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance to *N.J.A.C. 5:80-26*. All newly created affordable units will comply with the thirty-year affordability control required by UHAC, *N.J.A.C. 5:80-26-5* and *5:80-26-11*. This plan must be adhered to by all private, non-profit or municipal developers of affordable housing units and must cover the period of deed restriction or affordability controls on each affordable unit. The costs of implementing the affirmative marketing plan (i.e., the costs of advertising the affordable units, etc.) are the responsibilities of the developers of the affordable units. This requirement is included in the Township's fair share ordinances and shall be a condition of any municipal development approval.



AFFORDABLE HOUSING TRUST FUND

Greenwich first adopted a development fee ordinance on September 3, 1996; however the ordinance did not receive COAH's approval. In March 2005 Greenwich Township submitted a copy of a revised development fee ordinance; COAH approved this ordinance in July 2005. The Township's current ordinance permits the Township to collect residential development fees equal to 0.5% of the equalized assessed value of new residential construction and nonresidential development fees equal to 1.0% of the equalized assessed value of new nonresidential construction, except as superseded by the "Roberts Bill", P.L. 2008 c.46. The Township proposes to amend the development fee ordinance to permit collection of residential development fees equal to 1.5% of the equalized assessed value of new residential construction and nonresidential development fees equal to 2.5% of the equalized assessed value of new nonresidential construction.

The Township's spending plan, which discusses anticipated revenues, collection of revenues, and the use of revenues, was prepared in accordance to *N.J.A.C. 5:97-8.10*. All collected revenues will be placed in the Township's Affordable Housing Trust fund and will be dispensed for the use of affordable housing activities. The Township may use the funds in the trust fund for any of the below listed items, pursuant to *N.J.A.C. 5:97-8.7(a)*:

- Rehabilitation program;
- New construction of affordable housing units and related development costs; in the case of inclusionary developments, eligible costs shall be pro-rated based on the proportion of affordable housing units included in the development;
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites; in the case of inclusionary developments, costs shall be pro-rated based on the proportion of affordable housing units included in the development;
- Acquisition and/or improvement of land to be used for affordable housing;
- Purchase of existing market rate or affordable housing for the purpose of maintaining or implementing affordability controls, such as in the event of foreclosure;
- Accessory apartment or market to affordable programs;
- ECHO housing and related repair or unit relocation costs;



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- Green building strategies designed to be cost-saving for low- and moderate income households, either for new construction that is not funded by other sources, or as part of necessary maintenance or repair of existing units;
- Maintenance and repair of affordable housing units;
- Repayment of municipal bonds issued to finance low- and moderate-income housing activity; and
- Any other activity as specified in the approved spending plan.
- However, the Township is required to fund the programs in the certified Housing Element and Fair Share Plan, as well as provide affordability assistance.

At least 30% of collected development fees, excluding expenditures made from the inception of the fund to June 2, 2008 on all new construction, previously funded RCAs and rehabilitation activities, shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in a municipal Fair Share Plan. Additionally, no more than 20% of the revenues collected from development fees each year, exclusive of the fees used to fund an RCA, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to prepare or implement a rehabilitation program, a new construction program, a housing element and fair share plan, and/or an affirmative marketing program.