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2015 Housing Element & Fair Share Plan

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Greenwich Township, Warren County, New Jersey

Adopted by the Land Use Board January 14, 2015

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EXECUTIVE SUMMARY

This housing element and fair share plan has been prepared for Greenwich Township, Warren County and supersedes the 2010 *Amended Third Round Housing Element and Fair Share Plan*.

On September 26, 2013 the NJ Supreme Court invalidated COAH's 2008 third round substantive and procedural rules, *N.J.A.C.* 5:96 and 5:97, (In The Matter Of The Adoption Of *N.J.A.C.* 5:96 and 5:97 By The New Jersey Council On Affordable Housing, 215 N.J. 578 (2013)) and ordered COAH to prepare replacement rules within 5 months, or by February 26, 2014. While no rules were forthcoming, on February 26 COAH filed a motion with the Supreme Court asking the Court to extend the deadline to propose new regulations to May 1, 2014. On March 14, 2014, the NJ Supreme Court granted COAH more time to prepare and adopt new regulations. In that Order, the Court set a schedule that included, among other milestones, adoption of new third round rules on or before October 22, 2014. Although COAH released draft rules on April 30, 2014 (*N.J.A.C.* 5:99 and *N.J.A.C.* 5:98) and met all other Supreme Court's deadlines leading up to the October 22, 2014 deadline, it was unable to adopt the rules by that deadline. More specifically, on October 20, 2014, the COAH Board deadlocked with a 3-3 vote on the motion to adopt the rules it had proposed. As a result, there are no adopted third round rules to which the Township may conform a housing element and fair share plan.

On October 31, 2014 Fair Share Housing Center filed a motion before the NJ Supreme Court to enforce litigant's rights. This motion argues that COAH violated the Supreme Court's orders regarding the adoption of new rules and that the Court should hold that COAH no longer protects municipalities from exclusionary zoning litigation. The motion further argues that the Court should appoint a small number of judges to determine a consistent methodology for how municipal obligations are calculated and satisfied and that subsequent litigation, in the form of exclusionary zoning lawsuits (also known as builder's remedy lawsuits), should take place in Superior Court. The Supreme Court has scheduled oral argument on this motion for January 6, 2015.

This Plan demonstrates that Greenwich Township has satisfied its prior round obligation pursuant to the second round rules, *N.J.A.C.* 5:93, where the obligation was 70 units, and is contributing 144 units toward the third round obligation. Additionally, the Township satisfied the affordable housing obligation set forth by COAH during its most recent rule making process (*N.J.A.C.* 5:99 and N.J.A.C. 5:98). While there are no

adopted third round regulations, the draft regulations proposed by COAH provide the only affordable housing methodology which has been considered by the State agency responsible for implementation of the Fair Housing Act. Moreover, while the COAH Board deadlocked 3-3 in its October 20, 2014 meeting on the vote to adopt the proposed rules, the COAH Acting Director stated on the record at that meeting that the staff did not recommend that any of the proposed rules be substantively changed or re-proposed. For these reasons, it is reasonable for this 2015 Housing Element and Fair Share Plan to rely on the draft COAH rules, as well as the Fair Housing Act, for calculating and satisfying the affordable housing obligation.

The technical appendices of the draft substantive rules (*N.J.A.C.* 5:99) identify the below listed affordable housing obligations for Greenwich Township. COAH's draft rules, including the technical appendices, can be found in the Fair Share Plan Appendices of this Plan and additional information about the calculation of Greenwich's obligation can be found beginning on page 28 of this plan.

- Rehabilitation Share = 0
- Unanswered Prior Obligation (1987 to 2014) = 23 (half of 45)
- Prospective Need (2014 to 2024) = 120

Greenwich Township will satisfy the Unanswered Prior Obligation and the Prospective Need using a municipally sponsored construction project on Block 26, Lot 2.

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. 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, subject to various limitations, for private developers to enforce the "Mount Laurel doctrine" by bringing exclusionary zoning lawsuits against municipalities which are not in compliance.

In 1985, the Legislature enacted the Fair Housing Act at N.J.S.A. 52:27D-310 (the "FHA") in response to the Mount Laurel court decisions. The FHA created the Council on Affordable Housing as the administrative alternative to the Courts. The FHA also charged COAH with the responsibility to (i) establish housing regions, (ii) estimate low and moderate income housing needs, (iii) establish criteria and guidelines for municipalities to determine and address their fair share numbers, and (iv) to review and process municipal petitions for approvals of their housing elements and fair share plans.

COAH released its "first round" affordable housing obligations in 1986 for the time period 1987 to 1993. First round affordable housing obligations were 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 is known as the "second round". This 12 year cumulative period from 1987 through 1999 was, until recently, referred to as the "prior round."

The Third Round

On December 20, 2004, COAH's first version of the third round rules became effective (*N.J.A.C.* 5:94 [substantive rules] and 5:95 [procedural rules]). At that time, the third round was defined as the 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. The third round affordable housing obligation was based on those projections with one affordable unit required for every eight market rate units developed and one affordable unit required for every 25 jobs created, expressed as non-residential building square footage.

However, in a unanimous decision in January 2007, In re Adoption of N.J.A.C. 5:94 and 5:95, 390 N.J. Super. 1 (App. Div. 2007), the 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.

In response to the 2007 decision, COAH revised its third round rules (*N.J.A.C.* 5:96 [procedural rules] and 5:97 [substantive rules]), effective June 2, 2008 as well as adopted a further rule revision, effective on October 20, 2008. These revised rules were intended to address the 2007 Appellate Court decision. While still relying on a growth share approach, this revised version provided residential development and job projections for the third round (which was expanded to encompass the years January 1, 2004 through December 31, 2018). Additionally, COAH revised its ratios to require one affordable unit for every four market rate units developed and one affordable housing unit for every 16 jobs created, still expressed as non-residential building square footage. Municipalities were required to set forth in the Housing Element and Fair Share Plan how they intended to accommodate the affordable housing obligation generated by COAH's revised third round growth projections. These 2008 revised rules required municipalities to submit a Housing Element and Fair Share Plan to COAH, or to the Court, by December 31, 2008 in order to remain protected from exclusionary zoning lawsuits.

COAH's 2008 third round rules were challenged by several parties and, on October 8, 2010, the Appellate Court invalidated COAH's third round growth share methodology and portions of COAH's regulations in In re Adoption Of *N.J.A.C.* 5:96 and 5:97 By New Jersey Council On Affordable Housing, 390 N.J. Super. 1 (App. Div. 2010).

Significantly, this decision also upheld the legitimacy of COAH's determination of the rehabilitation (also referred to as "present need") and prior round obligations. The Court summarized its findings in this regard as follows:

> *"We affirm the other parts of the revised third round rules, including COAH's determination of present need and prior round affordable housing obligations." (slip op. at 72)*

The Appellate Division directed COAH to abandon the growth share approach and to revise its third round methodology and regulations by March 8, 2011 using a methodology substantially similar to COAH's first and second round methodologies. COAH later sought a stay from the NJ Supreme Court of the March 8, 2011 deadline imposed by the Appellate Division to prepare revised third round rules. On January 18, 2011, the NJ Supreme Court granted the stay.

Subsequently, on March 31, 2011, the NJ Supreme Court granted petitions and cross-petitions to all of the various challenges to the Appellate Division's decision. The NJ Supreme Court heard oral argument on the challenges to the Appellate Court's ruling on November 14, 2012.

On September 26, 2013 the NJ Supreme Court upheld the Appellate Court decision in In re Adoption of *N.J.A.C.* 5:96 and 5:97 by New Jersey Council On Affordable Housing, 215 N.J. 578 (2013), and ordered COAH to prepare the necessary rules. Subsequent delays in COAH's rule preparation and ensuing litigation led to the NJ Supreme Court, on March 14, 2014, setting forth a schedule for adoption. COAH approved draft third round rules on April 30, 2014.

Although ordered by the NJ Supreme Court to adopt revised new rules on or before October 22, 2014, the Council on Affordable Housing ("COAH") deadlocked 3-3 at its October 20th meeting and failed to adopt the draft rules. An initial motion to table the rule adoption for 60 days to consider amendments also deadlocked at 3-3 and failed. A motion in aid of litigant's rights was filed with the NJ Supreme Court and oral argument on that motion has been scheduled for January 6, 2015.

While COAH no longer refers to the new construction obligations in "rounds", what is commonly referred to as the "third round" was been extended in COAH's draft rules. The 2008 COAH rules define the third round obligation as the need generated between 1999 and 2018, with a delivery period between 2008 and 2018. It furthermore defined the prior round obligation as the affordable housing need generated during the first and second rounds of affordable housing between 1987 to 1993 and 1993 to 1999, respectively. In contrast, the draft rules define the unanswered prior obligation as the previously referred to prior round obligation for 1987 to 1999 *and* the obligation for

1999 to 2014; they define the prospective need as the affordable housing obligation for 2014 to 2024.

In addition to judicial activity, there have been a number of efforts at statewide affordable housing reform over recent years. The most significant occurred on July 17, 2008, when Governor Corzine signed P.L. 2008, c.46, known as the "Roberts Bill", which amended the Fair Housing Act in a number of ways. Key provisions of the Roberts bill include the following:

- Eliminated regional contribution agreements ("RCAs");
- Added a requirement that 13% of third round affordable housing units be restricted to very low income households (30% or less of median income);
- Established a statewide 2.5% nonresidential development fee instead of a nonresidential growth share delivery obligation for affordable housing; and
- Established a requirement that development fees be committed for expenditure within four years of being received by the municipality.

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. The MOU has not been updated or directly addressed during COAH's current rule making process. However, the draft rules account for the limited development potential in Highlands municipalities through its calculation of the buildable limit (the buildable limit is defined in *N.J.A.C.* 5:99-1.2 as "a methodological constraint applied to the determination of municipal affordable housing need that identifies developable land and the ability to accommodate its Fair Share of Prospective Need and/or Unanswered Prior Obligation".)

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 2014 Income Limits for Region 2, 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. 2014 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	$50,744	$57,993	$65,242	$72,492	$78,291
Low Income	$31,715	$36,246	$40,777	$45,307	$48,932
Very Low Income	$19,029	$21,747	$24,466	$27,184	$29,359

Source: COAH 2014 Regional Income Limits

Table 2. Sample 2014 Affordable Rents for Region 2

Household Income Levels	1 Bedroom Unit Rent	2 Bedroom Unit Rent	3 Bedroom Unit Rent
Moderate Income at 60%	$1,019	$1,223	$1,414
Low Income at 46%	$782	$938	$1,084
Very Low Income at 30%	$510	$612	$707

Source: COAH Illustrative 2014 Low and Moderate Income Gross Rents for New Construction

Table 3. Sample 2014 Affordable Sale Prices for Region 2

Household Income Levels	1 Bedroom Unit Price	2 Bedroom Unit Price	3 Bedroom Unit Price
Moderate Income at 70%	$122,081	$146,497	$169,285
Low Income at 50%	$80,639	$96,767	$111,820
Very Low Income at 30%	$39,198	$47,037	$54,354

Source: COAH Illustrative 2014 Low & Moderate Income Sales Prices for New Construction

HOUSING ELEMENT AND FAIR SHARE REQUIREMENTS

In accordance with the Municipal Land Use Law (*N.J.S.A.* 40:55D-1, et seq.), a municipal Master Plan must include a housing plan element as the foundation for the municipal zoning ordinance (see *N.J.S.A.* 40:55D-28b(3)). Pursuant to the Fair Housing Act (*N.J.S.A.* 52:27D-301 et seq.), 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. Specifically, *N.J.S.A.* 52:27D-310 requires that the housing plan element contain at least the following:

- 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.* 5:99-4.1), the housing element and fair share plan must contain at least the following:

- A map of all sites designated by the municipality for the production of low- and moderate-income housing and a listing of each site that includes its owner, acreage, lot, and block;
- The location and capacities of existing and proposed water and sewer lines and facilities relevant to the designated sites;
- Copies of necessary applications for amendments to, or consistency determinations regarding, applicable area-wide water quality management plans (including wastewater management plans);
- A copy of the most recently adopted municipal master plan;
- For each designated site, a copy of the New Jersey Freshwater Wetlands maps where available. When such maps are not available, municipalities shall provide appropriate copies of the National Wetlands Inventory maps provided by the U.S. Fish and Wildlife Service; and
- Any other documentation pertaining to the review of the municipal housing element as may be required by the Council.

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 from COAH on April 13, 2005.

Greenwich Township adopted a third round housing element and fair share plan in November 2005 ("2005 Plan") that responded to COAH's 2004 third round rules (*N.J.A.C.* 5:94 and 5:95). This 2005 Plan was the subject of a petition to COAH for third round substantive certification. COAH did not act on the 2005 petition prior to the 2007 Appellate Court decision overturning the validity of the 2004 Rules in In re Adoption of N.J.A.C. 5:94 and 5:95, 390 N.J. Super. 1 (App. Div. 2007).

COAH granted an extension from the December 2008 deadline to submit revised third round plans to all municipalities who entered the Highlands Council Plan Conformance process, including Greenwich. On May 25, 2010 the Township adopted an Amended Third Round Housing Element and Fair Share Plan and, on June 8, 2010, the Township petitioned COAH for third round substantive certification. Similar to the 2005 plan, COAH did not act on the 2010 petition prior to the 2013 Supreme Court decision overturning the validity of the 2008 Rules in In re Adoption Of *N.J.A.C.* 5:96 and 5:97 By New Jersey Council On Affordable Housing, 390 N.J.Super. 1 (App. Div.).

Immediately upon the April 2014 release of COAH's draft substantive and procedural rules, *N.J.A.C.* 5:99 and *N.J.A.C.* 5:98 respectively, the Township began planning for how best to provide its fair share of affordable housing.

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 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, DEMOGRAPHIC & EMPLOYMENT ANALYSIS

Housing Stock Inventory

In 2013 there were 1,930 housing units in Greenwich, of which 103, or 5.3%, were vacant. Of the 1,827 occupied units, 89.6% were owner occupied and 10.4% were rented. Table 5, *Housing Units by Occupancy Status*, illustrates the occupancy status in 2013.

Single-family detached housing units comprise 87% of all housing units in Greenwich Township. Of the owner occupied units, 97.5% are single family detached units. The majority of other homes in the Township are one family attached and two family units. The Township has 189 occupied rental units, which represent 10.3% of all occupied homes. See Table 4, *Housing Units by Occupancy Status*, for a detailed explanation of the housing units in 2013.

Table 4. Housing Units by Number of Units in Occupied Structures, 2009-2013

Units in Structure	Vacant Units	Occupied Units		
		Total	Owner	Renter
1, detached	52	1,680	1,597	83
1, attached	0	41	41	0
2	29	75	0	75
3 or 4	21	24	0	24
5 +	0	7	0	7
Mobile Home or Other	0	0	0	0
Total	**103**	**1,827**	**1,638**	**189**

Source: 2009-2013 American Community Survey: Tenure by Units in Structure and Selected Housing Characteristics (B25032, DP04)

Table 5, *Housing Units by Age*, below illustrates the aging of the Township's housing stock. The largest recent period of housing construction in Greenwich occurred between 1990 and 2000, and resulted in the creation of 778 new units or 40% of the total housing stock. In comparison, 429 homes were constructed between 2000 and 2009. It is noteworthy that the majority of homes constructed between 1990 and 2000 were the

result of an inclusionary development known as Greenwich Chase consisting of a total of 570 units of which 70 are affordable housing units.

Table 5. Housing Units by Age, 2009-2013

Year Built	Vacant Units	Occupied Units		
		Total	Owner	Renter
2010-2013[1]	0	1	1	0
2000-2009	45	384	362	22
1990-1999	29	749	742	7
1980-1989	0	51	51	0
1970-1979	0	223	195	28
1960-1969	0	78	68	10
1950-1959	0	85	53	32
1940-1949	0	30	30	0
Pre-1940	29	227	137	90

Sources: 2009-2013 American Community Survey: Tenure by Year Structure Built and Selected Housing Characteristics (B25036, DP04); New Jersey Department of Community Affairs Housing Units Authorized by Building Permits (2010-2013 only)

The average household size in Greenwich is 3.09 persons. This is larger than the New Jersey average household size of 2.71 persons and may be attributed to the Township's predominant housing type, the single family detached home. See Table 6, *Household Size in Occupied Housing Units by Tenure*, for additional information.

[1] This unit is not reported in ACS data and is not included in any other table related to housing units in this section of the document.

Table 6. Household Size in Occupied Housing Units by Tenure, 2009-2013

Jurisdiction	All Occupied	Owner-Occupied Units	Renter-Occupied units
Greenwich Township	3.09	3.16	2.43
Warren County	2.56	2.63	2.35
New Jersey	2.71	2.82	2.51

Source: 2009-2013 American Community Survey: Average Household Size of Occupied Housing Units by Tenure (B25010)

Table 7. Household Size in Occupied Housing Units by Tenure, 2009-2013

Household Size	Total Units	Owner-Occupied Units	Renter-Occupied Units
1 person	190	151	39
2 persons	545	451	94
3 persons	309	282	27
4 persons	503	496	7
5 persons	236	214	22
6 persons	38	38	0
7+ persons	6	6	0
Total	**1,827**	**1,638**	**189**

Source: 2009-2013 American Community Survey: Tenure by Household Size (B25009)

The housing stock in Greenwich Township includes 46.7% four bedroom and 7.2% five or more bedroom units. One or two bedroom units comprise 10% of homes. The Township's housing stock is larger (as measured by the number of 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, 2009-2013

Number of Bedrooms	Total Units	Percent	Vacant Units	Occupied Units		
				Total	Owner	Renter
No bedrooms	9	0.5%	0	9	9	0
1 bedroom	73	3.8%	21	52	0	52
2 bedrooms	120	6.2%	8	112	90	22
3 bedrooms	687	35.6%	54	633	554	79
4 bedrooms	902	46.7%	20	882	846	36
5+ bedrooms	139	7.2%	0	139	139	0

Source: 2009-2013 American Community Survey: Tenure by Bedrooms and Selected Housing Characteristics (B25042, DP04)

Table 9. Percentage of All Units by Number of Bedrooms, 2009-2013

Jurisdiction	None or One	Two or Three	Four or More
Greenwich Township	4%	42%	54%
Warren County	13%	61%	26%
New Jersey	17%	58%	24%

Source: 2009-2013 American Community Survey: Bedrooms (B25041)

There are 103, or 6.3%, owner-occupied housing units whose value was under $150,000. It is these homes that are most likely to be affordable by low or moderate income households. Over three-fifths of homes in Greenwich are valued between $300,000 and $499,999. See Table 10, *Housing Values, Owner Occupied*, for additional information.

Table 10. Housing Values, Owner Occupied, 2009-2013

Value	Numbers of Units	Percent
$0-50,000	38	2.3%
$50,000-99,999	19	1.2%
$100,000-149,999	46	2.8%
$159,000-199,999	77	4.7%
$200,000-299,999	281	17.2%
$300,000-499,999	1,052	64.2%
$500,000-999,999	121	7.4%
$1,000,000+	4	0.2%
Total	**1,638**	**100%**

Source: 2009-2013 American Community Survey: Selected Housing Characteristics (DP04)

Table 11, *Gross Rents for Specified Renter-Occupied Housing Units,* provides information on the gross costs of rental housing in Greenwich Township. While over one-third of units, or 63 units, rent for $750 to $999 per month, only 8% of units, or 14 units, rent for $749 or less per month. The median gross rent is $1,047 per month.[2] As such, the majority of the Township's rental units may be affordable to low or moderate income households.

[2] 2009-2013 American Community Survey: Selected Housing Characteristics (DP04)

Table 11. Gross Rents for Specified Renter-Occupied Housing Units, 2009-2013

Monthly Rent	Number of Units	Percent
Under $200	0	0.0%
$200-299	14	8.0%
$300-499	0	0.0%
$500-749	0	0.0%
$750-999	63	36.2%
$1,000-1,499	53	30.5%
$1,500+	44	25.3%
Total	**174**	**100%**

Source: 2009-2013 American Community Survey: Selected Housing Characteristics (DP04)

The latest data available shows that none of Greenwich's housing stock has inadequate plumbing or an inadequate kitchen. This is the primary contributing factor to the Township's zero (0) unit rehabilitation obligation. These figures are less than those of the County and the State. See Table 12, *Selected Quality Indicators for Occupied Housing Stock*.

Table 12. Selected Quality Indicators for Occupied Housing Stock, 2009-2013

Condition	Percent of Occupied Housing Stock		
	Greenwich Township	Warren County	New Jersey
Inadequate plumbing	0.0%	0.3%	0.4%
Inadequate kitchen	0.0%	0.5%	0.8%

Source: 2009-2013 American Community Survey: Selected Housing Characteristics (DP04)

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. The Township grew a slower but still substantial 30.86% between 2000 and 2010. This growth far outpaces what the County and State experienced during this time with 6.11% and 4.49% growth, respectively. In fact, the Township grew faster than both the County and the State during not only the most recent decade, but since at least 1990. See Table 13, *Population Growth Between 1990 and 2010* for additional detail.

Table 13. Population Growth Between 1990 and 2010

	1990	Percent Change	2000	Percent Change	2010	Percent Change
Greenwich Township	1,899	9.3%	4,365	129.9%	5,712	30.9%
Warren County	91,607	8.5%	102,437	11.8%	108,692	6. 1%
New Jersey	7,730,188	5.0%	8,414,350	8.9%	8,791,894	4.5%

Source: 1980, 1990, 2000, 2010 US Census (DP-1)

Between 2000 and 2010, Greenwich lost population in the young children and two prime working age brackets: below age 5 and ages 25 to 34 and 35 to 44. The Township also lost population in the 65 and older age brackets. All other age brackets increased slightly. Overall, the population aged moderately from 2000 to 2010. See Table 14, *Age Distribution,* for additional detail.

Table 14. Age Distribution, 2000 – 2010

Age Group	2000	Percent	2010	Percent	Percent Change
Under 5	527	12.1%	367	6.4%	-5.7%
5-14	814	18.7%	1,195	20.9%	2.2%
15-24	277	6.4%	651	11.4%	5.0%
25-34	675	15.5%	366	6.4%	-9.1%
35-44	985	22.6%	1,068	18.7%	-3.9%
45-54	581	13.3%	1,094	19.2%	5.9%
55-64	236	5.4%	605	10.6%	5.2%
65-74	117	6.1%	205	3.6%	-2.5%
75+	76	4.0%	161	2.8%	-1.2%
Total	**4,365**	**100%**	**5,712**	**100%**	**-**
Median Age	**33.9**		**38.4**		

Source: 2000, 2010 US Census (DP-1)

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 2010, there were 1,808 households in Greenwich, with an average of 3.16 persons per household and an average of 3.43 persons per family.[3]

Table 15, *Households by Household Type,* breaks down the different household types. In 2010, families made up 85.5% of all households in Greenwich, with married couples comprising 89% of all family households. Of married couples, 60.2% have children. The Township also was home to 200 one person households, 40.5% of which were male householders and 59.5% were female householders.

Table 15. Households by Household Type, 2010

	Total
In family Households:	*1,546*
With own children under 18 years	931
Married-couple family	1,376
With own children under 18 years	829
Female householder, no husband present	121
With own children under 18 years	74
In Non-Family Households:	*262*
Living Alone	200
Male householder:	81
65+	24
Female householder:	119
65+	55
In group quarters:	*3*

Source: 2010 US Census (DP-1)

[3] 2010 US Census (DP-1)

Employment & Income Characteristics

Persons residing in Greenwich Township have, on average, significantly higher incomes than in Warren County and New Jersey as a whole. The most recent data available indicates that the median household income in Greenwich Township was $112,146 for households and $113,371 for families. Comparable figures for the County were $70,912 for households and $85,091 for families. Table 16, *Median Income*, further illustrates these findings by noting the median per capita income. However, high incomes do not characterize all Greenwich residents. According to a report by the Governors Housing Opportunity Task Force (March 2010), 22% of the total households in the Township are occupied by low/moderate income residents.

Table 16. Median Income, 2009-2013

Jurisdiction	Median Per Capita Income	Median Income	
		Households	Families
Greenwich Township	$41,363	$112,146	$113,371
Warren County	$33,555	$70,912	$85,091
New Jersey	$36,027	$71,629	$87,347

Source: 2009-2013 American Community Survey: Selected Economic Characteristics (DP03)

Table 17, *Percent of Persons and Households Below Poverty Level*, shows that 2.9% of all Greenwich residents and 1.6% of persons in families live below the poverty level as defined by the 2009-2013 American Community Survey, compared to 7.8% of individuals and 5.8% of persons in families in Warren County and 10.4% of individuals and 7.9% of persons in family in the State.

Table 17. Percent of Persons and Households Below Poverty Level, 2009-2013

Jurisdiction	Percent of Persons	Percent of Families
Greenwich Township	2.9%	1.6%
Warren County	7.8%	5.8%
New Jersey	10.4%	7.9%

Source: 2009-2013 American Community Survey: Selected Economic Characteristics (DP03)

Table 18, *Distribution of Employment by Industry*, shows the distribution of employment by industry for employed Greenwich Township residents. Nearly one quarter of employed residents work in the education, health, and social service industries. Other industries that capture large segments of the population include manufacturing at 16.3% and retail trade and professional services, both at approximately 11%.

Table 18. Distribution of Employment by Industry, Employed Greenwich Residents, 2009-2013

Sector Jobs	Number	Percent
Agriculture, Forestry, Fishing and Hunting, and Mining	10	0.4%
Construction	126	4.8%
Manufacturing	427	16.3%
Wholesale Trade	76	2.9%
Retail Trade	298	11.4%
Transportation and Warehousing, and Utilities	178	6.8%
Information	103	3.9%
Finance, Insurance, Real Estate, and Rental and Leasing	207	7.9%
Professional, Scientific, Management, Administrative, and Waste Management Services	286	10.9%
Education, Health and Social Services	625	23.8%
Arts, Entertainment, Recreation, Accommodation, and Food Services	133	5.1%
Public Administration	93	3.5%
Other Services (except public administration)	63	2.4%
Total	**2,625**	**100%**

Source: 2009-2013 American Community Survey: Selected Economic Characteristics (DP03)

Table 19, *Employment by Occupation*, identifies the occupations of employed persons. While Greenwich residents work in a variety of industries, 52.6% of residents are employed in management, professional, and related occupations. An additional 25.8% of residents are employed in sales and office occupations.

Table 19. Employment by Occupation, Employed Greenwich Residents, 2009-2013

Sector Jobs	Number	Percent
Management Professional, and Related Occupations	1,381	52.6%
Service Occupations	327	12.5%
Sales and Office Occupations	677	25.8%
Construction, Natural Resources, and Maintenance Occupations	119	4.5%
Production, Transportation, and Materials Moving Occupations	121	4.6%
Total	**2,625**	**100%**

Source: 2009-2013 American Community Survey: Selected Economic Characteristics (DP03)

The number of employed people residing in Greenwich exceeded the number of jobs located within the Township by approximately 1,990 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 20, *Covered Employment Estimates*.

Table 20. Covered Employment Estimates, 2013

Year	Greenwich Township	Warren County
2013	635	28,104

Source: New Jersey Department of Labor & Workforce Development, Labor Market Information, Quarterly Census of Employment and Wages, 2013 Annual Municipal Sector Data

As Table 21, *Journey to Work* below shows, over 75% of Greenwich's employed residents drive to work alone compared with over 80% for Warren County and 71.9% for New Jersey as a whole. The Township's lower percentage is unexpected given its few jobs, high income population, and low density land use pattern. Its percentage is closer to that of the State, which, overall, has many workers commuting to New York City via transit. The difference is likely due to the high number of Township residents who work from home (13.4%) compared with the County (4.8%) and State (3.9%).

Table 21. Journey to Work, 2009-2013

Mode	Greenwich	Warren County	New Jersey
Drive Alone	75.6%	80.7%	71.9%
Carpool	7.3%	10.2%	8.4%
Transit	2.0%	1.4%	10.8%
Walk	1.6%	2.2%	3.1%
Work at Home	13.4%	4.8%	3.9%
Other	0.2%	0.8%	1.9%

Source: 2009-2013 American Community Survey: Selected Economic Characteristics (DP03)

Almost 20% of households in Greenwich only have one vehicle and 4.1% have no vehicle. This might present significant concerns for these households as there is limited public transportation in the Township and its housing stock is largely isolated from commercial and social services. Some one-car households likely only have one occupant. It is also possible that some one-car households have one occupant who works at home. See Table 22, *Available Vehicles by Household*.

Table 22. Available Vehicles by Household, 2009-2013

Vehicles	Count	Percent
None	75	4.1%
One	355	19.4%
Two	876	47.9%
Three +	521	28.5%

Source: 2009-2013 American Community Survey: Selected Housing Characteristics (DP04)

The most common commuting destination of employed residents is within the Township. As shown in Table 23, *Top Ten Commuting Destinations for Greenwich Residents* below, the majority of the most common commuting destinations are along the Interstate 78 corridor. Notwithstanding, the overwhelming majority of employed residents, 74.6%, commute to dispersed locations.

Table 23. Top Ten Commuting Destinations for Greenwich Residents, 2011

Destination	Jobs	Percent
Greenwich (Warren)	130	4.6%
Lopatcong	98	3.4%
Bridgewater	94	3.3%
Phillipsburg	73	2.6%
Readington	72	2.5%
Clinton Twp. (Hunterdon)	61	2.1%
Manhattan (NY)	52	1.8%
Flemington	51	1.8%
Bernards	48	1.7%
Raritan Twp.	47	1.6%
All Other Locations	2,129	74.6%

Source: US Census and Center for Economic Studies. Longitudinal Employer-Household Dynamics, 2011

Consideration of Lands Appropriate for Affordable Housing

As part of this housing element, Greenwich Township considered land in the Highlands Planning Area that was appropriate for the construction of low and moderate income housing. The Township is able to accommodate the entirety of its affordable housing obligation on one municipally sponsored construction site, Block 26, Lot 2. Additional analyses will take place in the future should the Township require additional affordable housing.

The owner of Block 36, Lot 2 previously engaged in discussions with the Township about providing affordable housing on that property. However, the Township is not in the position to include a proposal for this site in its Housing Element and Fair Share Plan at this time. As stated, the Township fully satisfies its unanswered prior and prospective need obligations on one lot which it owns, Block 26, Lot 2, and will utilize this site for a municipally sponsored construction project.

GREENWICH TOWNSHIP'S AFFORDABLE HOUSING OBLIGATION

While there are no adopted third round regulations, the draft regulations proposed by COAH provide the only affordable housing methodology which has been considered by the State agency responsible for implementation of the Fair Housing Act. Moreover, while the COAH Board deadlocked 3-3 in its October 20, 2014 meeting on the vote to adopt the proposed rules, the COAH Acting Director stated on the record at that meeting that the staff did not recommend that any of the proposed rules be substantive changed or re-proposed. For these reasons, it is reasonable for this 2015 Housing Element and Fair Share Plan to rely on the draft COAH rules, as well as the Fair Housing Act, for calculating and satisfying the affordable housing obligation.

The technical appendices of the draft substantive rules (*N.J.A.C.* 5:99) identify the below listed affordable housing obligations for Greenwich Township. COAH's draft rules, including the technical appendices, can be found in the Fair Share Plan Appendices of this Plan.

- Rehabilitation Share = 0
- Unanswered Prior Obligation (1987 to 2014) = 23 (half of 45, see below)
- Prospective Need (2014 to 2024) = 120

The **"Rehabilitation Share"** is defined as the number of deficient housing units occupied by low and moderate income households within a municipality. 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. This portion of the affordable housing obligation is calculated using the 2010 census and brought forward to July 1, 2014 (Appendix B). Greenwich's new rehabilitation obligation is 0 units. As such, the Township will not operate or participate in a rehabilitation program.

The **"Unanswered Prior Obligation"** is the affordable housing obligation from the first and second rounds, from 1987 to 1999, as well as much of the previous period from 1999 to 2014 (Appendix D). As stated above, Greenwich's total unanswered prior obligation is 45-units. To calculate this portion of the obligation, COAH developed the numbers in a set of steps[4] as follows:

4 - The calculations were undertaken by the Center for Urban Policy Research (CUPR) at Rutgers, headed by Robert Burchell, PhD, who prepared the first and second round numbers for COAH.

- The new construction obligation from 1987 through 1999 (cumulative first and second rounds) is 35 units.
- Next, a revised new construction obligation from 1999 through 2014 was computed. This time period represents the bulk of COAH's third round 'growth share' period which had been from 1999 to 2018. The new rules assign the Township a 95-unit obligation for 1999 to 2014.
- Affordable housing units that have been completed and any publicly subsidized affordable units eligible for crediting were subtracted from the Prior Obligation. COAH listed 71 affordable housing credits for Greenwich. These units identified by COAH can be largely attributed to Greenwich Chase, 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 Land Use Board and project construction was completed in 2000. The affordable units are administered by Housing Affordability Service. As such, the Township does not propose to use units from this development to satisfy its unanswered prior or prospective need obligations. The rules state municipalities may rely upon the COAH-reported unanswered prior round obligation in their housing element and fair share plan (*N.J.A.C.* 5:99-2.3(d)).
- A "substantial compliance bonus" may be granted to those municipalities that have substantially met its 1987-2014 unanswered prior obligation through completed units (*N.J.A.C.* 3-5(a)). Greenwich has fully satisfied this 35 unit obligation (see item 1 above) with the 70 units at Greenwich Chase. Where a municipality has completed at least 80% of this obligation, a 20% reduction may be applied to the unanswered prior obligation. This bonus will reduce the unanswered obligation from 56 to 45 units (.2(56) =11; 56-11 = 45).
- Only half of the Unanswered Prior Obligation is required to be addressed in the 2014 to 2024 period for which the Township's next housing plan will be developed (*N.J.A.C.* 5:99-2.3). The other half is to be an obligation of the Township to be addressed from 2024 to 2034. As such and considering the substantial compliance bonus, the Township must address an unanswered prior obligation of 23 units in its 2015 housing element and fair share plan (45/2 = 22.5, rounded up to 23).

The third and last component of the affordable housing obligation is the **"Prospective Need"** (Appendix C). This is the newly calculated affordable housing obligation from 2014 to 2024, which factors in various reductions and other caps relevant to each

community. COAH has assigned a prospective need of 120 units to Greenwich Township.

SATISFACTION OF THE AFFORDABLE HOUSING OBLIGATION

The rules, *N.J.A.C.* 5:99-2.3(b) state, "[m]unicipalities shall be governed by the standards in *N.J.A.C.* 5:93 to address Unanswered Prior Obligations…" As such, satisfaction of the Township's 23 unit unanswered prior is consistent with *N.J.A.C.* 5:93.

In addition to satisfying the total unanswered prior obligation, the Township must also adhere to a minimum rental obligation and maximum number of age-restricted units, as specified in *N.J.A.C.* 5:93.

- Minimum Rental Obligation = 11 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
  - 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 = 5 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 (23+00-0-0-0-0 - 0) = 5.75, rounded down to 5

Municipally Sponsored Construction – Block 26, Lot 2

Greenwich will address its unanswered prior and prospective need obligations with a municipally sponsored 100% affordable housing project on Block 26, Lot 2. The site will include 144 family rental units. The Township will utilize 12 affordable units to satisfy the unanswered prior obligation including the 11 unit rental obligation. As such, the Township is eligible for 11 bonus credits. The balance of 132 affordable units will be used to address its prospective need obligation and provide 12 surplus credits.

The site, Block 26, Lot 2, is a Township-owned lot at the corner of Dumont Street and Greenwich Street and is currently used for agriculture. The 14 acre lot is adjacent to both an established neighborhood and the Township's primary commercial district. North and northwest of the site are single family homes in the Township's Planned

Development Zones and south and west of the site are retail and office buildings in the Township's B-2 Business zone. East of the site is farmland in the Office Park / Limited Research zone. The multi-family housing proposed for this lot will serve as a transition between the single family homes to the north and the nonresidential uses to the south.

The site has over 1,000 feet of road frontage along Dumont Road and over 300 feet of frontage on Greenwich Street. The site is fully developable as it is generally flat and was previously cleared for agricultural use with the exception of vegetation along the neighboring single family homes. There are no surface water bodies or wetlands on the site and it is not located within the flood hazard area. Furthermore, the site contains no and is not in proximity to any historic structures.

Development of this site will be consistent with the Highlands RMP and, as noted below, the Township will address any potential RMP consistency issues through site design or mitigation efforts. The site is located in the Highlands Planning Area in the Environmentally Constrained Subzone of the Conservation Area. The Township has requested to the Highlands Council that the designation of this site be revised to the Existing Community Zone.

The Highlands Consistency Review Report is included in the Fair Share Plan Appendices. The following outlines the issues identified in the Highlands Consistency Review Report and describes the Township's method for addressing them as it relates to the municipally sponsored 100% affordable housing project on Block 26, Lot 2.

- *Agricultural Use*. The site is currently used for agriculture.
- *Agricultural Resource Area*. The site is currently located within an Agricultural Resource Area. Future development of the site will be clustered to limit the impact on adjacent agricultural lands also in the Agricultural Resource Area.
- *Carbonate Rock Area*. There are carbonate rocks underneath the site. Future development of the site will address this environmental feature using site design and/or mitigation efforts and the development will be clustered as may be necessary to limit the impact on the Carbonate Rock Area.
- *Critical Wildlife Habitat*. The site currently contains a Critical Wildlife Habitat. Future development of the site will address this environmental feature using site design and/or mitigation efforts and the development will be clustered to limit the impact on the Critical Wildlife Habitat to the extent possible.

- *Positive Net Water Availability Zone*. The site is has adequate net water availability sufficient to allow the development of the site. The site is not within a water deficit area.
- *Prime Groundwater Recharge Area*. The northern half and eastern periphery of the site are in a Prime Groundwater Recharge Area. Future development of the site will avoid the Prime Groundwater Recharge Area to the extent possible, including maintaining it on the site's eastern periphery.

As stated in *N.J.A.C.* 5:99-7.1(b), affordable housing sites shall be approvable, developable, and suitable, as defined in *N.J.A.C.* 5:99-1.2., for the production of low and moderate income housing. As demonstrated below, Block 26, Lot 2 meets these criteria.

- *The site has a clear title and is free of encumbrances which preclude development of affordable housing*. The site has a clear title and no legal encumbrances which would preclude its development as an affordable housing project. It is currently owned by Greenwich Township.
- *The site is adjacent to compatible land uses and has access to appropriate streets*. The site has over 1,000 feet of frontage on Dumont Road and over 300 feet of frontage on Greenwich Street. Additionally, as stated above, the site is adjacent to both a residential neighborhood and commercial center.
- *Adequate sewer and water capacity is available*. Water service will be provided water by Aqua New Jersey. Pursuant to the Township's approved Wastewater Management Plan, the site is located in the Township's sewer service area (Phillipsburg STP). Development of the site with 144 units requires sewer capacity of 25,000 g.p.d.; the Township has adequate sewer capacity to serve the site. Pursuant to the Township code (Section 21-12), the Township may "repurchase and recover any portion of an unused sewer allocation shall exist irregardless of whether the person or entity from whom the sewer allocation is being repurchased and recovered consents to the same". The Township instituted the repurchase process in December 2014 following a report by Township's special sewer engineer that there is sufficient sewer capacity for the proposed repurchase of a sewer allocation of 25,000 g.p.d. This repurchased sewer service capacity will be allocated to the 144 units on the site.
- *The site can be developed in accordance with R.S.I.S.* Development of the site will be consistent with the Residential Site Improvement Standards, *N.J.A.C.* 5:21-1 et seq.

Development of the site is consistent with the State Development and Redevelopment Plan (hereinafter the "State Plan") and the rules and regulations of all agencies with jurisdiction over the site.

- *The site is located in a "Smart Growth Planning Area"*. The adopted 2001 State Plan and the Preliminary State Plan both designate the site in the Suburban Planning Area, Planning Area 2.
- *The development is not within jurisdiction of a Regional Planning Agency or CAFRA*. The site is located within the Highlands Planning Area; see above for additional information.
- *The site will comply with all applicable environmental regulations*. The site contains no steep slopes, wetlands, stream corridors or flood hazard area.
- *The site will not impact any historic or architecturally important sites and districts*. The site is not located in or proximate to an historic district.

In addition to site suitability, the affordable housing project will meet the applicable requirements for 100% affordable housing projects in the substantive rules, as well as the Uniform Housing Affordability Control rules (UHAC) (*N.J.A.C.* 5:80-26.1 et seq). See below as well as supplementary documentation in support of this site in the Fair Share Plan Appendices.

- *Request for Proposal*. The Township will issue a request for proposals in 2015. Greenwich Township will select an experienced affordable housing developer to the developer of the site.
- *Administrative Entity*. The Township anticipates that the affordable housing developer will administer and affirmatively market the units at the site, income qualify applicants, place minimum 30-year affordability controls on the units and provide long term administration of the units in accordance with COAH's rules at N.J.A.C. 5:97 et seq. and UHAC per N.J.A.C. 5:80-26.
- *Low/Moderate Income Split*. At least half of the affordable units developed will be affordable to low income households, and an odd number of affordable units will always be split in favor of the low income unit per N.J.A.C. 5:9703.3 and the UHAC at N.J.A.C. 5:80-26. Of the affordable units at the site, at least 13% will be affordable to very low income households.
- *Affirmative Marketing*. The affordable units will be affirmatively marketed in accordance with COAH's rules at N.J.A.C. 5:97 et seq. and N.J.A.C. 5:80-26.

- *Controls on Affordability*. The affordable units will have minimum 30-year affordability controls in accordance with COAH's rules and UHAC regulations.
- *Bedroom Distribution*. The Township's affordable housing developer will follow the UHAC requirements regarding bedroom distribution for the affordable housing development on the site.
- *Funding*. The Township anticipates that the developer will apply for various funding sources, including Federal Low-income Housing Tax Credits. A shortfall of funds will be addressed through the use of outside funding sources, as set forth in "A Guide to Affordable Housing Funding Sources," dated October 2008, posted on COAH's website,.
- *Construction Schedule*. A construction schedule has been developed for the site that notes each step in the development process, including preparation of the site plan, receiving municipal approvals, submission of funding applications and beginning construction. The Township's affordable housing developer will be responsible for monitoring the construction and development activity.

This site will produce 144 family rental units that will satisfy the unanswered prior obligation as well as the prospective need. Additionally, these 144 units will satisfy the rental obligation specified in COAH's second round rules and will produce 11 rental bonus credits pursuant to *N.J.A.C.* 5:93-5.15(d). As such, the following table depicts credits for the site.

Credit Allocation Municipally Sponsored Construction – Block 26, Lot 2					
Units	Bonus Credits	Total Credits	Unanswered Prior Credits	Prospective Need Credits	Surplus Credits
144	11	155	23	120	12

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, procedures for development applications containing affordable housing, and requirements for special studies and escrow accounts where an application contains affordable housing.

Fair Share Ordinances & Affirmative Marketing

Greenwich Township has prepared an Affordable Housing Ordinance in accordance with COAH's substantive rules 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 Township's existing affordable housing units at Greenwich Chase are administered by the Housing Affordability Services and the proposed affordable units are anticipated to be administered by the developer. However, the Township will contract with an experienced affordable housing administrator if and when the need arises.

The affirmative marketing plan is designed to attract buyers and/or renters 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

The Township adopted a development fee ordinance most recently in 2009 to permit collection of residential and nonresidential development fees. The Township received approval of its Spending Plan from COAH in 1998. This Spending Plan approval allocated expenditure of funds as follows:

	Use of Trust Fund	
Use of Funds Collected	**Permitted Percentage**	**Anticipated Expenditures**
Affordable Housing Programs	50%	$600,000
Affordability Assistance	30%	$360,000
Administration	20%	$240,000
Total	***100%***	***$1,200,000***

The Township's spending plan, which discusses anticipated revenues, collection of revenues, and the use of revenues, was prepared in accordance to COAH's substantive rules. 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.

- 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;
- RCAs, approved prior to July 17, 2008;
- Acquisition and/or improvement of land to be used for affordable housing;
- Accessory apartments;
- 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, in accordance with

accepted national or state standards or such guidance as may be provided by DCA or the New Jersey Housing and Mortgage Finance Agency;

- Maintenance and repair of affordable housing units;
- To defray the costs of structured parking; in the case of inclusionary developments, eligible costs shall be pro-rated based on the proportion of affordable housing units included in the development;
- Repayment of municipal bonds issued to finance low- and moderate-income housing activity; and
- Any other activity as specified in the approved spending plan.

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. At a minimum, municipalities must use one-third of the affordability assistance portion to provide affordability assistance to very low-income households to assist in reserving 13% of the low income units within a municipality to very low-income households.

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.

Affordable Housing Sites

Greenwich Township, Warren County, NJ December 2014

Clarke Caton Hintz
Architecture
Planning
Landscape Architecture

Municipally Sponsored Construction (Block 26, Lot 2)

Greenwich Township, Warren County, NJ December 2014

Clarke Caton Hintz
Architecture
Planning
Landscape Architecture