

**1999 - 2025
HOUSING ELEMENT AND
FAIR SHARE PLAN**

**TOWNSHIP OF MONROE
MIDDLESEX COUNTY, NEW JERSEY**

March 2016

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The original document has been signed and sealed.

Foreword

According to the New Jersey Municipal Land Use Law, 40:55D-28b(3)), a municipal Master Plan must contain a Housing Element. Dating back to 1999, attempts by the New Jersey Council on Affordable Housing (COAH) to prepare and adopt Third Round Rules that were constitutional failed. Inaction by COAH to adopt constitutionally compliant rules caused the New Jersey Supreme Court to act. On March 10, 2015, the New Jersey Supreme Court ruled that First and Second Round Rules should be used to establish present and prospective affordable housing need for the state, housing regions and municipalities. This document includes the housing obligation that extends from 1999 to 2025 for the Township of Monroe, Middlesex County, New Jersey.

Monroe Township previously submitted a Round III Housing Element and Fair Share Plan in December 2005 in accordance with the November 2004 COAH adopted Third Round Rules (Chapter 5:94). In December 2008, Monroe Township revised its plan and petitioned COAH again because portions of these COAH rules were overturned in 2007. The New Jersey Superior Court Appellate Division found the COAH's second attempt in developing Third Round Rules to be invalid and ordered COAH to prepare rules that utilized methodologies similar to First and Second Round Rules for determining a municipality's regional fair share affordable housing obligation. COAH failed to do so, and the New Jersey Supreme Court established a process for determining regional fair share affordable housing obligations for municipalities and reviewing municipal housing elements and fair share plans to determine whether those plans can be granted approval akin to "COAH substantive certification" by the courts. This Housing Element and Fair Share Plan was prepared to comply with the New Jersey Supreme Court process and requirements.

Table of Contents

	Page
Foreword	
Introduction.....	1
I. Background Information	3
Housing Stock.....	3
Demographic Characteristic.....	11
Employment Characteristics.....	20
II. Analysis of Impact of Existing Conditions on Affordable Housing Opportunities.....	26
Anticipated Demand of Types of Uses Permitted by Zoning.....	26
Anticipated Land Use Patterns.....	28
Municipal Economic Development Policies.....	28
Constraints on Development.....	29
Existing or Planned Measures to Address these Constraints.....	34
III. Fair Share Compliance Plan	35
Consideration of Lands Appropriate for Affordable Housing	35
Affordable Housing Obligation	35
Rehabilitation Program	36
Satisfaction of Prior Round Obligation	37
Satisfaction of Growth Share Obligation	39
III. Summary of 1987-2018 Fair Share Obligation Compliance	35
Appendices	
A. Planning Board Resolution	
B. Resolution of the Council Requesting the Court to Approve Monroe Township’s Adopted Housing Element and Fair Share Plan	
C. Council Resolution of Intent to Bond in the Event of a Shortfall of Funds for Rehabilitation Program	
D. Monroe Township Operating Manual for the Administration of Rehabilitation Units	
E. Summary of Built Projects Prior Round	
F. Map 1 – Inclusionary Housing Development Zones, Developments and Sites	
G. Summary of Plan 1999 – 2025 Fair Share Obligation	
H. Framework for Portion of Existing PRD-AH-AR Planned Residential Development-Affordable Housing-Age Restricted District to be changed to R-ARAF Residential-Age-Restricted Affordable Housing Zone	
I. Framework for New HC-R-AH Highway Commercial-Residential-Affordable Housing	

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Zone to be created

- J. Framework for New POCD-AR-AH Planned Office Commercial District-Age-Restricted-Affordable Housing Zone to be created
- K. Framework for New MU-HD-R-AH Mixed Use-Highway Development-Residential-Affordable Housing Zone to be created
- L. Affordable Housing Ordinances

Introduction

In 1975 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 Mt. Laurel II decision the Court expanded the Mt. Laurel doctrine and stated that all municipalities share in the obligation. In July 1985 the Fair Housing Act (FHA) was enacted as the legislative response to the Supreme Court rulings. The Act created the Council on Affordable Housing as the administrative alternative to the courts.

The FHA directs the New Jersey Council on Affordable Housing (COAH) to provide regulations that allow municipalities to prepare comprehensive responses which will provide a realistic opportunity for the provision of affordable housing through municipal land use regulation.

COAH's primary responsibilities are:

- Establish Housing Regions for the State;
- Estimate regional housing need; and
- Provide guidelines for municipalities to use in addressing their fair share obligations.

Municipal responsibilities under the Fair Housing Act consist of adopting and filing with COAH a Housing Element, prepared according to COAH's criteria and guidelines. According to the New Jersey Municipal Land Use Law, C.52:27D-310, the Housing Element shall contain at least:

1. The 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;
2. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next six years subsequent to the adoption of the Housing Element, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing;
6. A consideration of the lands that are 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.

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

This Housing Element meets all of above requirements as specified in the latest addition of the Municipal Land Use Law. This plan meets the guidelines of the COAH Round II rules and recently adopted State legislation.

I. Background Information

The Township of Monroe is located in the southeastern portion of Middlesex County, New Jersey. Along Monroe's northern boundary are East Brunswick Township, Helmetta Borough and Spotswood Borough, all in Middlesex County. To the east are Old Bridge Township in Middlesex County and Manalapan Township in Monmouth County. Millstone Township, Monmouth County shares the southern boundary. Along Monroe's western boundary are East Windsor, Mercer County and Cranbury Township and South Brunswick Township in Middlesex County. Jamesburg Borough is a small municipality surrounded by Monroe Township in the northwestern quadrant of the Township.

When it was founded in 1838, Monroe Township was largely a farming community. During the late 19th century, several more densely-developed neighborhoods including Helmetta, Jamesburg and Spotswood seceded. The balance of the Township landscape remained rural consisting of farmland and woodland. Between 1960 and 1968, the Township's largely agrarian landscape started to change when suburban development that consisted of the age-restricted community of Rossmoor was constructed near Exit 8A of the New Jersey Turnpike. A new era for Monroe Township was ushered in transforming the municipality with several new age-restricted communities, new housing developments, shopping centers and other service-based establishments. Since the municipality had excellent access to Exit 8A of the New Jersey Turnpike, Monroe Township experienced significant industrial growth consisting primarily of warehouses and distribution facilities. The southern and southeastern portions of Monroe remain rural with farmland and woodland.

Some general facts about Monroe Township are provided below.

Size: 42.0 square miles

Population: 39,132¹

Density: 931.7 persons per square mile

Monroe Township is determined by COAH to be located within Housing Region 3 that consists of Hunterdon, Middlesex and Somerset Counties.

HOUSING CHARACTERISTICS²

General Housing Data

According to the 2010 U.S. Census, Monroe Township had a total of 18,002 housing units of which 16,497 units or 91.6% were occupied. Of the number of units that were occupied 15,420 or 93.6% were owner-occupied and 1,077 or 6.5% were renter-occupied. Table 1 provides general housing data for Monroe Township.

¹ Population is based on the 2010 U.S. Census.

² Housing characteristics are based on the 2010 U.S. Census and 2006-2010 American Community Survey.

Table 1 – General Housing Data, 2010	Monroe Twp. No. Units/Percent
Total Housing Units	18,002/100.0
Total Occupied Units	16,497/91.6
Tenure of Occupied Units:	16,497/100.0
Owner-occupied	15,420/93.5
Renter-occupied	1,077/6.5

Age of Housing

The 2006-2010 American Community Survey provides data on age of housing for Monroe Township. The bulk of the Township's housing stock (91.4%) was built after 1960. Almost one-quarter (24.0%) of the housing units were built 2000 or later. A little more than one-fifth (20.8%) of the housing stock was built from 1990 to 1999, and a little less than one-fifth (19.8%) was built from 1980 to 1989. Twenty-six and eight tenths percent of the housing stock was built from 1960 to 1979. Eight and six tenths percent was built 1959 and earlier. Table 2 provides more detail about the age of housing in Monroe Township.

Table 2 – Age of Housing, 2006-2010	Monroe Twp. No. Units/Percent
Total Housing Units	15,759/100.0
Built 2000 or later	3,782/24.0
Built 1990 to 1999	3,278/20.8
Built 1980 to 1989	3,120/19.8
Built 1960 to 1979	4,223/26.8
Built 1940 to 1959	1,009/6.4
Built 1939 or earlier	347/2.2

Condition of Housing

With regard to the three housing conditions for defining substandard housing, Table 3 shows that 16 housing units or 0.1% of the total occupied housing units lacked complete plumbing facilities, 96 units or 0.8% lacked complete kitchen facilities and 32 units or 0.1% were crowded in units.

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Table 3 – Housing Conditions, 2006-2010	Monroe Twp.
Total occupied housing units/% total units	15,759/100.00
Lacking complete plumbing facilities	16
% Lacking complete plumbing facilities	0.1
Lacking complete kitchen facilities	95
% Lacking complete kitchen facilities	0.6
Crowded	32
% Crowded	0.2

Purchase and Rental Value of Housing

In 2010, Monroe Township had 14,807 owner-occupied housing units. The median value of owner-occupied units was \$347,300. Table 4 provides a summary of the purchase value of housing for 2006-2010. A little more than one-quarter (26.2%) of the owner-occupied units was valued \$500,000 or more, and about one-third (33.4%) was valued between \$300,000 and \$499,999. Housing units valued less \$100,000 comprised 4.5% of all owner-occupied units. Of the units valued between \$100,000 and \$299,999 8.1% had a value of \$100,000 to \$149,999, 11.2% was valued between \$150,000 and \$199,999, and 16.7% had values from \$200,000 to \$299,999.

Table 4 – Purchase Value of Housing, 2006-2010	Monroe Twp. No. Units/Percent
Total Owner-Occupied Units	14,807/100.0
Less than \$50,000	126/0.9
\$50,000-\$99,999	529/3.6
\$100,000-\$149,999	1,204/8.1
\$150,000-\$199,999	1,654/11.2
\$200,000-\$299,999	2,474/16.7
\$300,000-\$499,999	4,941/33.4
\$500,000 or more	3,877/26.2
Median Value	\$347,300

Within Monroe Township there was a total of 952 renter-occupied housing units in 2010, of which 755 paid rent and 197 paid no rent. Table 5 provides a summary of rental value of housing

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

from 2006 to 2010. No rental units had a rent less than \$200. Of the total amount of rental units 6.9% had rents between \$200 and \$499. Fourteen and four-tenths percent of the rental units had rents between \$500 and \$749, and those with rents between \$750 and \$999 consisted of 11.7% of the total renter-occupied units. Units with rents between \$1,000 and \$1,499 comprised 16.7% of all rental units. The largest group of rental units (29.6%) had rents \$1,500 or more. Units for which no rent was paid consisted of 20.7% of all rental units. The median rent was \$1,146.

<i>Table 5 – Rental Value of Housing, 2006-2010</i>	Monroe Twp. No. Units/Percent
Total Renter-Occupied Units	952/100.0
Less than \$200	0/0.0
\$200-\$499	66/6.9
\$500-\$749	137/14.4
\$750-\$999	111/11.7
\$1,000-\$1,499	159/16.7
\$1,500 or more	282/29.6
No Rent Paid	197/20.7
Median Contract Rent	\$1,146

Occupancy Characteristics

According to the 2010 U.S. Census, Monroe Township had a total of 18,002 housing units of which 16,497 or 91.6% were occupied and 1,505 or 8.4% were vacant. Of the housing units within the vacancy status 161 (10.7%) were for rent, 420 (27.9%) were for sale, 114 (7.6%) were rented or sold but not occupied, 506 (33.6%) were for seasonal, recreational or occasional use and 304 (20.2%) were classified as “other vacant.” No vacant units were for migrant workers. Table 6 provides a summary of occupancy characteristics for Monroe Township.

<i>Table 6 – Occupancy Characteristics, 2010</i>	Monroe Twp. No. Units/Percent
Total Housing Units	18,002/100.0
Occupied	16,497/91.8
Vacant	1,505/8.4

The occupancy characteristics for housing units that have vacancy status are provided in Table 7.

Table 7 – Occupancy Characteristics, Vacancy Status, 2010	Monroe Twp. No. Units/Percent
Vacancy Status	1,505/100.0
For rent	161/10.7
For sale only	420/27.9
Rented or sold, not occupied	114/7.6%
For seasonal, recreational, or occasional use	506/33.6
For migrant workers	0/0.0
Other vacant	304/20.2

Housing Type

The majority of the occupied housing stock in Monroe Township is single-family dwelling units. From 2006 to 2010, there were 14,975 attached and detached single-family dwellings (88.1% of the occupied housing stock) of which 10,354 (60.9%) were detached and 4,621 (27.2%) were attached. Other types of housing represent 11.9% (2,025 units) of the occupied housing stock in Monroe Township. Table 8 provides a summary of housing types for dwelling units in Monroe.

Table 8 – Housing Type, 2006-2010	Monroe Twp. No. Units/Percent
Units in Structure	
Total Units	17,000/100.0
1 Unit, Detached	10,354/60.9
1 Unit, Attached	4,621/27.2
2 Units	686/4.0
3 or 4 Units	467/2.7
5 to 9 Units	308/1.8
10 or more	558/3.3
Mobile Home	6/0.0

Table 9 provides a summary of housing sizes for dwelling units in Monroe Township from 2006 to 2010. Housing units with 3 or less rooms made up 11.5% of the housing stock. Almost one-quarter of all units (24.7%) had 5 rooms, and 22.6% had 6 rooms. Units with 9 or more rooms had the third greatest percentage of all units (15.9%). Units with 7 rooms comprised 12.9%, and those with 8 rooms were at 11.8%. The median number of rooms for all units was 6.1.

<i>Table 9 – Housing Size, 2006-2010</i>	Monroe Twp. No. Units/Percent
Rooms in Structure	
Total Units	17,000/100.0
1 Room	38/0.2
2 Rooms	120/0.7
3 Rooms	562/3.3
4 Rooms	1,353/8.0
5 Rooms	4,199/24.7
6 Rooms	3,834/22.6
7 Rooms	2,193/12.9
8 Rooms	2,004/11.8
9 or More Rooms	2,697/15.9
Median Number of Rooms	6.1

Housing Units Affordable to Low- and Moderate-Income Households

The supply of owner-occupied (for-sale) and rental housing units is analyzed in terms of affordability for low- and moderate-income households in Region 3 (Hunterdon, Middlesex and Somerset Counties). A three-person household, which approximates the average household size in Middlesex County (2.80), and the 2010 median income for a three-person household in Region 3 (\$91,800) are used in the analysis to establish baselines.

The 2010 upper limits for low- and moderate-income households for a three-person household in Region 3 are \$45,900 (50% of the median) and \$73,440 (80% of the median), respectively.³ Accepted general practice within the mortgage lending industry for determining affordable housing purchase price is the ability to pay 28% of gross monthly household income toward monthly housing costs. COAH utilizes the 28% rule for determining housing affordability: for low-income households, \$1,071 = (\$45,900 x 0.28)/12 months, or \$12,852 per annum; and for moderate-income households, \$1,714⁴ = (\$73,440 x 0.28)/12 months, or \$20,563⁴ per annum.

In 2010 maximum affordable housing mortgage for low- and moderate-income households are \$206,742 and \$330,864, respectively. This estimate is based on the Capital Recovery Factor formula with the assumptions of annual returns (28% of gross income) of \$12,852 for low-income household and \$20,563 for moderate-income household, a mortgage interest rate of 4.69%⁵, and a 30-year mortgage. This means that in 2010 with a 10% downpayment, a low-income household could afford to purchase a house worth \$229,713 (\$206,742/0.90) and a moderate-income household could afford to purchase a house worth \$367,627 (\$330,864/0.90), using the following formula:

$$R = P[i(1+i)^n]/[(1+i)^n - 1] \text{ or } P = R/[i(1+i)^n]/[(1+i)^n - 1]$$

³ Source: 2010 Regional Income Limits adopted by NJ COAH.

⁴ Due to rounding.

⁵ Average mortgage rate 30-year mortgage in 2010 as published by Federal Home Loan Mortgage Corporation.

Where,

P = Principal, or Approximate 90% Purchase Price of House, assuming 10% Downpayment

R = Annual Return or Yearly Mortgage Payment (\$12,852 & \$20,563)

i = Interest Rate (4.69%, 2010 Average Rate)

n = Years (30-year Mortgage)

Given the foregoing analysis and the data provided in Table 4 – Purchase Value of Housing, 2006-2010, there are at least 3,513 housing units (23.8% of all owner-occupied housing units) priced at amounts that are affordable to low-income households of three persons and at least 5,987 housing units (40.5% of all owner-occupied housing units) priced at amounts that are affordable to moderate-income households of three persons.

COAH has established the maximum affordable rent as 30% of a household's monthly gross income. For three-person, low-income households in Region 3, the maximum rent is \$1,148 [(\$45,900 x 0.30)/12 months]. The maximum monthly rent for three-person, moderate-income households is \$1,836 [(\$73,440 x 0.30)/12 months]. Based on this analysis and Table 5 – Rental Value of Housing, 2006-2010, Monroe Township has at least 314 housing units (33.0% of all rental units) that have rents (\$999 or less) that are affordable to low-income households of three persons and at least 473 housing units (49.7% of all rental units) that have rents (\$1,499 or less) that are affordable to moderate-income households of three persons.

The U.S. Census identifies five "selected conditions" for housing affordability of which two pertain to owner and renter costs: (1) selected monthly owner costs as a percentage of household income in 2006-2010 greater than 30%, and (2) gross rent as a percentage of household income in 2006-2010 greater than 30%. Table 10 shows the number of units that have owner and renter costs greater than 30% household incomes: 3,735 owner-occupied units (25.2% of all owner-occupied units) have owner costs in excess of 30% of household incomes; and 420 rental units (44.1% of all rental units) have renter costs in excess of 30% of household incomes.

Table 10 – Owner & Renter Costs Greater than 30% of Household Incomes, 2006-2010	Monroe Twp.
Total Occupied Units:	15,759
Owner Occupied:	14,807
% Owner Occupied	94.0
Owner Occupied w/ monthly costs > 30% HH income	3,735
% of Owner Occupied units w/ this selected condition	25.2
Renter Occupied:	952
% Renter Occupied	6.0
Renter with monthly costs > 30% HH income	420
% of Rental Units with this selected condition	44.1

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Substandard Housing Units Affordable to Low- and Moderate-Income Households Capable of Being Rehabilitated

Substandard housing has “selected conditions” that are defined by the U.S. Census as units having at least one of the following conditions: (1) lacking complete plumbing facilities, (2) lacking complete kitchen facilities, (3) with 1.01 or more occupants per room. Table 3 – Housing Conditions, 2006-2010 provides a summary of the three selected conditions for housing in Monroe Township. There is a total of 143 units or 0.91% of all occupied units (2006-2010) that have one or more of these selected conditions. According to the report *New Jersey Low and Moderate Income Housing Obligations for 1999-2025 Calculated Using the NJ COAH Prior Round (1987-1999) Methodology* prepared by David N. Kinsey and dated April 16, 2015 and revised July 2015 there are 104 housing units with substandard conditions are occupied by low- and/or moderate-income households in Monroe Township.

Demographic Characteristics⁶

Population Trend

From 1930 to 1940 Monroe Township, Middlesex County and New Jersey experienced little growth. From 1940 to 1950 Monroe Township grew 34.5%, Middlesex County 22.0% and New Jersey 16.2%. For the next two decades Monroe Township, Middlesex County and New Jersey grew at robust rates, with Monroe Township more than doubling its population, Middlesex County growing by about 120% and New Jersey increasing by more than 63%. While the growth rates of Middlesex County (2.0%) and New Jersey (6.5%) slowed significantly from 1970 to 1980, Monroe Township continued to grow at a robust rate of 73.5% reaching a population of 15,858. Monroe Township's growth rates from 1980 to 1990 (40.3%) and 1990 to 2000 (25.8%) outpaced the growth rates of Middlesex County (12.7% and 11.6%, respectively) and New Jersey (5.0% and 8.9%, respectively). From 2000 to 2010 Monroe Township grew 39.8% reaching a population of 39,132. During the same time period, Middlesex County continued to grow by 8.0%, and New Jersey grew 4.0%. Table 11 provides the population trends.

Table 11 – Population Trend, 1930-2010

Year	Monroe Township			Middlesex County			New Jersey		
	Pop.	Change		Pop.	Change		Population	Change	
		No.	%		No.	%		No.	%
1930	2,894	-	-	212,208	-	-	4,041,334	-	-
1940	3,034	140	4.8	217,077	4,869	2.2	4,160,165	118,831	2.9
1950	4,082	1,048	34.5	264,872	47,795	22.0	4,835,329	675,164	16.2
1960	5,831	1,749	42.8	433,856	168,984	63.8	6,066,782	1,231,453	20.3
1970	9,138	3,307	56.7	583,813	104,957	17.9	7,171,112	1,104,330	18.2
1980	15,858	6,720	73.5	595,893	12,080	2.0	7,365,011	463,899	6.5
1990	22,255	6,397	40.3	671,780	75,887	12.7	7,730,188	365,177	5.0
2000	27,999	5,744	25.8	750,162	78,382	11.6	8,414,350	684,162	8.9

⁶ Demographic characteristics are based on 1930-2010 U.S. Censuses as related to the years presented in the text and tables.

2010	39,132	11,133	39.8	809,858	59,696	8.0	8,791,894	377,544	4.5
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Household Size and Type

In 2010 Monroe Township had a total of 16,497 households of which 10,877 were family households that represented 65.7% of total households (see Table 12). By comparison Middlesex County had 72.2% of its total households as family households. In Monroe Township 60.2% were husband-wife family households; in the County 55.9% were of the same category. The percentage of husband-wife family households with own children under 18 years of age differed in the Township and the County: 20.4% in Monroe Township, and 27.1% in Middlesex County. For female householder with no husband and the same household type with own children under 18 years, Monroe Township's percentages were significantly less than the County's: Township - 4.3% and 1.5%, respectively; and County - 11.8% and 5.6%, respectively.

Table 12 – Household Size and Type, Monroe Township & Middlesex County, 2010

Description	Monroe Township	Middlesex County
Average household size - All Units	2.32	2.80
Average household size - Owner occupied	2.37	2.89
Average household size - Renter occupied	1.70	2.61
Total households	16,497	281,186
Family households	10,877	202,954
% Family households	65.9	72.2
Husband-Wife family	9,925	157,214
% Husband-Wife family	60.2	55.9
Husband-Wife family with children under 18 years	3,361	76,234
% Husband-Wife family with children under 18 years	20.4	27.1
Female householder, no husband present	708	33,102
% Female householder, no husband present	4.3	11.8
Female householder, no husband present with children under 18 years	255	15,614
% Female householder, no husband present children under 18 years	1.5	5.6
Nonfamily households	5,620	78,232
% Nonfamily households	34.1	27.8
Householder living alone	5,127	63,150
% Householder living along	31.1	22.5

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Householder 65 years and over	4,214	24,938
% Householder 65 years and over	25.5	8.9

Nonfamily households represented 34.1% of Monroe's total households; such households represented 27.8% in the County. Nonfamily householders living alone represented 31.1% of the total households in Monroe Township and 22.5% in Middlesex County. Nonfamily householders 65 years and over represented 25.5% of the total households in the Township, thus reflecting the preponderance of age-restricted housing developments in the Monroe. In comparison, the same type of householder represented only 8.9% of the total households in the County.

Regarding household size, the average household size in Monroe Township was significantly less than the average household size in Middlesex County: 2.32 in Monroe versus 2.80 in the County. Similarly, the average household size for owner-occupied units in the Township was less than that for the County: 2.37 in Monroe versus 2.89 in the County. Similar data was observed for average household size for rental units: 1.70 in the Township versus 2.61 in the County.

Age Characteristics

Table 13 provides Monroe Township's population by age for 2000 and 2010. Each age cohort in Monroe Township grew from 2000 to 2010 with the age group 55 to 64 years growing the most in absolute terms (+2,316) followed by the group 5 to 14 years (+2,044). The age groups that registered significant growth included 45 to 54 years (+1,771) and 35 to 44 years (+1,748). The age group 65 years and over also grew by a significant amount (+1,441). The age group that grew the least was 25 to 34 years (+330) followed by under 5 years (+531) and 15 to 24 years

Table 13 – Population by Age, Monroe Township, 2000 to 2010

Age of Pop. (Years)	2000		2010		Change	
	Number	%	Number	%	Number	%
Under 5	1,109	3.9	1,640	4.2	531	47.9
5 to 14	2,408	8.6	4,452	11.4	2,044	84.9
15 to 24	2,136	7.6	3,088	7.9	952	44.6
25 to 34	1,751	6.2	2,081	5.3	330	18.8
35 to 44	2,805	10.0	4,553	11.6	1,748	62.3
45 to 54	2,685	9.5	4,456	11.4	1,771	66.0
55 to 64	2,920	10.4	5,236	13.4	2,316	79.3

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

65 and Over	12,185	43.5	13,626	34.8	1,441	11.8
Total	27,999	100.0	39,132	100.0	11,133	39.8

(+952). The age groups with the greatest absolute growth, except for 65 years and over, also had the greatest percentage change: 5 to 14 years grew 84.9%; 55 to 64 years grew 79.3%; 45 to 54 years grew 66.0%; and 35 to 44 years grew 62.3%. Age group 65 years and over, which was the largest age cohort in 2000 and 2010, grew 11.8%. The age group 25 to 34 years had the second lowest percentage change (+18.8%). Although they represent smaller percentages of the overall township population in 2000, the age groups under 5 years and 15 to 24 years grew 47.9% and 44.6%, respectively.

Table 14 summarizes Middlesex County's population by age from 2000 to 2010. The overall county population grew 8.0% from 2000 to 2010 compared to Monroe's growth of 39.8%. The county's greatest absolute and percentage change occurred for the age group 55 to 64 years (increase of 28,654 and 45.9%), which was Monroe's greatest absolute change and second greatest percentage change. The age group 45 to 54 years was the second greatest absolute and percentage change for the county (increase of 21,601 and 21.5%). This age group represented Monroe's third greatest absolute and percentage changes. Middlesex County had absolute and percentage losses in age groups 25 to 34 years (-5,528 and -4.7%) and 35 to 44 years (-11,324 and -8.8%). Whereas, Monroe had no losses in these age groups. The county had a significant increase in those age 15 to 24 years (16,351 and 16.5%) and small increase in age groups 5 to 14

Table 14 – Population by Age, Middlesex County, 1990 to 2000

Age of Pop. (Years)	2000		2010		Change	
	Number	%	Number	%	Number	%
Under 5	49,390	6.6	50,006	6.2	616	1.2
5 to 14	100,140	13.3	102,594	12.7	2,454	2.5
15 to 24	99,392	13.2	115,743	14.3	16,351	16.5
25 to 34	117,105	15.6	111,577	13.8	-5,528	-4.7
35 to 44	128,839	17.1	117,515	14.5	-11,324	-8.8
45 to 54	100,323	13.4	121,924	15.1	21,601	21.5
55 to 64	62,383	8.3	91,037	11.2	28,654	45.9
65 and Over	92,590	12.3	99,462	12.3	6,696	7.4

Monroe Township, Middlesex County, New Jersey

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Total	750,162	100.0	809,858	100.1 ⁷	59,696	8.0
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⁷ Exceeds 100.0% due to rounding.

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

years (2,454 and 2.5%) and under 5 years (616 and 1.2%).

As shown in Table 15 the median age for persons in Monroe Township in 2010 was 53.2 years. In 2010 the median age for Middlesex County's population was 37.2 years. The median age in Monroe exceeded the median age in the County by 16 years. Another way to look at this age difference is that Monroe's median age is 143% of the County's median age.

Table 15 – Median Age, Monroe Township and Middlesex County, 2010		
	Monroe Twp.	Middlesex County
Median Age (Years)	53.2	37.2

Income Level

From 2006 to 2010 Monroe had a per capita income of \$41,959, which was higher than the per capita incomes of Middlesex County (\$33,289) and New Jersey (\$34,858). Monroe's median household income was \$74,202, which was greater than the median household income of New Jersey (\$69,811) and slightly less than Middlesex County (\$76,615). Table 16 shows 2006 to 2010 per capita and median household income for Monroe Township, Middlesex County and New Jersey.

Table 16 – Per Capita Income and Median Household Income Monroe Township, Middlesex County and New Jersey, 2006-2010		
	Per Capita Income	Median Household Income
Monroe Township	\$41,959	\$74,202
Middlesex County	\$33,289	\$76,615
New Jersey	\$34,858	\$69,811

Table 17 shows the distribution of 2006 to 2010 household incomes by brackets for Monroe Township and Middlesex County. Monroe and the County had somewhat similar percentages for households with incomes less than \$10,000: 3.3% for Monroe and 3.8% for the County. Monroe had a greater percentage of households earning between \$10,000 and \$39,999 than the County: 21.5% for Monroe and 16.8% for the County. Monroe had 38.5% of its households earning between \$35,000 and \$99,999, and the County had 42.5%. Monroe and the County had similar percentages of households earning \$100,000 and more: 36.8% for Monroe and 37.0% for the County.

Table 17: Household Income by Brackets Monroe Township and Middlesex County, 2006 - 2010				
Household Income (\$)	Monroe Township		Middlesex County	
	No. of Households	% of Total	No. of Households	% of Total
Less than 10,000	519	3.3	10,505	3.8
10,000 - 14,999	671	4.3	9,094	3.3
15,000 - 24,999	1,300	8.2	18,427	6.6
25,000 - 34,999	1,420	9.0	19,027	6.9
35,000 - 49,999	1,727	11.0	28,453	10.3
50,000 - 74,999	2,321	14.7	47,977	17.3
75,000 - 99,999	1,987	12.6	41,281	14.9
100,000 - 149,999	3,046	19.3	57,790	20.8
150,000 - 199,999	1,268	8.0	24,949	9.0
\$200,000 or more	1,500	9.5	19,895	7.2
Total	15,759	100.0	277,398	100.0

The COAH regulations define low (those earning up to 50% of the median household income) and moderate-income households (those earning from more than 50% to 80% of the median household income). Very low-income households earn 30% of the median household income. The figures are adjusted for household size and by the municipality's housing region. Monroe Township is part of Region Three, which includes Hunterdon, Middlesex and Somerset Counties. Table 18 provides a breakdown of the maximum 2010 income figures by household size that COAH uses to determine affordability.

Table 18: COAH 2010 Regional Income Limits (Region 3)										
Income	Family Size									
	1	1.5	2	3	4	4.5	5	6	7	8
Median	\$71,400	\$76,500	\$81,600	\$91,800	\$102,000	\$106,080	\$110,160	\$118,320	\$126,480	\$134,640
Moderate	\$57,120	\$61,200	\$65,280	\$73,440	\$81,600	\$84,864	\$88,128	\$94,656	\$101,184	\$107,712
Low	\$35,700	\$38,250	\$40,800	\$45,900	\$51,000	\$53,040	\$55,080	\$59,160	\$63,240	\$67,320
Very Low	\$21,420	\$22,950	\$24,480	\$27,540	\$30,600	\$31,824	\$33,048	\$35,496	\$37,944	\$40,392

Source: COAH, adopted 2010.

Employment Status of Residents⁸

Employment Status

For 2006-2010 there were 31,219 persons aged 16 years and over. Those in the civilian labor force (15,104) represented 48.4% of the population of persons aged 16 years and over; 51.6% (16,115) was not in the civilian labor force. Of those aged 16 years and over 14,198 (45.5%) were employed, and 906 (2.9%) were unemployed. Table 19 summarizes the employment status of residents in Monroe Township.

Description	Monroe Township	
	Number	Percent
Population 16 years and over	31,219	100.0
In labor force	15,104	48.4
Civilian labor force	15,104	48.4
Employed	14,198	45.5
Unemployed	906	2.9
Percent of civilian labor force	6.0	N/A
Armed Forces	-	-
Not in labor force	16,115	51.6

Occupation

The occupations of Monroe Township residents for 2006-2010 are shown in Table 20. Of those in the employed civilian labor force 43.9% of the residents (6,236) worked in management, professional and related occupations. Sales and office occupations represented 34.7% of the employed civilian labor force followed by service occupations at 9.5%. Natural resource, construction, extraction and maintenance occupations represented 6.1% of the employed civilian labor force. Production, transportation and material moving occupations totaled 815 or 5.7% of the employed civilian labor force.

⁸ Employment characteristics are based on 2006-2010 American Community Survey.

Table 20: Occupation, 2006-2010		
Description	Monroe Township	
	Number	Percent
Employed civilian population 16 years and over	14,198	100.0
Management, professional and related occupations	6,236	43.9
Service occupations	1,352	9.5
Sales and office occupations	4,932	34.7
Natural resource, construction, extraction and maintenance occupations	863	6.1
Production, transportation and material moving occupations	815	5.7

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Employment by Industry Sector

Table 21 shows the industries in which the employed civilian labor force of Monroe Township worked during 2006 to 2010. The educational, health and social services industry employed the most at 2,950 or 20.8% of the employed civilian labor force. Finance, insurance, real estate and rental and leasing employed 2,120 or 14.9% of the employed civilian labor force. The next three industries that employed the most workers in Monroe Township were professional, scientific, management, administrative and waste management services (1,572 or 11.1%), retail trade (1,525 or 10.7%) and manufacturing (1,185 or 8.3%). Five industries employ percentages of the civilian labor force ranging from 4.8% to 5.9%: information (4.8%); construction (5.2%); arts, entertainment, recreation, accommodation and food services (5.3%); wholesale trade (5.7%); and transportation and warehousing and utilities (5.9%). The industries employing the least amount of workers were agriculture, forestry, fishing and hunting and mining (47 or 0.3%), public administration (490 or 3.5%) and other services (485 or 3.4%).

Table 21: Employment by Industry Monroe Township, 2006 - 2010		
Description	Monroe Township	
	Number	Percent
Employed civilian population 16 years and over	14,198	100.0
Agriculture, forestry, fishing and hunting and mining	47	0.3
Construction	736	5.2
Manufacturing	1,185	8.3
Wholesale trade	810	5.7
Retail trade	1,525	10.7
Transportation and warehousing, and utilities	840	5.9
Information	679	4.8
Finance, insurance, real estate, and rental and leasing	2,120	14.9
Professional, scientific, management, administrative, and waste management services	1,572	11.1
Educational, health and social services	2,950	20.8
Arts, entertainment, recreation, accommodation and food services	759	5.3
Other services (except public administration)	485	3.4
Public administration	490	3.5

Primary Employment by Industrial Sector and Employment Trends

The availability of current information about employment in Monroe Township is limited. The U.S. Census Bureau provides local employment information for primary jobs for all workers by North American Industrial Classification System (NAICS) industrial sectors in 2010 and 2013 (<http://onthemap.ces.census.gov>). The employment information for Monroe Township including the Borough of Jamesburg that is located within the geographical area of Monroe ("OnTheMap" does not allow for the exclusion of areas within a larger area) is provided below.

OnTheMap

Work Area Profile Report

Primary Jobs for All Workers by NAICS Industry Sector in 2010

Created by the U.S. Census Bureau's OnTheMap <http://onthemap.ces.census.gov> on 03/18/2015.

Counts and Density of Primary Jobs in Work Selection Area in 2010

All Workers



Map Legend

Job Density [Jobs/Sq. Mile]

- 5 - 186
- 187 - 729
- 730 - 1,530
- 1,531 - 2,904
- 2,905 - 4,538

Job Count [Jobs/Census Block]

- 1 - 3
- 4 - 38
- 39 - 188
- 189 - 503
- 504 - 1,548

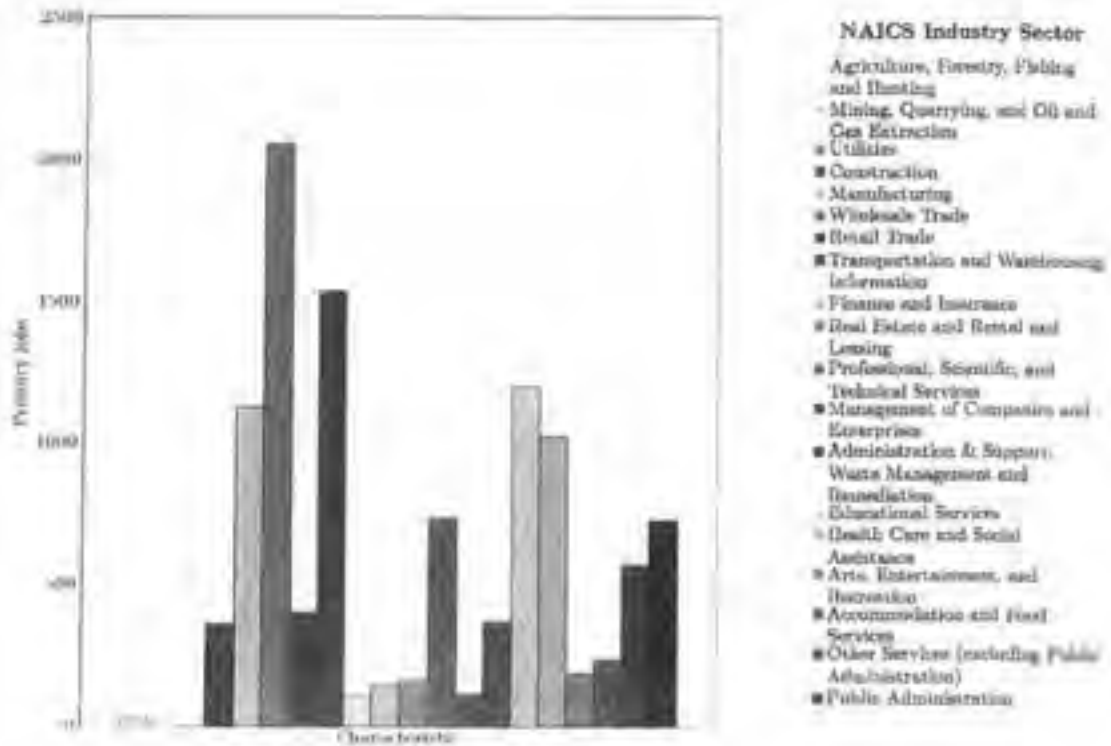
Selection Areas
• Analysis Selection



1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Primary Jobs for All Workers by NAICS Industry Sector in 2010

Employed in Selection Area



Primary Jobs for All Workers by NAICS Industry Sector in 2010

Employed in Selection Area

NAICS Industry Sector	2010	
	Count	Share
Total Primary Jobs	11,075	100.0
Agriculture, Forestry, Fishing and Hunting	29	0.3
Mining, Quarrying, and Oil and Gas Extraction	0	0.0
Utilities	0	0.0
Construction	390	3.5
Manufacturing	1,128	10.2
Wholesale Trade	2,055	18.6
Retail Trade	890	8.0
Transportation and Warehousing	1,335	12.0
Information	105	0.9
Finance and Insurance	146	1.3
Real Estate and Rental and Leasing	162	1.5

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

NAICS Industry Sector	2010	
	Count	Share
Professional, Scientific, and Technical Services	730	6.0
Management of Companies and Enterprises	113	1.0
Administration & Support, Waste Management and Remediation	364	3.3
Educational Services	1,211	10.8
Health Care and Social Assistance	1,023	9.2
Arts, Entertainment, and Recreation	186	1.7
Accommodation and Food Services	214	2.1
Other Services (excluding Public Administration)	300	2.8
Public Administration	728	6.6

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Additional Information

Analysis Settings

Analysis Type	Area Profile
Selection area as	Work
Year(s)	2010
Job Type	Primary Jobs
Labor Market Segment	All Workers
Selection Area	Selection Area Freehand Drawing
Selected Census Blocks	974
Analysis Generation Date	09/18/2015 (3:52 - OnTheMap 6.4.1)
Code Revision	b6c33229710645370ea8530fdd497806c95102
LODES Data Version	20150612

Data Sources

Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics (Beginning of Quarter Employment, 2nd Quarter of 2009-2011).

Notes

1. Race, Ethnicity, Educational Attainment, and Sex statistics are beta release results and are not available before 2009.
2. Educational Attainment is only produced for workers aged 30 and over.
3. Firm Age and Firm Size are not available before 2011.
4. Firm Age is only available for All Private Jobs and only for Work areas.
5. Firm Size is only available for All Private Jobs and only for Work areas. For firms 1 year and older, firm size is the national size of the firm in March of the previous year.

OnTheMap

Work Area Profile Report

Primary Jobs for All Workers by NAICS Industry Sector in 2013

Created by the U.S. Census Bureau's OnTheMap <http://onthemap.ces.census.gov> on 03/18/2015

Counts and Density of Primary Jobs in Work Selection Area in 2013

All Workers



Map Legend

Job Density [Jobs/Sq. Mile]
• 5 - 154
• 155 - 601
• 602 - 1,348
• 1,349 - 2,302
• 2,303 - 8,736

Job Count [Jobs/Census Block]
• 1 - 3
• 4 - 38
• 39 - 188
• 189 - 504
• 505 - 1,451

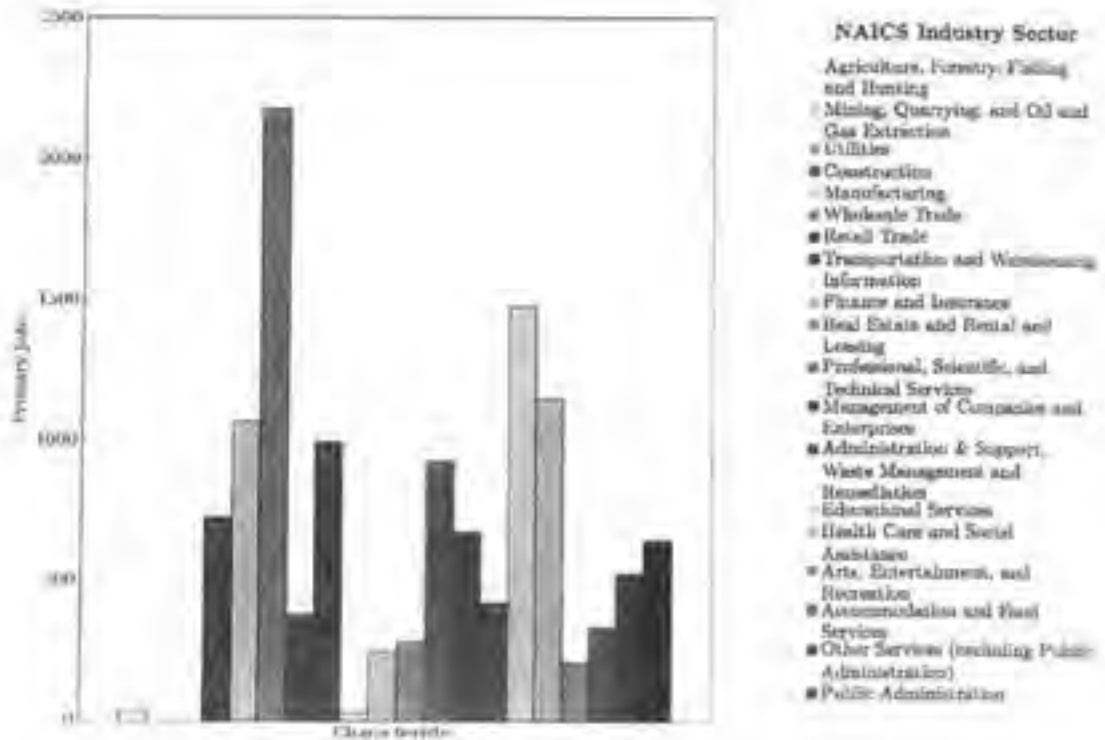
Selection Areas
= Analysis Selection



1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Primary Jobs for All Workers by NAICS Industry Sector in 2013

Employed in Selection Area



Primary Jobs for All Workers by NAICS Industry Sector in 2013

Employed in Selection Area

NAICS Industry Sector	2013	
	Count	Share
Total Primary Jobs	12,378	100.0
Agriculture, Forestry, Fishing and Hunting	34	0.3
Mining, Quarrying, and Oil and Gas Extraction	0	0.0
Utilities	0	0.0
Construction	720	5.9
Manufacturing	1,006	8.1
Wholesale Trade	2,178	17.7
Retail Trade	376	3.1
Transportation and Warehousing	993	8.1
Information	28	0.2
Finance and Insurance	348	2.8
Real Estate and Rental and Leasing	279	2.3

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

NAICS Industry Sector	2013	
	Count	Share
Professional, Scientific, and Technical Services	926	7.0
Management of Companies and Enterprises	674	5.5
Administration & Support, Waste Management and Remediation	420	3.4
Educational Services	1,477	12.0
Health Care and Social Assistance	1,148	9.4
Arts, Entertainment, and Recreation	305	1.7
Accommodation and Food Services	432	2.7
Other Services (excluding Public Administration)	524	4.3
Public Administration	844	5.2

Additional Information

Analysis Settings

Analysis Type	Area Profile
Selection area as	Work
Year(s)	2013, 2010
Job Type	Primary Jobs
Labor Market Segment	All Workers
Selection Area	Selection Area Prehand Drawing
Selected Census Blocks	974
Analysis Generation Date	09/18/2015 16:05 - OnTheMap 6.1.1
Code Revision	abc262237106423700085106434978096-00162
LODES Data Version	20150812

Data Sources

Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics (Beginning of Quarter Employment, 2nd Quarter of 2002-2011).

Notes

1. Race, Ethnicity, Educational Attainment, and Sex statistics are beta release results and are not available before 2003.
2. Educational Attainment is only produced for workers aged 20 and over.
3. Firm Age and Firm Size are not available before 2011.
4. Firm Age is only available for All Private Jobs and only for Work areas.
5. Firm Size is only available for All Private Jobs and only for Work areas. For firms 1 year and older, firm size is the national size of the firm in March of the previous year.

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

In 2010, there were 11,075 primary jobs in Monroe Township. During that year, the greatest employers were Wholesale Trade (2,056, 18.6%), Transportation and Warehousing (1,536, 13.9%), Manufacturing (1,128, 10.2%), Educational Services (1,201, 9.2%) and Health Care and Social Assistance (1,023, 9.2%). Industries employing between 5% and 9% of the Monroe primary jobs were Professional, Scientific and Technical Services (6.6%, 736), Public Administration (6.6%, 728) and Other Services (excluding Public Administration) (5.1%, 569). The balance of industries each provided less than 5% of the total primary jobs, with Retail Trade leading this group at 3.6% followed by a few others greater than 2% (Administration and Support, Waste Management and Remediation at 3.3%, Construction at 3.3% and Accommodations and Food Services at 2.1%).

**Table 22: Primary Jobs in Monroe Township, 2010 and 2013
Change 2010 - 2013**

Description	2010 Amount / % Total	2013 Amount / % Total	2010-2013 Change Amount / %
Total Primary Jobs	11,075 / 100.0	12,278 / 100.0	1,203 / 10.9
Ag., Forestry, Fish. & Hunt.	29 / 0.3	34 / 0.3	5 / 17.2
Mining, Quarry. & Oil & Gas	0 / 0.0	0 / 0.0	-- / --
Utilities	0 / 0.0	0 / 0.0	-- / --
Construction	360 / 3.3	726 / 5.9	366 / 101.7
Manufacturing	1,128 / 10.2	1,066 / 8.7	-62 / -5.5
Wholesale Trade	2,056 / 18.6	2,178 / 17.7	122 / 5.9
Retail Trade	399 / 3.6	376 / 3.1	-23 / -5.8
Transport. & Warehousing	1,536 / 13.9	993 / 8.1	-543 / -35.4
Information	105 / 0.9	28 / 0.2	-77 / -73.3
Finance & Insurance	146 / 1.3	248 / 2.0	102 / 69.9
Real Estate & Rent. & Leas.	162 / 1.5	279 / 2.3	117 / 72.2
Prof., Scientific & Tech.	736 / 6.6	926 / 7.5	190 / 25.8
Management of Companies	113 / 1.0	674 / 5.5	561 / 496.5
Admin. & Sup, Waste Mng.	364 / 3.3	420 / 3.4	56 / 15.4
Educational Services	1,201 / 9.2	1,477 / 12.0	276 / 23.0
Health Care & Social Asst.	1,023 / 9.2	1,148 / 9.4	125 / 12.2
Arts, Entertain. & Recreat.	186 / 1.7	205 / 1.7	19 / 10.2
Accommod. & Food Serv.	234 / 2.1	332 / 2.7	98 / 41.9
Other Services (ex.P.A.)	569 / 5.1	524 / 4.3	-45 / -7.9
Public Administration	728 / 6.6	664 / 5.2	-64 / -8.8

In 2013, the top employer was still Wholesale Trade employing 2,178 or 17.7% of total primary jobs in the Township. Educational Services rose to the second top employer with 1,477 jobs that

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

was 12.0% of total primary jobs, and Health Care and Social Assistance was the third top employer with 1,148 jobs that was 9.4% of total primary jobs. Manufacturing moved from the third position in 2010 to the fourth spot at 8.7% with 1,066 jobs in 2013. Transportation and Warehousing was the second top employer in 2010 and became the fifth top employer in 2013 providing 8.1% of total primary jobs (993). Employment by Professional, Scientific and Technical Services improved to the sixth spot at 7.5% of total primary jobs (926). For 2013 industries that employed between 5% and 7% included Construction at 5.9% (726), Management of Companies and Enterprises at 5.5% (674) and Public Administration at 5.2% (664). The balance of the industries each provided less than 5% of the total primary jobs in Monroe with Other Services (excluding Public Administration) leading this group at 4.3% (524) followed by Administration and Support, Waste Management and Remediation at 3.4% (420) and Retail Trade at 3.1% (376).

From 2010 to 2013 Management of Companies had the greatest absolute and percentage changes 561 and 496.5%, respectively. These changes caused the industry to employ 1.0% of total primary jobs in 2010 to 5.5% in 2013. Significant positive percentage changes in employment occurred among Construction (101.7%), Real Estate and Rental and Leasing (72.2%) and Finance and Insurance (69.9%), all of which lost significant amounts of jobs due to the Great Recession (2007 to 2009) and benefitted from the recovery. Other industries that recorded strong employment growth were Accommodations and Food Services (41.9%), Professional, Scientific and Technical Services (25.8%) and Educational Services (23.0%). Agriculture, Forestry, Fishing and Hunting, Administration and Support, Waste Management and Remediation, Health Care and Social Assistance, and Arts, Entertainment and Recreation experienced double digit growth 17.2%, 15.4%, 12.2% and 10.2%, respectively. Wholesale Trade grew 5.9%.

During the three-year period analyzed, several industries had significant absolute and percentage losses in employment. Transportation and Warehousing lost the most employees (-543 which was a -35.4% loss). The greatest percentage loss of employment occurred in the Information industry (-73.3% which consisted of losing 77 employees). Losses in employment occurred in Public Administration (-8.8%, -64), Other Services (excluding Public Administration) (-7.9%, -45), Retail Trade (-5.8%, -23) and Manufacturing (-5.5%, -62).

From 2010 to 2013 most of Monroe's employment has grown in service-based industries that require higher levels of educational attainment and skills, such as Management of Companies, Finance and Insurance, and Professional, Scientific and Technical Services. The largest employer is still Wholesale Trade albeit it grew slightly compared to many of the service-based industries. Significant declines in employment occurred in industries that are changing by requiring fewer employees, such as Information (one can equate it to printing on paper that has given way to electronic media) and Public Administration (doing more with less in government). Transportation and Warehousing lost significant amounts and percentages of employees due to many of the companies moving out of Monroe Township and/or automating their operations thereby requiring fewer employees.

Employment Outlook

The New Jersey Department of Labor and Workforce Development (NJDLWD) provides projections for civilian labor force by county in New Jersey. The latest projections are provided from 2012 to 2032. (http://dol.state.nj.us/labor/dmograph/lfproj_ind) Middlesex County's employment is projected to grow from 433,500 in 2012 to 468,600 in 2032, which is an increase of 32,100 or about 74%. Projections for the county are provided to 2022 (440,500) and 2027 (448,500). A projection to 2025 can be interpolated from the 2022 and 2027 projects: 445,300 in 2025, which is an increase of 11,800 or about 27%. Monroe's primary employment in 2012 is about 12,000, which is about 0.28% of Middlesex County's employment. When holding the Monroe's percentage of the county's employment and applying it to the 2025 county projection, Monroe is projected to increase its employment by 350 to 12,350. In essence, jobs in Middlesex County are projected to grow significantly from 2012 to 2032, but job growth in Monroe is not expected to grow in large absolute numbers. Monroe job growth is limited because most areas zoned for employment, i.e., light industrial and commercial, have been developed. Growth is expected in the retail sector where lands are available for this type of development, principally along Route 33 in the southern part of the township. Some growth in light industrial development may occur in the northwestern portion of the township where Monroe is contemplating changing residential zones to light industrial zones to be more compatible with the expansive light industrial development that occurred in neighboring South Brunswick Township.

To illustrate the anticipated low job growth in absolute numbers building permits and certificates of occupancy issued by Monroe Township from 2009 to 2013 are examined. During that five-year period, building permits for 353,795 square feet of non-residential space (office, retail, hotel/motel, education, industrial, institutional and storage) were issued and certificates of occupancy for 821,805 square feet of non-residential space were issued. This information illustrates the fact that much older building permits were finally acted upon to result in actual construction because 468,010 square feet of non-residential space was related to older building permits. A deeper examination of the data reveals the fact that 382,699 square feet of educational space (the Township's high school) comprises about 47% of the total amount of non-residential space built during the five-year period, which means that only about 53% of the non-residential space built contributed toward the creation of private sector jobs. Many of the teaching and administrative jobs for the high school already existed and were transferred to the new high school.

II. ANALYSIS OF IMPACT OF EXISTING CONDITIONS ON AFFORDABLE HOUSING OPPORTUNITIES

DETERMINATION OF PRESENT AND PROSPECTIVE FAIR SHARE

Monroe Township shall rely on the court settled affordable housing obligation of 1,133 for the Gap Period and Prospective Need that extends from 1999 to 2025. Monroe Township's 1999 - 2025 Rehabilitation Share is determined to be 104 units as agreed upon in the settlement.

AVAILABILITY OF EXISTING AND PLANNED INFRASTRUCTURE

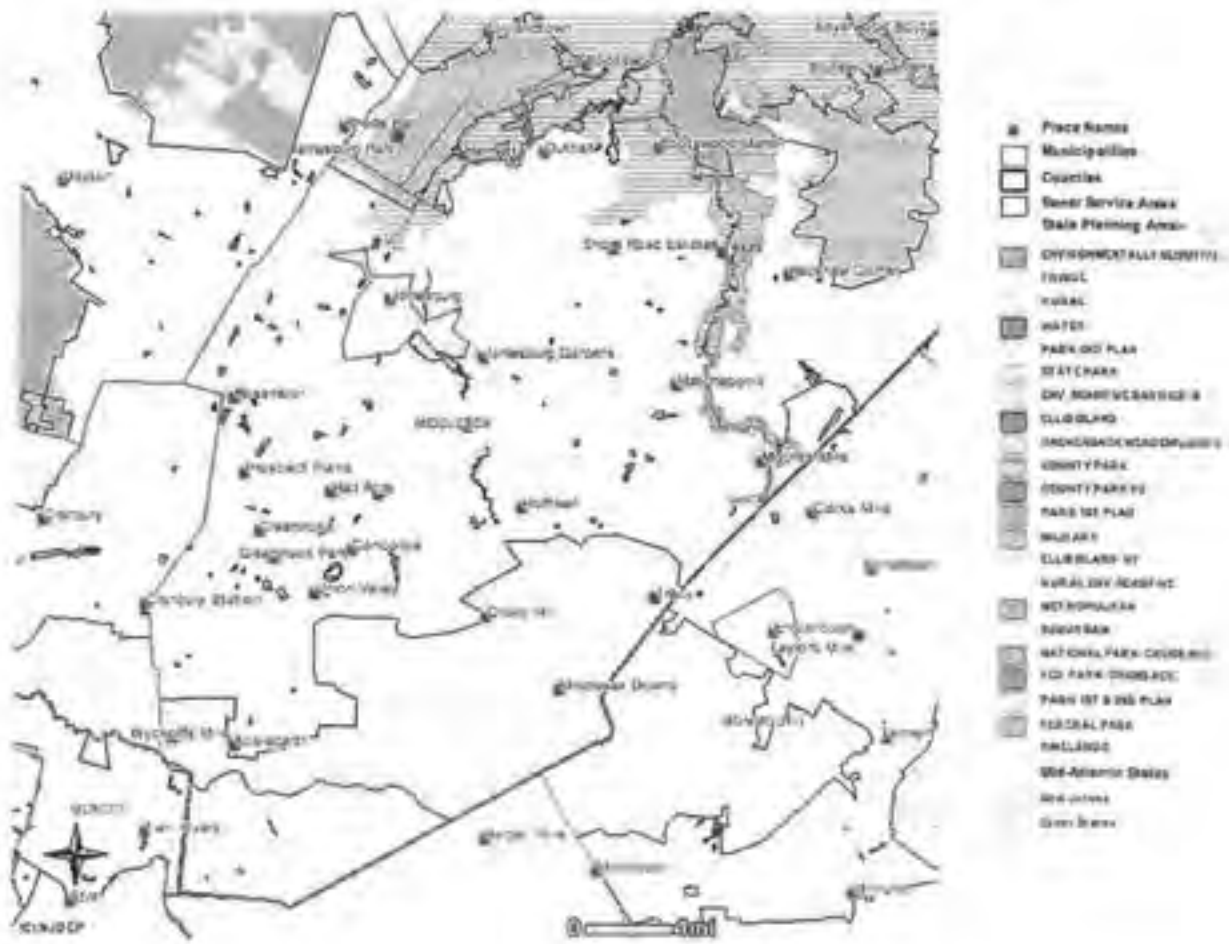
The majority of land in Monroe Township is located within Metropolitan Planning Area (PA1) and Suburban Planning Area 2 (PA2) that are coincident with sewer service areas. Monroe Township has an extensive sanitary sewer and water system. Sanitary sewage is collected and transported to Middlesex County Sewerage Authority's regional treatment plant located in Sayreville, New Jersey. Treated effluent is then discharged into the Raritan Bay. Water service in Monroe Township is provided by the Monroe Township Municipal Utilities Authority (MTMUA). The potable water supply is provided by a combination of groundwater sources and one surface water source. Groundwater is drawn from six potable wells and two irrigation wells owned by MTMUA. The surface supply is purchased in bulk from Elizabethtown Water Company.

All lands located within PA 1 and PA2 are intended to be served by public sanitary sewers and water; however, some of the areas will require extensions of such utilities as well as upgrades to accommodate future development. All areas where affordable housing is proposed are located in PA2 and sewer service areas.

Lands located outside sewer service areas are located in Rural Planning Area 4 (PA4) and Environmentally Sensitive Planning Area 5 (PA5) where individual septic systems and wells will serve future development. No affordable housing is planned in PA4 and PA5.

The following map shows the sewer service areas and State Planning Areas for Monroe Township (I-Map, New Jersey Department of Environmental Protection).

Map Showing Sanitary Sewer and State Planning Areas for Monroe Township



Source:

http://njgin.state.nj.us/OIT_GISTOOLS/mapstream?url=http://gis10.sa.state.nj.us/gisimages/NJ_DEP_gis... 11/21/2008

ANTICIPATED DEMAND OF TYPES OF USES PERMITTED BY ZONING

Monroe Township covers about 42 square miles in area that is a mix of suburban and rural landscapes. The Township provides a variety of zoning districts for different types of residential and non-residential development (see Land Development Regulations and Zoning Map submitted as separate documents).

Residential zoning districts range from rural 6-acre lots (Rural Residential/Farmland Preservation RR/FP in the southern portion of the municipality that lacks sanitary sewers and public water) to higher density developments (Planned Retirement Communities PRC). It is important to highlight the fact that Monroe Township has developed into a number of large retirement communities (about 34.8% of all households consist of persons 65 years and over, which is 2.8 times the percentage for all of Middlesex County). Future demand for retirement and age-restricted housing in the Township is anticipated to be strong. Single-family dwellings for which a significant amount of the zoning provides are also anticipated to have strong demand in the future. As of writing this plan, over 4,800 dwelling units have been either approved and not built or pending approvals. The zoning for the Township is adequate to meet the anticipated demand for residential development in the municipality.

Non-residential development zoning districts provide for commercial development (Neighborhood Commercial NC and Highway Development HD), office development (Office Professional OP and Planned Office Commercial Development POCD), and industrial development (Light Impact Industrial LI). Future demand for various types of non-residential development is anticipated to grow modestly. Demand for warehouse-type development is anticipated to be modest in the future, occurring as in-fill on smaller lots in industrial zones. Weak to modest demand for office space is anticipated in the future, occurring mostly as health care related uses. Over the past 15 years, Monroe experienced an increase in health care related office construction, which is now slowing. Some office development has occurred in the form of rehabilitating vacant office buildings, which are located in the western portion of the Township where old office parks exist. Monroe expects this rehabilitation of older office parks to occur over the next 5 to 10 years until all buildings are occupied. Commercial space, particularly retail space, is anticipated to have relatively strong demand in the future. Recent residential growth in Monroe Township (39.8% from 2000 to 2010) and Middlesex County (8.0% during same period) and anticipated residential growth (the 4,800 dwelling units that have received approvals but are not built or are pending approvals in Monroe Township) will increase demand for future retail development, particularly along Route 33 in the southern portion of the Township which still has a significant amount of undeveloped land in PA2 and sewer service areas. Zoning in Monroe Township can accommodate future demand for non-residential development.

ANTICIPATED LAND USE PATTERNS

Future land use patterns in Monroe Township are anticipated to reflect the Land Use Element of the Township's master plan (see Master Plan submitted as a separate document) and the zoning map (see Zoning Map submitted as a separate document). In general, more compact housing

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

with neighborhood commercial development has formed in the northern and northeastern portions of the Township next to Helmetta and Spotswood Boroughs and around Jamesburg Borough. Industrial development patterns have formed around Interchange 8A of the New Jersey Turnpike in the northwestern portions of the Township. Retirement communities have developed in the central and west-central portions of the Township. The center portion of the Township has formed into a “public” services area that consists of the municipal complex, the town library, the Township’s high school, county parkland, and post office. The east-central portion of the Township has developed with moderate densities of single-family dwellings. Farther east the Township is rural and is anticipated to be developed with a mix of lower-density single-family residential development and higher density planned retirement communities and affordable housing. The south-central portion of the Township is anticipated to remain rural with low-density single-family residential development. The southern portion of the Township is anticipated to be a mix of higher density residential development and highway commercial development, with the latter being located along Route 33. Affordable housing in the form of mostly mixed-use developments is anticipated to be located mostly in the southern portion of the Township and some in the eastern portion.

MUNICIPAL ECONOMIC DEVELOPMENT POLICIES

Monroe Township has a diversified economic base that provides a variety of job opportunities. The Township maintains economic development policies that promote a balance of housing, housing types and non-residential development, welcome further development of retirement communities that have made Monroe Township a unique, rich and rewarding place in which to live, encourage the provision of diverse types of housing stock that is available and affordable to a wide range of persons and households and require development to be environmentally sensitive and aesthetically pleasing. With respect to housing Monroe Township encourages providing opportunities for children to purchase homes in the Township in which they were born and raised, members of the workforce to live and work in the Township, and residents to remain in the Township as they grow older. With such economic development policies in place, Monroe Township is positioned to experience economic growth of high quality that will transform the underutilized lands located along Route 33 in the southern portion of the municipality as well as additional infill development throughout the municipality.

CONSTRAINTS ON DEVELOPMENT

Monroe Township has a number of areas that are environmentally constrained and important in terms of conservation and preservation. Such areas include: wetlands, woodlands, watershed areas, aquifer recharge, wellhead areas, surface and sub-surface water resources, flood-prone areas and steep-slope areas. The Township’s ordinances provide for protection and conservation of these environmentally sensitive areas and flexible zoning to avoid such areas while allowing for development, i.e., clustering.

About one-third (8,600 acres) of the Township’s land mass is covered by freshwater wetlands. Wetlands are important for providing critical habitat for flora and fauna (see following map showing wetlands). The majority wetlands in Monroe Township are associated with major streams (Millstone River, Manalapan Brook and Matchaponix Brook), tributaries to these

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

streams, and stream corridor most of which are wooded. The wetlands are important flood control areas and groundwater recharge areas. They constitute the majority of Monroe's open spaces.

Since the wetlands are an important environmental resource, they present major constraints on future development because of the federal, state and local environmental regulations that restrict and limit development in and near them.

As indicated above many of the wetland areas are integrally connected to the hydrologic and hydraulic systems of Monroe Township (see following map showing water bodies, watersheds and wellhead protection areas in the Township). The Federal Emergency Management Administration has delineated 100-year floodplains throughout Monroe Township. These delineated areas are highly restricted prohibiting and greatly limiting development in order to avoid loss of life and property during flooding. Monroe Township has incorporated the floodplains into its development regulations by designating them as Flood Hazard Conservation FHC zone. Development is highly constrained in these areas.

Wellhead protection areas are shown on the previously mentioned map. Wells within these areas are part of the potable water supply in Monroe Township and Jamesburg Borough. Development (setbacks and impervious coverage) in these areas is constrained in order to protect the water supply. Wellhead protection areas in the Township are shown on the map following wetlands map.

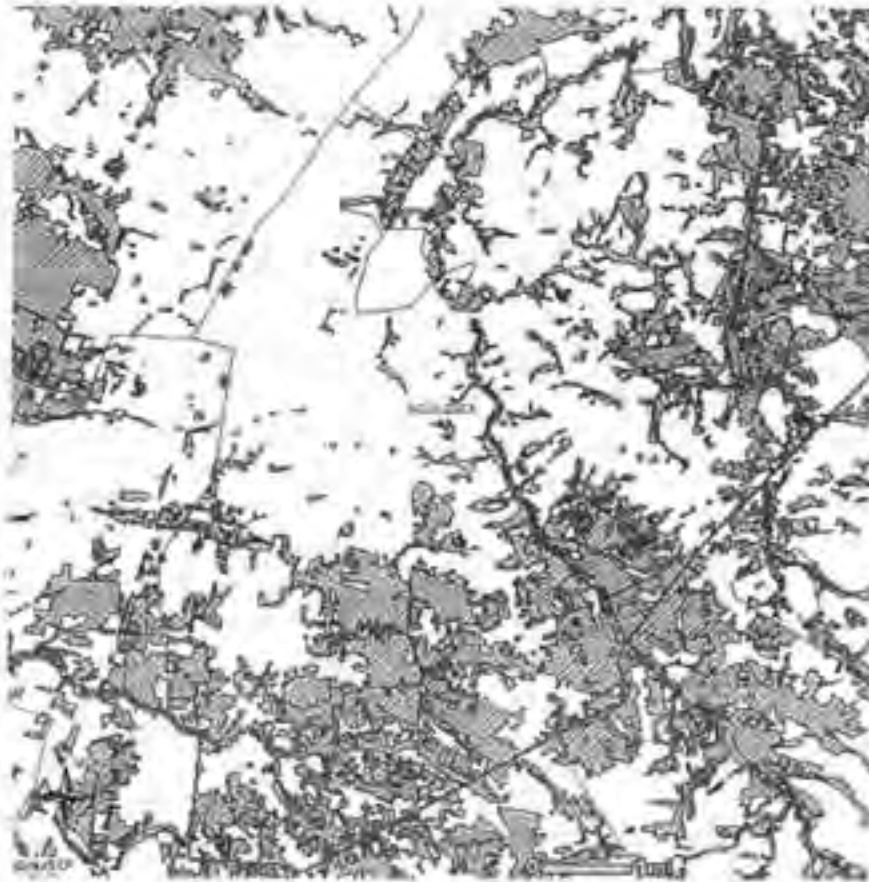
In addition to being associated with wetlands, aquifer recharge outcrop areas exist within the Township, the best of which are located in the northern portion of the municipality. Lower density residential development is planned in these areas. Development in aquifer recharge areas is limited to lower density residential development.

Known contaminated sites and areas in Monroe Township are shown on the third following map. Contaminated sites present obstacles for development, depending on the type and extent of contamination. Such constraints may include, but not be limited to, costs for cleanup outstripping the economic feasibility of a project, types of contamination that prohibit residential development, and others.

Other constraints include the cost to extend sanitary sewers and water lines to sites within PA2 and sewer service areas. Such constraints are monetary, meaning that they add cost to projects.

Map Showing Wetlands in Monroe Township

Source: http://gis.state.nj.us/OIT_GISTDOI/5/munroetown?ref=http://cedar20.sr.state.nj.us/giscompages/9/DEP_11/23/2008



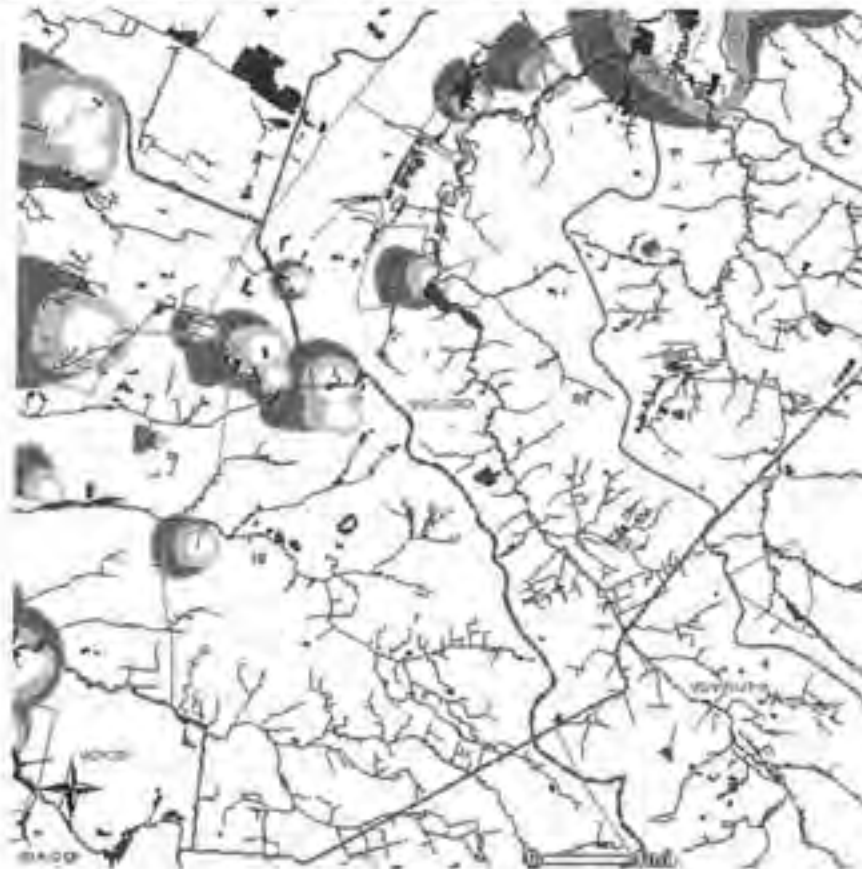
Legend

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

-  Municipalities
-  Counties
-  Wetlands (2002)
-  WETLANDS
-  MID-Atlantic States
-  New Jersey
-  Other States





Map Showing Water Bodies, Watersheds & Wellhead Protection Areas in Monroe Twp.

Source: http://njin.state.nj.us/OIT_GISTOOLS/mainstream?url=http://cedar20.state.nj.us/gisimproves/NJDEP 11/23/2008



Legend

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

-  Municipalities
-  Counties
-  Streams
-  Water Bodies
-  Well Head Protection Areas (Community)
-  Tier 5 0 Year
-  Tier 2 5 Year
-  Tier 3 10 Year
-  Watersheds by Name (HUC11)
-  Watershed Management Areas
-  Mid-Atlantic States
-  New Jersey
-  Other States

Map Showing Contaminated Sites and Areas in Monroe Township

Source: http://njgis.state.nj.us/OIT_GISTOOLS/mapstream?url=http://cedarc20.state.nj.us/gisimages/NJDEP_11/23/2008



Legend

- ★ Known Contaminated Sites List
-  Municipalities
-  Counties
-  Groundwater Contamination Areas (CEA)
-  Groundwater Contamination Areas (CKE)
- Mid-Atlantic States
 - New Jersey
 - Other States

EXISTING OR PLANNED MEASURES TO ADDRESS THESE CONSTRAINTS

The majority of the constraints for development in Monroe Township center on protecting and conserving the environment. Monroe Township's development policies focus on balancing development with protecting the environment. The Township welcomes innovative techniques and approaches for achieving this balance. Notwithstanding, the Township will not compromise the environment for the sake of development. To that end, the Township recognizes the fact that state and federal regulations will take precedence over many of the environmental issues facing development in the municipality.

With regard to cost constraints for extending sewer and water infrastructure to development, the Township regards these matters as costs for doing business in the municipality. Monroe Township gives consideration for assisting developers of affordable housing to reduce such costs.

III. Compliance Plan

The Compliance Plan is the implementation plan for meeting Monroe Township's 1999 - 2025 affordable housing obligation. The Township's plan for meeting its anticipated affordable housing obligation is described in detail in the following sections.

CONSIDERATION OF LANDS APPROPRIATE FOR AFFORDABLE HOUSING

Monroe Township has developable lands that are principally located within PA2 and sewer service areas. Inclusionary housing projects that were approved to address prior round obligations in the Township and now under construction are located within PA2 and sewer service areas in the southern portions of the municipality. The lands under consideration for addressing Monroe's 1999 - 2025 obligation are also situated in PA2 and sewer service areas where utilities, including sanitary sewers and water lines, could be extended to serve future inclusionary housing developments. They are also located along or in close proximity to major roads, i.e., state and county highways.

Although there are developable lands in the areas designated PA4 and PA5, these areas are unsuitable for affordable housing because they are located where sewers are not planned and development must rely on individual septic systems and wells. The rural areas have narrow two-lane roads that are unsuitable for major development.

AFFORDABLE HOUSING OBLIGATION

1999 – 2025 Gap Period and Prospective Need

The Fair Share Housing Center (FSHC) supplied the Court with its estimate of Monroe's 1999 – 2025 obligation: 2,325 which was in dispute. The 1999 – 2025 obligation of 1,399 was determined through settlement negotiations which incorporated the phasing framework in the 1,000 unit cap decision issued in Middlesex County in October 2015 by the Honorable Douglas K. Wolfson, J.S.C. 1,133 of these units must be addressed from 1999-2025 and are addressed in this plan. The balance of 266 will be added to future obligations in the following manner: the second one-third consisting of 133 will be added to the 2025 – 2035 Prospective Need, and the third one-third consisting of 133 will added to the 2035 – 2045 Prospective Need.

Rehabilitation Share

Monroe Township's rehabilitation share, which was estimated by FSHC and to which Monroe agrees, is 104 units.

Prior Round Obligation

Monroe Township's prior round obligation is 554.

REHABILITATION PROGRAM

Monroe Township has a long-standing, experienced and successful rehabilitation program which dates back to 1988 when it first received its first-round substantive certification from COAH.

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

For its 1999 - 2025 obligation Monroe Township has a rehabilitation share of 104 units, which is based on estimates from the 2010 United States Census.

Table 22 summarizes Monroe Township's program to address its rehabilitation share of 104 units. Monroe plans to rehabilitate 10-11 units per year for the following 9 years (2016-2025).

According to COAH's rules, Monroe Township will expend at least \$10,000 per unit for hard costs on average. The total rehabilitation cost is at least \$1,040,000.

Monroe Township's funding source is its affordable housing trust fund, which had a balance in the amount of \$13,070,775.48 through December 31, 2015

In the event of a shortfall of revenues for implementing the rehabilitation program, Monroe Township will bond to cover the shortfall. Monroe Township Council has adopted a resolution of intent to bond in the event of a shortfall of funds (Appendix C).

Table 22: Rehabilitation Program 2016 - 2025	
Year	No. Units
2016	10
2017	10
2018	10
2019	10
2020	10
2021	10
2022	11
2023	11
2024	11
2025	11
Total	104

A copy of the Township's Operating Manual for the Administration of Rehabilitating Units is provided in Appendix F.

SATISFACTION OF PRIOR ROUND OBLIGATION

Monroe Township's prior round obligation is 554 units. Monroe Township has satisfied its prior round obligation as indicated in Table 23. The result of Monroe's efforts in addressing its prior round obligation is a total of credits in the amount of 556 affordable units, which provides a surplus of 2 units.

Monroe's rental obligation is 139 units. Monroe provided 203 affordable rental units, which yielded 98 bonus credits (see Table 24). According to COAH's third-round rules, Monroe's ability to obtain rental bonuses for rental units and age-restricted rental units is limited: no rental bonuses for rental units in excess of prior round obligation (139), and no rental bonuses for age-restricted rental units in excess of 50% of the prior round obligation (70). Monroe's rental units did not exceed the rental obligation and therefore will not be limited for rental bonuses (75 rentals x 1.00 = 75 bonus credits); however, its age-restricted rental bonus is limited to 70 age-restricted rental units because it exceeded the restriction with 122 age-restricted rentals (70 rentals x 0.33 = 23 bonus credits).

It is important to note that the two other Association for Retarded Citizens (A.R.C.) alternative living arrangements received no bonus credits because the term of the deed restrictions for the facilities is less than 30 years, which is required by COAH's third-round rules (each has 20-year deed restrictions). The one that received bonus credits has 40-year term deed restrictions.

Project/Program Name	Units	Rental Bonus	Total Credits
ARC Prospect Plains-Cranbury Rd. Alt. Living	5	5	10
ARC Monmouth Road Alternative Living	3	--	3
ARC Schoolhouse Road Alternative Living	3	--	3
Monroe Manor Inclusionary Development	127	25	152
Stratford at Monroe Inclusionary Develop.	205	68	273
RCA with New Brunswick	115	--	115
Total	458	98	556

Table 24: Prior Round Rental Bonuses

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Project	Rental Units	Subject to 2:1 Bonus	Subject to Age-Rest. 1.33:1 Bonus	Total Bonus Credits
ARC Prospect Plains Alt. Living	5	5	--	5
Monroe Manor Family Rentals	25	25	--	25
Stratford at Monroe Fam. Rentals	45	45	--	45
Stratford at Monroe Age-R. Rentals	70 ⁹	--	23	23
Total	**	75	23	98

Monroe Township's limit for age-restricted units for all affordable housing is 139 units, which is 25% of the prior round obligation ($554 \times 0.25 = 139$). The total number of age-restricted units provided for the prior round is 122, which is less than the limit.

Appendix E contains the Summary of Built Project Prior Round, which provides information about satisfying the Township's prior round obligation.

Furthermore, it is important to note that the two inclusionary housing developments that were identified in prior round fair share plans are now under construction – the realistic opportunity for affordable units to be produced is now coming to fruition. Those developments are Monroe Manor and Stratford at Monroe. Information about these developments is on file with COAH.

SATISFACTION OF 1999 - 2025 OBLIGATION

As indicated above Monroe Township's total 1999 - 2025 obligation is 1,133 affordable units. The various affordable housing requirements are:

1999 – 2025 Obligation	1,133 units
Low Income Requirement (50% of Obligation)	567 units
Rental Obligation (25% of Obligation)	283 units
Family Rental Requirement (50% of Rental Obligation)	142 units
Very Low Income Requirement (13% of Units) ¹⁰	111 units
Age-Restricted Unit Limitation (25% of Obligation)	283 units

Table 25 summarizes Monroe Township's proposed approach for addressing the foregoing affordable housing requirements.

⁹ Actually, 122 age-restricted rentals are provided; however, COAH's rules limit the amount of bonus credits for age-restricted rentals to 50% of the rental obligation ($139 \times .50 = 70$).

¹⁰ Requirement of A-500 that was promulgated into law in 2008.

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

In order to address its obligation, Monroe Township intends to employ the following mechanisms: (1) zoning for inclusionary development, (2) inclusionary development resulting from the conversion of age-restricted development as provided under the Sarlo Act and (3) municipally sponsored/100% affordable housing. For addressing this obligation three zones for inclusionary development exist: AFMUD/HD Affordable Housing Mixed Use Development/Highway Development Overlay Zone in the HD Highway Development Zone, VC-1 Village Center 1 Overlay Zone in the R3A Residential Zone and VC-2 Village Center Overlay Zone in the HD Highway Development Zone. Another existing zone inclusionary development, PRD-AH-AR Planned Residential Development-Affordable Housing-Age Restricted District, must be modified to satisfy settlement with an intervener. Three new zones must be created to satisfy settlement with an intervener and to address the balance of the obligation. Table 26 summarizes the Township's compliance in addressing its 1999 - 2025 obligation by providing affordable units and rental bonuses.

In addition to the aforementioned zoning for inclusionary development that exists, must be changed and must be created, a special needs/group home for 5 very low-income affordable units (bedrooms) was developed by SERV during the 1999 - 2015 period. This facility, which is located in Block 26, Lot 21.1, is operational. These 5 units will be credited toward Monroe's 2025-2035 obligation.

A map provided in Appendix F shows the locations of the inclusionary housing development zones, Sarlo conversion inclusionary developments, municipally sponsored/100% affordable site, 100% affordable sites that are part of inclusionary housing development zones and special needs/group home. Appendix G contains the Summary of Plan for 1999-2025 Fair Share Obligation.

Table 25: Obligation Requirements vs. Proposal		
Description	Required	Proposed
1999 - 2025 Obligation	1,133	1,133
Low Income Requirement	567	567
Rental Obligation	295	850
Family Rental Requirement	142	567
Very Low Income Requirement	111	118
Age-Restricted Unit Limitation	283	283

Table 26: Obligation Compliance - 1,133 Affordable Units

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Mechanism	Affd. Fam. Rental	Affd. Age-Restricted For-Sale	Rental Bonus	Total Credits	Affd. Very Low Inc. Rental
Toll Brothers/Monroe Chase Sarlo Conversion Inclusionary Development	26	--	26	52	3
K. Hovnanian Sarlo Conversion Municipally Sponsored/100% Affordable Housing	37	--	37	74	6
VC-2 Overlay Zone: Shared Properties I Inclusionary Development	47	--	47	94	6
VC-1 Overlay Zone: JSM Mounts Mills Celebrations Court Settlement Inclusionary Development	--	66	--	66	9
VC-1 Overlay Zone: JSM Mounts Mills Celebrations Court Settlement 100% Affordable	100	--	51	151	15
AFMUD/HD Overlay Zone: JSM Route 33 North Court Settlement Inclusionary Development	--	131	--	131	17
AFMUD/HD Overlay Zone: JSM Route 33 North Court Settlement 100% Affordable	171	--	51	222	26
PRD-AH-AR Zone to be changed: Countryside Inclusionary Development	--	53	--	53	7
New Zone to be created: Monroe 33 Developers Inclusionary Development	30	--	--	30	4
New Zone to be created: JSM Applegarth Inclusionary Development	--	33	--	33	4
New Zone to be created: JSM Route 33 South Inclusionary Development	113	--	71	184	15
VC-2 Overlay Zone: SP II Inclusionary Development	43	--	--	43	6
Total	567	283	283	1,133	118

Toll Brothers/Monroe Chase Sarlo Conversion Inclusionary Development

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

The Toll Brother/Monroe Chase project is the result of the Sarlo Act that permitted the conversion of an approved, but not built, age-restricted housing developments. In this case the project was originally known as Southfield Grand. This original project that was converted was the result of a use variance for permitting 130 age-restricted units in the R60 Residential zone. The parcel for this project is Block 14, Lots 12.01 and 13. The conversion development consists of a total of 130 dwelling units of which 26 are affordable family rental units and 104 are market-rate non-age-restricted units. As of writing this report the project is under construction and all affordable units are about to be completed.

K. Hovnanian Sarlo Conversion Municipally Sponsored/100% Affordable Housing Development

The K. Hovnanian at Monroe NJ project was originally a housing development approved for 348 age-restricted dwelling units. The tract of land consisted of Block 25, Lots 1 and 25, Block 41, Lot 14 and Block 40, Lots 2.02, 3, 4.01 and 5.01. The project was approved for a Sarlo conversion to yield 278 non-age-restricted units (146 age-targeted units and 132 unrestricted units) and the dedication of about 25 acres of land for a municipally sponsored 100% affordable housing development and a park. K. Hovnanian agreed to extend public water and sanitary sewers to the affordable housing site, make earthwork improvements to ready the site for future affordable housing development and make certain improvements to create a park. Monroe will obtain ownership of the affordable housing and park site after K. Hovnanian makes these improvements. As of writing this report K. Hovnanian is improving the affordable housing/park site. Once Monroe acquires the site, it will undertake a municipally sponsored/100% affordable housing development consisting of 37 rental units for veterans and veteran families. Monroe will utilize as much as it can of its Affordable Housing Trust Fund, which had a cash balance in the amount of \$13,070,775.48 on December 31, 2015, for this project.

Existing VC-2 Village Center 2 Overlay Zone Shared Properties I Inclusionary Development

The VC-2 Overlay Zone was created for a portion of the HD Highway Development Zone that is located along the eastern side of Applegarth Road and the northern side of Route 33 to the Millstone River to the north. This area is largely underdeveloped with an office building, a self-storage facility, farm fields, a single-family dwelling, a former bus garage that is vacant and a farm equipment business that has since been razed. A use variance and preliminary and final site plan and subdivision approval was granted for a total of 186 dwelling units of which 47 are affordable family rental units and 139 market-rate units. A use variance was required because the tract of land did not meet the minimum requirement of 75 acres for the overlay zone. The tract of land is identified as Block 4, Lots 9, 13.08, 13.09 and 13.10.

Existing VC-1 Village Center 1 Overlay Zone JSM Mounts Mills Celebrations Court Settlement Inclusionary Development

The VC-1 Overlay Zone was created to provide for mixed-use residential and commercial development with affordable housing. The JSM Mounts Mills Celebrations project received preliminary and final approval following a court settlement to provide for a total of 522 dwelling units of which 66 are affordable age-restricted rental units and 456 are non-age-restricted

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

market-rate units. The tracts of land are identified as Block 35, Lot 1, Block 53, Lot 24 and Block 54, Lots 3 and 4. As the result of further negotiations with JSM, this inclusionary development will become part of a “global” inclusionary development that includes all JSM projects. See Appendix G.

Existing VC-1 Village Center 1 Overlay Zone JSM Mounts Mills Celebrations Court Settlement 100% Affordable Housing

As part of the court settlement for the JSM project as described above, JSM is required to transfer to Monroe Township 5 acres of buildable land for the development of a 100% affordable housing development consisting of 100 affordable family rental units. Subsequent negotiations between Monroe Township and JSM have resulted in an agreement for JSM to construct, rather than Monroe Township, the 100% affordable family rental units as part of a “global” development that includes all JSM projects in Monroe. Appendix G summarizes all JSM developments and contains the sequencing of all JSM projects that includes this VC-1 Overlay Zone 100% Affordable Housing project. In essence, this 100% affordable housing project becomes part of a large inclusionary housing development consisting of all JSM projects.

Existing AFMUD/HD Affordable Housing Mixed Use Development/Highway Development Overlay Zone: JSM Route 33 North Court Settlement Inclusionary Development

Monroe Township created the AFMUD/HD Overlay Zone to provide for mixed-use development that includes affordable housing in the southern portion of the municipality along Route 33. As part of a court settlement with JSM a total of 749 dwelling units of which 131 are affordable age-restricted rental units and 618 are non-age-restricted market-rate units. The tract of land is identified as Block 6, Lots 12.06, 13.01, 14.01, 15.01, 16.01, 23.01 and 27.01. As indicated above all JSM projects will become part of a “global” inclusionary development including this one. See Appendix G for this project’s sequencing.

Existing AFMUD/HD Affordable Housing Mixed Use Development/Highway Development Overlay Zone: JSM Route 33 North Court Settlement 100% Affordable Housing

As part of the court settlement for the JSM project described above, JSM is required to transfer to Monroe Township 10 acres of buildable land for a 100% affordable housing development. Through negotiations JSM has agreed to construct 171 affordable family rental units as part of a “global” inclusionary development that includes all JSM projects as well as this one. See Appendix G for this project’s sequencing.

Portion of Existing PRD-AH-AR Planned Residential Development-Affordable Housing-Age Restricted District to be changed to R-ARAF Residential-Age-Restricted Affordable Housing Zone: Countryside Inclusionary Development

Monroe Township created a new zoning district from the former R3A Residential-Agricultural District to provide for market-rate age-restricted for-sale residential units and affordable age-restricted for-sale residential units as well as require deeding at least five (5) acres of

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

developable land to Monroe Township for the purpose of constructing municipally sponsored, 100% affordable housing that would provide for affordable family rental units. Countryside intervened in the declaratory judgment action regarding Monroe Township. As a result of negotiating with Countryside, Monroe will change a portion of the PRD-AH-AR zone that consists of Block 36, Lots 1.09, 3, 6, 9.01, 9.02 and 11.01 to eliminate the five (5) acres of land to be deeded to Monroe for 100% affordable housing and to provide for the following types and amounts of housing units:

<u>Description</u>	<u>No. Dwelling Units</u>	<u>Percentage (%)</u>
Market Rate Multi-Family Units	213	80
Affordable Multi-Family Age-Restr. Rental Units	<u>53</u>	<u>20</u>
Total	266	100

Of the 53 affordable age-restricted multi-family rental units, 7 (13%) will be provided to very low-income households. Appendix H contains the framework for the proposed R-ARAF zone. The balance of the PRD-AH-AR zone will be changed back to its original zone R3A.

New HC-R-AH Highway Commercial-Residential-Affordable Housing Zone to be created: Monroe 33 Developers Inclusionary Development

Monroe 33 Developers, LLC intervened in Monroe's declaratory judgment action requesting to change the zoning of its property known as Block 1.14, Lot 13.02, which contains about 32.9 acres, from HD Highway Development to one that permits an inclusionary multi-family development. As a result of negotiating with Monroe 33 Developers, LLC, Monroe will change the HD zone to the new HC-R-AH Highway Commercial-Residential-Affordable Housing District. Since a portion of the subject site adjacent to Route 33 is already developed with a convenience store/gasoline station, the HC-R-AH zone will require the zone to be developed with commercial uses as permitted in the HD zone and in accordance with HD zone and design standards in an area set back 500 feet from Route 33. The balance of the zone will permit the following housing types and amounts:

<u>Description</u>	<u>No. Dwelling Units</u>	<u>Percentage (%)</u>
Market Rate Multi-Family Units	120	80
Affordable Multi-Family Rental Units	<u>30</u>	<u>20</u>
Total	150	100

Of the 30 affordable age-restricted multi-family rental units, 4 (13%) will be provided to very low-income households. Appendix I contains the framework for the proposed HC-R-AH zone.

New POCD-AR-AH Planned Office Commercial District-Age-Restricted-Affordable Housing Zone to be created: JSM Applegarth Inclusionary Development

JSM Applegarth has expressed an interest in assisting Monroe Township address its affordable housing obligation. In doing so, JSM Applegarth requested a change in zoning from POCD Planned Office Commercial District to one that permitted age-restricted market-rate and

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

affordable housing units in multi-family dwellings on its parcel of land, Block 25, Lot 2.09, which is partially developed with medical offices and commercial uses. Monroe will change the POCD zone to POCD-AR-AH zone for the JSM Applegarth property. The new zone will require office and commercial uses to comply with POCD zone requirements and standards. The zone will permit the following housing types and amounts:

<u>Description</u>	<u>No. Dwelling Units</u>	<u>Percentage (%)</u>
Market Rate Multi-Family Units	109	76.8
Affordable Multi-Family Age-Restr. Rental Units	<u>33</u>	<u>23.2</u>
Total	142	100.0

Of the 33 affordable age-restricted multi-family rental units, 4 (13%) will be provided to very low-income households. Appendix J contains the framework for the proposed POCD-AR-AH zone.

As indicated in other sub-sections describing JSM participation in providing affordable housing, all JSM projects will become part of a “global” inclusionary development including this one. See Appendix G for this project’s sequencing

New MU-HD-R-AH Mixed Use-Highway Development-Residential-Affordable Housing Zone to be created: JSM Route 33 South Inclusionary Development

JSM has expressed an interest in assisting Monroe Township address its affordable housing obligation. JSM has agreed to construct the two 100% affordable housing developments associated with VC-1 Village Center I Overlay Zone JSM Mounts Mills Celebrations Court Settlement and AFMUD/HD Affordable Housing Mixed Use Development/Highway Development Overlay Zone: JSM Route 33 North Court Settlement and provide additional affordable family rental units on its Route 33 South property, which consists of Block, Lot, in exchange for Monroe Township rezoning the Route 33 South property from LI Light Industrial to MU-HD-R-AH Mixed Use-Highway Development-Residential-Affordable Housing Zone. Monroe has agreed to make the zone change. The new zone will permit commercial uses as regulated by the HD zone and standards and will permit the following housing types and amounts:

<u>Description</u>	<u>No. Dwelling Units</u>	<u>Percentage (%)</u>
Market Rate Multi-Family Units	1,273	91.8
Affordable Multi-Family Rental Units	<u>113</u>	<u>8.2</u>
Total	1,386	100.0

Of the 113 affordable multi-family rental units, 15 will be provided to very low-income households. Appendix K contains the framework for the proposed MU-HD-R-AH zone.

As indicated above all JSM projects will become part of a “global” inclusionary development including this one. The JSM Route 33 South development sequencing will be linked to the development of the 100% affordable housing development in the AFMUD/HD JSM Route 33 North property. For the sequencing of MU-HD-R-AH project see Appendix G.

Existing VC-2 Village Center 2 Overlay Zone P II Inclusionary Development

The VC-2 Overlay Zone was created for a portion of the HD Highway Development Zone that is located along the eastern side of Applegarth Road and the northern side of Route 33 to the Millstone River to the north. This area is largely underdeveloped with an office building, a self-storage facility, farm fields, a single-family dwelling, a former bus garage that is vacant and a farm equipment business that has since been razed. A use variance was granted in March 2016 for a total of 215 dwelling units of which 43 are affordable family rental units and 172 market-rate units. A use variance was required because the tract of land did not meet the minimum requirement of 75 acres for the overlay zone. The tract of land is identified as Block 4, Lots 7, 8 and 14.01 and part of Lot 9.

"Global" JSM Affordable Housing Developments

All JSM affordable housing developments, which include inclusionary housing developments and two 100% affordable housing developments, will be treated as one "global" inclusionary housing project. The various developments are considered to be components of the "global" project and will be sequenced to ensure affordable housing is developed in a timely manner as market-rate units are developed.

See Appendix G for a summary and sequencing of all JSM developments, which shows the Township meeting 614 affordable units and 173 bonus credits, a total of 787 credits of the 1133 unit obligation, through developments to be built by a series of affiliated companies, on the chart "JSM Project Sequencing." The Township shall require the market-rate and affordable units in these developments to be sequenced in accordance with the JSM Project Sequencing chart. Certificates of occupancy must be issued for affordable housing before building permits for market-rate units are issued in accordance with required sequencing of developments and required phasing of affordable and market-rate units, in the order of development as provided in Appendix G. Given the market for different types of housing varies, flexibility in sequencing of developments in an order different from Appendix G may be approved by the Township, provided that in all circumstances any sequencing must comply with the phasing schedule in N.J.A.C. 5:93-5.6(d) in two ways: (1) each individual "project" listed in the JSM Project Sequencing chart shall be subject to the minimum phasing requirements of N.J.A.C. 5:93-5.6(d); and (2) all of the projects shall be collectively treated as one project for the purposes of N.J.A.C. 5:93-5.6(d). For example, for all projects combined as listed in the JSM Project Sequencing chart, the Township will not issue a C.O. for the 1228th market-rate unit, or 50 percent of the market rate units, unless and until a C.O. has been issued for a total of 307 affordable units, or 50 percent of the affordable units reflected in the overall chart.

IV. Summary of 1987-2025 Fair Share Obligation Compliance

For its 1987-2025 affordable housing obligation Monroe Township will have a surplus of seven (7) credits for affordable housing units as demonstrated in Table 28.

Table 28:1987-2018 Fair Share Obligation Compliance		
Obligation, Satisfaction, Surplus/Deficit	No. Units	No. Units
Prior Round Obligation	554	
Prior Round Obligation Satisfaction	556	
Prior Round Surplus/Deficit		+2
2015-2025 Rehabilitation Share	104	
2015-2025 Rehabilitation Satisfaction	104	
2015-2025 Rehabilitation Surplus/Deficit		0
1999-2025 Obligation	1,133	
1999-2025 Obligation Satisfaction ¹¹	1,138	
1999-2025 Surplus/Deficit		+5
1987-2025 Obligation Surplus/Deficit		+7 ¹²

¹¹ 1999-2025 Obligation Satisfaction includes the Sarlo Conversions, Existing Zoning to provide Inclusionary Housing, Changes to Existing Zoning to provide Inclusionary Housing and New Zones to provide Inclusionary Housing which total 1,133 affordable housing credits plus the 5 affordable housing credits from the SERV Special Needs/Group Home that was created, thereby equaling 1,138 affordable housing credits.

¹² The Surplus of 7 affordable housing credits will be credited toward Monroe Township's 2025-2035 Affordable Housing Obligation.

APPENDICES

APPENDIX A
PLANNING BOARD RESOLUTION

Planning Board resolution adopting Housing Element & Fair Share Plan to be inserted after Planning Board takes action

APPENDIX B

**RESOLUTION OF THE COUNCIL REQUESTING THE COURT TO
APPROVE MONROE TOWNSHIP'S ADOPTED HOUSING ELEMENT
AND FAIR SHAR PLAN**

Council resolution requesting the Court to approve Monroe Township's adopted Housing Element and Fair Share Plan to be inserted after Council takes action

APPENDIX C

**COUNCIL RESOLUTION OF INTENT TO BOND IN THE EVENT OF A
SHORTFALL OF FUNDS FOR REHABILITATION PROGRAM**

**Council resolution for intent to bond in the event of a shortfall to be inserted
after Council takes action**

APPENDIX D

**MONROE TOWNSHIP OPERATING MANUAL FOR THE
ADMINISTRATION OF REHABILITATION UNITS**

Rehabilitation Manual to be inserted

APPENDIX E
SUMMARY OF BUILT PROJECTS PRIOR ROUND

**Inclusionary/Redevelopment
 Summary of Built Projects
 Prior Round**

MUNICIPALITY: Monroe Township

Total Affordable Units: 458

COUNTY: Middlesex County

Total Affordable Credits: 556

(Provide a narrative description on a separate sheet and specify the number of completed units by affordability on the form below)

Project or Site Name (1)	Block/Lot(s)	Affordable Units Constructed						Tenure (R-Rental or S-Sale)	Rental Bonuses		
		Low (#/%)		Moderate (#/%)		Very Low (#/%)			AR (2)	NAR (3)	
		AR (2)	NAR (3)	AR (2)	NAR (3)	AR (2)	NAR (3)				
ARC Prospect Plain-Cranbury Road, Alternative Living	To be provided						5				
ARC Monmouth Road, Alternative Living	Block 159.2, Lot 15						3				
ARC Schoolhouse Road, Alternative Living	Block 59, Lot 16						3				
Monroe Manor Inclusionary Development	Block 1, multiple lots		13					12			25
Monroe Manor Inclusionary Development	Block 2, multiple lots		51					51			
Stratford at Monroe Inclusionary Development	Block 13; Lots 4.03, 8.01 & 8.02; Block 14, Lots 1, 2, 8 & 14		23					22			45
TOTALS			87				11	85			75

(1) Attach narrative for each site.

(2) Age-Restricted

(3) Not Age-Restricted

Sheet 1

November 6, 2015

Monroe Township, Middlesex County, New Jersey

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

**Inclusionary/Redevelopment
Summary of Built Projects**

Prior Round

MUNICIPALITY:

Monroe Township

Total Affordable Units:

COUNTY:

Middlesex County

Total Affordable Credits:

(Provide a narrative description on a separate sheet and specify the number of completed units by affordability on the form below)

Project or Site Name (1)	Block/ Lot(s)	Affordable Units Constructed						Tenure (R-Rental or S-Sale)	Rental Bonuses				
		Low (#/%)		Moderate (#/%)		Very Low (#/%)			AR (2)	NAR (3)			
		AR (2)	NAR (3)	AR (2)	NAR (3)	AR (2)	NAR (3)						
Stratford at Monroe Inclusionary Development	Block 13, Lots 4.03, 8.01 & 8.02; Block 14, Lots 1, 2, 8 & 14	35		35									
Stratford at Monroe Inclusionary Development	Block 13, Lots 4.03, 8.01 & 8.02; Block 14, Lots 1, 2, 8 & 14		45		45								
RCA with New Brunswick	N/A		115										
TOTALS		35	160	35	45				23				
TOTALS Sheets 1 & 2		35	247	35	130				23				75

(1) Attach narrative for each site.

(2) Age-Restricted

(3) Not Age-Restricted

Project Descriptions:

ARC Group Homes: All ARC Group Homes are operational

Monroe Manor: This project has been completed

Stratford at Monroe: This project is just about completed with the few remaining affordable units under construction.

APPENDIX F

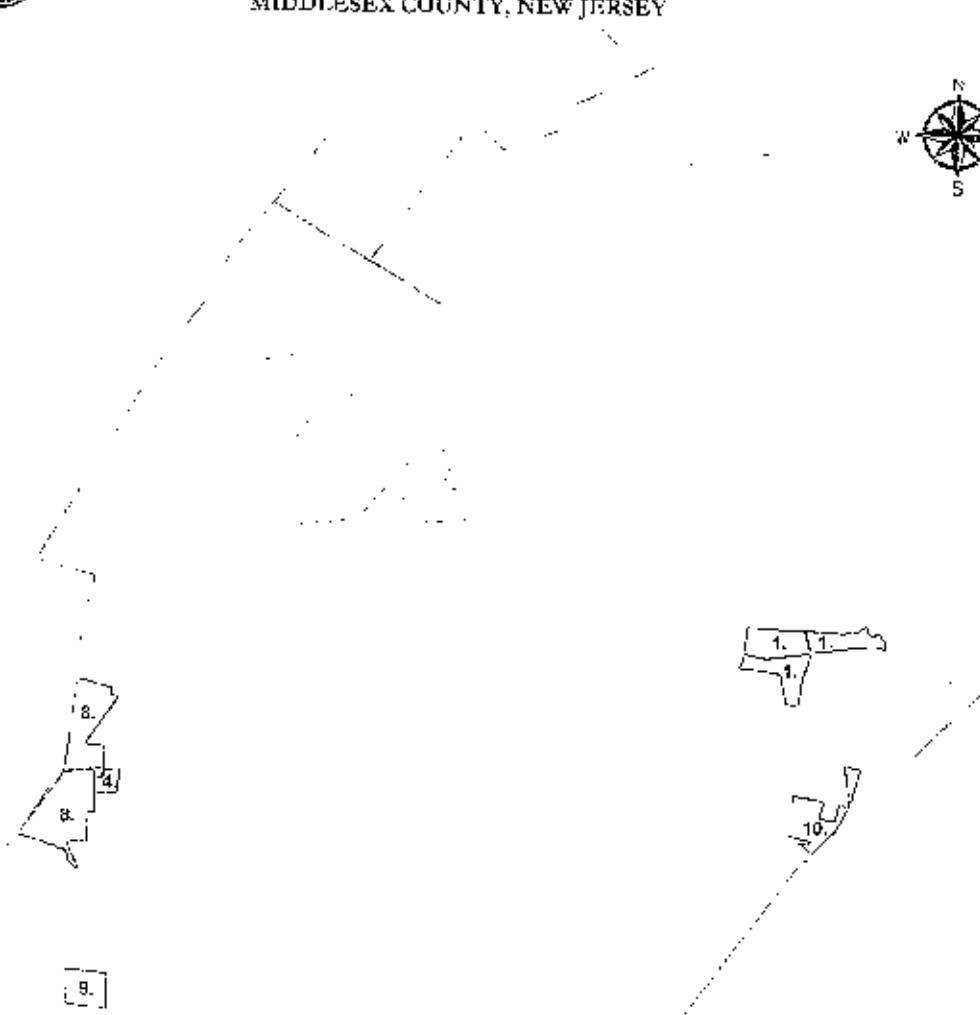
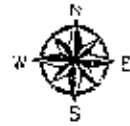
**MAP – INCLUSIONARY HOUSING DEVELOPMENT ZONES,
DEVELOPMENTS AND SITES**

Map of Inclusionary Housing Zones, Development and Sites to be Inserted



TOWNSHIP OF MONROE

MIDDLESEX COUNTY, NEW JERSEY



LEGEND	
1.	JSM (MOUNTS HILLS ROAD)
2.	JSM (ROUTE 23 NORTH)
3.	JSM (ROUTE 23 SOUTH)
4.	JSM (APPLEGARTH ROAD)
5.	MONROE JJ DEVELOPERS
6.	SHARED PROPERTIES (1)
7.	SHARED PROPERTIES (2)
8.	X HOV/WHIGH SARLO CONVERSION
9.	TOLLEROS SARLO CONVERSION
10.	COUNTRYSIDE

NOTES:
 AFFORDABLE HOUSING FOR 2025 MAP IS TAKEN FROM MONROE TOWNSHIP 2014 MAPS, 2010 EDITION.
 LOCATIONS SHOWN ARE SUBJECT TO FURTHER DEVELOPMENT AT THE TIME THE DEVELOPER PROPOSES ERUCT SUCH MAP FOR APPROVAL.

1999-2025 AFFORDABLE HOUSING OBLIGATION, INCLUSIONARY ZONING DEVELOPMENTS AND SITES



DATE: 02/25/16

APPENDIX G

SUMMARY OF PLAN 1999 – 2025 FAIR SHARE OBLIGATION

Monroe Township, Middlesex County, New Jersey

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Monroe Township Affordable Housing Obligation 1999 - 2025 3,139 Units 3-4-Mar-16

Maximum Age-Restricted Affordable Units 285
 Minimum Affordable Rental Units 285
 Maximum Bonus Credits for Affordable Rentals 243

Project Project No.	Non-Age Restricted Affordable Units		Age-Restricted Affordable Units		Total Affid Units
	For-Sale Unit-Rental Units	Bonus-Credits-Sale Un	Rental Units	Bonus Credits	
Ted Brown Park Conversion	26	26	52		104
Carlin Oaks Conversion 100% Affid.	37	37	74		146
Shared Properties I 10% Affordable	47	47	94		186
ISM Mount Hills Celebration Court Sustained				66	66
ISM Mount Hill Unit-Affid	100	50	151		300
1561 Route 23 North Court Southwinds			131		131
Total	277	212	222	197	1496
			790		2220

Monroe Township, Middlesex County, New Jersey

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Project 2015-2025	Non-Age Restricted Affordable Units		Age Restricted Affordable Units		Total Affid Credits	Market-Rate Units		Total MR & Affd Units
	For-Sale Units	Rental Units	Bonus Credits	Sale-Use Rental Units		Non-Age Restricted	Age- Restricted	
Monroe 33 Developers	30				30	120		150
1560 Applebarkth			53		53		109	142
1564 Route 53 South	115	71			186	1273		1456
Shared Proponent II Use Variance	43				43	172		215
Countryside			53		53	215		268
Total	188	71	86		345	1778	109	2159
Total 1999-2025	567	283	283		1133	3274	255	4379
Total Setaside based on Total Affid. Credits			25.9%					4579
Actual Setaside based on Total Affid. Units to be Built			19.4%					3529
								850

The Affordable Conversion Unit's Affordable Project sponsored by Monroe Township, all 1564 developments and all 2015-2025 inclusionary developments will provide 1,250 very-low affordable rental units of the total affordable rental units of each respective project/development.

Marae Township, Middlesex County, New Jersey

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Summary of JSM Developments

Project	Non-Age Restricted Affordable Units		Age-Restricted Affordable Units		Total	Market-Rate Units		Total MR & Aff'd Units
	For-Sale Units	Rental Units	Rental Units	Popus Credits		Non-Age Restricted	Age-Restricted	
JSM Mount - Bldg Construction/CPDA Settlement			66		66	456		522
JSM Mounts Hill (MC - Aff'd)	130				131			309
JSM Route 24 South Court Settlement			131		131	616		749
JSM Rt. 33 N. 100% Aff'd	171				222			171
JSM Appleburgh			32		32		103	142
JSM Route 24 South	113				184	1273		1380
Total	334	173	230	787	787	2347	109	3070
JSM Summary								
Total Age-Restricted Affordable Units to be Built			130		130			
Total Non-Age Restricted Affordable Units to be Built			794		794			
Total Affordable Units to be Built			664		664			
Total Affordable Credits			787		787			
Total Age-Restricted Market-Rate Units to be Built			103		103			
Total Non-Age Restricted Market-Rate Units to be Built			1317		1317			
Total Market-Rate Units to be Built			2456		2456			
Total Units to be Built			3070		3070			
Separable Units to be Built			3070		3070			
Separable Less Other Total Aff'd Credits			25,076		25,076			

Monroe Township, Middlesex County, New Jersey

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

JSM Project Sequencing

Project	Affordable Units (w/ Age-Restricted)	Market-Rate Units	Total Units	Project % Set Aside	Cumulative % Set Aside
JSM Belmont Mill Celebration	55	456	511	12.64%	12.64%
JSM Appleton	55	109	164	25.24%	14.91%
JSM Belmont Mill Celebrations	160	0	160	100.00%	20.95%
JSM Belmont North	131	319	450	17.40%	21.84%
JSM Belmont South	113	452	565	20.00%	23.37%
JSM Belmont North	171	621	792	33.24%	20.00%
Total	614	2456	3070		20.00%

* Calculated by: $(113 \text{ Family Rental} + 373 \text{ 100\% Family Rental}) \div 622 \text{ Market-Rate} = 18.15\%$

Each project sequence must comply with the following planing:

Market-Rate Units Completed	JSMH Restricted Program Units Completed
25	0
25 - 3 Unit	40
50	50
75	75
90	100

APPENDIX H

**FRAMEWORK FOR EXISTING PRD-AH-AR PLANNED RESIDENTIAL
DEVELOPMENT-AFFORDABLE HOUSING-AGE RESTRICTED
DISTRICT TO BE CHANGED TO R-ARAF RESIDENTIAL-AGE-
RESTRICTED AFFORDABLE HOUSING ZONE**

**FRAMEWORK FOR R-ARAF RESIDENTIAL-AGE-RESTRICTED
AFFORDABLE HOUSING ZONE**

1. Zoning Designation Change:
 - a. Existing PRD-AH-AR Planned Residential Development-Affordable Housing-Age-Restricted Zone changed to R-ARAF Residential-Age-Restricted Affordable Housing Zone for Block 35, Lot 1, Block 53, Lot 24 and Block 54, Lots 3 and 4
 - b. Existing PRD-AH-AR Planned Residential Development-Affordable Housing-Age-Restricted Zone changed to R3A Residential-Agricultural Zone for the balance of the PRD-AH-AR Zone
2. Permitted Principal Uses:
 - a. Market-rate multi-family townhouse and apartment dwelling units with a restriction of no more than two bedrooms in each dwelling unit and no conversion of basements, dens, office, lofts and other non-bedroom spaces into a new bedroom
 - b. Affordable multi-family age-restricted rental apartment dwelling units provided at a minimum 20% set aside of total dwelling units and 13% of affordable dwelling units for very low-income households
3. Permitted Accessory Uses: To be determined after intervener provides a concept of development and concept is analyzed
4. Maximum Permitted Residential Density: Maximum 266 dwelling units; maximum 172 market-rate dwelling units; and minimum 43 affordable dwelling units. Density to be determined after intervener provides acreage of parcel of land.
5. Bulk, Area and Yard Requirements: To be determined after intervener provides a concept of development and concept is analyzed
6. Required Amenities: To be determined after intervener provides a concept of development and concept is analyzed
7. Landscape Buffer and Design Standards: To be determined after intervener provides a concept of development and concept is analyzed

APPENDIX I

**FRAMEWORK FOR NEW HC-R-AH HIGHWAY COMMERCIAL-
RESIDENTIAL-AFFORDABLE HOUSING ZONE TO BE CREATED**

**FRAMEWORK FOR HC-R-AH HIGHWAY COMMERCIAL-
RESIDENTIAL-AFFORDABLE HOUSING ZONE**

1. Zoning Designation Change: Existing HD Highway Development Zone changed to HC-R-AH Highway Commercial-Residential-Affordable Housing Zone for Block 1.14, Lot 13.02
2. Permitted Principal Uses:
 - a. Market-rate multi-family townhouse and apartment dwelling units
 - b. Affordable multi-family family rental apartment dwelling units provided at a minimum 20% set aside of total dwelling units and 13% of affordable dwelling units for very low-income households
 - c. Commercial uses that are permitted in the HD Zone for the area that extends 500 feet from Route 33
3. Permitted Accessory Uses: To be determined after intervener provides a concept of development and concept is analyzed
4. Maximum Permitted Residential Density: Maximum 150 dwelling units; maximum 120 market-rate dwelling units; and minimum 30 affordable dwelling units. Density to be determined after intervener provides acreage of parcel of land.
5. Bulk, Area and Yard Requirements:
 - a. For residential uses bulk, area and yard requirements to be determined after intervener provides a concept of development and concept is analyzed
 - b. For commercial uses bulk, area and yard requirements to comply with HD Zone requirements
6. Required Amenities: For residential uses to be determined after intervener provides a concept of development and concept is analyzed
7. Landscape Buffer and Design Standards:
 - a. For residential uses to landscape buffer and design standards to be determined after intervener provides a concept of development and concept is analyzed
 - b. For commercial uses landscape buffer and design standards to comply with HD Zone requirements

APPENDIX J

**FRAMEWORK FOR NEW POCD-AR-AH PLANNED OFFICE
COMMERICAL DISTRICT-AGE-RESTRICTED-AFFORDABLE
HOUSING ZONE TO BE CREATED**

**FRAMEWORK FOR POCD-AR-AH PLANNED OFFICE COMMERCIAL
DISTRICT-AGE-RESTRICTED-AFFORDABLE HOUSING ZONE**

1. Zoning Designation Change: Existing POCD Planned Office Commercial District Zone changed to POCD-AR-AH Planned Office Commercial District-Age-Restricted-Affordable Housing Zone for Block 25, Lot 2.09
2. Permitted Principal Uses:
 - d. Market-rate multi-family age-restricted apartment dwelling units
 - e. Affordable multi-family age-restricted rental apartment dwelling units provided at a minimum 23.24% set aside of total dwelling units and 13% of affordable dwelling units for very low-income households
 - f. Office and commercial uses that are permitted in the POCD Zone
3. Permitted Accessory Uses: To be determined after intervener provides a concept of development and concept is analyzed
4. Maximum Permitted Residential Density: Maximum 142 dwelling units; maximum 109 market-rate dwelling units; and minimum 33 affordable dwelling units. Density to be determined after intervener provides acreage of parcel of land.
5. Bulk, Area and Yard Requirements:
 - c. For residential uses bulk, area and yard requirements to be determined after intervener provides a concept of development and concept is analyzed
 - d. For office and commercial uses bulk, area and yard requirements to comply with POCD Zone requirements
6. Required Amenities: For residential uses to be determined after intervener provides a concept of development and concept is analyzed
7. Landscape Buffer and Design Standards:
 - c. For residential uses to landscape buffer and design standards to be determined after intervener provides a concept of development and concept is analyzed
 - d. For office and commercial uses landscape buffer and design standards to comply with POCD Zone requirements

APPENDIX K

**FRAMEWORK FOR NEW MU-HD-R-AH MIXED USE-HIGHWAY
DEVELOPMENT-RESIDENTIAL-AFFORDABLE HOUSING ZONE TO
BE CREATED**

**FRAMEWORK FOR MU-HD-R-AH MIXED USE-HIGHWAY
DEVELOPMENT-RESIDENTIAL-AFFORDABLE HOUSING ZONE**

1. Zoning Designation Change: Existing LI Light Industrial Zone changed to MU-HD-R-AH Mixed Use-Highway Development-Residential-Affordable Housing Zone for block and lot numbers to be provided by JSM
2. Permitted Principal Uses:
 - a. Market-rate multi-family family townhouses and apartment dwelling units
 - b. Affordable multi-family family rental apartment dwelling units provided at a minimum 18.24% set aside of total dwelling units and 13% of affordable dwelling units for very low-income households
 - c. Commercial uses that are permitted in the HD Zone
3. Permitted Accessory Uses: To be determined after intervener provides a concept of development and concept is analyzed
4. Maximum Permitted Residential Density: Maximum 1,386 dwelling units; maximum 1,273 market-rate dwelling units; and minimum 113 affordable dwelling units. Density to be determined after intervener provides acreage of parcel of land.
5. Sequencing of Market-Rate Dwelling Units: The issuance of building permits for market-rate dwelling units shall be linked to the issuance of affordable dwelling units produced on the subject parcel of land and the parcel of land for the 100% affordable housing that must be produced on JSM Route 33 North, Block 6, Lots 12.06, 13.01, 14.01, 15.01, 16.01, 23.01 and 27.01
6. Bulk, Area and Yard Requirements:
 - a. For residential uses bulk, area and yard requirements to be determined after intervener provides a concept of development and concept is analyzed
 - b. For commercial uses bulk, area and yard requirements to comply with HD Zone requirements
7. Required Amenities: For residential uses to be determined after intervener provides a concept of development and concept is analyzed
8. Landscape Buffer and Design Standards:

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

- a. For residential uses to landscape buffer and design standards to be determined after intervener provides a concept of development and concept is analyzed
- b. For commercial uses landscape buffer and design standards to comply with HD Zone requirements

APPENDIX L
AFFORDABLE HOUSING ORDINANCES

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Chapter 131 AFFORDABLE HOUSING

ARTICLE I

General

§ 1311.

Purpose.

§ 1312.

Definitions.

§ 1313.

Affordable Housing Board established.

§ 1314.

Municipal Housing Officer.

§ 1315.

Duties of the Affordable Housing Board.

§ 1315.1.

Affirmative marketing program.

§ 1316.

Screening and qualification of prospective purchasers and tenants

§ 1317.

Pricing.

§ 1318.

Controls on affordability.

§ 1319.

Local housing rehabilitation program.

§ 13110.

Management service for sale or rental units.

ARTICLE II

Municipal Housing Liaison

§ 13111.

Purpose.

§ 13112.

Definitions.

§ 13113.

Establishment of Municipal Housing Liaison position and compensation; powers and duties.

(HISTORY: Adopted by the Council of the Township of Monroe 12-5-88 as Ord. No. 12-88-38. Amended in its entirety 8-7-95 by Ord. No. 0-8-95-038. Amended in its entirety 4-6-98 by Ord. No. 0-4-98-012. Further amendments noted where applicable.)

GENERAL REFERENCES

Building construction—See Ch. 20.

Zoning — See Ch. 130.

ARTICLE I General

§ 1311.

Purpose.

The purpose of this chapter is to provide an administrative mechanism for assuring the affordability of low and moderate income units in the new housing developed in the Planned Development-Affordable Housing Zone and existing housing rehabilitated under the direction of the Monroe Township Affordable Housing Board. The provisions of

N.J.A.C. 5:93-1 et seq., Substantive Rules of the New Jersey Council on Affordable Housing, are incorporated into this chapter.

§ 1312.

Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AFFORDABLE — A sales price or rent within the means of a low or moderate income household as defined in N.J.A.C. 5:93.7.4.

The initial price of a low and moderate income owner-occupied housing unit shall be established so that after a down payment of five percent (5%), the monthly principal, interest, insurance, property taxes which are based on property taxes on the restricted value of low and moderate income units, and condominium or homeowners fees shall not exceed twenty-eight percent (28%) of the eligible gross monthly income of a low and moderate income household adjusted for household size. For low and moderate income rental housing, gross rents, including an allowance for utilities, shall not exceed thirty percent (30%) of the eligible gross monthly income of a low and moderate income household adjusted for household size.

LOW INCOME — A total gross household income equal to fifty percent (50%) or less of the median gross income of the West Central Region (Region 3 Middlesex, Somerset and Hunterdon Counties) as defined by the New Jersey Council on Affordable Housing (COAH), adjusted for household size, based on the income limits adopted by COAH.

MEDIAN INCOME - Median income by household size shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four (4) is multiplied by the households within the county. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households in each housing region. This quotient represents the regional weighted average of median income for a household of four (4). This regional weighted average is adjusted by household size based on multipliers used by HUD to adjust median income by household size.

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

MODERATE INCOME — A total gross household income in excess of fifty percent (50%) but less than eighty percent (80%) of the median gross income of the West

Central Region (Region 3 - Middlesex, Somerset and Hunterdon Counties) as defined by the New Jersey Council on Affordable Housing (COAH), adjusted for household

size, based on the income limits adopted by COAH.

§ 1313.

Affordable Housing Board established. (Amended 5-4-92 by Ord. No. 0-5-92-015)

A. Membership.

(1) There is hereby established a Monroe Township Affordable Housing Board, which shall be composed of five (5) members and two (2) alternate members

appointed by the Mayor with the advice and consent of the Township Council. The five (5) regular members shall consist of

(a) One (1) municipal employee;

(b) One (1) member of the Township Council;

(c) Three (3) citizens of the Township.

The two (2) alternate members shall be citizens of the Township.

Members and alternates shall serve for two (2) year terms, with two (2) of the initial appointments, as determined by the Mayor, to be for one (1) year.

B. The Mayor shall appoint the Chairperson of the Board from among its members. The Board shall organize and conduct its activities under the supervision of the Mayor.

C. The Municipal Housing Officer shall serve as staff to the Board.

§ 1314.

Municipal Housing Officer.

The Municipal Housing Officer shall be appointed by the Mayor.

§ 1315.

Duties of the Affordable Housing Board.

A. The Board shall be the administrative mechanism responsible for assuring that low and moderate income housing units developed or rehabilitated in the township

remain affordable to low and moderate income households, as required by the New Jersey Council on Affordable Housing, N.J.A.C. 5:93-9.1.

B. The Board shall design and implement an affirmative program to market the designated low and moderate income units to eligible households in the township and the

West Central Housing Region as defined by the New Jersey Council on Affordable Housing.

C. The Board shall screen and qualify prospective purchasers and tenants of designated low and moderate income housing.

D. The Board shall review and comment to the Planning Board on a developer's affordable housing plan submitted with an application for development in any of the

township zoning districts designated and promulgated for the creation of affordable housing.

E. The Board shall enforce controls on resales and rentals of designated low and moderate income housing units.

F. The Board shall, at a minimum, provide an annual written report to the Mayor, Township Council and Planning Board on its activities and the progress and problems in

providing affordable housing and assuring the continued affordability of this housing. The Board shall also prepare reports required by the New Jersey Council on

Affordable Housing, including the progress and summary reports on the actual experience of the Board's affirmative marketing program, as required by N.J.A.C. 5:93-

11.6 and the annual monitoring report on the local rehabilitation program, as required by N.J.A.C. 5:93-12.

G. The Board shall meet monthly and may meet more frequently as needed. The Chairperson of the Board may call special meetings of the Board.

H. The Board may adopt its own rules and guidelines.

§ 1315.1.

Affirmative marketing program.

A. The Board shall provide for the affirmative marketing of new low and moderate income units by taking all appropriate steps, which shall include, but not be limited to:

(1) Identifying representative groups operating in the township and its housing region, i.e., Middlesex, Somerset, and Hunterdon Counties, including community-based

and civic organizations, councils of churches, welfare and social service agencies, etc.

(2) Actively marketing affordable units with the assistance of these representative groups.

B. Any developer of more than twenty-five (25) low and moderate income units shall also actively market these units with the assistance of the representative groups

identified by the Board.

C. The developer shall publish notices and display advertisements announcing the availability of the designated new low and moderate income housing units in

newspapers of general circulation in the township and the West Central Region (Region 3 - Middlesex, Somerset and Hunterdon Counties).

D. The developer's affirmative marketing program shall begin at least four (4) months before issuance of either temporary or permanent certificate of occupancy for a low

or moderate income unit and shall continue until all low and moderate income housing units are under contract of sale and/or lease.

E. Income verification. In placing households in low and moderate income units, the township shall utilize the following verification and certification procedures:

(1) Every household member eighteen (18) years of age or over who will live in the affordable unit and receives income shall be required to provide income

documentation as applicable and determined by the reviewer for the Board. This includes income received by adults on behalf of minor children for their benefit.

Household members eighteen (18) years of age or over not receiving income must produce documentation of current status.

(2) Verification may include, but is not limited to, the following:

(a) Four (4) consecutive pay stubs including overtime, bonuses, or tips dated within one hundred twenty (120) days of the interview date or a letter from employer stating pre-tax annual income figure as projected annually;

(b) A copy of regular IRS Form 1040 (tax computation form) 1040A, or 1040 EZ as applicable and State Income Tax returns filed for each of the three (3) years prior to the date of interview;

(c) A letter or appropriate reporting form verifying benefits such as Social Security, Unemployment, Welfare, Disability or Pension income (monthly or

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

annually);

(d) A letter or appropriate reporting form verifying any other sources of income claimed by the applicant such as alimony and child support;

(e) Reports that verify income from assets to be submitted by banks or other financial institutions managing trust funds, money market accounts, certificates of deposit, stocks or bonds;

(f) Evidence or reports of income from assets such as real estate or businesses that are directly held by any household member;

(g) Evidence or reports that verify assets that do not earn regular income such as non-income producing real estate or savings that do not earn interest; and

(h) A notarized statement of explanation in such form as to be satisfactory to the reviewer.

(3) Generally, sources of annual income shall be based on regular income reported to the IRS and which can be utilized for mortgage approval. Household annual

gross income shall be calculated by projecting current gross income over a twelve (12) month period.

(4) Income includes, but is not limited to, wages, salaries, tips, commissions, alimony, regularly scheduled overtime, pensions, social security, unemployment

compensation, AFDC, verified regular child support, disability, net income from business or real estate, and funds, stocks, and bonds, and imputed income from

non-income producing assets such as equity in real estate.

(5) Assets not earning a verifiable income shall have an imputed interest income using a current average annual savings interest rate. Assets not earning income

includes present real estate equity. Applicants owning real estate must produce documentation of a market value appraisal and outstanding mortgage debt. The

difference will be treated as the monetary value of the asset and the imputed interest added to income.

(6) Income from assets that have delayed earnings, such as IRAs or annuity programs shall not be included in current income until such payments are being received. However, these assets must be reported and verified.

(7) Net rent from real estate is considered income after the monthly mortgage payment including, real estate taxes and insurance is deducted. Other expenses are

not deductible. In addition, the equity in the rented real estate is considered an asset and will have the imputed interest income on the calculated value of equity added to income.

(8) Income does not include payments, rebates or credits received under federal or state low income home energy assistance programs, food stamps, payments

received for care of foster children, relocation assistance benefits, income of live in attendants, scholarships, student loans, personal property such as automobiles, lump sum additions to family assets such as inheritances, one time lottery winnings, and insurance settlements, except for additional income earned

from these additions, and casual, sporadic or irregular gifts and bonuses.

(9) Standard credit information services that provide conventional credit and tenant reports may be utilized when certifying a household with required written

permission from the household. An unsatisfactory credit history or credit information that demonstrates a disproportionate debt to income ratio may result in a

denial of certification. Court ordered payments for alimony or child support to another household shall be considered a regular monthly debt whether or not it is

being paid regularly.

(10) Households whose total gross annual income is measured at fifty percent (50%) or below fifty percent (50%) of the authorized median income guideline shall be

certified as low income households and referred to units designated for low income households.

(11) Households whose total gross annual income is measured above fifty percent (50%) but below eighty percent (80%) of the authorized median income shall be

certified as moderate income households as referred to units designated for moderate income households.

(12) Generally households will be referred to units where predetermined total monthly housing costs correspond to the household's calculated ability to pay using

twenty-eight percent (28%) of gross monthly income as a standard for home-ownership and thirty percent (30%) of gross monthly income as a standard for

rental units.

(13) At the discretion of the Board, households may also be required to produce documentation of household composition for determining the correct unit size and

the applicable median income guide.

(14) Generally households will be referred to available units using the following standards for occupancy:

(a) A maximum of two (2) persons per bedroom;

(b) Children of same sex in same bedroom;

(c) Unrelated adults or persons of the opposite sex other than husband and wife in separate bedrooms; and

(d) Children not in same bedroom with parents.

(15) Households may be considered for units other than as above, but in no case shall a household be referred to a unit that provides for more than one (1) additional bedroom per household occupancy standards as stated in Subsection E (14) above.

(16) A form for certification shall be prepared and signed by the Board. Only households receiving certification shall be referred to Affordable Housing units.

(17) Certified households who reject an opportunity for affordable housing may be replaced on the referral list at their request and may be reinterviewed for certification when their name appears on a listing for a subsequent unit.

(18) Certification shall be valid for no more than one hundred twenty (120) days unless a valid sales contract or lease has been executed within that time period. In

this event, certifications shall be valid until such time as the sales contract or lease is ruled invalid and no occupancy has occurred.

Certifications may be renewed in writing at the request of a certified household for no more than an additional period of one hundred twenty (120) days at the

discretion of the MTAHB.

(19) Households who are denied certification may make a written request for a redetermination. Households shall be required to produce additional documentation to

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

support their claim. Households who are denied certification a second time may request a hearing by forwarding a written request to the Board within thirty (30)

days following the household's receipt of a denial notification. If a written request has not been received within the thirty (30) day time period, the ineligible determination will be final. The hearing decision shall be final.

§ 1316.

Screening and qualification of prospective purchasers and tenants.

A. The Township Affordable Housing Board shall screen and determine whether prospective purchasers and tenants qualify for the new designated low and moderate

income units built within the township. Qualification criteria shall include household income, place of residence and place of employment.

B. The Board shall maintain a registry of income-eligible applicants for purchase or rental of low and moderate income housing.

C. Residency preference.

(1) An occupancy preference shall be provided to low and moderate income households that reside or work in the West Central Housing Region, as defined by the

New Jersey Council on Affordable Housing, for new low and moderate housing units.

(2) An occupancy preference shall be provided to low and moderate households that reside within Monroe Township for low and moderate income units created as a result of the township's rehabilitation program.

D. The Board shall recommend eligible prospective purchasers and tenants to the developer(s) of low and moderate income housing.

§ 1317.

Pricing.

A. Range of affordability.

(1) The maximum average rent and price of low and moderate income units within each inclusionary development shall be affordable to households earning fifty-seven

and one-half percent (57.5%) of the median income.

(2) Moderate income sale units shall be available for at least three (3) different prices, and low income sales units shall be available for at least two (2) different prices.

(3) In averaging fifty-seven and one-half percent (57.5%) under N.J.A.C. 5:93-7.4(b), developers and/or municipal sponsors may establish one (1) rent for a low income unit and one (1) rent for a moderate income unit for each bedroom distribution.

(4) Annual indexed increase while controls are in place; sales and rentals.

(a) The price of an owner occupied housing unit and the rents of affordable housing units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Board be lower than the last recorded purchase price.

(b) With the exception of rentals constructed pursuant to low income tax credit regulations, the rent of a low or moderate income housing unit may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent (9%) in any one (1) year. Rents for units constructed pursuant to low income tax credit regulations shall be indexed pursuant to the regulations governing low income tax credits.

(5) Procedures for initial sales, resale prior to the expiration of controls, and rentals.

(a) Low and moderate income sales units shall not be offered to non-income eligible households at initial sale without COAH approval. Parties that petition

COAH for such approval shall document efforts to sell housing units to income eligible households and shall adhere to the procedures outlined in N.J.A.C. 5:91-12.

(b) Persons wishing to sell affordable units shall notify the Board responsible for assuring affordability of the intent to sell. If no eligible buyer enters a contract

of sale for the unit within ninety (90) days of notification, the Board shall have the option to purchase the unit for a negotiated price that shall not exceed the maximum as defined by HUD or other recognized standard adopted by COAH. If the Board does not purchase the unit, the seller may apply for permission to offer the unit to a non-income eligible household at the maximum price permitted. The seller shall document efforts to sell the unit to an

income eligible household as part of this application. In reviewing the request, the Board shall consider the specific reasons for any delay in selling the housing unit and the hardship to the seller in continuing to offer the affordable unit to an income eligible applicant. The inability to sell a unit for the maximum permitted resale price shall not, in itself, be considered an appropriate reason for allowing a housing unit to be sold to a non-income eligible household. If the request is granted, the seller may offer a low income housing unit to a moderate income household and a moderate income housing unit to a household earning in excess of eighty percent (80%) of median. In no case shall the seller be permitted to receive more than the maximum price permitted. In no case shall a sale pursuant to this section eliminate the resale controls on the unit or permit any subsequent seller to convey the unit except in full compliance with the terms of this chapter.

(c) Owners of low and moderate income rental units shall not offer rental units to non-income eligible households without prior approval of COAH. Parties that

petition for such approval shall document all efforts to rent to income eligible households and demonstrate to the satisfaction of COAH that alternatives, such as a reduction in rent, is not feasible. Parties that petition COAH shall adhere to the procedures outlined in N.J.A.C. 5:91-12.

B. (Amended 7-6-98 by Ord. No. 0-7-98-026) Housing size and dwelling unit type: Establishing rents and prices of units. The following criteria, in conjunction with

realistic market information, shall be used in determining maximum rents and sale prices:

(1) Efficiency units shall be affordable to one-person households.

(2) One-bedroom units shall be affordable to 1.5 person households;

(3) Two-bedroom units shall be affordable to three-person households; and

(4) Three-bedroom units shall be affordable to 4.5 person households.

(5) The township shall require that low and moderate income units utilize the same heating source as market units within the inclusionary development.

C. Annual indexed increases:

(1) The price of an owner-occupied housing unit may increase annually based on the percentage increase in the regional income limit for the West Central Housing

Region (Region 3 - Middlesex, Somerset and Hunterdon Counties) as adopted by the New Jersey Council on Affordable Housing. In no event shall the

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

maximum

resale price be lower than the last recorded purchase price.

(2) With the exception of rentals constructed pursuant to low income tax credit regulations, the rent of a low or moderate income housing unit may be increased

annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent (9%) in any

one year. Rents for units constructed pursuant to low income tax credit regulations shall be indexed pursuant to the regulations governing low income tax credits.

D. Distribution of low and moderate income units:

(1) With the exception of inclusionary development constructed pursuant to low income tax credit regulations, at least half of all units within each inclusionary development shall be affordable to low income households.

(2) With the exception of inclusionary developments constructed pursuant to low income tax credit regulations, at least half of all rental units shall be affordable to

low income households.

(3) With the exception of inclusionary developments constructed pursuant to low income tax credit regulations, at least one-third (1/3) of all units in each bedroom

distribution, as set forth in N.J.A.C. 5:93-7.3, shall be affordable to low income households.

E. Bedroom distribution.

(1) Inclusionary developments that are not restricted to senior citizens shall be structured in conjunction with realistic market demands so that:

(a) The combination of efficiency and one-bedroom units is at least ten percent (10%) and no greater than twenty percent (20%) of the total low and moderate income units.

(b) At least thirty percent (30%) of all low and moderate income units are two-bedroom units.

(c) At least twenty percent (20%) of all low and moderate income units are three-bedroom units.

(2) Low and moderate income units restricted to senior citizens may utilize a modified bedroom distribution. At a minimum, the number of bedrooms shall equal the

number of senior citizen low and moderate income units within the inclusionary development. This standard can be met by creating all one bedroom units or by

creating a two-bedroom unit for each efficiency unit.

Applications to waive this standard shall be made in accordance with N.J.A.C. 5:93 and shall be referred by COAH to the DCA Division on Aging for review and

recommendations.

F. Construction phasing of inclusionary units. Inclusionary development shall require low and moderate income housing units to be built in accordance with the following

schedule:

Minimum Percentage of Percentage of Market

Low and Moderate Housing Units

Income Units Completed Completed

0 25

10 25 + 1 unit

50 50

75 75

100 90

100

§ 1310.

Controls on affordability.

A. Length of controls.

(1) Controls on sale of new low and moderate income units shall extend for thirty (30) years from the date of initial purchase. [Amended 7-6-98 by Ord. No. 0-7-98.

026]

(2) Controls on rehabilitated owner-occupied single-family housing units that are improved to code standard shall extend for six (6) years from the date of completion of the rehabilitation.

(3) Controls on rehabilitated renter-occupied housing units that are improved to code standard shall extend for ten (10) years from the date of initial rental of the

rehabilitated unit.

(4) Controls on rents of new low and moderate income units shall extend for thirty (30) years from the date of initial rental.

(5) Alternative living arrangements shall be controlled in a manner, suitable to the New Jersey Council on Affordable Housing, that provides assurances that such a

facility will house low and moderate income households for at least ten (10) years.

(6) Housing units created through conversion of a nonresidential structure shall be considered a new housing unit and shall be subject to controls on affordability as

delineated above.

(7) Affordability controls on accessory apartments shall be for a period of at least ten (10) years. However, in order to be eligible for a rental bonus, pursuant to

N.J.A.C. 5:93-5.13) controls on affordability shall extend for a period of thirty (30) years.

B. Mechanism for controls.

(1) The controls of affordability shall be implemented and enforced for new construction by, at a minimum, a recorded deed restriction and mortgage lien, which

shall be reviewed and approved as to form by the Township Attorney prior to execution.

(2) General provisions concerning uniform deed restriction liens and enforcement through certificates of occupancy or reoccupancy on sales units.

(a) The municipality shall not issue a certificate of occupancy for initial occupancy of a low or moderate income sales unit unless there is a written determination by the Board that the unit is to be controlled by a deed restriction and mortgage lien as adopted by COAH. The Board shall make such determination within ten (10) days of receipt of a proposed deed restriction and mortgage lien. Amendments to the deed restriction and lien shall be permitted only if they have been approved by COAH. A request for an amendment to the deed restriction and lien may be made by the Board or a

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

developer.

(b) The municipality shall not permit the initial occupancy of a low or moderate income sales unit prior to issuance of a certificate of occupancy in accordance with paragraph (a) above.

(c) The township shall require a certificate of reoccupancy for any occupancy of a low or moderate income sales unit resulting from a resale and shall not issue such certificate unless there is written determination by the Board that the unit is to be controlled by the deed restriction and mortgage lien adopted by COAH upon acquisition of the property. The Board shall make such determination within ten (10) days of receipt of a proposed deed restriction and mortgage lien.

(d) The certificate of reoccupancy shall not be required in sales for which controls are allowed to expire or in which the repayment option is being exercised pursuant to N.J.A.C. 5:93-9.4.

(e) The mortgage lien and the deed restriction shall be filed with the records office of Middlesex County. The lien and deed restriction shall be in the form adopted by COAH, unless amendments have been approved by COAH.

(f) The deed restriction, including the repayment clause and the mortgage lien shall have priority over all mortgages on the property except for a first mortgage placed on the property by the mortgage prior to the expiration of resale controls.

C. Controls on resales.

(1) Option to buy sales units.

(a) The deed restriction governing the deeds of low and moderate income units shall include an option permitting purchase of the affordable housing unit at the maximum allowable restricted sales price at the time of the first non exempt sale after controls on affordability have been in effect on the unit for the period specified in N.J.A.C. 5:93-9.2. The option to buy shall be available to the municipality, the Department of Community Affairs, NJHMFA, or a qualified non profit as defined in this chapter.

(b) All deed restrictions governing low and moderate income units shall require the owner to notify the MTAHB and COAH by certified mail of any intent to sell the unit ninety (90) days prior to entering into an agreement for the first non-exempt sale after controls have been in effect on the housing unit; for the period specific in N.J.A.C. 5:93-9.2.

(c) Upon receipt of such notice, the option to buy the unit at the maximum allowable restricted sales price or any mutually agreeable sales price that does not exceed the maximum allowable restricted sales price shall be available for ninety (90) days. The Board shall notify the township, the Department of Community Affairs, NJHMFA, and COAH that the unit is for sale. If the municipality exercises this option, it may enter into a contract of sale. If the municipality fails to exercise this option within ninety (90) days, the first of the other entities giving notice to the seller of its intent to purchase during the ninety (90) day period, shall be entitled to purchase the unit. If the option to purchase the unit at the maximum allowable restricted sales price is not exercised by a written offer to purchase the housing unit within ninety (90) days of receipt of the intent to sell, the owner may proceed to sell the housing unit pursuant to N.J.A.C. 5:93-9.8. If the owner does not sell the unit within one (1) year of the date of the delivery of notice of intent to sell, the option to buy the unit shall be restored and the owner shall be required to submit a new notice of intent to sell ninety (90) days prior to any future proposed date of sale.

(d) Any option to buy a housing unit at the maximum allowable restricted sales price shall be exercised by certified mail and shall be deemed exercised upon mailing.

(2) Municipal option; sales units.

(a) The township that elects to purchase a low or moderate income unit pursuant to N.J.A.C. 5:93-9.4 may:

[1] Convey or rent the housing unit to a low or moderate income purchaser or tenant at a price or rent not to exceed the maximum allowable restricted sales price or rent provided the unit is controlled by a deed restriction or an alternative approved by COAH; or

[2] Convey the unit at fair market value subject to the provisions of paragraph (c) below.

(b) If the township purchases low income housing units, it shall maintain them as low income housing units.

(c) If the township elects to purchase low or moderate income housing units and convey them at a fair market value, it shall:

[1] Notify COAH of any proposed sale and sales price ninety (90) days before closing;

[2] Notify COAH of the price differential as defined in N.J.A.C. 5:93-1.3; and

[3] Deposit the price differential in an interest bearing housing trust fund devoted solely to the creation, rehabilitation or maintenance of low and moderate income housing.

(d) Money deposited in housing trust funds may not be expended until the township submits and COAH approves a spending plan in accordance with N.J.A.C.

5:93-5.1(c). Money deposited in housing trust funds shall be subject to the restrictions, monitoring requirements and penalties outlined in N.J.A.C. 5:93-8.15 through 17.

(3) State option; sales units.

(a) When the Department of Community Affairs or NJHMFA elects to purchase a low or moderate income unit pursuant to N.J.A.C. 5:93-9.4 it may:

[1] Convey or rent the housing unit to a low or moderate income purchaser or tenant at a price or rent not to exceed the allowable restricted sales price or rental; or

[2] Convey the unit at fair market value and utilize the price differential to subsidize the construction, rehabilitation or maintenance of low and moderate income housing within the appropriate housing region.

(4) Nonprofit option; sales units.

(a) Nonprofit agencies may apply to COAH at any time for the right to purchase low or moderate income units subsequent to the period of controls on affordability provided the unit remains controlled by a deed restriction approved by COAH.

(b) Nonprofit agencies that have been designated by COAH shall be eligible to purchase low or moderate income units pursuant to N.J.A.C. 5:93-9.4 for the

sole purpose of conveying or renting the housing unit to a low or moderate income purchaser or tenant at a price or rent not to exceed the allowable restricted sales price or rental. Low income units shall be made available to low income purchasers or tenants and the housing unit shall be regulated by the deed restriction and lien adopted by COAH. The term of the controls on affordability shall be the same as those required by N.J.A.C. 5:93-9.2.

(5) Seller option; sales units.

(a) An eligible seller of a low or moderate income unit which has been controlled for the period established in N.J.A.C. 5:93-9.2, who has provided notice of an intent to sell, may proceed with the sale if no eligible entity as outlined in N.J.A.C. 5:93-9.4(c) and 9.7 exercises its option to purchase within ninety (90)

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

days.

(b) Subject to N.J.A.C. 5:93-9.9, the seller may elect to:

- [1] Sell to a qualified low and moderate income household at a price not to exceed the maximum permitted sales price in accordance with existing Council rules, providing the unit is regulated by the deed restriction and lien adopted by COAH for a period of at least twenty (20) years; or
- [2] Exercise the repayment option and sell to any purchaser at market price, providing that ninety-five percent (95%) of the price differential is paid to the Board, as an instrument of the municipality, at closing.

(c) If the sale will be to a qualified low and moderate income household, the Board shall certify the income qualifications of the purchaser and shall ensure the housing unit is regulated by the deed restriction and lien required by COAH.

(d) The Board shall examine any contract of sale containing a repayment option to determine if the proposed sales price bears a reasonable relationship to the

housing unit's fair market value. In making this determination, the Board may rely on comparable sales data or an appraisal. The Board shall not approve any contract of sale where there is a determination that the sales price does not bear a reasonable relationship to fair market value. The Board shall make a determination within twenty (20) days of receipt of the contract of sale and shall calculate the repayment option payment.

(e) The Board shall adopt an appeal procedure by which a seller may submit written documentation requesting the Board to recompute the repayment obligation if the seller believes an error has been made, or to reconsider a determination that a sales price does not bear a reasonable relationship to fair market value. A repayment obligation determination made as a result of an owner's appeal shall be a final administrative determination of the Board.

(f) The repayment shall occur at the date of closing and transfer of title for the first nonexempt transaction after the expiration of controls on affordability.

(g) Repayment proceeds shall be deposited in a housing trust fund (see N.J.A.C. 5:93-8.14) and may be used as per N.J.A.C. 5:93-8.15. Money deposited in

housing trust funds may not be expended until the municipality submits and COAH approves a spending plan (See N.J.A.C. 5:93-5.1(c)).

(6) Township rejection of repayment option; sales units.

(a) The township shall have the right to determine that the most desirable means of promoting an adequate supply of low and moderate income housing is to

prohibit the exercise of the repayment option and maintain controls on lower income housing units sold within the municipality beyond the period required by N.J.A.C. 5:93-9.2. Such determination shall be made by resolution of the municipal governing body and shall be effective upon filing with COAH and the

MTAHHB. The resolution shall specify the time period for which the repayment option shall not be applicable. During such period, no seller in the municipality

may utilize the repayment option permitted by N.J.A.C. 5:93-9.8.

(b) Municipalities that exercise the option outlined in paragraph (a) above shall:

- [1] Provide public notice in a newspaper of general circulation; and
- [2] Notify the MTAHHB and Council of its governing body's action.

(c) The Board shall ensure that the deed restriction on all affected housing units reflects the extended period of controls.

(7) Continued application of options to create, rehabilitate or maintain low and moderate income units; sales units.

When a housing unit has been maintained as a low or moderate income unit after controls have been in effect for the period specified in N.J.A.C. 5:93-9.2 the

deed restriction governing the housing unit shall allow municipalities, the state, nonprofit agencies and sellers of low and moderate income units to again exercise all the same options as provided in this subchapter.

(8) Eligible capital improvements.

(a) Property owners of single-family, owner-occupied housing may apply to the Board for permission to increase the maximum resale price to account for eligible capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household. In no event shall the maximum price of an improved housing unit exceed the limits of affordability for the larger household.

(b) At resale, all items of property which are permanently affixed to the units and/or were included when the unit was initially restricted, i.e. refrigerator, range, washer, dryer, dishwasher, wall to wall carpeting, shall be included in the maximum allowable resale price. Other items of property may be sold to the purchaser at a reasonable price that has been approved by the Board at the time of signing the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price has been approved by the Board. Unless otherwise permitted by the New Jersey Council on Affordable Housing, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at resale.

(9) Impact of foreclosure on resale and excess proceeds upon foreclosure.

(a) A judgment of foreclosure or a deed in lieu of foreclosure to a financial institution regulated by state and/or federal law or to a lender on the secondary mortgage market, including, but not limited to, the Federal National Mortgage Association, the Home Loan Mortgage Corporation, the Government

National Mortgage Association or an entity acting on their behalf, shall extinguish controls on affordable housing units provided there is compliance with N.J.A.C. 5:93-9.14. Notice of foreclosure shall allow the Board, the township, the Department of Community Affairs, the New Jersey Housing and Mortgage

Finance Agency or a nonprofit entity to purchase the affordable housing unit at the maximum permitted sales price and maintain it as an affordable unit for the balance of the intended period of controls. Failure to purchase the affordable housing unit shall result in the New Jersey Council on Affordable Housing adding that unit to the municipal present and prospective fair share obligation. Failure of the financial institution to provide notice of a foreclosure written to the Board shall not impair any of the financial institutions rights to recoup loan proceeds, shall not negate the extinguishment of controls or the validity of the foreclosure; and shall create no cause of action against the financial institution.

(b) In the event of a foreclosure sale, the owner of the affordable housing unit shall be personally obligated to pay to the Board responsible for assuring affordability, any surplus funds, but only to the extent that such surplus funds exceed the difference between the maximum price permitted at the time of foreclosure and the amount necessary to redeem the debt to the financial institution, including costs of foreclosure.

(10) Title transactions considered exempt from resale controls. (Amended 7-6-98 by Ord. No. 0-7-98-026)

(a) Exempt transfers are as follows:

[1] Transfer of ownership between husband and wife.

[2] Transfer of ownership between former spouses ordered as a result of a judicial decree of separation or divorce, but not including sale to third parties.

[3] Transfer of ownership between family members by will or intestate succession.

[4] Transfer of ownership through an executor's deed to any person.

[5] Transfer of ownership by court order.

[6] Transfer of ownership due to hardship (rehabilitation lien only), where owner establishes that property must be sold before end of full term.

(b) However, an exempt transfer of ownership shall not terminate the resale restrictions of existing liens on the property for the full terms of the

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

affordability

controls, except as provided in paragraph (c) below.

(c) An executor of any estate involving a rehabilitation lien or the owner of a rehabilitated unit who establishes a hardship may elect to pay off said lien by paying any and all hard costs (i.e. face amount of rehabilitation lien) and soft costs (i.e. administrative fees directly associated with said lien) of said rehabilitation project as determined by the Housing Officer. The Mayor and Township Clerk shall execute any and all documents necessary to discharge the

rehabilitation lien upon proof of payment in full of all hard and soft costs, as certified by the Housing Officer.

§ 1319.

Local housing rehabilitation program.

A. The Township Housing Rehabilitation Program shall be administered by the Monroe Township Affordable Housing Board as follows:

(1) The Municipal Housing Officer shall be responsible for the Board's duties under the local housing rehabilitation program specified in the township's adopted 1988

Housing Element and Fair Share Plan and subsequent revisions and amendments thereto.

(2) The Board shall identify homeowners and landlords willing to participate in a program of rehabilitating, up to code standard, existing housing affordable to low

and moderate income households.

(3) The Board shall provide funding for the program.

(4) The Board shall maintain affordability controls for rehabilitated units.

B. Under the direction of the Monroe Township Affordable Housing Board, the Municipal Housing Officer and staff members shall:

(1) Screen the income eligibility of prospective participants in the local housing rehabilitation program.

(2) Estimate the cost of needed housing improvements.

(3) Obtain bids from contractors in a manner that provides choice to homeowners and landlords.

(4) Monitor the work of contractors.

(5) Inspect and approve the completed rehabilitation work.

C. Low and moderate income split. To the best extent feasible, at least fifty percent (50%) of all rehabilitated units shall be for low income households.

D. Lien requirement. A homeowner or investor-landlord participating in the local rehabilitation program shall execute a lien on the rehabilitated property in favor of the

Township of Monroe in consideration for the funds granted for the cost of rehabilitation and for the period of controls on affordability. Prior to execution, the lien shall

be reviewed as to form by the Township Attorney.

(1) Rehabilitated owner-occupied single family housing units that are improved to code standards shall be subject to affordability controls for at least six (6) years.

(2) Rehabilitated renter-occupied housing units that are improved to code standard shall be subject to affordability controls for at least ten (10) years.

§ 13110.

Management service for sale or rental units.

A. In the event that the Township of Monroe chooses to use an outside agency to manage and administer sales and rentals of low and moderate income units, the

Township of Monroe shall contract with the Affordable Housing Management Service (AHMS) to administer the affirmative marketing program for such sales and rental

units; for the administration of affordable sales and rental units; for the administration of affordable sales and rental units during the lifetime of the affordability

controls for said units; to assist with advertising and outreach of low and moderate income households regarding sales or rental units; and to enforce the terms and

conditions of deed restrictions regarding said units.

B. AHMS shall provide counseling services to low and moderate income applicants regarding sales or rental units, on subjects including but not limited to budgeting, credit

issues, mortgage qualification, rental requirements, and landlord-tenant issues.

C. In the event that the administration of low and moderate income housing in an inclusionary development is to be performed by AHMS, the payment of the AHMS fee

shall be the responsibility of the developer/owner of that particular inclusionary development and shall be a condition of Municipal Planning Board Approval.

D. All developers/owners of low and moderate income housing units shall be required to assist in the marketing of the affordable units in their respective developments.

The cost of advertising the low and moderate income units shall be the developer's responsibility and this requirement shall be a condition of Municipal Planning Board

approval.

E. The Municipal Housing Officer in Monroe Township is hereby designated to act as liaison between the township, the Monroe Township Affordable Housing Board,

AHMS, and the Council on Affordable Housing (COAH), and shall provide a monthly report to the Affordable Housing Board concerning action taken by AHMS.

F. In the event that the Township of Monroe enters into a contract with AHMS regarding affordable sales and rental units, all other applicable sections of this chapter shall

be enforced by AHMS on behalf of the Township of Monroe in accordance with applicable COAH Rules and Regulations.

ARTICLE II Municipal Housing Liaison

[Adopted 10-4-06 as Ord. No. O-10-2006-034]

§ 13111.

Purpose.

The purpose of this Article is to create the administrative mechanisms needed for the execution of Monroe Township's responsibility to assist in the provision of affordable

housing pursuant to the Fair Housing Act of 1985.

§ 13112.

Definitions.

As used in this Article, the following terms shall have the meanings indicated:

MUNICIPAL HOUSING LIAISON - The employee charged by the Governing Body with the responsibility for oversight and administration of the

Monroe Township, Middlesex County, New Jersey

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

affordable housing

program for the Township of Monroe.

ADMINISTRATIVE AGENT - The entity responsible for administering the affordability controls of some or all units in the affordable housing program for the Township of

Monroe to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income

households

§ 13113.

Establishment of Municipal Housing Liaison position and compensation; powers and duties.

A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for the Township of Monroe.

B. Subject to the approval of the Council on Affordable Housing ("COAH"), the Municipal Housing Liaison shall be appointed by the Governing Body and may be a full or part-time municipal employee.

C. The Municipal Housing Liaison shall be responsible for the oversight and administration of the affordable housing program for the Township of Monroe, including the

following responsibilities which may not be contracted out:

(1) Serving as Monroe Township's primary point of contact for all inquiries from the state, affordable housing providers, Administrative Agents, and interested

households;

(2) Monitoring the status of all restricted units in Monroe Township's Fair Share Plan;

(3) Compiling, verifying, and submitting annual reports as required by COAH;

(4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;

(5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;

(6) If applicable, serving as the Administrative Agent for some or all of the restricted units in Monroe Township, as described Subsection F. below.

D. Subject to approval by COAH, Monroe Township may contract with or authorize a consultant, authority, government or any agency charged by the Governing Body,

which entity shall have the responsibility of administering the affordable housing program of Monroe Township. If Monroe Township contracts with another entity to

administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison shall

supervise the contracting Administrative Agent.

E. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison.

F. Administrative powers and duties assigned to the Municipal Housing Liaison if not delegated specifically to an approved Administrative Agent as part of a contract:

(1) Affirmative marketing.

(a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of Monroe

Township and the provisions of N.J.A.C. 5:80-26.15; and

(b) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

(2) Household certification.

(a) Soliciting, scheduling, conducting and following up on interviews with interested households;

(b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;

(c) Providing written notification to each applicant as to the determination of eligibility or noneligibility;

(d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices "J" and "K" of N.J.A.C. 5:80-26.1 et seq.;

(e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and

(f) Employing the random selection process as provided in the Affirmative Marketing Plan of Monroe Township when referring households for certification to

affordable units.

(3) Affordability controls.

(a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;

(b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as

appropriate;

(c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;

(d) Communicating with lenders regarding foreclosures; and

(e) Ensuring the issuance of continuing certificates of occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

(4) Resale and rental.

(a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of

restricted units for resale or rental; and

(b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or rental.

(5) Processing request from unit owners.

(a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;

(b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and

(c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.

(6) Enforcement.

(a) Securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it;

(b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgment of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

(c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent, together with the telephone number of the Administrative Agent where complaints of excess rent can be made;

(d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;

(e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;

(f) Establishing a rent-to-equity program;

(g) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and

(h) Providing annual reports to COAH as required.

(7) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

Chapter 131 AFFORDABLE HOUSING

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1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

Chapter 131A AFFORDABLE HOUSING DEVELOPMENT FEES

§ 131A-1. Purpose.

§ 131A-2. Definitions.

§ 131A-3. Retention of fees.

§ 131A-4. Residential development fees.

§ 131A-5. Nonresidential development fees.

§ 131A-6. Eligible exaction, ineligible exaction and exemptions.

§ 131A-7. Collection of fees.

§ 131A-8. Housing Trust Fund.

§ 131A-9. Use of funds.

§ 131A-10. Expiration of chapter.

§ 131A-11. Effective date of chapter.

(HISTORY: Adopted by the Township Council of the Township of Monroe 2-1-93 as Ord. No. 0-2-93-005; amended in its entirety 6-9-93 by Ord. No. 0-6-93-

021. Additional amendments noted where applicable.)

§ 131A-1. Purpose.

A. In *Holmdel Builder's Association v. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are

authorized by the Fair Housing Act of 1985 N.J.S.A. 52:27D-391 et seq. and the State Constitution, subject to COAH developing rules. The purpose of this chapter is to

establish standards for the collection, maintenance and expenditure of development fees pursuant to COAH's rules. Fees collected pursuant to this chapter shall be

used for the sole purpose of providing low- and moderate-income housing. This chapter shall be interpreted within the framework of COAH's rules on development

fees.

§ 131A-2. Definitions.

COAH — The New Jersey Council on Affordable Housing.

DEVELOPER — The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or

contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT — The division of a parcel of land into two (2) or more parcels, the construction, reconstruction, conversion, structural addition, relocation, or

enlargement of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or

extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1, et seq.

DEVELOPMENT FEES — Money paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted in COAH's

rules.

EQUALIZED ASSESSED VALUE — The value of a property determined by the Municipal Tax Assessor through a process designed to ensure that all property in the

municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of the building permit may be obtained by the Tax

Assessor

utilizing estimates for construction costs. Final equalized assessed value will be determined at project completion by the Municipal Tax Assessor.

SUBSTANTIVE CERTIFICATION — A determination by COAH approving a municipality's housing element and fair share plan in accordance with the provisions of the Act

and the rules and criteria as set forth herein. A grant of substantive certification shall be valid for a period of six (6) years in accordance with the terms and conditions

contained therein.

§ 131A-3. Retention of fees.

Any fees collected prior to December 13, 1990 shall be retained by the Township of Monroe pursuant to COAH's rules regarding the retention of development fees.

§ 131A-4. Residential development fees. [Amended 6-8-05 by Ord. No. 0-6-2005-028]

Within all zoning districts of the Township of Monroe, developers shall pay a development fee of one percent (1%) of the equalized assessed value of any eligible residential

activity.

§ 131A-5. Nonresidential development fees. [Amended 6-8-05 by Ord. No. 0-6-2005-028]

Developers within all zoning districts of the Township of Monroe shall pay a fee of two percent (2%) of the equalized assessed value for eligible nonresidential activities.

§ 131A-6. Eligible exaction, ineligible exaction and exemptions.

A. Developers of low- and moderate-income units shall be exempt from the payment of development fees on units developed within, and as part of, an approved inclusionary development project.

B. Developers that engage in new development shall pay a development fee, with the following exemptions:

1. The expansion or addition to an existing single family dwelling.
2. Structural alterations that do not increase gross floor area of a building or structure or increase the equalized assessed value of a property.
3. Development by governmental or public agencies, nonprofit hospitals, nonprofit educational or religious institutions, charitable or not-for-profit entities legally established in accordance with the laws of the State of New Jersey.

C. Developers that have received preliminary approval or final approval prior to the effective date of this chapter shall be exempt from paying a development fee, unless

the developer seeks a substantial change in the approval or said approval expires without an extension granted by the respective review board.

D. An expansion or intensification of the use of any existing structure, except where the structure will be used as a single family dwelling, shall be subject to the provisions

of this chapter. The development fee shall be calculated based on the increase in the equalized assessed value of the development.

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

§ 131A-7. Collection of fees.

A. Developers shall pay twenty-five percent (25%) of the calculated development fee to the Township of Monroe at the issuance of building permits. The development fee

shall be estimated by the Tax Assessor prior to the issuance of building permits.

B. Developers shall pay the remaining fee to the Township of Monroe when their properties qualify for, but prior to, the issuance of certificates of occupancy. When

notified that the properties noted above qualify for certificates of occupancy, the Tax Assessor shall calculate the equalized assessed value and the appropriate

development fee. The developer shall be responsible for paying the difference between the fee calculated at that time and the amount paid at the building permit.

C. The developer shall, within ten (10) days from receipt of notification from the township, pay to the township the difference between the development fees required to

be paid by the developer once such final equalized assessed value has been determined and the estimated development fees actually paid by the developer. The failure

of the developer to make timely payment of the aforesaid deficiency shall entitle the township to file, without further notice to the developer, a lien against the subject

development. In the event the township shall file such lien, the township may add to the aforesaid deficiency amount reasonable attorney fees to file and discharge

such lien, together with any and all costs incurred to file and discharge said lien.

§ 131A-8. Housing Trust Fund.

A. There is hereby created an interest-bearing Housing Trust Fund in an official depository of the Township of Monroe for the purpose of receiving development fees from

residential and nonresidential developers. All development fees paid by developers pursuant to this chapter shall be submitted to the Treasurer of the Township for

deposit in this Housing Trust Fund. No money shall be expended from the Housing Trust Fund unless the expenditure conforms to a spending plan approved by COAH.

B. If COAH determines that the Township of Monroe is not in conformance with COAH's rules on development fees, COAH is authorized to direct the manner in which all

development fees collected pursuant to this chapter shall be expended. Such authorization is pursuant to: this chapter, COAH's rules on development fees; and the

written authorization from the governing body to the official depository.

§ 131A-9. Use of funds. [Amended 11-30-09 by Ord. No. O-11-2009-038]

A. Monies deposited in the Housing Trust Fund may be used for any activity approved by COAH for addressing the Township of Monroe's low- and moderate-income

housing obligation. Such activities may include, but are not necessarily limited to: housing rehabilitation; new construction; regional contribution agreements; the

purchase of land for low- and moderate-income housing; extensions and/or improvements of roads and infrastructure to low- and moderate-income housing sites;

assistance designed to render units to be more affordable to low- and moderate-income people; and administrative costs necessary to implement the Township of

Monroe's housing element. The expenditure of all money shall conform to a spending plan approved by COAH.

B. At least thirty percent (30%) of the revenues collected shall be devoted to render units more affordable. Examples of such activities include, but are not limited to:

(1) Rental assistance;

(a) Payment of "moving expenses" based upon verified receipts, in an amount not to exceed five hundred dollars (\$500.) per family.

(b) Utility deposits - gas and electric. Deposits paid to utility companies to be returned to the Township Affordable Housing Trust Fund upon termination of

tenancy.

(c) Rent subsidies based upon size of family and number of bedrooms in apartment.

1. One-bedroom, low-income unit - \$55. month subsidy.

2. One-bedroom, moderate-income unit - \$100. month subsidy.

3. Two-bedroom, low-income unit - \$100. month subsidy.

4. Two-bedroom, moderate-income unit - \$200. month subsidy.

(2) Buyer assistance: The Township may pay the following from the Housing Trust Fund to, or on behalf of, low- and moderate-income households to assist with the

purchase of an affordable unit in which the buyer's household will reside.

(a) Payment of closing costs: i.e., title work and policy, reasonable attorneys fees for closing of title, preparation of survey, homeowners insurance, recording

fees, and other necessary closing expenses to third parties, not to exceed one thousand five hundred dollars (\$1,500.) per unit.

(b) Payment of lender fees: i.e., mortgage points, application fees, appraisal fees, bank attorney review fees, and necessary mortgage closing expenses, not to exceed one thousand five hundred dollars (\$1,500.) per unit.

(c) The total buyer assistance per unit shall not exceed three thousand dollars (\$3,000.) for the above referenced assistance grants.

(d) Down payment assistance in the form of a repayable loan, to be repaid to the Township of Monroe Affordable Housing Trust Fund upon the resale of the

affordable housing unit (said assistance not to exceed ten percent (10%) of the purchase price). Down payment assistance is subject to approval by the

lender.

(e) Utility deposits - gas and electric. Deposits paid to utility companies are to be returned to the Township Affordable Housing Trust Fund upon resale of the

unit.

The buyer will execute such documents required to secure payment to Monroe.

(3) A low- or moderate-income household may not be denied affordability assistance unless funding is no longer available from the Housing Trust Fund.

C. No more than twenty percent (20%) of the revenues shall be expended on administrative costs necessary to develop, revise or implement the housing element.

Examples of eligible administrative costs include: personnel; consultant services; space costs; consumable supplies; and rental or purchase of equipment.

1999 - 2025 HOUSING ELEMENT & FAIR SHARE PLAN

D. Development fee revenues shall not be expended to reimburse the Township of Monroe for housing activities that preceded substantive certification, § 131A-10. Expiration of chapter.

This chapter shall expire if:

A. COAH dismisses or denies any future petition for substantive certification submitted by the Township of Monroe;

B. COAH revokes substantive certification or its certification of this chapter;

C. Substantive certification expires prior to the Township of Monroe's filing an adopted housing element with COAH, petitioning for substantive certification or receiving

COAH's approval of this chapter.

§ 131A-11. Effective date of chapter.

This chapter shall take effect immediately upon COAH's approval of same.

Chapter 131A. AFFORDABLE HOUSING DEVELOPMENT FEES

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