RESOLUTION
Amendment to
Princeton Community
Master Plan
Housing Element

Princeton Township Fair Share Plan

RESOLUTION OF THE
REGIONAL PLANNING BOARD OF PRINCETON
MERCER COUNTY, NEW JERSEY

WHEREAS, the Regional Planning Board of Princeton has been organized in accordance with N.J.S.A. 40:55D-23 and 24; and

WHEREAS, the Regional Planning Board of Princeton, State of New Jersey, adopted its current Master Plan pursuant to N.J.S.A. 40:55D-28 on December 12, 1996 with various amendments through September 14, 2006 in addition to adopting its Reexamination Report on October 18, 2007; and

WHEREAS, the Master Plan includes a Housing Element pursuant to N.J.S.A. 40:55D-28b(3); and

WHEREAS, N.J.A.C. 5:97-3.1(a) requires the preparation of a Fair Share Plan to address the total 1987-2018 fair share obligation of the Township of Princeton ; and

WHEREAS, N.J.A.C. 5:94-2.1(a) requires the adoption of the Housing Element by the Planning Board and endorsement by the Governing Body; and

WHEREAS, N.J.A.C. 5:97-3.1(b) requires the adoption of the Fair Share Plan by the Planning Board and endorsement by the Governing Body; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Regional Planning Board of Princeton held a public hearing on the Housing Element and the Township of Princeton's Fair Share Plan on December 4, 2008; and

WHEREAS, the Planning Board has determined that the Housing Element and the Township of Princeton's Fair Share Plan are consistent with the goals and objectives of the Princeton Community's Master Plan and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

NOW THEREFORE BE IT RESOLVED by the Regional Planning Board of Princeton, State of New Jersey, that the Planning Board hereby adopts, as amended, the December 4, 2008 Housing Element and the Township of Princeton's Fair Share Plan and recommends that the Princeton Township Committee endorse these documents and submit them to COAH with a petition for Substantive Certification.

Ilene Cutroneo

Ilene Cutroneo, Secretary to the Planning Board

I hereby certify that this is a true copy of the resolution adopting the Housing Element and Fair Share Plan of the Township of Princeton, Mercer County, on December 10, 2008

Ilene Cutroneo

RESOLUTION
Amendment to
Princeton Community
Master Plan
Housing Element

Princeton Borough Fair Share Plan

RESOLUTION OF THE REGIONAL PLANNING BOARD OF PRINCETON MERCER COUNTY, NEW JERSEY

WHEREAS, the Regional Planning Board of Princeton has been organized in accordance with N.J.S.A. 40:55D-23 and 24; and

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WHEREAS, the Master Plan includes a Housing Element pursuant to N.J.S.A. 40:55D-28b(3); and

WHEREAS, N.J.A.C. 5:97-3.1(a) requires the preparation of a Fair Share Plan to address the total 1987-2018 fair share obligation of the Borough of Princeton ; and

WHEREAS, N.J.A.C. 5:94-2.1(a) requires the adoption of the Housing Element by the Planning Board and endorsement by the Governing Body; and

WHEREAS, N.J.A.C. 5:97-3.1(b) requires the adoption of the Fair Share Plan by the Planning Board and endorsement by the Governing Body; and

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WHEREAS, the Planning Board has determined that the Housing Element and the Borough of Princeton's Fair Share Plan are consistent with the goals and objectives of the Princeton Community's Master Plan and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

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Ilene Cutroneo

Ilene Cutroneo, Secretary to the Planning Board

I hereby certify that this is a true copy of the resolution adopting the Housing Element and Fair Share Plan of the Borough of Princeton, Mercer County, on December 4, 2008

Ilene Cutroneo

IV. FUTURE HOUSING POLICIES

INTRODUCTION

The Princeton Community has a long history of providing housing opportunities for residents from diverse socio-economic backgrounds. Princeton's commitment to affordable housing predates the mandates of the Mount Laurel decisions and the Fair Housing Act of 1985. Efforts to provide affordable housing date back to 1938 in the Borough with the construction of Franklin Terrace and in the Township from 1976 with the construction of Princeton Community Village. Both communities remain committed to providing affordable housing, and implementing housing policies beyond the Council on Affordable Housing (COAH) requirements.

The Housing Element, found in Appendix A, presents Princeton's ten-year Affordable Housing Program. The Housing Element is the only part of this master plan where the two Princetons have individual plans. Both the Borough and Township must prepare separate Housing Element under the COAH rules and regulations. The Housing Element has been prepared in conjunction with the Borough and Township Affordable Housing Boards. These Boards oversee day to day affordable housing activities for their respective communities. The Borough's Housing Authority provided comment on this element as well. The Housing Authority is responsible for the day to day operations of Hageman Homes, Franklin Terrace, Karen Court, Maple Terrace, Redding Circle and Spruce Circle. Appendix A of the Housing Element provides an inventory of the Princeton community's housing stock as well as the specific programs to comply with COAH rules.

The Borough's growth share obligation, as determined by COAH, is 178 new units, based on projected residential and non-residential growth. The Township's growth share obligation, as determined by COAH, is 168 new units based on projected residential and non-residential growth. The Borough's rehabilitation share is 67 units and the Township's rehabilitation share is 47 units. Details on the Borough's and Township's Affordable Housing Programs and Fair Share Plans can be found in Appendix A.

1996 POLICY STATEMENT

Historically, Princeton has offered housing opportunities for a full spectrum of people ranging from those of low and moderate income to affluent. Ensuring that these opportunities continue to be available, is an important part of this element. Maintaining a balanced community ensures diversity of population, reflecting a wide variety of social, cultural, ethnic and economic backgrounds as well as a broad mix of compatible land uses.

The Housing Element seeks to reinforce the human scale, diversity of residential opportunity, variety of experience, small town image, and balance of uses that are the essence of Princeton. Given the dwindling amount of vacant land in Princeton, the construction of new affordable

housing and senior housing on a large scale may not be possible. Therefore, it is imperative to develop alternatives to traditional development in providing affordable housing in Princeton.

1996-2001 HOUSING GOALS

I. Provide Princeton's regional fair share of affordable housing for low, moderate and middle income households.

II. Provide for the housing needs of the handicapped and the elderly.

III. Promote, preserve and enhance Princeton's unique community life and housing stock.

IV. Provide for present and future housing needs in the Princeton Community, while retaining the small-town quality and diversity of life within the community, consistent with the vision of Princeton.

V. Balance Princeton's housing needs with other land uses, and the goals and policies of other elements of the Community Master Plan.

VI. Ensure that new housing development does not have a negative impact upon the natural or man-made environment within Princeton, nor should it place an undue burden on existing infrastructure and roads or negatively impact the quality of life.

VII. Higher density housing opportunities for affordable and senior housing should be provided in areas where the impact on Princeton's quality of life, traffic circulation, schools, and transportation system can be minimized.

STRATEGIES

In addition to the housing strategies found in Appendix A the Regional Planning Board is committed to providing opportunities for a variety of housing affordable to low-, moderate-, and middle-income families as well as providing additional opportunities for senior housing. Listed below are strategies that will be evaluated by the Board and recommended for implementation if suitable sites are found.

One such opportunity was the expansion of Elm Court from 89 units to 157 units. This project straddles the municipal boundary lines. Zoning amendments in each municipality to permit this expansion were adopted. This new zone includes the existing Elm Court, with its buildings in the Borough and its stormwater detention basin in the Township and the seven acres behind Elm Court. Development is clustered behind Elm Court and in the eastern portion of the 7 acres lot behind Elm Court. The rear of this lot with the exception of the easements for sewer lines will be subject to a conservation easement. This development, now known as

Harriet Bryant House provides an additional 68 income-restricted units for seniors in the Princeton Community.

I. Low and Moderate Income Housing

A. Continue housing rehabilitation program utilizing developer impact fees.

B. Provide opportunities for new affordable housing utilizing developer fees, state and federal funding and or private funds for both development and purchase of sites.

C. Promote scatter site and or infill development for affordable housing.

D. Encourage local tax-exempt institutions to provide affordable housing for their low income workers.

II. Middle Income Housing

A Provide opportunities for new middle income housing through below market mortgages similar to the University's program for its faculty.

B. Utilize cluster development or innovative zoning techniques to provide housing opportunities.

III. Senior Housing

A. Promote scatter site and or infill development for senior housing.

B. Develop additional senior housing zones in appropriate locations.

C. Provide opportunities for nontraditional senior housing.

PRINCETON
BOROUGH and TOWNSHIP
Mercer County

HOUSING ELEMENT and FAIR SHARE PLAN APPENDIX A to the PRINCETON COMMUNITY MASTER PLAN

Adopted by the Regional Planning Board of Princeton
December 4, 2008

Endorsed by the Princeton Borough Council
December 9, 2008

Endorsed by the Princeton Township Committee
December 15, 2008

Prepared by Lee Solow, PP/AICP
with the assistance of
Shirley M. Bishop, PP/AICP and Elizabeth C. McKenzie, PP/AICP

Appendix A

PRINCETON BOROUGH AND TOWNSHIP, MERCER COUNTY

HOUSING ELEMENT AND FAIR SHARE PLAN

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PREFACE

A municipality's Housing Element must be designed to achieve the goal of providing affordable housing to meet the total 1987-2018 affordable housing need comprised of estimated Growth Share, the remaining balance of Prior Round Obligation from Princeton's 1987-1999 affordable housing obligation that has not been addressed (if any) and the Rehabilitation Share. The regulations of the Council on Affordable Housing (COAH), N.J.A.C. 5:97-1, *et seq.* delineate a municipality's strategy for addressing its present and prospective housing needs, and, as such, each municipality's Housing Element must contain the following:

1. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;

2. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the ten years subsequent to the adoption of the housing element, taking into account, but not necessarily limited to, construction permits issued, approvals for development and probable residential development of lands;

3. An analysis of the municipality's demographic characteristics, including, but not 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;

7. A map of all sites designated by the municipality for the production of low and moderate income housing and a listing of each site that includes its owner, acreage, lot and block;

8. The location and capacities of existing and proposed water and sewer lines and facilities relevant to the designated sites;

9. Copies of necessary applications for sewer service and water quality management plans submitted pursuant to Sections 201 and 208 of the Federal Clean Water Act, 33 U.S.C. §1251, et seq.;

10. A copy of the most recently adopted municipal master plan, and where required, the immediately preceding, adopted master plan;

11. For each designated site, a copy of the New Jersey Freshwater Wetlands map where available. When such maps are not available, municipalities shall provide appropriate copies of the National Wetlands Inventory maps provided by the U.S. Fish and Wildlife Service;

12. A copy of appropriate United States Geological Survey Topographic Quadrangles for designated sites; and

13. Any other documentation pertaining to the review of the municipal housing element as may be required by the Council.

I. INVENTORY OF PRINCETON'S HOUSING STOCK

A. Number and Age of Housing Stock

The 2000 Census reports that Princeton Borough had 3,495 housing units. This represents a decrease of 19 units from the 1990 census. The majority of this decrease was the result of the demolition of an apartment building with 16 units on Shirley Court. The 2000 Census reports there are 6,224 housing units in the Township which represents an increase of 670 units from the 1990 Census.

Table 1 depicts the age of the housing stock in the Princeton Community as reported in the 2000 Census. More than 59 percent of the Borough's housing was constructed before 1939 and approximately 12 percent of the housing stock in Princeton Township was constructed prior to 1939. This suggests that there are older and more established neighborhoods in the Borough. According to the 2000 U.S. Census, the median year that a structure was built in Princeton Borough was prior to 1940 and in the Township it is 1963.

TABLE 1
Age of Housing Units

	Princeton Borough		Princeton Township	
Dates of Construction	**Number of Structures**	**Percent of Total**	**Number of Structures**	**Percent of Total**
1939 or earlier	2,079	.59	735	.12
1940 - 1959	728	.21	2,008	.32
1960 – 1969	222	.06	1,175	.19
1970 - 1979	200	.06	608	.10
1980 - 1989	198	.06	761	.12
1990 - March 2000	68	.02	937	.15
TOTAL UNITS	**3,495**	**100**	**6,224**	**100**

Source: 2000 Census of Population and Housing

B. Condition of Housing Stock

The Council on Affordable Housing (COAH) determines the rehabilitation share for affordable housing based upon the number of existing housing units as of April 1, 2000 that are both deficient and occupied by households of low or moderate income. Housing characteristics indicating a need for rehabilitation include persons per room exceeding 1.01 in housing units built before 1949, incomplete plumbing facilities - lacking hot and cold piped water, flush toilet or bathtub/shower, and incomplete kitchen facilities - units lacking a sink with piped water, a stove or a refrigerator. Based upon the data provided in Tables 2 through 4, COAH has

determined that the rehabilitation share for the Borough is 67 units and the Township rehabilitation share is 47 units.

Table 2 provides data on the number of persons per room. Of the 3,234 occupied housing units in the Borough, 92 have more than 1.01 persons per room. Of the 6,044 occupied housing unit in the Township, 162 housing units have more than 1.01 persons per room. Note that this table does not compare the year the structure was built with the presence of 1.01 or more persons per room and by itself can not be used to identify a deficient unit.

TABLE 2
Persons Per Room

	Princeton Borough		**Princeton Township**	
Persons Per Room	**Renter Occupied Units**	**Owner Occupied Units**	**Renter Occupied Units**	**Owner Occupied Units**
1.01 to 1.50	47	0	72	33
1.51 to 2.00	37	0	47	10
2.01 or more	8	0	0	0
TOTAL	**92**	**0**	**119**	**43**

Source: 2000 Census of Population and Housing

Table 3 provides data on plumbing facilities in housing units. Only 20 units in the Borough and 16 in the Township lack complete plumbing facilities.

TABLE 3
Plumbing Facilities

Plumbing Facilities	**Princeton Borough**	**Princeton Township**
Complete plumbing facilities	3,475	6,028
Lacking complete plumbing facilities	20	16

Source: 2000 Census of Population and Housing

Table 4 provides data on kitchen facilities in housing units. Only 47 units in the Borough and 9 in the Township lack complete kitchen facilities.

TABLE 4 Kitchen Facilities		
Kitchen Facilities	**Princeton Borough**	**Princeton Township**
Complete kitchen facilities	3,475	6,215
Lacking complete kitchen facilities	47	9

Source: 2000 Census of Population and Housing

C. Purchase and Rental Value

According to the 2000 Census, the median value of an occupied house in the Borough was $338,700 and in the Township it was $414,500. Approximately 59 percent of the owner-

occupied housing units in Princeton Borough and approximately 70 percent of those in the Township had values over $300,000. Table 5 provides data on the value of owner occupied housing units in the Princeton community.

TABLE 5 Owner-Occupied Housing Unit Values				
	Princeton Borough		**Princeton Township**	
	Units	**Percent**	**Units**	**Percent**
Less than $14,999	0	0.0	0	0
$15,000 - $49,999	11	0.01	41	0.01
$50,000 - $99,999	48	0.03	88	0.02
$100,000 - $149,999	62	0.04	171	0.04
$150,000 - $199,999	137	0.09	151	0.03
$200,000 - $299,999	396	0.25	833	0.20
$300,000 - $499,999	517	0.33	1,288	0.30
$500,000 - $999,999	259	0.17	1,262	0.30
$1,000,000 or more	127	0.08	411	0.10
TOTAL	**1,557**	**1.00**	**4,245**	**1.00**

Source: 2000 Census of Population and Housing

Table 6 provides data on contract rent in Princeton Borough and Township. Of the 1,646 rental units with cash rent in Princeton Borough, 593 were rented for more than $1,000 per month. The median contract rent was $872 per month. Of the 1,725 rental units with cash rent in Princeton Township, 429 were rented for more than $1,000 per month. The median contract rent was $702 per month.

TABLE 6
Contract Rent Values

	Princeton Borough		Princeton Township	
With cash rent:	**Units**	**Percent**	**Units**	**Percent**
$0 - $ 299	122	0.07	152	0.09
$300 - $499	216	0.13	145	0.08
$500 - $749	255	0.16	635	0.37
$750 - $999	460	0.28	364	0.21
$1,000 - $1,249	178	0.11	260	0.15
$1,250 - $1,499	183	0.11	61	0.04
$1,500 - $1,999	155	0.09	34	0.02
$2,000 - or more	77	0.05	74	0.04
Total	1,646	1.00	1,725	1.00
No cash rent	114		57	
Median contract rent	$872		$702	

Source: 2000 U.S. Census of Population and Housing

D. Occupancy Characteristics and Types

Forty-seven percent of the housing units in Princeton Borough are owner occupied and 70 percent in the Township are owner occupied. Table 7 provides additional data on housing tenure and vacancy.

TABLE 7 Tenure and Vacancy				
	Princeton Borough		**Princeton Township**	
	Housing Units	**Percent**	**Housing Units**	**Percent**
Total Occupied	3,326	100	6,044	100
Occupied:				
Owner Occupied	1,557	.47	4,245	.70
Renter Occupied	1,769	.53	1,799	.30
Vacant:				
For rent	67		30	
For sale only	8		41	
Rented or sold, not occupied	22		22	
Seasonal, recreational, or occasional use	42		82	
For migrant workers	0		0	
Other vacant	30		5	

Source: 2000 Census of Population and Housing

E. Units Affordable to Low and Moderate Income Households

Units are affordable to low and moderate income households if the maximum sales price or rent is set within a COAH specified formula. A moderate income household is a household whose gross family income is more than 50 percent of median income, but less than 80 percent of median income for households of the same size within the housing region. A low income household is a household whose gross family income is equal to or less than 50 percent of median gross household income for a household of the same size within the housing region for Princeton. Princeton Borough and Township are in Region 4, which encompasses Mercer, Monmouth and Ocean counties.

Using current regional income limits adopted by COAH, a four person Mercer County median household income is estimated at $84,566. A moderate income four person household would earn a maximum of $67,653 (80 percent of regional median) and a four person low income household would earn a maximum of $42,283 (50 percent of regional median).

Table 8 provides income levels for one, two, three and four person households as calculated by COAH for 2008.

TABLE 8 2008 COAH Regional Low and Moderate Income Limits				
Income	**1 person**	**2 persons**	**3 persons**	**4 persons**
Median	$59,196	$67,653	$76,109	$84,566
Moderate	$47,357	$54,122	$60,888	$67,653
Low	$29,598	$33,826	$38,055	$42,283
Very Low	$17,759	$20,296	$22,833	$25,370

Source: COAH, 2008 Income Limits

Typically the qualifying formula for the monthly cost of shelter which includes mortgage (principal and interest), taxes, insurance and homeowners or condominium association fees, may not exceed 28 percent of gross monthly household income based on a five percent downpayment. In addition, moderate income sales units must be available for at least three different prices and low income sales units available for at least two different prices. The maximum sales prices must now be affordable to households earning no more than 70 percent of median income. The sales prices must average 55 percent of median income.

Under COAH regulations, rents including utilities may not exceed 30 percent of gross monthly income. The average rent must now be affordable to households earning 52 percent of median income. The maximum rents must be affordable to households earning no more than 60 percent of median income. In averaging 52 percent, one rent may be established for a low income unit and one rent for a moderate income unit for each bedroom distribution. The utility allowance must be consistent with the utility allowance approved by HUD and utilized in New Jersey. At least 13% of all housing units created to satisfy the third round obligation must be affordable to households earning 30% or less of median income, and at least 50% of the very low income housing must be in the form of family units available to the general public.

Table 9 provides a listing of the residential units in Princeton Borough that are occupied by low and moderate income households, and Table 10 provides a listing of the residential units in Princeton Township that are occupied by low and moderate income households.

Table 9 Princeton Borough Affordable Housing			
Location	**Units**	**Date**	**Comments**
Franklin Terrace	10	1938	Low income family rentals
Maple Terrace	10	1948	Low income family rentals
Clay Street (Hageman Homes)	50	1953	Low income family and single rental apartments
Spruce Circle	50	1967	Low income senior and disabled rentals
Elm Court	88	1985	Low and moderate income senior (79) and disabled rentals (9)
John/Clay Streets	5	1989	Family housing
Hamilton Avenue	6	1989	Family housing
171 John Street	1	1992	Family housing
41 Spring Street	1	1995	Family housing
Maclean Street	3	2001	Family housing
Shirley Court	3	2001	Family units for sale
114 Leigh Avenue	1	2004	Gut rehab – moderate income family housing
36 Moore Street (Hillier – South's Garage)	1	2004	Moderate income not COAH eligible
The Waxwood (Hillier – Quarry Street)	3	2004	Preference for neighborhood residents not COAH eligible
Downtown Redevelopment – Phase I	2	2005	Rental family housing
Downtown Redevelopment Phase II	10	2006	Rentals family housing
Hulfish North	10		2 units are eligible for COAH credit
Elm Court II	12	2006	Low income rental senior housing
The Princewood, 253 Nassau Street	1	2005	Low income rental unit
Prescott House	2	2005	Transitional housing not COAH eligible
Total	269		

Table 10 Princeton Township Affordable Housing			
Location	**Units**	**Date**	**Comments**
Princeton Community Village	239	1976	Family and senior rental housing
Redding Circle	100	1978	Family and senior rental housing
Griggs Farm	140	1993	Family housing/70 rentals
White Farm (Washington Oaks)	60	1994	Family housing
7 Leigh Ave.	1	1994	Family housing
16 Gulick Road	2	1994	Rental group home
Karin Court	16	1999	Low income family rentals
Acorn Glen	5	2001	Assisted living facility units
52 Leigh Avenue	2	2003	Family housing not COAH eligible
Elm Court II (Harriet Bryant House)	56	2006	Low income senior rentals
Habitat for Humanity	2	2005	Family housing
Total	623		

F. Building Permits

According to the New Jersey Department of Labor, Residential Building Permits Issued, (1996 - 2007), 48 new residential building permits were issued in Princeton Borough and 844 were issued in the Township during this 10 year period.

G. Future Construction of Low and Moderate Income Housing

Princeton Borough and Princeton Township will address the future construction of low and moderate income housing in their respective Fair Share Plans.

II. DEMOGRAPHIC CHARACTERISTICS

A. Population and Population Trends

Between 1990 and the year 2000 the population in Princeton Borough increased by 18 percent and by 21 percent in the Township. Table 11 illustrates these figures.

TABLE 11 Population		
Year	**Princeton Borough**	**Princeton Township**
1990	12,016	13,198
2000	14,203	16,027

Sources: 1990 and 2000 Census of Population and Housing

B. Household Size and Type

The housing profile in Table 13 indicates that Princeton Borough had 3,305 households with a total household population of 14,203 in 2000. The average household size was 2.20. Princeton Township had 6,037 households with a total household population of 16,027 in 2000. The average household size was 2.57

TABLE 12 Household Profile 2000		
	Princeton Borough	**Princeton Township**
Households	3,305	6,037
Average Household size	2.20	2.57

Source: 2000 *Census of Population and Housing*

Table 14 provides data on household type and relationship. This data shows the large number of persons living in group quarters or dormitories in Princeton Borough. Approximately 49 percent of the Borough population and three percent of the Township population live in group quarters.

TABLE 13
Household Type and Relationship

	Princeton Borough	Princeton Township
In family households:	5,278	15,534
householder:	1,749	4,375
Male	1,303	3,298
Female	446	1,077
Spouse	1,509	3,915
child:	1,556	4,422
Natural born/adopt	1,556	4,291
step	0	131
grandchild	72	46
other relatives	48	142
non-relatives	235	339
In non-family households:	1,969	2,186
householders living alone	1,316	1,246
householders not living alone	240	416
Non-relatives	413	524
In group quarters:	6,956	493
Institutionalized population	251	137
Non-institutionalized population	6,705	356

Source: 2000 Census of Population and Housing

One-family and two-family dwelling units account for over 70 percent of the housing units in Princeton. Table 15 indicates that 41.5 percent of the housing units in the Borough and 64.1 percent in the Township are one-family detached units and 28.7 percent of the units in the Borough and 18 percent in the Township are attached one and two unit structures.

TABLE 14 Type of Housing Units by Structure		
Units in Structure	**Princeton Borough Total Units**	**Princeton Township Total Units**
1, detached	1,451	3,991
1, attached	750	944
2	253	179
3 or 4	321	356
5 to 9	278	175
10 to 19	207	139
20 to 49	105	100
50 or more	130	340
Mobile home or trailer	0	0
Other	0	0
TOTAL	**3,495**	**6,224**

Source: 2000 Census of Population and Housing

C. Age Characteristics

The median age in Princeton Borough is 24.7 years; it is 40.8 years for the Township. The primary reason for the discrepancy in median age between the two communities is the large number of students who reside in the Borough. Approximately nine percent of the Borough's and approximately 15 percent of the Township's total populations are over the age of 65. Table 12 provides additional information regarding population characteristics.

TABLE 15 Population Characteristics				
	Princeton Borough		**Princeton Township**	
	Number	**Percentage**	**Number**	**Percentage**
TOTAL POPULATION	14,203		16,027	
SEX				
Male	7,358	.52	7,750	.48
Female	6,845	.48	8,277	.52
AGE				
	Male	**Female**	**Male**	**Female**
Under 5 years	238	230	404	417
5 to 17 years	456	466	1,584	1,501
18 to 20 years	1,358	1,589	176	141
21 to 24 years	1,649	1,069	275	229
25 to 44 years	2,396	1,721	2,133	2,266
45 to 54 years	410	512	1,229	1,453
55 to 59 years	192	239	463	532
60 to 64 years	154	194	374	387
65 to 74 years	151	331	686	761
75 to 84 years	271	318	360	428
85 years and over	83	176	66	162

Source: 2000 *Census of Population and Housing*

D. Income Level

Table 16 provides data on household income. According to the 2000 Census, the median household income in the Borough was $67,346 and in the Township it was $94,580. Approximately, 13 percent of the households in Princeton Borough and 23 percent in the Township earn $200,000 or more. The data also reveals that approximately 23 percent of the households in the Borough and 13.5 percent in the Township earn less than $25,000.

TABLE 16 Household Income				
	Princeton Borough		**Princeton Township**	
Household Income	**Number**	**Percent**	**Number**	**Percent**
$0 –9,999	327	.10	294	.05
$10,000-$14,999	145	.04	131	.02
$15,000-$19,999	122	.04	172	.03
$20,000-$24,999	177	.05	216	.04
$25,000-$29,999	89	.03	150	.02
$30,000-$34,999	93	.03	273	.04
$35,000-$39,999	84	.03	190	.03
$40,000-$44,999	71	.02	219	.04
$45,000-$49,999	145	.04	217	.04
$50,000-$59,999	230	.07	277	.05
$60,000-$99,999	688	.21	961	.16
$100,000-$149,999	504	.15	1,085	.18
$150,000-$199,999	195	.06	452	.07
$200,000 or more	435	.13	1,400	.23
TOTAL	**3,305**	**1.00**	**6,037**	**1.00**

Source: 2000 Census of Population and Housing

E. Employment of Residents

Over 60 percent of the employed persons 16 years of age or over in Princeton have listed their employment as professional, scientific, education, health or services. Not surprisingly, the largest single occupational group was education, health and social services. Table 17 provides additional data on occupations by industry for the Princeton Community.

TABLE 17 Occupation by Industry - Employed Persons 16 Years and Over		
Industry	**Princeton Borough**	**Princeton Township**
Agriculture	17	22
Construction	113	113
Manufacturing	213	704
Wholesale Trade	57	110
Retail Trade	199	436
Transportation & Warehousing	9	76
Information	260	451
Finance, Insurance & Real estate	253	658
Professional Scientific & Management	787	1,441
Education, Health & Social Services	1,948	2,981
Arts & Entertainment	885	386
Other Services	893	317
Public Administration	134	230
Total	5,768	7,925

Source: 2000 U.S. Census of Population and Housing

F. Marital Status

In 2000, there were almost the same number of women and men over the age of 15 years in Princeton. There was almost the same number of males that never married as females. There were more widows than widowers and more divorced females than males. Table 18 provides the information on marital status for persons 15 years of age and over.

TABLE 18 Sex by Marital Status - Persons 15 Years and over						
	Princeton Borough			Princeton Township		
Marital Status	Total	Male	Female	Total	Male	Female
Total	13,022	6,747	6,275	12,829	6,108	6,721
Never Married	3,204	1,596	1,608	3,049	1,544	1,505
Now Married	8,668	4,888	3,780	8,420	4,226	4,194
Widowed	695	89	606	550	110	440
Divorced	455	174	281	810	228	582

Source: 2000 Census of Population and Housing

III. EMPLOYMENT

A. Employment Within the Princeton Community by Industry

According to the New Jersey Department of Labor's 2003 Annual Report of Employment and Wages, Municipality by Industry, the major sources of employment in the Borough are retail trade, finance and insurance, professional and technical services, health care and social assistance and accommodation and food services. It is quite likely that with the relocation of the Medical Center to Plainsboro, the number of jobs available in health care and social services will diminish over the certification period. In Princeton Township, the major sources of employment are professional and technical services, administrative and waste services, health care and social assistance, and accommodation and food services. Again, with the relocation of the Medical Center, there is likely to be a drop in employment related to health care.

Table 19 presents the 2003 Annual Report of Employment and Wages by Industry for Borough and the Township.

TABLE 19
Employment And Wages by Industry

PRINCETON BOROUGH - Industry List	Ann. Avge. Units	Average Empl.	Annual Wages
Construction	37	420	$68,881
Manufacturing	14	142	$70,414
Wholesale trade	45	188	$110,203
Retail trade	122	1,550	$25,964
Transportation and warehousing	9	38	$37,351
Information	38	726	$83,565
Finance and insurance	97	1,137	$94,766
Real estate and rental and leasing	35	371	$58,654
Professional and technical services	342	3,274	$76,908
Management of companies and enterprises	.	.	.
Administrative and waste services	65	655	$51,337
Educational services	.	.	.
Health care and social assistance	119	2,982	$49,043
Arts, entertainment, and recreation	19	499	$21,857
Accommodation and food services	70	1,484	$20,233
Other services, except public administration	149	786	$32,359
Unclassified entities	.	.	.
PRIVATE SECTOR MUNICIPALITY TOTAL	1,198	20,358	$55,515
FEDERAL GOVT MUNICIPALITY TOTAL	1	6	$69,861
LOCAL GOVT MUNICIPALITY TOTAL	3	161	$50,882

PRINCETON TOWNSHIP - Industry List	Ann. Avge. Units	Avge. Empl.	Annual Wages
Agriculture, forestry, fishing and hunting	4	23	$21,388
Utilities	.	.	.
Construction	22	113	$50,541
Manufacturing	9	105	$64,566
Wholesale trade	16	361	$72,990
Retail trade	44	909	$31,479
Transportation and warehousing	.	.	.
Information	11	42	$103,035
Finance and insurance	32	412	$149,281
Real estate and rental and leasing	19	116	$31,523
Professional and technical services	132	1,592	$93,793
Management of companies and enterprises	.	.	.
Administrative and waste services	33	1,564	$33,626
Educational services	18	751	$37,565
Health care and social assistance	59	1,161	$52,013
Arts, entertainment, and recreation	.	.	.
Accommodation and food services	20	1,257	$27,346
Other services, except public administration	103	488	$36,379
Unclassified entities	.	.	.
PRIVATE SECTOR MUNICIPALITY TOTAL	547	9,745	$57,044
LOCAL GOVT MUNICIPALITY TOTAL	5	877	$51,059

Source: 2003 Annual Report, NJDOL.

B. Employment Trends

The New Jersey Department of Labor and Workforce Development indicates that the annual average employment in 2007 for Princeton Borough was 4,637 persons and for Princeton Township it was 9,532. This represents a 14.5% increase in Princeton Borough since 2000 and a 14.5% increase in Princeton Township, or approximately 2% per year, in each case. Both Princeton Borough and Princeton Township believe this employment data may be higher than actual employment, as the data may be based upon area zip codes where many employers utilize a Princeton zip code although they are not physically located within the municipal boundaries.

C. Employment Outlook

Future employment trends in both Princeton Borough and Township may show a net decrease as the Princeton Medical Center, the community's second largest employer, is relocating to Plainsboro Township. The Medical Center employs approximately 3,000 people at its various facilities in the community and all of these jobs will relocate out of the community. Unknown at this time is whether other employers in town may choose to relocate to be proximate to the hospital.

COAH estimates that employment will grow in Princeton Borough by 2,845 jobs and in the Township by 886 jobs between 2004 and 2018.

IV. DETERMINATION OF PRESENT AND PROSPECTIVE FAIR SHARE AND CAPACITY TO ACCOMMODATE GROWTH PROJECTIONS

A. Rehabilitation Share

Princeton Borough's Rehabilitation Share is 67 units and the Township's is 47.

B. Prior Round Obligation

Princeton Borough's prior round obligation assigned by the Court was 348 units of affordable housing. The Borough is relying on its Judgment of Repose for the determination of the prior round obligation.

The Township's prior round obligation for new construction was 331 units of affordable housing. The Township received Substantive Certification from COAH of its second round Housing Element and Fair Share Plan in 1996 and fully complied with its prior round obligation.

C. Growth Share Obligation

The Borough's growth share obligation, as determined by COAH, is 178 new units based upon projected residential and non-residential growth.

The Township's growth share obligation, as determined by COAH, is 168 new units based upon projected residential and non-residential growth.

D. Capacity to Accommodate Residential and Non-Residential Growth Projects

Based upon the various housing options selected by the Borough and Township, the existing zoning is sufficient to address the COAH targeted growth share obligation.

E. Availability of Existing and Planned Infrastructure

All of Princeton Borough and most of Princeton Township are served by New Jersey American Water. A small portion of the Township is served by private wells. The public wastewater treatment demands from new and existing development are being serviced by the Stony Brook Regional Sewage Authority (SBRSA). A small portion of the Township, primarily in the northwest corner, is served by individual septic systems. SBRSA has capacity to serve existing and planned developments.

F. Anticipated Demand for Types of Uses Permitted by Zoning Based on Present and Anticipated Future Demographic Characteristics

Both Princeton Borough and Township have carefully reviewed anticipated demands for residential and nonresidential development and provided zoning opportunities to meet these demands.

G. Anticipated Land Use Patterns

Princeton is an attractive college town that balances commercial and residential development with open space preservation. The community is served by a lively downtown which is the center of business, cultural and educational activities. Commercial nodes are located along collector roadways such as Alexander Road, Harrison Street, Bunn Drive and Route 206. Large areas within and along the borders of the Princeton Community have been preserved as beautiful natural areas for all residents to enjoy.

The Princeton Community Master Plan indicates a land use pattern that starts in the center of the community with a mixed use high density downtown, surrounded by medium high density residential development, leading to a more suburban and rural development pattern. The land use

plan also reflects nonresidential development and educational institutions clustered in various nodes along major roadways.

H. Economic Development Policies

Princeton has experienced small scale economic growth over the years. The largest nonresidential uses are educational or institutional uses. In the Borough, the downtown has been a source of economic growth in recent years through rezoning for mixed uses in the SB zone and a redevelopment plan for a small portion of the downtown. In the Township, new office development has occurred along Bunn Drive in the OR zone.

I. Constraints on Development

1. State and Federal Regulations: Princeton is not located in the Highlands, Meadowlands or Pinelands Planning Areas or in any CAFRA area. There are no known federal regulations that constrain development. A portion of the Princeton Community has been designated as a Regional Center in the State Development and Redevelopment Plan (SDRP). The SDRP also designates large masses of land that share a common set of conditions, such as population density, infrastructure, level of development, or natural systems into one of five planning areas. None of these designations preclude development. Within our boundaries are the following planning areas: Suburban Planning Area (PA2), Fringe Planning Area (PA3), Rural/Environmentally Sensitive Planning Area (PA4B) and Environmentally Sensitive Planning Area (PA5). Princeton has developed zoning that complies with these designations.

2. Land Ownership Patterns: Princeton has a variety of land uses and variety of land ownership patterns. Approximately 90 to 95 percent of the Princeton Community is developed.

3. Incompatible Land Uses: Princeton is not aware of any incompatible land uses.

4. Sites Requiring Environmental Remediation: Princeton in not aware of any sites requiring remediation within its boundaries.

5. Environmental Constraints: A small portion of Princeton is located outside of an approved sewer service area and these areas have been zoned for very low density development. Other areas similarly zoned for low density are part of the Princeton Ridge where, due to environmental characteristics, low density residential development was deemed the most appropriate future land use.

J. Existing or Planned Measures to Address Any Constraints

There are no development constraints that must be addressed.

V. AFFORDABLE HOUSING PROPOSALS

A. New Construction and Conversion of Existing Structures

Princeton Borough has constructed or has under construction 34 units of affordable housing that are included in the current plan. The Borough has rezoned three properties to permit the construction of an additional 86 units of affordable housing. The remaining affordable housing obligation will be made up through municipally sponsored projects and/or bonuses for redevelopment and family rentals. Two of the sites rezoned involve existing structures which may or may not remain. These structures are being vacated by the Princeton Medical Center and have been rezoned to permit residential uses with a 20% set aside for affordable housing. The third site rezoned in the Borough is an existing parking lot that serves the Medical Center and a lots owned by the Borough and the Borough Housing Authority. The Borough believes these lands and structures are the appropriate for affordable housing.

Princeton Township has constructed or has under construction 62 units of affordable housing that are included in the current plan. The Township will rezone two new areas of the Township to permit additional affordable housing and has already zoned two other sites for affordable housing. The existing zones continue to be appropriate for affordable housing. One of the two new zones involves the expansion of an existing affordable housing development that has been in place for over thirty years. This is an appropriate use of excess land adjacent to the existing development. The other new (or modified) zone will permit the addition of residential uses in an area now zoned exclusively for commercial uses to promote mixed-use inclusionary development in an area that is well-suited for it.

B. Developer Interest

Princeton Township has received one request from a land owner to include his property in the Township's affordable housing plan. This land owner requested that Block 2102, Lots 16, 17 and 18, containing 21± acres, be rezoned to permit 270 units of affordable housing. This results in a density of almost 13 dwelling units per acre in an area of the Township that is currently zoned for 0.25 units per acre (4 acre lots). The subject property is vacant and heavily wooded. The surrounding land use pattern is single family homes on large lots. The State Plan has designated this area as PA 5. The Township does not believe this site to be appropriate or viable for the provision of affordable housing.

RESOLUTION 2008-R287
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF PRINCETON PETITIONING THE COUNCIL ON AFFORDABLE HOUSING WITH AN ADOPTED HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, the Princeton Regional Planning Board, Mercer County, State of New Jersey, adopted the Housing Element of the Master Plan on December 4, 2008; and

;

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 4, 2008 ; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Princeton, Mercer County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Princeton Regional Planning Board; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Princeton pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Borough of Princeton's municipal clerk's office located at One Monument Drive, Princeton, NJ during the hours of 9 am to 5 pm on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.

Andrea L. Quinty

Andrea Lea Quinty
Municipal Clerk

12-9-08
Date

Councilperson	Absent	Present	1st	2nd	Yea	Nay	Abstain	Disqualified
Mr. Goldfarb		X			X			
Mrs. Karcher		X			X			
Mr. Koontz		X			X			
Mr. Martindell		X			X			
Mrs. Trelstad		X	X		X			
Mr. Wilkes		X		X	X			
Mayor Trotman		X						

I, ANDREA LEA QUINTY, Borough Clerk of the Borough of Princeton, do hereby certify that the above is a true and complete copy of a resolution adopted by the Mayor and Council of said Borough at a meeting held December 9, 2008

IN WITNESS WHEREOF, I hereunto set my hand and affix the corporate seal of said Borough, this 10th day of December 2008

ANDREA LEA QUINTY
Borough Clerk

BOROUGH *of* PRINCETON
DEPARTMENT OF ENGINEERING

Christopher M. Budzinski, P.E., P.P.
Borough Engineer

Borough Hall
Monument Drive
Post Office Box 390
Princeton, New Jersey 08542
609-497-7634
609-497-2974 fax

Donald Mayer-Brown
Special Projects Engineer
Robert K. Pagan
Assistant Engineer
Scott P. Whitlock, P.E.
Assistant Engineer

January 27, 2009

RECEIVED
JAN 28 2009
REGIONAL

Ms. Pam Weintraub, Principal Planner
Council on Affordable Housing
101 South Broad Street
PO Box 813
Trenton, NJ 08625-0813

Re: Fair Share Plan-Additional Information
Borough of Princeton

Dear Ms. Weintraub:

Attached, please find the information that you have requested in connection with the Borough of Princeton's Fair Share Plan:

1. A certified copy of Resolution 2009-R46 of the Mayor and Council authorizing the Borough to bond in the event of a shortfall of funds.
2. A map depicting wetland constraints on the proposed affordable housing sites within the Borough of Princeton.
3. A map depicting flood prone areas and the proposed affordable housing sites within the Borough of Princeton.
4. A map depicting historic sites and known contaminated sites within the Borough of Princeton.

Thanks you for your assistance in this matter. Please feel free to contact me if you require any further information.

Sincerely,

Derek Bridger
Municipal Housing Liaison

Cc: Mayor Mildred Trotman (w/o att.)
Robert Bruschi, Borough Administrator (w/o att.)
Christopher M. Budzinski, Borough Engineer (w/o att.)
Andrea Lea Quinty, Borough Clerk (w/att.)
Shirley M. Bishop, Planning Consultant (w/att.)
Lee Solow, Director of Planning (w/att.)

RESOLUTION 2009-R46
OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF PRINCETON REGARDING
INTENT TO BOND IN EVENT OF SHORTFALL OF FUNDS

WHEREAS, the Borough of Princeton has petitioned the Council on Affordable Housing (COAH) for substantive certification of its adopted Housing Element and Fair Share Plan; and

WHEREAS, the plan submitted to COAH allocates funds for:

1. Municipal construction programs;
2. Affordability Assistance;
3. Rehabilitation; and
4. Administrative expenses.

WHEREAS, the Borough of Princeton anticipates that funding will come from the following sources to satisfy these obligations:

1. Development Fees;
2. Payments in Lieu of Construction; and

WHEREAS, in the event that the above funding sources prove inadequate to complete the affordable housing programs included in the Borough of Princeton's COAH-certified Housing Element and Fair Share Plan, as that plan may be amended, the Borough of Princeton shall provide sufficient funding to address any shortfalls, subject to budgetary constraints, if there are no other resources or programs to provide for the required affordable housing; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Princeton, State of New Jersey, that the Governing Body does hereby agree to appropriate funds or authorize the issuance of debt to fund any shortfall in its affordable housing program, subject to budgetary constraints, if there are no other resources or programs to provide for the required affordable housing; and

BE IT FURTHER RESOLVED that the Borough of Princeton may repay debt through future collections of development fees, as such funds become available.

Councilperson	Absent	Present	1st	2nd	Yea	Nay	Abstain	Disqualified
Mr. Koontz		X		X				
Mr. Goldfarb		X						
Mrs. Karcher		X						
Mr. Martindell		X						
Mrs. Trelstad		X	X					
Mr. Wilkes		X						
Mayor Trotman		X						

I, ANDREA LEA QUINTY, Borough Clerk of the Borough of Princeton, do hereby certify that the above is a true and complete copy of a resolution adopted by the Mayor and Council of said Borough at a meeting held January 27, 2009

IN WITNESS WHEREOF, I hereunto set my hand and affix the corporate seal of said Borough, this 28th day of January 2009.

ANDREA LEA QUINTY
Borough Clerk

COAH Sites - Environmental & Historic Sites

COAH Sites - Known Contaminated Sites

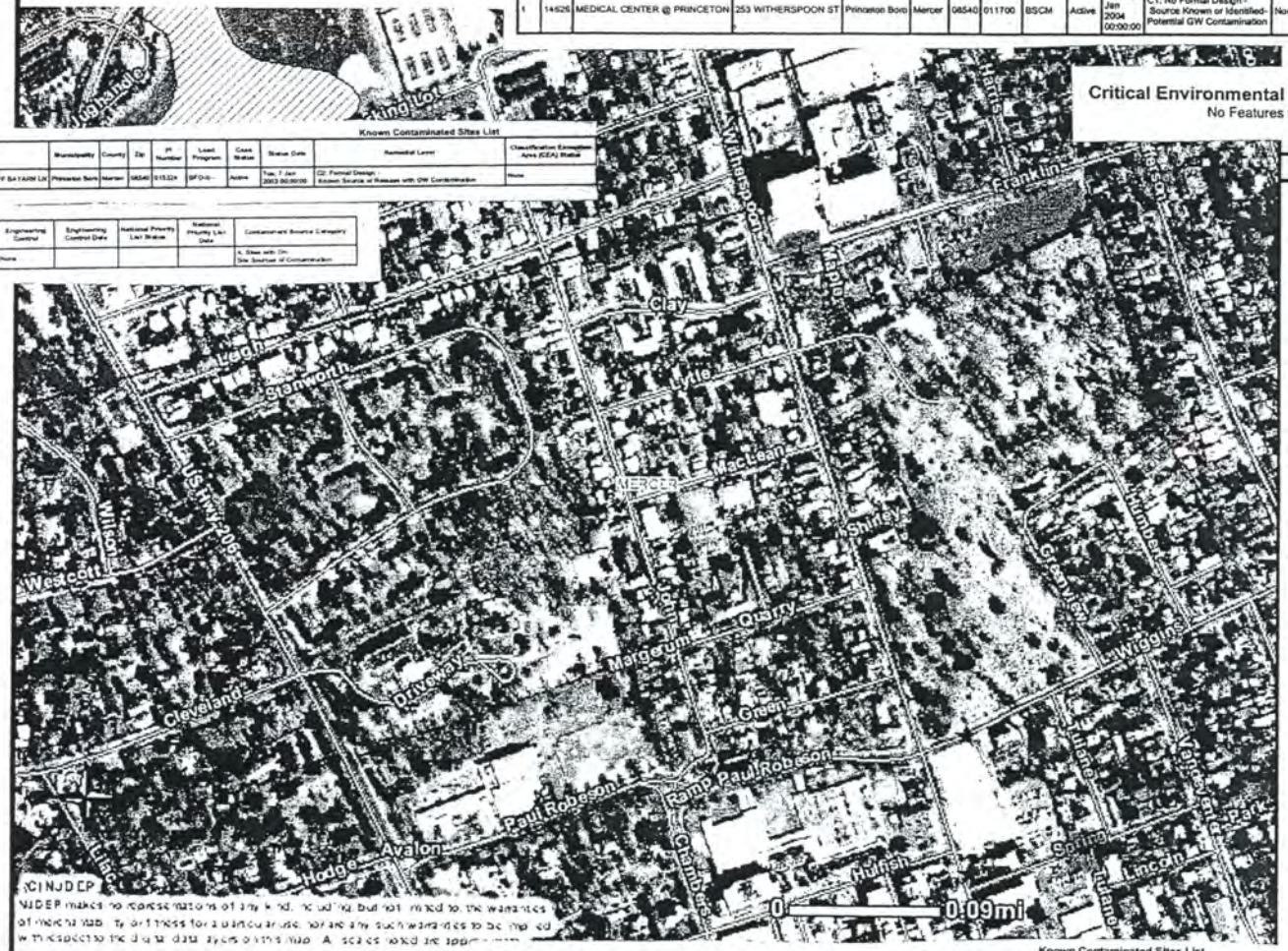
Known Contaminated Sites List

Rec	Site Id	KCSL Name	Address	Municipality	County	Zip	PI Number	Lead Program	Case Status	Status Date	Remedial Level	Classification Exception Area (CEA) Status	CEA Date	Deed Notice Status	Deed Notice Date	Engineering Control	Engineering Control Date	National Priority List Status	National Priority List Date	Contaminant Source Category
1	14626	MEDICAL CENTER @ PRINCETON	253 WITHERSPOON ST	Princeton Boro	Mercer	08540	011700	BSCM	Active	Thu, 29 Jan 2004 00:00:00	C1: No Formal Design - Source Known or Identified- Potential GW Contamination	None		None		None				A: Sites with On-Site Sources of Contamination

Known Contaminated Sites List

Rec	Site Id	KCSL Name	Address	Municipality	County	Zip	PI Number	Lead Program	Case Status	Status Date	Remedial Level	Classification Exception Area (CEA) Status
1	31935	PRINCETON U-STANWORTH	N & S STANWORTH DR OFF BAYARD LN	Princeton Boro	Mercer	08540	015324	BFO-S	Active	Tue, 7 Jan 2003 00:00:00	C2: Formal Design - Known Source or Release with GW Contamination	None

CEA Date	Deed Notice Status	Deed Notice Date	Engineering Control	Engineering Control Date	National Priority List Status	National Priority List Date	Contaminant Source Category
	None		None				A: Sites with On-Site Sources of Contamination



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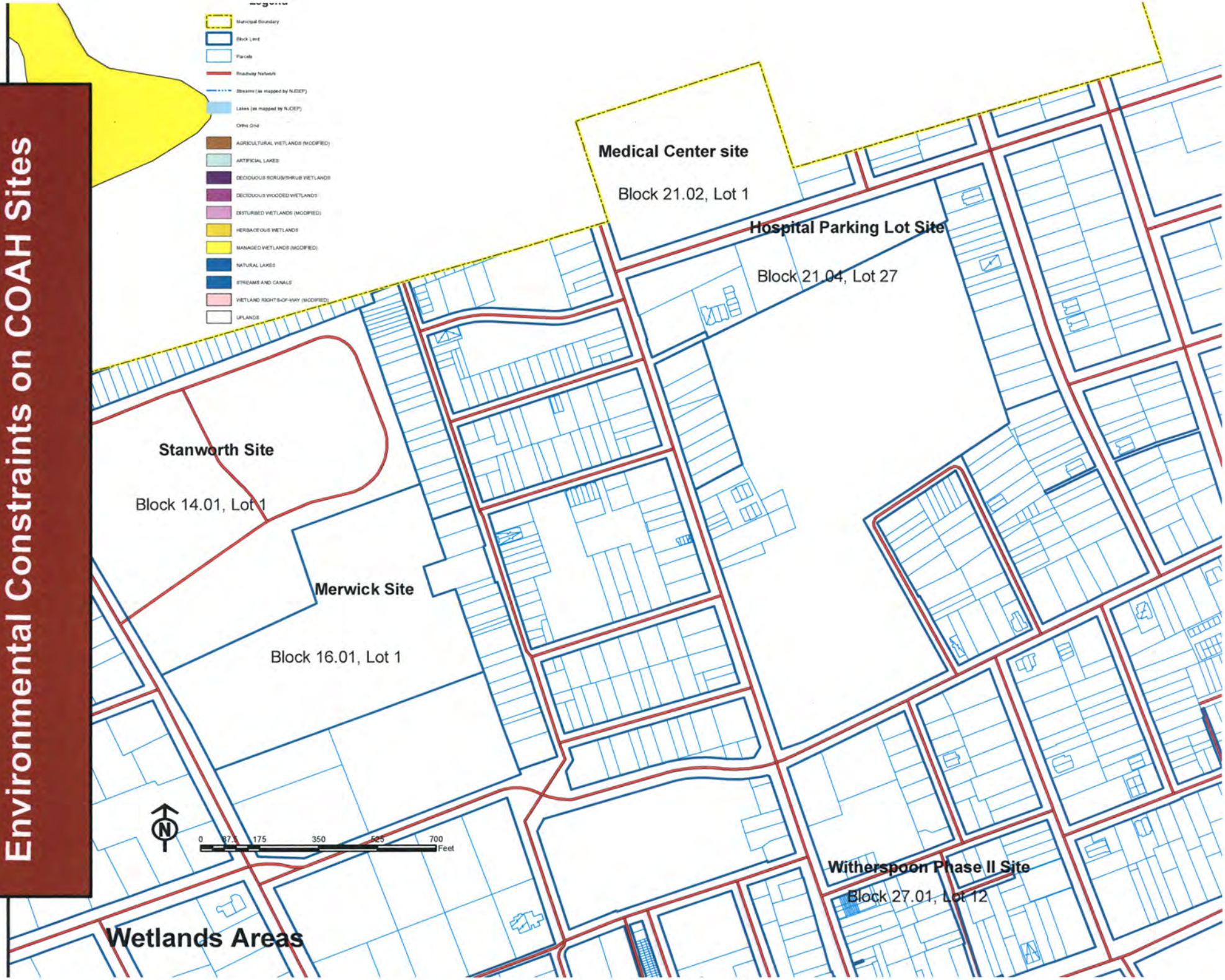
JAN 28 2009
REGIONAL

Known Contaminated Sites List

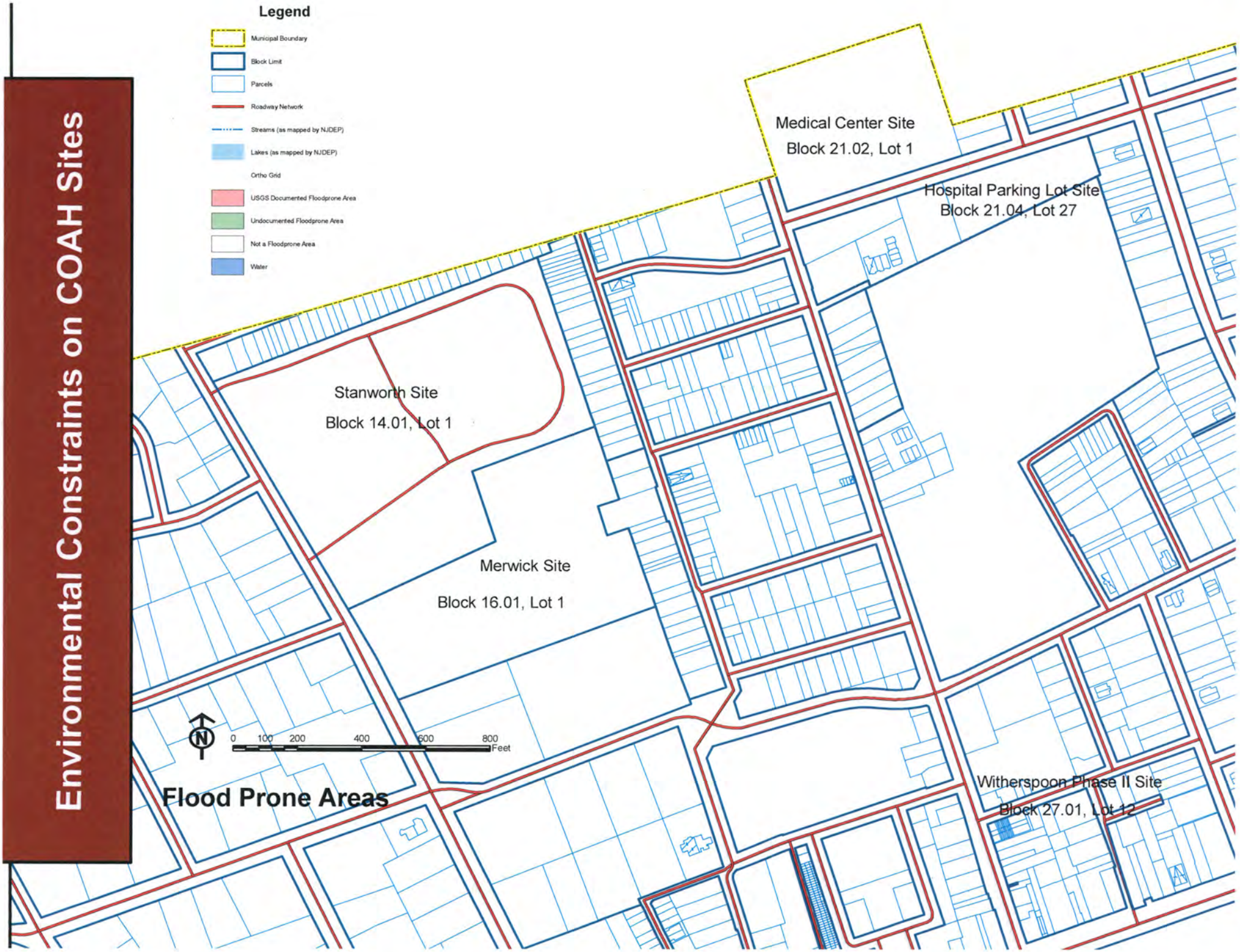
Rec	Site Id	KCSL Name	Address	Municipality	County	Zip	PI Number	Lead Program	Case Status	Status Date	Remedial Level	Classification Exception Area (CEA) Status	CEA Date	Deed Notice Status	Deed Notice Date	Engineering Control	Engineering Control Date	National Priority List Status	National Priority List Date	Contaminant Source Category
1	123876	PRINCETON BOROUGH SPRING STREET PARKING LOT	SPRING ST & S TULANE ST	Princeton Boro	Mercer	08542	163810	BFO-S	Active	Thu, 10 Jun 2004 00:00:00	C2: Formal Design - Known Source or Release with GW Contamination	None		None		None				A: Sites with On-Site Sources of Cont

Environmental Constraints on COAH Sites



Wetlands Areas

Environmental Constraints on COAH Sites



Flood Prone Areas

FAIR SHARE PLAN

PRINCETON BOROUGH
MERCER COUNTY

Adopted: December 4, 2008

Shirley M Bishop **License #2575**

It is certified that all copies of this document are in conformance with the one signed and sealed by Shirley M. Bishop, P.P

CERTIFICATION

I, Shirley M. Bishop have prepared this petition application for substantive certification on behalf of Princeton Borough. I certify that the information submitted in this petition is complete, true and accurate to the best of my knowledge. I understand that knowingly falsifying the information contained herein may result in the denial and/or revocation of the municipality's substantive certification.

Shirley M. Bishop, P.P. 12/10/08

Signature of Preparer (affix seal if applicable) Date

Housing Consultant

Title

N.J.S.A. 2C:21-3, which applies to the certifications, declares it to be a disorderly person offense to knowingly make a false statement or give false information as part of a public record.

I. PREFACE

A. Past History of Princeton Borough and Affordable Housing

Princeton Borough has always been an advocate for affordable housing and its past history in providing low and moderate income housing is a testament to its commitment. Even before the passage of the Fair Housing Act in 1985, the Borough already was involved in three developments.

In 1938, Princeton created the Princeton Borough Housing Authority (Authority) to provide housing for low and moderate income households. That same year, the Authority constructed 10 low and moderate income rental units at Franklin Terrace across from The Medical Center at Princeton (Block 21.01, Lot 26). Located on Franklin Avenue, these rental units are still occupied and administered by the Authority.

In 1948, the Authority provided another 10 low and moderate income rental units known as Maple Terrace (Block 21.01, Lot 2). Located on Franklin Avenue across from The Medical Center at Princeton, these units are currently occupied and administered by the Authority.

In 1953, the Authority constructed 50 low and moderate income rental units known as Hageman Homes (Block 27.01, Lots 10, 12, 13 & 78). Located on Clay Street on 2.49 acres, these rental units are currently occupied and administered by the Authority.

None of the above affordable housing units is eligible for COAH credit because the housing was built before April 1, 1980. However, COAH should be aware that the Borough was an early affordable housing advocate and continues to be today. The Borough values a diversity of housing types that are available to a range of incomes and has looked for ways to maximize this goal and at the same time address its COAH requirements.

B. Third Round Obligation

A municipality's affordable housing obligation is cumulative, and includes affordable housing need for the period 1987 to 2018. The affordable housing obligation consists of three components:

- Rehabilitation Share (2000)
- Prior Round Obligation (1987-1999)
- Growth Share (2000-2018)

A municipality's Rehabilitation Share is a measure of old, crowded, deficient housing that is occupied by low- and moderate-income households. Rehabilitation Share numbers from each prior round are replaced with the latest round number because the numbers are updated with each decennial census.

A municipality may receive credit for rehabilitation of low- and moderate-income deficient housing units completed after April 1, 2000 provided the units were rehabilitated up to the

applicable code standard, the capital cost spent on rehabilitating a unit was at least $10,000 and the units have the appropriate controls on affordability to ensure they remain affordable during the required period of time.

Rehabilitation credits cannot exceed the Rehabilitation Share and can only be credited against the rehabilitation component, not the new construction component.

The prior round obligation is the municipal new construction obligation from 1987 to 1999. All municipalities participating in the COAH process must use these figures. COAH continues to offer credits, reductions and adjustments that may be applied against the Prior Round Obligation (1987-1999) for affordable housing activity undertaken from 1980 to 1999.

II. REHABILITATION SHARE

The purpose of a rehabilitation program is to renovate deficient housing units. Deficient housing units are defined as units with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing, (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems. Upon rehabilitation, the housing deficiencies must be corrected and the unit must comply with the applicable code standard.

A municipality must demonstrate that it has the capability to administer a rehabilitation program by either designating an experienced employee to administer the program or entering into an agreement with a governmental agency or private consultant to administer all or some of the program A municipality must provide the consultant or municipal employee's credentials to administer the program as well as a procedures manual.

Rental units cannot be excluded from a municipal rehabilitation program. There must be at least 10-year affordability controls placed on both owner-occupied units and rental units. For owner-occupied units, these controls may be in the form of a lien filed with the appropriate property's deed. For rental units, the controls must be in the form of a deed restriction and may also include a lien. Units rehabilitated after April 1, 2000 are eligible for credits against the third round Rehabilitation Share.

The municipal investment for the rehabilitation of a unit must be at least $10,000 per unit. Documentation must also be submitted demonstrating adequate funding source(s) and a resolution of intent to bond in the event there is a shortfall of funds.

A municipality is also required to prepare and submit a rehabilitation manual to COAH that summarizes the administration of the rehabilitation program including an affirmative marketing plan. The affirmative marketing program must clearly describe the outreach efforts to be used in implementing the program.

Princeton Borough has a 67 unit Rehabilitation Share.

A. Status

The Borough previously contracted with Housing Services Inc. (HSI), an experienced agency, to administer the rehabilitation program. Princeton Borough was the recipient of a Small Cities Program grant from the New Jersey Department of Community Affairs (DCA). The program ran from January 1, 2003 and concluded on September 30, 2005. The contract goal was for 15 units. However, only 13 units were rehabilitated. In addition, two other units have been rehabilitated for a total of 15 units since April 1, 2000. All units were below code and raised to code, were occupied by income eligible households, included at least one major system, had perpetual liens in place and expended an average of $8,000 in hard costs. All documentation is on file with COAH.

Princeton Borough will provide at least $780,000 to complete the balance of the units by 2018. The Borough will fund the rehabilitation program through developer fees and payment in lieu fees from its affordable housing trust fund. The Borough will contract with an experienced agency to administer the program. The Borough expects to rehabilitate approximately five units a year.

III. PRIOR ROUND OBLIGATION

The Court determined that Princeton Borough's second round need of 348 units included 25 units of rehabilitation, prior cycle credits, new construction credits and a vacant land adjustment. However, COAH determined that Princeton Borough's prior round obligation was 311 units. There appears to be some discrepancy and misunderstanding regarding the Prior Round number. The Court determined the Borough's Prior Round obligation to be 348 units and, as a result, the Borough is proposing the 348-unit plan that was granted a Judgment of Repose by the Superior Court.

To understand the Borough's Prior Round obligation, it is necessary to provide a brief history.

Princeton Borough was sued for exclusionary zoning by the Witherspoon Jackson Development Corporation in 1984. As a result, the Borough was under the jurisdiction of the Court.

For the period 1987-1993 COAH determined that the Borough's pre-credited need was 527 units of which 31 units were rehabilitation and 496, new construction. However, in the Consent Order for Final Judgment and Judgment of Repose of October 9, 1990, the Court determined that the fully developed Borough's total obligation was 122 units and granted the Borough credit for 88 units of affordable housing completed in 1984. All documentation is on file at COAH's offices. These age-restricted units are known as Elm Court. The Borough then joined with a non-profit developer to construct 34 units of low and moderate income housing in inclusionary developments in four scattered redevelopment sites. These 34 units were proposed at the following locations: Shirley Court, John and Clay Streets, Maclean Street and Hamilton Avenue. The housing was to be part of a new construction/lease purchase program.

The Court also directed the Borough to adopt an affordable housing overlay zone. The Borough did so. The affordable housing overlay zone, which is in place today states:

"A. Neither the regional planning board nor the board of adjustment shall approve an application for development in any zoning district for a multiple dwelling or joint occupancy building with five or more dwelling units unless either:

1. Twenty percent of the units are set aside for low and moderate income households, according to the Substantive Rules of the New Jersey Council on Affordable Housing, N.J.A.C. 5:93 and the Borough of Princeton's Affordable Controls as set forth in the Borough Code.

2. The developer makes a cash contribution to the Borough's Trust Fund for Affordable Housing (see Borough Code sections 16-69 through 73) in lieu of actual construction of required low and moderate income units, in an amount determined by the mayor and Borough council, that is sufficient to create the equivalent number of new units of low and moderate income housing."

The final judgment in 1990 granted repose until 1996. Then, in 1996, the Borough proposed a plan to address its second round cumulative obligation of 348 units. However, between 1990 and 1996 only 12 affordable units were completed on two of the four original sites because of higher than anticipated costs. The two completed sites were at John and Clay Streets and at Hamilton Avenue. In addition, the Borough acquired a site on John Street (#171), demolished an existing deteriorated structure and constructed a new three bedroom, moderate income unit.

The Borough stated that the construction planned for the remaining two sites needed to be revised with fewer units to be financially feasible. The Borough further believed that reformulating the development scheme and financing arrangements for new construction would require careful planning and requested that the Court credit the 12 affordable units toward the 37-unit rehabilitation component and reduce the second round obligation to 25 units of rehabilitation. The Court concurred and ordered as follows:

"The Borough has an obligation to create a realistic opportunity for the rehabilitation of 25 units in the Borough affordable to low and moderate income households, its "calculated" need fair share obligation for 1987-1996. This adjusted net fair share obligation is based on "pre-credited need" of 348 units estimated by COAH, credit for 88 senior citizen units completed in 1983, credit for 12 new units completed between 1990-1993, and a vacant land adjustment of 223 units granted by the Court in 1990." All documentation is on file with COAH.

The Court also approved a revised development fee spending plan and granted a repose to October 16, 2002.

Court Approved Second Round Plan

NAME	UNITS	TYPE
Elm Court (Prior Cycle)	88	Family Age-restricted Rentals
John & Clay Streets	5	Family For Sale
Hamilton Avenue	6	Family For Sale

171 John Street	1	Family For Sale
Rehabilitation	25	
Vacant Land Adjustment	223	
TOTAL	348	

1. Elm Court was built in 1984 under the Section 202 Program by a local non-profit, Princeton Community Housing Inc. (Block 101, Lots 3, 4). Elm Court was built on a site that straddles the Princeton Borough – Princeton Township boundary. The all low income rentals are in the Borough while open space and stormwater facilities are in the Township. Seventy-nine of the apartments are age-restricted, five are handicapped-accessible and four are for memory-impaired residents. There are 40-year affordability controls in place.

2. The houses at John and Clay Streets were completed in 1994 and contain five moderate-income for-sale units that were accepted by the Court. (Block 15.03, Lots 49.02 and 49.04; Block 15.02, Lots 106.02, 106.03 and 106.4) The units have 99-year affordability controls.

3. Hamilton Avenue was completed in 1990 and contains six for-sale units (Block 33.04, Lots 1.17, 1.15, 1.11, 1.1, 1.06, 1.04). Two are affordable to low income households and four are affordable to moderate income households which the Court accepted. The six units have 99-year deed restrictions.

4. 171 John Street was acquired by the Borough in 1992 (Block 17.03, Lot 71). The Borough demolished the existing, deteriorated house and constructed a new, three bedroom modular home. The Court accepted that it was affordable to a moderate-income household. The house has a 99-year deed restriction.

Thereafter, the Borough sought a limited extension of the repose period to cover the period between October 16, 2002 and one year after the effective date of COAH's adoption of its third round obligation. The Court granted the repose. All documentation is on file with COAH.

Regarding the rental obligation, at no time did the Court require a rental obligation and the Borough respectfully requests that COAH honor the Court Order. In addition, the Court approved the low/moderate-income split and also the bedroom mix and the Borough requests that COAH honor the Judgment of Repose in full including the unmet need provision.

F. Unmet Need

N.J.A.C. 5:97-5.1 (c) and (d) (a) states that a vacant land adjustment that was granted as part of a first or second round judgment of compliance continues to be valid provided a municipality has implemented all of the terms of the judgment of compliance ordered by the Court. Princeton Borough has done so and respectfully requests that COAH honor the Court's judgment of compliance including the unmet need component.

The Borough adopted and has maintained the overlay zone that was a Court requirement for unmet need. The overlay zone requires a 20 percent setaside of affordable housing for

development in any zoning district for a multiple dwelling or joint occupancy building with five or more dwelling units or a cash contribution to the Borough's trust fund for affordable housing.

As a result of that ordinance, there are three for-sale family units at Shirley Court, three for-sale family units at Maclean Street, one low income, affordable unit at The Princewood and two moderate income rentals at the Palmer Square Hullfish site. The Palmer Square rentals will be provided for within the existing units at Palmer Square. All told, the one unit at The Princewood, the three units at Maclean Street, the three units at Shirley Court and the two units at Palmer Square Hullfish address unmet need for a total of nine units.

1. Shirley Court contains three units (Block 24.01, Lots 15.01.01, 15.02.01 and 15.02.02). The site originally contained 16 deteriorated houses that were to be rehabilitated as part of the new construction program. However, the Borough determined that the cost of rehabilitation would be excessive because of the severe deterioration of the structures. Now, there are three units of for-sale housing, with one for a low-income household and two for moderate-income households. The three low and moderate-income units have 99-year deed restrictions and were constructed in 2001.

2. Maclean Street contains three for sale units that were also completed in 2001. (Block 17.03, Lots 116.0105, 116.0103, 111.0101). There is one moderate-income unit and two low-income units. The homes have 99-year deed restrictions.

3. The Princewood at 253 Nassau Street contains 12 total apartments and 6,918 square feet of offices. The housing received a CO in 2005. (Block 48.01, Lot 6). One of the apartments is occupied by a low income household. A monetary payment was also made to the Borough for an eligible affordable housing activity. The one unit will address unmet need.

4. Palmer Square Hullfish is an inclusionary development that is also addressing unmet need. When constructed, there will be 100 apartments of which two will be for moderate income households and meet COAH criteria for crediting. The other eight affordable units may not be eligible for COAH credit because they only have 20-year affordability controls. The development was the focus of a legal negotitation and the resulting mix of apartments was the result of a settlement agreement. The block and lots of the affordable units are not known as they will be located within the existing Palmer Square development. All documentation is on file at COAH.

IV. GROWTH SHARE OBLIGATION

The Fair Share Plan includes the projects and strategies to address an affordable housing obligation and any municipal ordinance in draft form that a municipality is required to adopt as a requirement of certification. The Fair Share Plan is based upon the municipal fair share obligation developed by COAH. The Planning Board adopts the Fair Share Plan and it is endorsed by the governing body prior to the petition for substantive certification. The proposed implementing ordinances may be adopted prior to substantive certification but in any event must be adopted no later than 45 days after COAH grants substantive certification.

The Fair Share Plan consists of a proposal on how a municipality intends to provide for its affordable housing obligation. Once certified, the plan will be monitored by COAH to verify that the construction or provision of affordable housing is in proportion to the actual residential growth and employment growth.

COAH rules have a number of different provisions regulating the development of affordable housing. The options available to meet the 2000-2018 fair share obligation include:

- Municipal zoning
    - Zoning for inclusionary developments
    - Redevelopment districts/sites
- Municipally sponsored new construction and 100 percent affordable developments
- Alternative living arrangements
    - Permanent supportive housing
    - Group homes
    - Congregate housing
    - Residential health care facilities
- Accessory apartments
- Market to Affordable Program
- Municipally sponsored rental program
- Assisted living residences
- Affordable housing partnership program
- Expanded crediting opportunities
- Extension of affordable units with expiring controls
- Age-restricted housing
- Rental housing with bonus credits
- Very low-income housing with bonus credit

A. Growth Share Obligation

COAH has calculated the Borough's growth share obligation to be 178 units.

1. Rental Obligation

The rental component is calculated as follows:

.25 (178) = 44.5

Therefore, the Borough has a rental obligation of 45 units of which 23 must be family rentals.

2. Maximum Age-restricted Units

.25 (Units within the municipality)
.25 (178) = 44.5

The Borough may age-restrict 44 units.

3. In addition, any rental units open to the general public over 45 units are eligible for bonus credits.

4. The Borough must provide that 13 percent of its affordable units be affordable to households whose incomes do not exceed 30 percent of median income.

B. Implementation

The following developments are proposed to address the Borough's Growth Share obligation of 178 units:

NAME	TYPE	CREDITS
Witherspoon Phases I & II	Moderate Family Rentals	12
Redevelopment Bonus	Bonus	4
Elm Court II	Low Income Senior Rentals	12
114 Leigh Avenue	Moderate For Sale	1
100-104 Leigh Avenue	Low Rentals	5
100-104 Leigh Avenue	Rental Bonuses	5
Merwick	Family	25
Medical Center Surface Parking Lot	Family	5
Princeton Medical Center	Unknown	56
Bayard and Leigh Avenue	Family Rentals	4
Rental Bonus	Family Rentals	4
Municipal Family Rentals	100% Affordable	35
Rental Bonuses	100% Family Rentals	10
	TOTAL	**178**

It should be noted that the Borough is part of the Princeton Regional Center as designated by the State Development and Redevelopment Plan.

1. The Downtown Redevelopment Project, Phase I (Block 27.02, Lot 76,) known as Witherspoon House, contains a total of 24 units with two moderate income rental units. The

site is serviced by the Princeton Sewer Operating Committee (PSOC)and the Elizabethtown Water Company. Located at the corner of Witherspoon Street, the rental housing is contained within a mixed use redevelopment area. COs were issued in 2005. The two rentals have 40-year affordability controls and were affirmatively marketed by the Somerset County Coalition on Affordable Housing (SCCOAH). These two units were not the focus of the overlay zone as they were part of the Park Plaza Redevelopment Area. The Borough of Princeton owns the land and there is a 99-year lease with Nassau HKT, the developer. All documentation is on file with COAH. The Borough is calculating four redevelopment bonuses.

2. Park Plaza will be Phase II of the Downtown Redevelopment Project. Located at the corner of Spring Street, the site contains .56 acres of which .336 are buildable (Block 27.01, Lots 10, 12, 13, 78). When completed, the development will contain five stories. The development will include both retail and office space on the first floor with most of the rental units above. Of the total 53 rentals, 10 will be affordable to low and moderate income households. The development is not the focus of the overlay zone as the development is included in a redevelopment area. The utilities are on site and underground and there is sufficient water and sewer capacity. All of the Borough is serviced by the Elizabethtown Water Company and PSOC. The COs are expected between 2010 and 2011. Again, the Borough owns the land and there is a 99-year lease with Nassau HKT, the developer. All documentation is on file with COAH.

3. Elm Court II will contain age-restricted, all affordable rental units. Princeton Borough will receive credit for 12 of the units. Located at 300 Elm Road (Block 1.01, Lot 4), the development is funded by the HUD Section 202 Program and is constructed and occupied. The current zoning is HH – Affordable Housing District. It is surrounded by woodlands and wetlands. All documentation is on file with COAH.

4. Purchased by Princeton Borough and to be sold to an income eligible household, 114 Leigh Avenue is a gut reconstruction project that was vacant and had all major systems replaced. A CO will be issued in 2009. (Block 13.01, Lot 4) The house is a for-sale, moderate income unit that will be affirmatively marketed and has a 99-year deed restriction. The unit was not the focus of the overlay zone as this was a reconstruction. All documentation is on file with COAH.

5. Owned by Princeton Borough, 100-104 Leigh Avenue is currently under construction and will contain five low income rental units. (Block 13.01, Lots 9, 10 & 11). The lot area is approximately 0.21 acres All will be affirmatively marketed. COs are expected in 2009. These units were not the focus of the overlay zone as they were existing units that were in need of reconstruction. All documentation is on file with COAH. The Borough is calculating five rental bonuses.

6. Owned by The Medical Center at Princeton, Merwick is currently a nursing home that will be demolished to make way for residential units (Block 16.01, Lot 1). Located at 83 Bayard Lane, the site contains approximately 10 acres. The surrounding land uses are residential and institutional (YWCA-WMCA) and the current zoning is R-1. The area contains buildings,

parking, woodlands and gardens. However, the Borough has created a new zone for this site. The density will be at 14.5 acres with a 20 percent setaside for affordable housing. The Borough's Growth Share ordinance required that any new zones within the Borough provide a 20 percent setaside for affordable housing that will address a Growth Share obligation. The Borough anticipates a total of 25 affordable units out of 125 total units. Demolition is expected to occur in 2009. However, there are no firm plans to date as to whether the 25 affordable units will be age-restricted, open to the general public or some type of mix. Once the plans are finalized, the Borough will notify COAH. All utilities are on site and underground. The Borough is serviced by the PSOC and the Elizabethtown Water Company and capacity is available. There are no known environmental constraints.

7. The Medical Center at Princeton owns a surface parking lot on Franklin Avenue opposite Harris Road (Block 21.02, Lot 27). Containing approximately 1.77 acres, the surrounding land uses are residential, a hospital and a cemetery. The current zoning is R4. However, the Borough has created a new zone for this site. The zone will permit 14.5 du/acre with a 20 percent setaside for affordable housing. As a result, the Borough anticipates five low/moderate income units from the site. It is expected that there will be multiple development proposals. Once the plans are finalized, the Borough will notify COAH. All utilities are on site and underground. The site is serviced by PSOC and the Elizabethtown Water Company. There are no known environmental constraints.

8. The Medical Center at Princeton intends to relocate its facility to a new site in Plainsboro Township, Mercer County. Demolition or reconstruction is expected to occur by 2018. The hospital main campus is 5.6 acres (Block 21.02, Lot 1). Surrounding land uses include residential units to the east, Township line and hospital offices to the north, residential and retail to the west and residential to the south. There are no environmental issues. A new zone was created for this site and requires a 20 percent set-aside for affordable housing. As a result, the Borough expects the site to yield 56 affordable units out of a total of 280 units. The Borough does not know if the affordable units will be rental or for-sale, family or age-restricted. The Borough will keep COAH apprised when development proposals are finalized.

9. A private entity purchased and is renovating an existing building containing four units at 135 Bayard Lane (Block 13.01, Lot 1). The lot area is approximately 0.227 acres. The approval was the result of a use variance and the four units must be affordable family rentals. The surrounding uses include single family homes, a two-four family unit, light commercial uses and faculty housing. There are no environmental constraints. The Borough is calculating four rental bonuses.

10. To address the balance of its obligation, the Borough is proposing 35 family rental units that will be included in a site to be selected and/or as part of redevelopment. The checklist contains an implementation schedule. The 35 family rentals will generate 10 rental bonuses.

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
COUNCIL ON AFFORDABLE HOUSING
PETITION APPLICATION

This application is a guideline for creating a Housing Element and Fair Share Plan. A completed version of this application must be submitted as part of your petition for substantive certification to COAH. This application will be used by COAH staff to expedite review of your petition. This application can serve as your municipality's Fair Share Plan. A brief narrative component of the Fair Share Plan should be included with this application and can serve primarily to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would include a description of any waivers being requested.

This form reflects COAH's newly adopted procedural and substantive rules and the amendments to those rules adopted on September 22, 2008. Footnotes and links to some helpful data sources may be found at the end of each section. To use this document electronically, use the TAB KEY to navigate from field to field. Enter data or use the Right Mouse Button to check boxes.

MUNICIPALITY	Princeton Borough	**COUNTY**	Mercer
COAH REGION	4	**PLANNING AREA(S)**	2
SPECIAL RESOURCE AREA(S)	_____		
PREPARER NAME	Shirley M. Bishop, P.P.	**TITLE**	Housing Consultant
EMAIL	shirleymbishop@aol.com	**PHONE NO.**	609-844-7720
ADDRESS	_____	**FAX NO.**	609-844-7722
MUNICIPAL HOUSING LIAISON	Derek Bridger	**TITLE**	Zoning Officer
EMAIL	dbridger@princetonboro.org	**PHONE NO.**	609-497-7628
ADDRESS	_____	**FAX NO.**	609-924-9714

Enter the date(s) that COAH granted Substantive Certification or that the Court granted a Judgment of Compliance (JOC) on the Housing Element and Fair Share Plan.

History of Approvals	COAH	JOC	N/A
First Round	____	10/9/1990	☐
Second Round	____	10/16/1996	☐
Extended Second Round	____	10/11/02	☐

Does the Petition include any requests for a waiver from COAH Rules? ☐Yes ☒No
If Yes, Please note rule section from which waiver is sought and describe further in a narrative section:_____

FILING/PETITION DOCUMENTS (N.J.A.C. 5:96-2.2/3.2 & N.J.A.C. 5:97-2.3/3.2)

All of the following documents must be submitted in order for your petition to be considered complete. Some documents may be on file with COAH. Please denote by marking the appropriate box if a document is attached to the Housing Element and Fair Share Plan or if you are using a document on file with COAH from your previous third round submittal to support this petition. Shaded areas signify items that must be submitted anew.

Included	On File	Required Documentation/Information
☒		Certified Planning Board Resolution adopting or amending the Housing Element & Fair Share Plan
☒		Certified Governing Body Resolution endorsing an adopted Housing Element & Fair Share Plan and either (check appropriate box): ☒Petitioning ☐Filing ☐Re-petitioning ☐Amending Certified Plan
☒		Service List (in the new format required by COAH)
☒		Adopted Housing Element & Fair Share Plan narrative (including draft and/or adopted ordinances necessary to implement the Plan)
☒ ☐N/A		If applicable, Implementation Schedule(s) with detailed timetable for the creation of units and for the submittal of all information and documentation required by N.J.A.C. 5:97-3.2(a)4
☐ ☐N/A	☒	If applicable, Litigation Docket No., OAL Docket No., Settlement Agreement and Judgment of Compliance or Court Master's Report
☐	☒	Municipal Master Plan (most recently adopted; if less than three years old, the immediately preceding, adopted Master Plan)
☒	☐	Municipal Zoning Ordinance (most recently adopted)[1] Date of Last Amendment: 6/24/2008 Date of Submission to COAH: 2008
☒	☐	Municipal Tax Maps (most up-to-date, electronic if available) Date of Last Revision: October 2008 Date of Submission to COAH: 2008
☒	☐	Other documentation pertaining to the review of the adopted Housing Element & Fair Share Plan(list):

FOR OFFICE USE ONLY

Date Received _____ Affidavit of Public Notice _____ Date Deemed Complete/Incomplete _____ Reviewer's Initials _____

[1] Pursuant to N.J.S.A. N.J.S.A. 52:27D-307, as amended by PL 2008 c.46, any residential development resulting from a zoning change made to a previously non-residentially-zoned property, where the change in zoning precedes or follows the application for residential development by no more than 24 months, shall require that a percentage be reserved for occupancy by low or moderate income households.

HOUSING ELEMENT

(N.J.A.C. 5:97-2 & N.J.S.A. 40:55D-1 et seq.)

The following issues and items must be addressed in the Housing Element for completeness review. Where applicable, provide the page number(s) on which each issue and/or item is addressed within the narrative Housing Element.

1. The plan includes an inventory of the municipality's housing stock by[1]:

   ☒ Age;
   ☒ Condition;
   ☒ Purchase or rental value;
   ☒ Occupancy characteristics; and
   ☒ Housing type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated

   ☒ Yes, Page Number: 3-8 ☐ No (incomplete)

2. The plan provides an analysis of the municipality's demographic characteristics, including, but not necessarily limited to[2]:

   ☒ Population trends
   ☒ Household size and type
   ☒ Age characteristics
   ☒ Income level
   ☒ Employment status of **residents**

   ☒ Yes, Page Number: 9-16 ☐ No (incomplete)

3. The plan provides an analysis of existing and future employment characteristics of the **municipality**, including but not limited to[3]:

   ☒ Most recently available in-place employment by industry sectors and number of persons employed;
   ☒ Most recently available employment trends; and
   ☒ Employment outlook

   ☒ Yes, Page Number: 17-20 ☐ No (incomplete)

4. The plan includes a determination of the municipality's present and prospective fair share for low and moderate income housing and an analysis of how existing or proposed changes in zoning will provide adequate capacity to accommodate residential and non-residential growth projections. AND

The analysis covers the following:

- ☒ The availability of existing and planned infrastructure;
- ☒ The anticipated demand for the types of uses permitted by zoning based on present and anticipated future demographic characteristics of the municipality;
- ☒ Anticipated land use patterns;
- ☒ Municipal economic development policies;
- ☒ Constraints on development including State and Federal regulations, land ownership patterns, presence of incompatible land uses or sites needing remediation and environmental constraints; and
- ☒ Existing or planned measures to address these constraints.

☒ Yes, Page Number: 21,22 ☐ No (incomplete)

5. The plan includes a consideration of 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.

☒ Yes, Page Number: 23 ☐ No (incomplete)

6. The plan relies on household and employment projections for the municipality as provided in Appendix F of COAH's rules (if yes check the yes box below and check no in lines 6a-8).

☒ Yes, Page Number: 20-21 ☐ No (go to 6a)

6a. The Plan relies on higher household and employment projections for the municipality as permitted under N.J.A.C. 5:97-2.3(d) (optional - see Fair Share Plan section starting on page 7 of this application).

☐ Yes (go to 7 and 8) ☒ No (go to 6b)

6b. The Plan relies on a request for a downward adjustment to household and employment projections for the municipality as provided in N.J.A.C. 5:97-5.6 (optional - see Fair Share Plan section starting on page 7 of this application).

☐ Yes, Page Number: _____ ☒ No

7. If the municipality anticipates higher household projections than provided by COAH in Appendix F, the plan projects the municipality's probable future construction of housing for fifteen years covering the period January 1, 2004 through December 31, 2018 using the following minimum information for residential development:

- ☐ Number of units for which certificates of occupancy were issued since January 1, 2004;
- ☐ Pending, approved and anticipated applications for development;
- ☐ Historical trends, of at least the past 10 years, which includes certificates of occupancy issued; and
- ☐ The worksheet for determining a higher residential growth projection provided by COAH. (Worksheets are available at www.nj.gov/dca/coah/planningtools/gscalculators.shtml)

☐ Yes, Page Number: _____

☐ No (incomplete)

☒ Not applicable (municipality accepts COAH's projections)

8. If the municipality anticipates higher employment projections than provided by COAH in Appendix F, the plan projects the probable future jobs based on the use groups outlined in Appendix D for fifteen years covering the period January 1, 2004 through December 31, 2018 for the municipality using the following minimum information for non-residential development:

   - ☐ Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
   - ☐ Square footage of pending, approved and anticipated applications for development;
   - ☐ Historical trends, of at least the past 10 years, which shall include square footage authorized by certificates of occupancy issued;
   - ☐ Demolition permits issued and projected for previously occupied non-residential space; and
   - ☐ The worksheet for determining a higher non-residential growth projection provided by COAH.

☐ Yes, Page Number: _____ ☐ No (incomplete)

☒ Not applicable (municipality accepts COAH's projections)

9. The plan addresses the municipality's :

   - ☒ Rehabilitation share (from Appendix B);
   - ☒ Prior round obligation (from Appendix C); and
   - ☒ Projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

☒ Yes, Page Number: 20, 21 ☐ No (incomplete)

10. If applicable, the plan includes status of the municipality's application for plan endorsement from the State Planning Commission.

☐ Yes, Page Number: _____ ☐ No (incomplete) ☒ Not Applicable

Petition date:_____ Endorsement date:_____

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[1] Information available through the U.S. Census Bureau at http://factfinder.census.gov/servlet/ACSSAFFHousing?_sse=on&_submenuId=housing_0

[2] Information available through the U.S. Census Bureau at http://factfinder.census.gov/home/saff/main.html.

[3] Information available through the New Jersey Department of labor at http://www.wnjpin.net/OneStopCareerCenter/LaborMarketInformation/lmi14/index.html

FAIR SHARE PLAN (N.J.A.C. 5:97-3)

Please provide a summary of the Fair Share Plan by filling out all requested information. Enter N/A where the information requested does not apply to the municipality. A fully completed application may serve as the actual Fair Share Plan. A brief narrative should be attached to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would fully describe, under a separate heading, any waivers that are being requested.

Determining the 1987-2018 Fair Share Obligation

The following tables will assist you in determining your overall 1987-2018 fair share obligation. For each cycle of the affordable housing need and rehabilitation share, please use the "need" column to enter the number of units addressed in the municipal petition. Where the municipality has received and/or is proposing any adjustments to its rehabilitation share, prior round and/or growth share obligation, use the footnotes providing rule references and follow the procedures for determining the municipal need and/or for calculating any adjustments applicable to the municipality. Enter the affordable housing need as provided by COAH or that results from the adjustment under the "Need" column.

Line		Need
1	○Rehabilitation Share (From N.J.A.C. 5:97 Appendix B) **OR**	67
2	○Optional Municipally Determined Rehabilitation Share (If a municipally determined rehabilitation share is being used, attach the survey results as an exhibit to this application and indicate that it is attached as Exhibit_____.)	_____
		Need
3	○Prior Round (1987-1999) Affordable Housing Obligation (From N.J.A.C. 5:97 Appendix C)	348
	○Prior Round Adjustments:	
	○20% Cap Adjustment	_____
	○1000 Unit Cap Adjustment	_____
4	Total Prior Round Adjustments	_____
5	**Adjusted Prior Round Obligation:** (Number in Appendix C **minus** Total Prior Round Adjustment(s))	_____
	○Prior Round Vacant Land Adjustment (Unmet Need)	223
6	Realistic Development Potential(RDP)[1]	125

[1] RDP = Adjusted Prior Round Obligation minus Vacant Land Adjustment

Determining the Growth Share Obligation

All municipalities must complete the "COAH projections" table below. Only municipalities that anticipate higher projections or that are seeking a growth projection adjustment based on a demonstration that insufficient land capacity exists to accommodate COAH projections need complete the corresponding additional table. COAH has published three workbooks in Excel format to assist with preparing this analysis. All municipalities must complete Workbook A. Workbook B must be used when the municipality anticipates that its growth through 2018 is likely to exceed the growth through 2018 that has been projected by COAH and the municipality wants to plan accordingly. Workbook C must be used by municipalities seeking a downward adjustment to the COAH-generated growth projections based on an analysis of municipal land capacity. Workbooks may be found at the following web location:
www.nj.gov/dca/coah/planningtools/gscalculators.shtml.

The applicable workbook has been completed and is attach to this application as Exhibit A.

Line	○ ***Required 2004-2018 COAH Projections and Resulting Projected Growth Share***				
	Household Growth (From Appendix F)	-2	Employment Growth (From Appendix F)	2,845	
	Household Growth After Exclusions (From Workbook A)	-22	Employment Growth After Exclusions (From Workbook A)		
	Residential Obligation (From Workbook A)	0	Non-Residential Obligation (From Workbook A)	177.81	
7	Total 2004-2018 Growth Share Obligation				178
	○ ***Optional 2004-2018 Municipal Projections Resulting in Higher Projected Growth Share***				
	Household Growth After Exclusions (From Workbook B)		Employment Growth After Exclusions (From Workbook B)		
	Residential Obligation (From Workbook B)		Non-Residential Obligation (From Workbook B)		
8	Total 2004-2018 Projected Growth Share Obligation				
	○ ***Optional Municipal Adjustment to 2004-2018 Projections and Resulting Lower Projected Growth Share***				
	Household Growth After Exclusions (From Workbook C)		Employment Growth After Exclusions (From Workbook C)		
	Residential Obligation (From Workbook C)		Non-Residential Obligation (From Workbook C)		
9	Total 2004-2018 Growth Share Obligation				
10	**Total Fair Share Obligation** (Line 1 or 2 + Line 5 or 6 + Line 7, 8 or 9)				370

Summary of Plan for Total 1987-2018 Fair Share Obligation

(For each mechanism, provide a description in the Fair Share Plan narrative. In the table below, specify the number of completed or proposed units associated with each mechanism.)

	Completed	Proposed	Total
Rehabilitation Share			15
Less: Rehabilitation Credits	15		
Rehab Program(s)		52	52
Remaining Rehabilitation Share			52
Prior Round (1987-1999 New Construction) Obligation			348
Less: Vacant Land Adjustment (If Applicable)			
(Enter unmet need as the adjustment amount. Unmet need = Prior round obligation minus RDP):			223
Unmet Need			
RDP			125
Mechanisms addressing Prior Round			
Prior Cycle Credits (1980 to 1986)	88		88
Credits without Controls			
Inclusionary Development/Redevelopment			
100% Affordable Units	12		12
Accessory Apartments			
Market-to-Affordable			
Supportive & Special Needs			
Assisted Living			
RCA Units previously approved			
Other	25		25
Prior Round Bonuses			
Remaining Prior Round Obligation			0
Third Round Projected Growth Share Obligation			
Less: **Mechanisms addressing Growth Share**			
Inclusionary Zoning	2	96	98
Redevelopment			
100% Affordable Development	12	45	57
Accessory Apartments			
Market-to-Affordable Units			
Supportive & Special Need Units			
Assisted Living: post-1986 Units			
Other Credits			
Compliance Bonuses			
Smart Growth Bonuses			
Redevelopment Bonuses			4
Rental Bonuses			19
Growth Share Total			178
Remaining (Obligation) or Surplus			0

PARAMETERS[1]

Prior Round 1987-1999			
RCA Maximum	NA	RCAs Included	0
Age-Restricted Maximum	NA	Age-Restricted Units Included	88
Rental Minimum	NA	Rental Units Included	91

Growth Share 1999-2018			
Age-Restricted Maximum	44	Age-Restricted Units Included	12
Rental Minimum	45	Rental Units Included	68
Family Minimum	78	Family Units Included	143
Very Low-Income Minimum[2]	21	Very Low-Income Units Included	12+

[1] Pursuant to the procedures in N.J.A.C. 5:97-3.10-3.12

[2] Pursuant to N.J.S.A. 52:27D-329.1, adopted on July 17, 2008, at least 13 percent of the housing units made available for occupancy by low-income and moderate income households must be reserved for occupancy by very low income households.

Summary of Built and Proposed Affordable Housing

Provide the information requested regarding the proposed program(s), project(s) and/or unit(s) in the Fair Share Plan. Use a separate line to specify any bonus associated with any program, project and/or unit in the Plan. As part of completeness review, all monitoring forms must be up-to-date (i.e. 2007 monitoring must have been submitted previously or included with this application) and all proposed options for addressing the affordable housing obligation must be accompanied by the applicable checklist(s) (found as appendices to this application). Enter whether a project is proposed or completed and attach the appropriate form or checklist for each mechanism as appendices to the plan. Please note that bonuses requested for the prior round must have been occupied after December 15, 1986 and after June 6, 1999 for the third round.

Please make sure that a corresponding mechanism checklist is submitted for each mechanism being employed to achieve compliance. Separate checklists for each mechanism are available on the COAH website at /www.nj.gov/dca/coah/planningtools/checklists.shtml.

Table 1. Projects and/or units addressing the Rehabilitation Share

Project/Program Name	Proposed (use Checklists) or Completed(use Rehabilitation Unit Survey Form)	Rental, Owner Occupied or Both	Checklist or Form Appendix Location[1]
1. Rehab Program	Proposed	X	On File
2.	Completed		
3.			

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit Rehabilitation Unit Survey Forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Table 2. Programs, Projects and/or units addressing the Prior Round.

Project/Program Name	Mechanism or Bonus Type	Proposed (use checklists) or Completed (use Project/Unit Program Information Forms)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Number Addressing Rental Obligation)	Number Subject to Age-Restricted Cap	Checklist or Form Appendix Location[1]
1. Elm Court	Prior Cycle	Completed	88	NA	NA	On File
2. John And Clay Streets	Family Sale	Completed	5	NA	NA	On File
3. Hamilton Avenue	Family Sale	Completed	6	NA	NA	On File
4. 171 John Street	Family Sale	Completed	1	NA	NA	On File
5. Rehabilitation		Completed	25	NA	NA	In Storage
6. Shirley Court (Unmet Need)	Family Sale	Completed	3	NA	NA	On File
7. Maclean Street (Unmet Need)	Family Sale	Completed	3	NA	NA	On File
8. The Princewood (Unmet Need)	Family Rental	Completed	1	NA	NA	On File
9. Palmer Sq. Hullfish (Unmet Need)	Family Rental	Proposed	2	NA	NA	Checklist
10.						
11.						
12.						
13.						
14.						
15.						

Subtotal from any additional pages used	
Total units (proposed and completed)	134
Total rental	89
Total age-restricted	88
Total very-low	88
Total bonuses	0

Please add additional sheets as necessary.

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Table 3. Programs, Projects and/or Units Addressing the Third Round.

Project Name	Mechanism or Bonus Type	Proposed (use checklist(s)) or Completed (use Project/Unit Program Information Form)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply	Units Addressing Rental Obligation	Units Addressing Family Obligation	Units Subject to Age-restricted Cap	Checklist or Form Appendix Location[1]
16. Witherspoon Phase I	Family Rental	Completed	2	2	2	0	On File
17. Witherspoon Phase II	Family Rental	Proposed	10	10	10	0	Checklist
18. Witherspoon	Redev. Bonus		4	0	0	0	
19. Elm Court	Senior Rental	Completed	12	12	0	12	On File
20. 114 Leigh Avenue	Family Sale	Completed	1	0	1	0	On File
21. 100-104 Leigh Avenue	Family Rental	Completed	5	5	5	0	On File
22. 100-104 Leigh Avenue	Rental Bonus		5	0	0	0	
23. Merwick	Family	Proposed	25		25	0	Checklist
24. Medical Parking Lot	Family	Proposed	5		5	0	Checklist
25. Princeton Medical Center	Family	Proposed	56		56	0	Checklist
26. Bayard And Leigh	Family Rental	Proposed	4	4	4	0	Checklist
27. Bayard And Leigh	Rental Bonus		4	0	0	0	Checklist
28. 100% Municipal	Family Rental	Proposed	35	21	35	0	
29. 100% Municipal	Rental Bonus		10	0	0	0	
30.							

Subtotal from any additional pages used		**Total units (proposed and completed)**	178
Total family units	143	Total rental units	68
Total age-restricted units	12	Total family rental units	56
Total Supportive/Special Needs units	0	Total very-low units	12
Total Special Needs bedrooms	0	Total bonuses	23

Please add additional sheets as necessary.

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Table 3. Programs, Projects and/or Units Addressing the Third Round.

Project Name	Mechanism or Bonus Type	Proposed (use checklist(s)) or Completed (use Project/Unit Program Information Form)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply	Units Addressing Rental Obligation	Units Addressing Family Obligation	Units Subject to Age-restricted Cap	Checklist or Form Appendix Location[1]
16. Witherspoon Phase I	Family Rental	Completed	2	2	2	0	On File
17. Witherspoon Phase II	Family Rental	Proposed	10	10	10	0	Checklist
18. Witherspoon	Redev. Bonus		4	0	0	0	
19. Elm Court	Senior Rental	Completed	12	12	0	12	On File
20. 114 Leigh Avenue	Family Sale	Completed	1	0	1	0	On File
21. 100-104 Leigh Avenue	Family Rental	Completed	5	5	5	0	On File
22. 100-104 Leigh Avenue	Rental Bonus		5	0	0	0	
23. Merwick	Family	Proposed	25		25	0	Checklist
24. Medical Parking Lot	Family	Proposed	5		5	0	Checklist
25. Princeton Medical Center	Family	Proposed	56		56	0	Checklist
26. Bayard And Leigh	Family Rental	Proposed	4	4	4	0	Checklist
27. Bayard And Leigh	Rental Bonus		4	0	0	0	
28. 100% Municipal	Family Rental	Proposed	35	21	35	0	
29. 100% Municipal	Rental Bonus		10	0	0	0	
30.							

Subtotal from any additional pages used _____ **Total units (proposed and completed)** 178

Total family units	143	Total rental units	68
Total age-restricted units	12	Total family rental units	56
Total Supportive/Special Needs units	0	Total very-low units	12
Total Special Needs bedrooms	0	Total bonuses	23

Please add additional sheets as necessary.

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Please answer the following questions necessary for completeness review regarding the municipality's draft and/or adopted implementing ordinances.

AFFORDABLE HOUSING TRUST FUND (N.J.A.C. 5:97-8)

1. Does the municipality have an affordable housing trust fund account? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a fully executed escrow agreement will forfeit the ability to retain development fees.)**

   ☒ Yes, Bank Name PNC Bank

   (Choose account type) ☒ Separate interest-bearing account

   ☒ State of New Jersey cash management fund

   ☐ No (**Skip to the Affordable Housing Ordinance section**)

2. Has an escrow agreement been executed? ☒Yes ☐No
   (**If no, petition is incomplete. Submit an executed escrow agreement.**)

3. Is all trust fund monitoring up-to-date as of December 31, 2007? ☒Yes ☐ No
   (**If no, petition is incomplete. Submit an updated trust fund monitoring report.**)

DEVELOPMENT FEE ORDINANCES (N.J.A.C. 5:97-8.3)

1. Does the Fair Share Plan include a proposed or adopted development fee ordinance? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a development fee ordinance will forfeit the ability to retain non-residential development fees)**

   ☒ Yes,

   ☐ Adopted **OR** ☒Proposed

   ☐ No **Skip to the next category; Payments-in-Lieu**

2. If adopted, specify date of COAH/Court approval here:_____

   - Have there been any amendments to the ordinance since COAH or the Court approved the ordinance?

     ☐Yes, Ordinance Number._____ Adopted on[1]_____

     ☐ No (**Skip to the next category; Payments-in-Lieu**)

   - If yes, is the amended ordinance included with your petition?

     ☐ Yes

     ☐ No, (**Petition is incomplete. Submit ordinance with governing body resolution requesting COAH approval of amended ordinance**)

3. Does the ordinance follow the ordinance model **updated September 2008** and available at www.nj.gov/dca/coah/round3resources.shtml? If yes, skip to question 5.

☒ Yes ☐ No

4. If the answer to 3. above is no, indicate that the necessary items below are addressed before submitting the Development Fee ordinance to COAH:

Information and Documentation

The ordinance imposes a residential development fee of 1.5% and a Non-residential fee of 2.5 %

☐ A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);

☐ A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e)

☐ A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d)

☐ A description of collection procedures per N.J.A.C. 5:97-8.3(f)

☐ A description of development fee appeals per N.J.A.C. 5:97-8.3(g)

☐ A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h)

☐ If part of a court settlement, submit court ordered judgment of compliance, implementation ordinances, information regarding period of time encompassed by the judgment of compliance and a request for review by the court

5. Does the ordinance include an affordability assistance provision per N.J.A.C. 5:97-8.8 (**Note: must be at least 30 percent of all development fees plus interest**)?

☒ Yes (Specify actual or anticipated amount) $ 552,361

☐ No **Submit an amended ordinance with provisions for affordability assistance along with a governing body resolution requesting COAH approval of the amended ordinance.**)

- If yes, what kind of assistance is offered?

Closing cost/down payment assistance; rental security deposit; converting low income units to very low income.

- Has an affordability assistance program manual been submitted? ☐ Yes ☒ No

[1] Any amendment to a previously approved and adopted development fee ordinance must be submitted to COAH along with a resolution requesting COAH's review and approval of the amendment prior to the adoption of said amendment by the municipality.

PAYMENTS-IN-LIEU OF CONSTRUCTING AFFORDABLE UNITS ON SITE (N.J.A.C. 5:97-8.4)

1. Does the Fair Share Plan include an inclusionary zoning ordinance that provides for payments-in-lieu as an option to the on-site construction of affordable housing?

   ☐ Yes ☒ No (**Skip to the next category; Barrier Free Escrow)**

2. Does the plan identify an alternate site and/or project for the payment-in-lieu funds? **(Optional)**

   ☐ Yes (**attach applicable checklist**)
   ☒ No (identify possible mechanisms on which payment in lieu will be expended in narrative section of plan.)

3. Does the ordinance include minimum criteria to be met before the payments-in-lieu becomes an available option for developers? **(Optional)**

   ☐ Yes (indicate ordinance section)_____
   ☐ No

BARRIER FREE ESCROW/OTHER FUNDS (N.J.A.C. 5:97-8.5/8.6)

1. Has the municipality collected or does it anticipate collecting fees to adapt affordable unit entrances to be accessible in accordance with the Barrier Free Subcode, N.J.A.C. 5:23-7?

   ☐ Yes ☒ No

2. Does the municipality anticipate collecting any other funds for affordable housing activities?

☐ Yes (specify funding source and amount) _____

☒ No

SPENDING PLANS (N.J.A.C. 5:97-8.10)

1. Does the petition include a Spending Plan? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a Spending Plan will forfeit the ability to retain development fees.)**

   ☒ Yes ☐ No

2. Does the Spending Plan follow the Spending Plan model **updated October 2008** and available at www.nj.gov/dca/coah/round3resources.shtml? If yes, skip to next section - Affordable Housing Ordinance.

   ☒ Yes ☐ No

3. If the answer to 1. above is no, indicate that the necessary items below are addressed before submitting the spending plan to COAH:

Information and Documentation

☐ A projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historical development activity;

☐ A projection of revenues anticipated from other sources (specify source(s) and amount(s));

☐ A description of the administrative mechanism that the municipality will use to collect and distribute revenues;

☐ A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7;

☐ A schedule for the expenditure of all affordable housing trust funds;

☐ A schedule for the creation or rehabilitation of housing units;

☐ If the municipality envisions being responsible for public sector or non-profit construction of housing, a detailed pro-forma statement of the anticipated costs and revenues associated with the development, consistent with standards required by HMFA or the DCA Division of Housing in its review of funding applications;

☐ If the municipality maintains an existing affordable housing trust fund, a plan to spend the remaining balance as of the date of its third round petition within four years of the date of petition;

☐ The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan;

☐ A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

☐ If not part of the petition, a resolution of the governing body requesting COAH review and approval of spending plan or an amendment to an approved spending plan.

AFFORDABLE HOUSING ORDINANCE (N.J.A.C. 5:80-26.1 *et seq.*)

1. Does the Fair Share Plan include an Affordable Housing Ordinance?

   ☒ Yes ☐ No

2. Does the ordinance follow the ordinance model available at www.nj.gov/dca/coah/round3resources.shtml ? ☐ Yes ☒ No

3. If the answer to 1. or 2. above is no, indicate that the required items below are addressed before submitting to COAH. If the required items are addressed in ordinances other than an Affordable Housing Ordinance, please explain in a narrative section of the Fair Share Plan.

Required Information and Documentation

☒ Affordability controls

☒ Bedroom distribution

☒ Low/moderate-income split and bedroom distribution

☒ Accessible townhouse units

☒ Sale and rental pricing

☒ Municipal Housing Liaison

☒ Administrative Agent

☒ Reference to the Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

AFFORDABLE HOUSING ADMINISTRATION (As Applicable)

Items that must be submitted with the petition:

☒ Governing body resolution designating a municipal housing liaison (COAH must approve) On File

Items that must be submitted prior to COAH's grant of Substantive Certification:

☐ Operating manual for rehabilitation program

☐ Operating manual for affordability assistance

☐ Operating manual for an Accessory Apartment program

☐ Operating manual for a Market-to-Affordable program

☐ COAH approved administrative agent if municipal wide

Items that must be submitted prior to any time prior to marketing completed units:

☐ COAH approved administrative agent(s) is project specific

☐ Operating manual for sale units

☐ Operating manual for rental units

☐ Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

CERTIFICATION

I, _____, have prepared this petition application for substantive certification on behalf of _____. I certify that the information submitted in this petition is complete, true and accurate to the best of my knowledge. I understand that knowingly falsifying the information contained herein may result in the denial and/or revocation of the municipality's substantive certification.

_____ _____

Signature of Preparer (affix seal if applicable) Date

_____

Title

N.J.S.A. 2C:21-3, which applies to the certifications, declares it to be a disorderly person offense to knowingly make a false statement or give false information as part of a public record.

Narrative Section

See Fair Share Plan.

EXHIBIT A

Workbook A: Growth Share Determination Using Published Data

(Using Appendix F(2), *Allocating Growth To Municipalities)*

COAH Growth Projections

Must be used in all submissions

Municipality Name: **Princeton Borough**

Enter the COAH generated growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated. Use these figures in the Application for Substantive Certification.

		Residential	Non-Residential
1	**Enter Growth Projections From Appendix F(2) ***	**-2**	**2,845**
2	**Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab**	Click Here to enter Prior Round Exclusions	
	built or projected to be built post 1/1/04		
	Inclusionary Development	3	
	Supportive/Special Needs Housing	0	
	Accessory Apartments	0	
	Municipally Sponsored or 100% Affordable	0	
	Assisted Living	0	
	Other	0	
	Market Units in Prior Round Inclusionary development built post 1/1/04	17	
3	**Subtract the following Non-Residential Exclusions (5:97-2.4(b)**		
	Affordable units	0	
	Associated Jobs		0
4	**Net Growth Projection**	-22	2,845
5	**Projected Growth Share** (Conversion to Affordable Units Dividing Households by 5 and Jobs by 16)	**0.00 Affordable Units**	**177.81 Affordable Units**
6	**Total Projected Growth Share Obligation**		**178 Affordable Units**

* For residential growth, see Appendix F(2), Figure A.1, Housing Units by Municipality. For non-residential growth, see Appendix F(2), Figure A.2, Employment by Municipality.

Affordable and Market-Rate Units Excluded from Growth

Municipality Name: Princeton Borough

Prior Round Affordable Units NOT included in Inclusionary Developments Built post 1/1/04

Development Type	Number of COs Issued and/or Projected
Supportive/Special Needs Housing	
Accessory Apartments	
Municipally Sponsored and 100% Affordable	
Assisted Living	
Other	
Total	**0**

Market and Affordable Units in Prior Round Inclusionary Development
Built post 1/1/04
N.J.A.C. 5:97-2.4(a)
(Enter Y for yes in Rental column if rental units resulted from N.J.A.C. 5:93-5.15(c)5 incentives)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
Princewood	Y	12	11	1	6
Palmer Square Hullfish	Y	100	98	2	11
		0			0
		0			0
		0			0
Total		**112**	**109**	**3**	**17**

Jobs and Affordable Units Built as a result of post 1/1/04 Non-Residential Development
N.J.A.C. 5:97-2.4(b)

Development Name	Affordable Units Provided	Permitted Jobs Exclusion
		0
		0
		0
		0
Total	**0**	0

Return To Workbook A Summary

CHECKLISTS

ZONING FOR INCLUSIONARY DEVELOPMENT (N.J.A.C. 5:97-6.4)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: *Princeton Borough / Mercer County*

Project Name/Zoning Designation: *Medical Center Surface Lot*

Block(s) and Lot(s): Block 21.02, Lot 27

Total acreage: 1.77 Proposed density (units/gross acre): 14.5

Affordable Units Proposed: 5

Family: 5	Sale: TBD	Rental: TBD
Very low-income units: _____	Sale: _____	Rental: _____
Age-Restricted: _____	Sale: _____	Rental: _____

Market-Rate Units Anticipated: 26

Non-Residential Development Anticipated (in square feet), if applicable: 0

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☒ No

Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): TBD

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: _____

Smart growth bonuses as per N.J.A.C. 5:97-3.18: _____

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: _____

Compliance bonuses as per N.J.A.C. 5:97-3.17: _____

Date inclusionary zoning adopted: 10/24/06 Date development approvals granted: TBD

Information and Documentation Required with Petition

☒ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, check here ☐ in lieu of submitting forms.)

☒ Draft or adopted zoning or land use ordinance, which includes the affordable housing requirement and minimum presumptive density for the site/zone.

☐ Copies of all decisions made on applications for affordable housing development subsequent to adoption of the current zoning NA

If payments in lieu of on-site construction of the affordable units is an option, submit: NA

- ☐ Proposed or adopted ordinance establishing the amount of the payments
- ☐ Spending plan

A general description of the site or zone, including:

- ☒ Name and address of owner
- ☐ Name and address of developer(s) NA
- ☒ Subject property street location
- ☐ Indicate if urban center or workforce housing census tract NA
- ☒ Previous zoning designation and date previous zoning was adopted
- ☒ Current zoning and date current zoning was adopted
- ☐ Description of any changes to bulk standards intended to accommodate the proposed densities NA
- ☒ Tax maps showing the location of site(s) with legible dimensions (electronic if available) On File

A description of the suitability of the site, including:

- ☒ Description of surrounding land uses
- ☒ Demonstration that the site has street access
- ☒ Planning Area and/or Special Resource Area designation(s) i.e., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☒ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☒ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☒ Wetlands and buffers
- ☒ Steep slopes
- ☒ Flood plain areas

- ☒ Stream classification and buffers
- ☒ Critical environmental site
- ☒ Historic or architecturally important site/district
- ☒ Contaminated site(s); proposed or designated brownfield site
- ☒ Based on the above, a quantification of buildable and non-buildable acreage

Agreements with developers or approvals for development of specific property, which shall include:

- ☐ Number, tenure and type of units TBD
- ☐ Compliance with N.J.A.C. 5:97-9 and UHAC
- ☐ Progress points at which the developer shall coordinate with the Municipal Housing Liaison

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual
- ☐ An affirmative marketing plan in accordance with UHAC

Zoning Narrative Section

See Fair Share Plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

ZONING FOR INCLUSIONARY DEVELOPMENT (N.J.A.C. 5:97-6.4)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: *Princeton Borough / Mercer County*

Project Name/Zoning Designation: *Merwick*

Block(s) and Lot(s): Block 16.01, Lot 1

Total acreage: 10 Proposed density (units/gross acre): 14.5

Affordable Units Proposed: 25

Family: TBD	Sale:_____	Rental:_____
Very low-income units:_____	Sale:_____	Rental:_____
Age-Restricted: _____	Sale:_____	Rental:_____

Market-Rate Units Anticipated: 101

Non-Residential Development Anticipated (in square feet), if applicable: NA

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☐ No

Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): TBD

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: _____

Smart growth bonuses as per N.J.A.C. 5:97-3.18: _____

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: _____

Compliance bonuses as per N.J.A.C. 5:97-3.17: _____

Date inclusionary zoning adopted: 6/24/08 Date development approvals granted: TBD

Information and Documentation Required with Petition

☒ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, check here ☐ in lieu of submitting forms.)

☒ Draft or adopted zoning or land use ordinance, which includes the affordable housing requirement and minimum presumptive density for the site/zone.

☐ Copies of all decisions made on applications for affordable housing development subsequent to adoption of the current zoning NA

If payments in lieu of on-site construction of the affordable units is an option, submit: NA

- ☐ Proposed or adopted ordinance establishing the amount of the payments
- ☐ Spending plan

A general description of the site or zone, including:

- ☒ Name and address of owner
- ☐ Name and address of developer(s) TBD
- ☒ Subject property street location
- ☐ Indicate if urban center or workforce housing census tract NA
- ☒ Previous zoning designation and date previous zoning was adopted
- ☒ Current zoning and date current zoning was adopted
- ☐ Description of any changes to bulk standards intended to accommodate the proposed densities
- ☒ Tax maps showing the location of site(s) with legible dimensions (electronic if available) On File

A description of the suitability of the site, including:

- ☒ Description of surrounding land uses
- ☒ Demonstration that the site has street access
- ☒ Planning Area and/or Special Resource Area designation(s) i.e., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☒ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☒ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☐ Wetlands and buffers NA
- ☐ Steep slopes NA
- ☐ Flood plain areas NA

- ☐ Stream classification and buffers NA
- ☐ Critical environmental site NA
- ☐ Historic or architecturally important site/district NA
- ☐ Contaminated site(s); proposed or designated brownfield site NA
- ☒ Based on the above, a quantification of buildable and non-buildable acreage

Agreements with developers or approvals for development of specific property, which shall include:

- ☐ Number, tenure and type of units TBD
- ☐ Compliance with N.J.A.C. 5:97-9 and UHAC
- ☐ Progress points at which the developer shall coordinate with the Municipal Housing Liaison TBD

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual
- ☐ An affirmative marketing plan in accordance with UHAC

Zoning Narrative Section

See Fair Share Plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

ZONING FOR INCLUSIONARY DEVELOPMENT (N.J.A.C. 5:97-6.4)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: *Princeton Borough / Mercer County*

Project Name/Zoning Designation: *Princeton Medical Center*

Block(s) and Lot(s):21.02, Lot 1

Total acreage:5.6 Proposed density (units/gross acre): 50

Affordable Units Proposed: 56

Family:TBD	Sale:_____	Rental:_____
Very low-income units:_____	Sale:_____	Rental:_____
Age-Restricted: TBD	Sale:_____	Rental:_____

Market-Rate Units Anticipated: 224

Non-Residential Development Anticipated (in square feet), if applicable: 20,000 sq. ft.

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☐ No

Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): TBD

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: _____

Smart growth bonuses as per N.J.A.C. 5:97-3.18: _____

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: _____

Compliance bonuses as per N.J.A.C. 5:97-3.17: _____

Date inclusionary zoning adopted: 10/24/2006 Date development approvals granted: TBD

Information and Documentation Required with Petition

☒ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, check here ☐ in lieu of submitting forms.)

☒ Draft or adopted zoning or land use ordinance, which includes the affordable housing requirement and minimum presumptive density for the site/zone.

☐ Copies of all decisions made on applications for affordable housing development subsequent to adoption of the current zoning NA

If payments in lieu of on-site construction of the affordable units is an option, submit:

- ☐ Proposed or adopted ordinance establishing the amount of the payments NA
- ☐ Spending plan NA

A general description of the site or zone, including:

- ☒ Name and address of owner Princeton Medical Center
- ☒ Name and address of developer(s) TBD
- ☒ Subject property street location 253 Witherspoon Street
- ☒ Indicate if urban center or workforce housing census tract No
- ☒ Previous zoning designation and date previous zoning was adopted 1982-HMC
- ☒ Current zoning and date current zoning was adopted MRRO - 10/24/06
- ☐ Description of any changes to bulk standards intended to accommodate the proposed densities TBS
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available) TBD

A description of the suitability of the site, including:

- ☒ Description of surrounding land uses
- ☒ Demonstration that the site has street access Witherspoon Street
- ☒ Planning Area and/or Special Resource Area designation(s) i.e., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☒ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☒ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☒ Wetlands and buffers NA
- ☒ Steep slopes NA
- ☒ Flood plain areas NA

- ☒ Stream classification and buffers NA
- ☒ Critical environmental site NA
- ☒ Historic or architecturally important site/district NA
- ☒ Contaminated site(s); proposed or designated brownfield site NA
- ☒ Based on the above, a quantification of buildable and non-buildable acreage NA

Agreements with developers or approvals for development of specific property, which shall include:

- ☐ Number, tenure and type of units TBD
- ☐ Compliance with N.J.A.C. 5:97-9 and UHAC TBD
- ☐ Progress points at which the developer shall coordinate with the Municipal Housing Liaison TBD

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual
- ☐ An affirmative marketing plan in accordance with UHAC

Zoning Narrative Section

See Fair Share Plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

(Submit separate checklist for each site or project)

General Description

Municipality/County: *Princeton Borough/Mercer County*

Project Name: *Bayard and Leigh*

Block(s) and Lot(s): 13.01, Lot 1

Affordable Units Proposed: 4

Family: 4	Sale: _____	Rental: 4
Very low-income units: _____	Sale: _____	Rental: _____
Age-Restricted: _____	Sale: _____	Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 4

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: _____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: NA Date development approvals granted: Use Variance

Required Information and Documentation with Petition or in Accordance with an Implementation Schedule

☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

☒ Yes. Skip to and complete implementation schedule found at the end of this checklist. NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

- [ ] No. Continue with this checklist.

- [ ] Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- [ ] Name and address of owner
- [ ] Subject property street location
- [ ] Subject property block(s) and lot(s)
- [ ] Subject property total acreage
- [ ] Indicate if urban center or workforce housing census tract
- [ ] Description of previous zoning
- [ ] Current zoning and date current zoning was adopted
- [ ] Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- [ ] Description of surrounding land uses
- [ ] Demonstration that the site has street access
- [ ] Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- [ ] Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- [ ] Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- [ ] Wetlands and buffers
- [ ] Steep slopes
- [ ] Flood plain areas
- [ ] Stream classification and buffers
- [ ] Critical environmental site
- [ ] Historic or architecturally important site/district
- [ ] Contaminated site(s); proposed or designated brownfield site

- [ ] Based on the above, a quantification of buildable and non-buildable acreage
- [ ] RFP or Developer's Agreement
- [ ] Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- [ ] Pro-forma statement for the project
- [ ] Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- [ ] Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- [ ] Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- [ ] Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- [ ] An affirmative marketing plan in accordance with UHAC

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	2008	2008	2008

RFP Process	NA		
Developer Selection	NA		
Executed Agreement with provider, sponsor or developer	Use Variance		
Development Approvals	NA		
Contractor Selection	NA		
Building Permits	2009	2009	2009
Occupancy	2010	2010	2010

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	2008
Site Suitability Description	2008
Environmental Constraints Statement	2008

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	Private	2008
Project Pro-forma	NA/Private	NA

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	2008	2008

100% or Municipally Sponsored Narrative Section

See Fair Share Plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

(Submit separate checklist for each site or project)

General Description

Municipality/County: *Princeton Borough/Mercer County*

Project Name: *Municipal Construction*

Block(s) and Lot(s): _____TBD_____

Affordable Units Proposed: ____35_____

Family: 35	Sale: _____	Rental: 35
Very low-income units: _____	Sale: _____	Rental: _____
Age-Restricted: _____	Sale: _____	Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): TBD

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: TBD

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: TBD Date development approvals granted: TBD

Required Information and Documentation with Petition or in Accordance with an Implementation Schedule

☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

☒ Yes. Skip to and complete implementation schedule found at the end of this checklist. NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

- ☐ No. Continue with this checklist.

☐ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☐ Name and address of owner
- ☐ Subject property street location
- ☐ Subject property block(s) and lot(s)
- ☐ Subject property total acreage
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Description of previous zoning
- ☐ Current zoning and date current zoning was adopted
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site

- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ RFP or Developer's Agreement
- ☐ Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- ☐ Pro-forma statement for the project
- ☐ Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	2016	2016	2016

RFP Process	2016	2016	2016
Developer Selection	2016	2016	2016
Executed Agreement with provider, sponsor or developer	2016	2016	2016
Development Approvals	2016	2016	2016
Contractor Selection	NA		
Building Permits	2017	2017	2017
Occupancy	2018	2018	2018

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	2016
Site Suitability Description	2016
Environmental Constraints Statement	2016

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	2016	2016
Project Pro-forma	2016	2016

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	On File	On File

100% or Municipally Sponsored Narrative Section

See Fair Share Plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

(Submit separate checklist for each site or project)

General Description

Municipality/County: *Princeton Borough/Mercer County*

Project Name: *100-104 Leigh Avenue*

Block(s) and Lot(s): 13.01, Lots 9, 10, 11

Affordable Units Proposed: 5

Family: 5	Sale: _____	Rental: 5
Very low-income units: _____	Sale: _____	Rental: _____
Age-Restricted: _____	Sale: _____	Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 5

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: _____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: _____ Date development approvals granted: NA

Required Information and Documentation with Petition or in Accordance with an Implementation Schedule

☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

☒ Yes. Skip to and complete implementation schedule found at the end of this checklist. NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

- ☐ No. Continue with this checklist.

☐ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☐ Name and address of owner
- ☐ Subject property street location
- ☐ Subject property block(s) and lot(s)
- ☐ Subject property total acreage
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Description of previous zoning
- ☐ Current zoning and date current zoning was adopted
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site

- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ RFP or Developer's Agreement
- ☐ Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- ☐ Pro-forma statement for the project
- ☐ Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	2008	2008	2008

RFP Process	NA	NA	NA
Developer Selection	NA	NA	NA
Executed Agreement with provider, sponsor or developer	NA	NA	NA
Development Approvals	NA	NA	NA
Contractor Selection	NA	NA	NA
Building Permits	2008	2008	2008
Occupancy	2009	2009	2009

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	2008
Site Suitability Description	2008
Environmental Constraints Statement	2008

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	NA	NA
Project Pro-forma	NA	NA

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	On File	On File

100% or Municipally Sponsored Narrative Section

See Fair Share Plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

(Submit separate checklist for each site or project)

General Description

Municipality/County: *Princeton Borough/Mercer County*

Project Name: *114 Leigh Avenue*

Block(s) and Lot(s): 13.01, Lot 4

Affordable Units Proposed: 1

Family: 1 Sale: 1 Rental: _____

Very low-income units: _____ Sale: _____ Rental: _____

Age-Restricted: _____ Sale: _____ Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: _____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: _____ Date development approvals granted: _____

Required Information and Documentation with Petition or in Accordance with an Implementation Schedule

☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

☒ Yes. Skip to and complete implementation schedule found at the end of this checklist. NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

- ☐ No. Continue with this checklist.

☐ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☐ Name and address of owner
- ☐ Subject property street location
- ☐ Subject property block(s) and lot(s)
- ☐ Subject property total acreage
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Description of previous zoning
- ☐ Current zoning and date current zoning was adopted
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site

- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ RFP or Developer's Agreement
- ☐ Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- ☐ Pro-forma statement for the project
- ☐ Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	2008	2008	2008

RFP Process	NA	NA	NA
Developer Selection	NA	NA	NA
Executed Agreement with provider, sponsor or developer	NA	NA	NA
Development Approvals	NA	NA	NA
Contractor Selection	NA	NA	NA
Building Permits	2008	2008	2008
Occupancy	2009	2009	2009

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	2008
Site Suitability Description	2008
Environmental Constraints Statement	2008

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	NA	NA
Project Pro-forma	NA	NA

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	On File	On File

100% or Municipally Sponsored Narrative Section

See Fair Share Plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

SPENDING PLAN

Princeton Borough / Mercer County
Affordable Housing Trust Fund Spending Plan

INTRODUCTION

Princeton Borough / Mercer County has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was approved by The Superior Court on December 15, 1995 and adopted by the municipality on June 8, 1995. The ordinance establishes the Princeton Borough affordable housing trust fund for which this spending plan is prepared.

As of July 17, 2008, Princeton Borough has collected $2,067,347, expended $836,007.91, resulting in a balance of $1,231,340.30. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in the State of New Jersey CMA Account and PNC Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

Princeton Borough first petitioned COAH for substantive certification on December 15, 2005 and received prior approval to maintain an affordable housing trust fund on December 15, 1995 from the Superior Court. As of December 31, 2004, the prior round balance remaining in the affordable housing trust fund was $546,068.32. From January 1, 2005 through July 17, 2008, Princeton Borough collected an additional $859,622.49 in development fees, payments in lieu of construction, other funds, and/or interest. From January 1, 2005 through July 17, 2008, Princeton Borough expended funds on the affordable housing activities detailed in section 4 of this spending plan.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, Princeton Borough considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows:

All PILs have been collected.

(c) Other funding sources:

Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, proceeds from the sale of affordable units. *No other funds have been or are anticipated to be collected.*

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate.

COAH council on affordable housing
Tracking and Monitoring

Municipalities ▸ Plans ▸ Reports ▸ Home

Plan Projects RCA/Partner Trust Fund Spending Plan

Municipality: PRINCETON BORO, MERCER County - Muni Code: 1109

Payments in Lieu of Construction

	Date	Project/Development	Type	Address	Units Not Built	Amount
Edit	12/31/2005		Inclusionary-Residential		0	30,000.00
Edit	02/16/2006	Princeton University	Growth Share Ordinance-Non Residential	Alexander Hall	0.09	40,388.00
Edit	06/20/2006	Princeton University	Growth Share Ordinance-Non Residential	Madison Hall	0.24	112,185.00
Edit	06/21/2006	Princeton University	Growth Share Ordinance-Residential	School of Architecture	0.23	109,384.00
Edit	11/08/2006		Growth Share Ordinance-Residential	100 Patton Avenue	0.13	14,607.00
Edit	01/31/2007	Palmer Square	Growth Share Ordinance-Non Residential	Kiosk	0	1,589.00
Edit	06/21/2007	Princeton University	Growth Share Ordinance-Non Residential	Forbes College	0	87,837.00
Edit	09/26/2007	Barsky Brother	Growth Share Ordinance-Residential	100 Patton Avenue	0	43,788.00
Edit	02/08/2008	Princeton University	Growth Share Ordinance-Non Residential	Wu Wilcox Building	0	122,935.00
Edit	03/24/2008	Cyril & Hana Kucera	Growth Share Ordinance-Residential	78 Harrison Street	0	29,214.50

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2008 THROUGH 2018											
	7/18/08 Through 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development fees:												
1. Approved Development	26,067											26,067
2. Development Pending Approval	0											
3. Projected Development	0	57,500	57,500	57,500	57,500	57,500	57,500	57,500	57,500	57,500	57,500	575,000
(b) Payments in Lieu of Construction	0	0	0	0	0	0	0	0	0	0	0	0
(c) Other Funds (Specify source(s))	0	0	0	0	0	0	0	0	0	0	0	0
(d) Interest	178	862	862	862	862	862	862	862	862	862	862	8,798
Total												609,865

Princeton Borough projects a total of $609,865 in revenue to be collected between July 18, 2008 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Princeton Borough:

(a) Collection of development fee revenues:
When a request is made for a building permit, the zoning officer determines if the project is subject to the imposition of a mandatory development fee.

If so, the borough zoning officer will notify the borough tax assessor to calculate the approximate value of the project and set the fee based on the equalized assessed value for both residential and non-residential projects.

The developer will pay up to 50 percent of the estimated development fee to the technical assistant in the building department at the time the building permit is issued. The funds are then forwarded to the finance department and deposited in the affordable housing trust fund.

The balance of the development fee will be paid by the developer to the technical assistant in the building department at the issuance of the certificate of occupancy. The funds are then forwarded to the finance department and deposited in the affordable housing trust fund.

(b) Distribution of development fee revenues:
The Housing Coordinator recommends the expenditure of development fee revenues as set forth in this spending plan to the governing body. The governing body reviews the request for consistency with the spending plan.

The release of funds requires the adoption of a governing body resolution in accordance with the COAH-approved spending plan. Once a request is approved by resolution, the finance department releases the requested revenue from the trust fund for the specific use approved in the governing body's resolution.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

Princeton Borough will dedicate $958,850 to rehabilitation or new construction programs (see detailed descriptions in Fair Share Plan) as follows:

Rehabilitation program: $780,000.

New construction project(s): $178,850.

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

Projected minimum affordability assistance requirement:

Actual development fees through 7/17/2008		$1,952,327.60
Actual interest earned through 7/17/2008	+	$115,020.61
Development fees projected* 2008-2018	+	$601,067
Interest projected* 2008-2018	+	$8,798
Less housing activity expenditures through 6/2/2008	-	$836,007.91
Total	=	$1,841,205.30
30 percent requirement	x 0.30 =	$552,361.59
Less Affordability assistance expenditures through 12/31/2004	-	$00.00
PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2005 through 12/31/2018	=	$552,361.59
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018	÷ 3 =	$184,120.53

* Note: The 2008 portion of this projection reflects 2008 subsequent to July 17 as the remainder of 2008 is included in the actual figure reported above.

Princeton Borough will dedicate $552,361.59 from the affordable housing trust fund to render units more affordable, including $184,120.53 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

Once the affordable units from Merwick, the hospital surface lot and Princeton University come online, the borough will implement a closing cost-down payment assistance program and/or a security deposit assistance program. It is not known if the units will be for sale or rentals. In addition, the borough will develop a program to make units affordable to households at 30 percent or less of median income.

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

Princeton Borough projects that $329,994 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

Administrative salaries and benefits for municipal employees and/or consultant fees to implement an affordable housing program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. Income qualification of households, monitoring the turnover of sale and rental units, preserving existing affordable housing and compliance with COAH monitoring requirements.

4. EXPENDITURE SCHEDULE

Princeton Borough intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows: Rehabilitation, affordability assistance and municipal construction.

Program *[Individually list programs and projects e.g. Rehab, Accessory Apartments, for-sale and rental municipally sponsored, etc].*	**Number of Units Projected**	**Funds Expended and/or Dedicated**	**PROJECTED EXPENDITURE SCHEDULE 2009 -2018**												
		2005-July 17, 2008	**7/18/08 – 12/31/08**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**	**Total**
Rehabilitation				78,000	78,000	78,000	78,000	78,000	78,000	78,000	78,000	78,000	78,000	780,000
New Construction				0	0	0	0				178,850			178,850
Total Programs														958,850
Affordability Assistance						69,000	69,000	69,000	69,000	69,000	69,000	69,000	69,361	552,361
Administration				32,000	32,000	32,000	32,000	32,000	32,000	32,000	32,000	32,000	9,994	329,994
Total														1,841,205

5. EXCESS OR SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of Princeton Borough has adopted a resolution agreeing to fund any shortfall of funds required for implementing the rehabilitation program and the municipal construction project. In the event that a shortfall of anticipated revenues occurs, Princeton Borough will bond. A copy of the adopted resolution is attached.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used for affordability assistance.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with Princeton Borough's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

Section B. Accessible Townhouse Units

SUMMARY

Princeton Borough intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated December 4, 2008.

Princeton Borough has a balance of $1,231,340 as of July 17, 2008 and anticipates an additional $609,865 in revenues before the expiration of substantive certification for a total of $1,841,205. The municipality will dedicate $958,850 towards rehabilitation and new construction, $552,361 to render units more affordable, and $329,994 to administrative costs. Any shortfall of funds will be offset by bonding. The municipality will dedicate any excess funds toward affordability assistance.

SPENDING PLAN SUMMARY		
Balance as of July 17, 2008		$1,231,340
PROJECTED REVENUE July 18, 2008-2018		
Development fees	+	$601,067
Payments in lieu of construction	+	$00.00
Other funds	+	$00.00
Interest	+	$8,798
TOTAL REVENUE	=	$1,841,205
EXPENDITURES		
Funds used for Rehabilitation	-	$780,000
Funds used for New Construction		
1. Municipal Construction	-	$178,850
2.	-	$
3.	-	$
4.	-	$
5.	-	$
6.	-	$
7.	-	$
8.	-	$
9.	-	$
10.	-	$
Affordability Assistance	-	$552,361.59
Administration	-	$329,994
Excess Funds for Additional Housing Activity	=	$
1. Low to Very Low	-	$
2.	-	$
3.	-	$
TOTAL PROJECTED EXPENDITURES	=	$1,841,205
REMAINING BALANCE	=	$0.00

APPENDICES

DRAFT DEVELOPMENT FEE ORDINANCE

AN ORDINANCE AMENDING AND SUPPLMENTING CHAPTER 17A OF THE CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY 1974 REGARDING DEVELOPMENT FEES

BE IT ORDAINED by the Mayor and Council of the Borough of Princeton that Chapter 17A , Sections 205.2 through 205.11 regarding the development fees of the Code of the Borough of Princeton, NJ 1974 shall be amended and supplemented in pertinent part as follows:

Section I.

Chapter 17A, Sections 205.2 through 205.11 shall be deleted and replaced with the following provisions:

Section 7A-205.1 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 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.

b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.

c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

Section 17A-205.2. Basic requirements

a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C.* 5:96-5.1.

b) The Borough of Princeton shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C.* 5:97-8.10 and *N.J.A.C.* 5:96-5.3.

Section 17A-205.3. Definitions

a) The following terms, as used in this ordinance, shall have the following meanings:

i. "**Affordable housing development**" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

ii. "**COAH**" or the "**Council**" means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.

iii. "**Development fee**" means money paid by a developer for the improvement of property as permitted in *N.J.A.C.* 5:97-8.3.

iv. "**Developer**" means 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.

v. "**Equalized assessed value**" means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).

vi. "**Green building strategies**" means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

vi. <u>Intensity of use</u>. Either: (a) an increase in residential density, i.e., the number of dwelling units per acre, (b) an increase in floor area ratio (FAR) for nonresidential development, or (c) conversion of an existing structure that uses the structure more intensely, and which results in an increase in the equalized assessed value of the improved structure, as demonstrated by, but not limited to: (1) an increase in employees, (2) an increase in customers, (3) an increase in visitors, (4) an increase in parking spaces, (5) an increase in hours of operation, or (6) a change of existing nonhabitable space to habitable space.

Section 17A-205.4. Residential Development fees

a) Imposed fees

i. Within all district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and one half percent of the equalized assessed value for residential development provided no increased density is permitted.

ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of six percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one and a half percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

b) Eligible exactions, ineligible exactions and exemptions for residential development

i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.

ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

Section 17A-205.5. Non-residential Development fees

a) Imposed fees

i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

b) Eligible exactions, ineligible exactions and exemptions for non-residential development.

i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.

ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.

iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.

v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Borough of Princeton as a lien against the real property of the owner.

Section 17A-205.6. Collection procedures

a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.

b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.

d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.

e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate

the development fee; and thereafter notify the developer of the amount of the fee.

g) Should the Borough of Princeton fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).

h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

i) Appeal of development fees

1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Borough of Princeton. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Borough of Princeton. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

Section 17A-205.7. Affordable Housing trust fund

a) Upon approval by COAH and by the Division of Local Government Services, the Borough of Princeton shall invest development fee revenue and proceeds from the sale of units with extinguished controls into the State of New Jersey Cash Management Fund, provided that the funds in the Cash Management account that

comprise the deposits and income attributable to such deposits shall at all times be identifiable.

b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
   1. payments in lieu of on-site construction of affordable units;
   2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
   3. rental income from municipally operated units;
   4. repayments from affordable housing program loans;
   5. recapture funds;
   6. proceeds from the sale of affordable units; and
   7. any other funds collected in connection with [*insert municipal name*]'s affordable housing program.

c) Within seven days from the opening of the trust fund account, the Borough of Princeton Borough of Princeton shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank or the bank linked to the Cash Management Fund, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).

d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

Section 17A-205.8 Use of funds

a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Borough of Princeton's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

b) Funds shall not be expended to reimburse the Borough of Princeton for past housing activities.

c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.

i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.

ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The use of development fees in this manner may entitle the Borough of Princeton to bonus credits pursuant to N.J.A.C. 5:97-3.7.

iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

d) The Borough of Princeton may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.

e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

Section 17A-205.9 Monitoring

a) The Borough of Princeton shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Borough of Princeton's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

Section 17A-205.10 Ongoing collection of fees

a) The ability for the Borough of Princeton to impose, collect and expend development fees shall expire with its substantive certification unless the Borough of Princeton has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If the Borough of Princeton fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). The Borough of Princeton shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the Borough of Princeton retroactively impose a development fee on such a development. The Borough of Princeton shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

Section II. REPEALER. All ordinances or sections thereof in conflict with this Ordinance are hereby repealed.

Section III. SEVERABILITY. In the event that any portion of this Ordinance is found to be invalid for any reason by any court competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Section IV. EFFECTIVE DATE. This Ordinance shall take effect upon approval by the Council on Affordable Housing and upon its final passage and publication.

DRAFT AFFORDABLE HOUSING ORDINANCE

Third Round Affordable Housing Ordinance
Princeton Borough / Mercer County

Ordinance Number _____

AN ORDINANCE TO AMEND THE _____CODE OF PRINCETON BOROUGH CHAPTER _____IN ORDER TO ADDRESS REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) RELATED TO PRINCETON BOROUGH'S SUBSTANTIVE CERTIFICATION OF ITS THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN.

BE IT ORDAINED by the governing body of Princeton Borough, Mercer County that Chapter _____ entitled (*name of chapter*) of the general ordinances/ zoning ordinances of Princeton Borough is hereby amended to address Princeton Borough's constitutional obligation to provide for its fair share of low- and moderate-income housing, consistent with the provisions of N.J.A.C. 5:97 et seq. and N.J.A.C. 5:80-26.1 and pursuant to the New Jersey Fair Housing Act of 1985. This ordinance is also intended to provide assurances that low and moderate income units (the "affordable units") are created with controls on affordability over time and that low and moderate income people occupy these units. This ordinance shall apply except where inconsistent with applicable law.

The Princeton Regional Planning Board adopted the Housing Element pursuant to the MLUL at N.J.S.A. 40:55D-1 et seq. on December 4, 2008. A Fair Share Plan consistent with this Housing Element was adopted by the Princeton Regional Planning Board on December 4, 2008 and endorsed by the Governing Body on December 9, 2008. This Fair Share Plan describes the methods by which Princeton Borough will address its Fair Share obligation as determined by the Housing Element. This ordinance implements and incorporates that Fair Share Plan and addresses the requirements of N.J.A.C. 5:97 et seq. Princeton Borough annually files a monitoring report with the Council delineating the status of its certified plan and this report is available to the public at Princeton Borough Hall and from the Council on Affordable Housing at PO Box 813, Trenton, New Jersey 08625-0813.

Section 1. Municipal Fair Share Obligation

The fair share obligation in Princeton Borough consists of a 67-unit rehabilitation obligation, a 348-unit prior round obligation and a 178-unit growth share obligation that represents one affordable unit for every five market rate residential units receiving a certificate of occupancy subsequent to January 1, 2004 plus one affordable housing unit for every 16 jobs created through the expansion or creation of non-residential development in accordance with the schedule determined by the New Jersey Council on Affordable Housing (COAH).

Section 2. Definitions

Section _____ entitled "Definitions and Rules of General Applicability" is hereby created/ amended and defines the following terms:

"Administrative agent" means the entity responsible for administering the affordability controls of this ordinance with respect to specific restricted units, as designated pursuant to N.J.A.C. 5:80-26.14.

"Affordability average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low- and moderate-income households.

"Affordable" means, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12.

"Affordable development" means a housing development all or a portion of which consists of restricted units.

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1 et seq.) and in, but not of, the DCA.

"Age-restricted unit" means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population where the head of the household is a minimum age of either 62 years, or 55 years and meets the provisions of the 42 U.S.C. §§3601 et seq., except that due to death, a remaining spouse of less than 55 years of age shall be permitted to continue to reside.

"Assisted living residence" means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and offer, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

"Balanced Housing" means the Neighborhood Preservation Balanced Housing Program of the DCA as set forth at N.J.S.A. 52:27D-320 and N.J.A.C. 5:43.

"Certified household" means a household that has been certified by an administrative agent as a low-income household or moderate-income household.

"COAH" means the Council on Affordable Housing in, but not of, the DCA, established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

"DCA" means the State of New Jersey Department of Community Affairs.

"Fair Share Round" means any one of three periods in time during which the Council established municipal obligations to provide affordable housing and the first round was from 1987-1993 and the second period was from 1993-1999 and the third is for 2000-2018.

"HAS" means the Housing Affordability Service, formerly known as the "Affordable Housing Management Service," at the New Jersey Housing and Mortgage Finance Agency.

"Low-income household" means a household with a total gross annual household income equal to 50 percent or less of the median income.

"Low-income unit" means a restricted unit that is affordable to a low-income household.

"Median income" means the median income by household size for an applicable county, as adopted annually by COAH.

"Moderate-income household" means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median income.

"Moderate-income unit" means a restricted unit that is affordable to a moderate-income household.
"MONI" means the Agency's Market Oriented Neighborhood Investment Program, as it may be authorized from time to time by the Agency.
"95/5 unit" means a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93 before October 1, 2001.
"Non-exempt sale" means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary; and the transfer of ownership by court order.
"Random selection process" means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).
"Regional asset limit" means the maximum housing value affordable to a four-person household with an income at or above 80% of the regional median as defined by the Council's annually adopted income limits.
"Rent" means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.
"Restricted unit" means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, but does not include a market-rate unit financed under UHORP or MONI.
"UHORP" means the Agency's Urban Homeownership Recovery Program.

Section 3. Affordable Housing Programs
Princeton Borough has determined that it will use the following programs to satisfy its affordable housing obligation: Rehabilitation, redevelopment, inclusionary zoning, 100 percent affordable development/redevelopment, in fill housing, age-restricted rentals and reconstruction.

The following general guidelines apply to all developments that contain low-and moderate-income units, and any future developments that may occur.

Section 4. Rehabilitation
The rehabilitation program

1. Princeton Borough's rehabilitation program is designed to renovate deficient housing units occupied by low and moderate-income households and after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
2. Princeton Borough will designate an experienced administrator for the rehabilitation program.
3. Both renter occupied and owner occupied units are eligible for rehabilitation funds.
4. Both renter occupied and owner occupied units must remain affordable to low and moderate-income households for a period of 10 years. For owner occupied units this

control period will be enforced with a lien and for renter occupied units the control period will be enforce with a deed restriction.

5. Princeton Borough will dedicate a minimum of $10,000 for units rehabilitated through this program.
6. The administrator of the rehabilitation program will create a rehabilitation manual for this rehabilitation program, which will be available for inspection at the Borough Hall.

Section 5. Phasing Schedule for Zoning

Princeton Borough has adopted land use ordinances for the Merwick site, the hospital site and the Medical Center Surface Lot. The ordinances are on file with COAH.

These zones provide for a 20 percent set-aside of affordable housing. Payment in lieu of development funds will be used within Princeton Borough for the creation of affordable housing units.

In inclusionary zones, including zones subject to a growth share ordinance, the following schedule shall be followed:

Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

Section 6. New Construction

A. Low/Mod Split and Bedroom Distribution of affordable housing units:

1. The fair share obligation shall be divided equally between low- and moderate-income households.
2. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.
3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
    a. The combined number of efficiency and one-bedroom units is no greater than 20 percent of the total low- and moderate-income units;
    b. At least 30 percent of all low- and moderate-income units are two bedroom units;
    c. At least 20 percent of all low- and moderate-income units are three bedroom units; and
    d. The remainder may be allocated at the discretion of the developer.
    e. Age-restricted low- and moderate-income units may utilize a modified bedroom distribution and at a minimum, the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the affordable development.

B. Accessible Townhouse Units

1. The first floor of all townhouse dwelling units and of all other multistory dwelling units for which credit is sought pursuant to P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.), on or after October 1, 2006, the effective date of P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.), and for which an application for a construction permit has not been declared complete by the enforcing agency pursuant to P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and which were included in a prior round fair share plan or in a third round fair share plan and for which credit continues to be sought shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.
2. To receive Council credit for a townhouse unit or other multistory dwelling unit that is attached to at least one other dwelling unit Princeton Borough shall ensure that:
   a. Townhouses or other multistory dwelling units that are attached to at least one other dwelling unit for which credit is sought for low or moderate income housing shall have the following features:
      i. An adaptable toilet and bathing facility on the first floor;
      ii. An adaptable kitchen on the first floor;
      iii. An accessible route of travel;
         (1) An interior accessible route of travel shall not be required between stories;
      iv. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
      v. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that Princeton Borough has collected funds from the development sufficient to make 10 percent of the adaptable entrances in the development accessible;
   b. In the case of a unit or units which are constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed;
3. The builder of the unit or units shall deposit funds, sufficient to adapt 10 percent of the affordable units in the projects which have not been constructed with accessible entrances, with Princeton Borough, for deposit into the municipal affordable housing trust fund;
4. The funds under (b)3 above shall be available for the use of Princeton Borough for the purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance;
5. The developer of the affordable project subject to P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) shall submit the design with a cost estimate for conversion to Princeton Borough; and
6. Once Princeton Borough has determined that the plans to adapt the entrances of the townhouse or other multistory unit meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, the Chief Financial Officer shall ensure that the funds are deposited into that fund.
7. Full compliance with this section shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7.

C. Maximum Rents and Sales Prices

1. Princeton Borough hereby establishes that the maximum rent for affordable units within each affordable development shall be affordable to households earning no more than 60 percent of median income and the average rent for low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.
2. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units.
3. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income and each affordable development must achieve an affordability average of 55 percent for restricted ownership units and in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
4. At least 13 percent of all the affordable housing in Princeton Borough must be affordable to households at 30 percent of median income.

Section 7. Utilities

1. Affordable units shall utilize the same type of heating source as market units within the affordable development.
2. Those tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

Section 8. Occupancy Standards

Occupancy standards for affordable housing units are pursuant to N.J.A.C. 5:80-26.4:

1. In determining the initial rents and initial sales prices for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:

   a. A studio shall be affordable to a one person household;
   b. A one bedroom unit shall be affordable to a one and one-half person household;
   c. A two bedroom unit shall be affordable to a three person household;
   d. A three bedroom unit shall be affordable to a four and one-half person household; and
   e. A four bedroom unit shall be affordable to a six person household.

2. For assisted living facilities, the following standards shall be used:

   a. A studio shall be affordable to a one person household;
   b. A one-bedroom unit shall be affordable to a one and one-half person household;
   c. A two-bedroom unit shall be affordable to a two person household or to two one-person households.

3. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the administrative agent shall strive to:

   a. Provide an occupant for each unit bedroom;
   b. Provide children of different sex with separate bedrooms; and
   c. Prevent more than two persons from occupying a single bedroom.

Section 9. Control Periods for Ownership Units and Enforcement Mechanisms

Control periods for ownership units are pursuant to N.J.A.C. 5:80-26.5 and each restricted ownership unit shall remain subject to the requirements of this ordinance until Princeton Borough elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1 and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1 for at least 30 years.

1. At the time of the first sale of the unit, the purchaser shall execute and deliver to the administrative agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
2. All conveyances of restricted ownership units shall be made by deeds and restrictive covenants pursuant to N.J.A.C. 5:80-26.1 and each purchaser of a 95/5 unit, in addition, shall execute a note and mortgage, incorporated herein by reference.
3. The affordability controls set forth in this ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
4. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the municipal building inspector stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a).

Section 10. Price Restrictions for Ownership Units, Homeowner Association Fees, and Resale Prices

Price restrictions for ownership units are pursuant to N.J.A.C. 5:80-26.1, including;

1. The initial purchase price for a restricted ownership unit shall be approved by the administrative agent. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of an appropriate household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3.

2. The administrative agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
3. The master deeds of affordable developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers, although condominium units subject to a municipal ordinance adopted before October 1, 2001, which provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection shall have such fees and assessments governed by said ordinance.
4. The owners of ownership units may apply to the administrative agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom.

Section 11. Buyer Income Eligibility

Buyer income eligibility for ownership units is pursuant to N.J.A.C. 5:80-26.1, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.

The administrative agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees as applicable) does not exceed 33 percent of the household's eligible monthly income.

Section 12. Control Period for Rental Units

Each restricted rental unit shall remain subject to the requirements of this ordinance until Princeton Borough elects to release the unit from such requirements, however, prior to such a municipal election, a restricted rental unit must remain subject to the requirements of this ordinance for a period of at least 30 years.

1. Deeds of all real property that include restricted rental units shall contain deed restriction language the deed restriction shall have priority over all mortgages on the property and the deed restriction shall be filed by the developer or seller with the records office of the county and a copy of the filed document shall be provided to the administrative agent within 30 days of the receipt of a certificate of occupancy.
2. A restricted rental unit shall remain subject to the affordability controls of this ordinance, despite the occurrence of any of the following events:
    a. sublease or assignment of the lease of the unit;
    b. sale or other voluntary transfer of the ownership of the unit; or
    c. the entry and enforcement of any judgment of foreclosure.

Section 13. Price Restrictions for Rental Units and Rent Increases; Leases

The initial rent for a restricted rental unit shall be approved by the administrative agent and shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate

household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3.

1. Rents may be increased annually based on the Housing Consumer Price Index for the United States, as published annually by COAH. Rents may not be increased more than once a year.
2. A written lease is required for all restricted rental units, except for units in an assisted living residence, and tenants are responsible for security deposits and the full amount of the rent as stated on the lease.
3. No additional fees or charges may be added to the approved rent (except, in the case of units in an assisted living residence, for the customary charges for food and services) without the express written approval of the administrative agent and application fees (including the charge for any credit check) may not exceed five percent of the monthly rental of the applicable restricted unit and shall be payable to the administrative agent to be applied to the costs of administering the controls in this ordinance as applicable to the unit.

Section 14 Tenant income eligibility pursuant to N.J.A.C. 5:80-26.1.
Pursuant to N.J.A.C. 5:80-26.13, tenant income eligibility shall be determined as follows:

1. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income. Moderate income rental units shall be reserved for households with a gross household income less than 80 percent of median income.
2. The administrative agent shall certify a household as eligible for a restricted rental unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
    a. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent and the proposed rent will reduce its housing costs;
    b. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
    c. The household is currently in substandard or overcrowded living conditions;
    d. The household documents the existence of assets, with which the household proposes to supplement the rent payments; or
    e. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the administrative agent and the owner of the unit.
3. The applicant shall file documentation sufficient to establish the existence of the circumstances in (b) above with the administrative agent, who shall counsel the household on budgeting.

Section 15. Municipal Housing Liaison

COAH requires Princeton Borough to appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for administering its affordable housing program, including affordability controls and the Affirmative Marketing Plan, and, where applicable, supervising any contracting Administrative Agent. Princeton Borough adopted an ordinance creating the position of Municipal Housing Liaison on August 7, 2007. Princeton Borough adopted a resolution on August 7, 2007 appointing a Municipal Housing Liaison. Subject to the approval of COAH, the Municipal Housing Liaison shall be appointed by the Governing Body and may be a full or part time municipal employee.

The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Princeton Borough, including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:

1. Serving as Princeton Borough'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 Princeton Borough'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 Princeton Borough as described in F. below.

Subject to approval by COAH, Princeton Borough will 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 Princeton Borough, except for those responsibilities which may not be contracted out as described above. If Princeton Borough will contract 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.

The Municipal Housing Liaison is responsible for providing annual reports to COAH.

Section 16 Administrative agent for Princeton Borough's affordable housing units

The affordability controls set forth in this ordinance shall be administered and enforced by the administrative agent. The primary responsibility of the administrative agent shall be to ensure that the restricted units under administration are sold or rented, as applicable, only to low and moderate-income households. Princeton Borough adopted a resolution on February 13, 2007 authorizing entering into a contract with the Somerset County Coalition on Affordable Housing (SCCOAH) on January 26, 2007 for the administration of affordable units in its fair share plan.

1. The administrative agent shall create and shall publish in plain English, and in such other languages as may be appropriate to serving its client base, a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls, including procedures for long-term control of restricted units; for enforcing the

covenants of N.J.A.C. 5:80-26.18 and for releasing restricted units promptly at the conclusion of applicable control periods. The administrative agent shall have authority to take all actions necessary and appropriate to carrying out its responsibilities hereunder. The operating manual shall have a separate and distinct chapter or section setting forth the process for identifying applicant households seeking certification to restricted units, for reviewing applicant household eligibility, and for certifying applicant households in accordance with the household certification and referral requirements set forth in N.J.A.C. 5:80-26.16.

2. The administrative agent shall establish and maintain a ready database of applicant households as a referral source for certifications to restricted units, and shall establish written procedures to ensure that selection among applicant households be via the database, and in accordance with a uniformly applied random selection process and all applicable State and Federal laws relating to the confidentiality of applicant records.
3. The municipality in which restricted units are located shall select one or more administrative agents for those units. A municipality itself (through a designated municipal employee, department, board, agency or committee) may elect to serve as the administrative agent for some or all restricted units in the municipality, or the municipality may select HAS or an experienced private entity approved by the Division, the Agency or COAH to serve as administrative agent for some or all restricted units in the municipality. The foregoing approval by COAH or the Division is to be based on the private entity's demonstration of the ability to provide a continuing administrative responsibility for the length of the control period for the restricted units.
4. The administrative agent shall have the authority to discharge and release any or all instruments, as set forth in the Appendices of this ordinance, filed of record to establish affordability controls.

Section 17 Affirmative Marketing

The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the period of deed restriction.

1. The administrative agent shall assure the affirmative marketing of affordable units.
2. If the municipality does not designate a municipal staff person, it shall contract with other experienced administrative agents approved by COAH to administer the affirmative marketing plan. Where a municipality contracts with another administrative agent to administer the affirmative marketing plan, the municipality shall appoint a municipal housing liaison who shall supervise the contracting administrative agent. In addition, where the contracting administrative agent is not responsible for the entire affirmative marketing plan, the municipality shall outline who or what municipal agent is responsible for the remaining portion of the affirmative marketing plan. The municipality has the

ultimate responsibility for the proper administration of the affirmative marketing program, including initial sales and rentals and resales and rerentals.

3. In implementing the affirmative marketing plan, administrative agents shall designate an experienced staff person approved by COAH 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.
4. The affirmative marketing plan shall describe the media to be used in advertising and publicizing the availability of housing. In developing the plan, the administrative agent shall consider the use of language translations.
5. The affirmative marketing process for available affordable units shall begin at least four months prior to expected occupancy.
6. Applications for affordable housing shall be available in several locations, including, at a minimum, the county administrative building and/or the county library for each county within the housing region; the municipal administrative building(s) and the municipal library in the municipality in which the units are located; and the developer's sales office. Applications shall be mailed to prospective applicants upon request.
7. COAH shall review and assess the effectiveness of Princeton Borough's affirmative marketing program.

Section 18. Household certification and referral; related project information

No household may be referred to a restricted unit, or may receive a commitment with respect to a restricted unit, unless that household has received a signed and dated certification and has executed a certificate.

1. The sources of income considered by the administrative agent shall be the types of regular income reported to the Internal Revenue Service and which can be used for mortgage loan approval.
2. If the applicant household owns a primary residence with no mortgage on the property valued at or above the regional asset limit as published annually by COAH, a certificate of eligibility shall be denied unless the applicant's existing monthly housing costs exceed 38 percent of the household's eligible monthly income.
3. The administrative agent shall employ a random selection process when referring households for certification to affordable units.

Section 19. Enforcement of Affordable Housing Regulations

By submitting to the jurisdiction of COAH, a municipality shall be deemed to have delegated to its administrative agent the day-to-day responsibility for implementing practices and procedures designed to ensure effective compliance with the controls set forth in this ordinance. The municipality, however, shall retain the ultimate responsibility for ensuring effective compliance with this ordinance.

Administrative agent practices and procedures shall include, but shall not necessarily be limited to, the following:

1. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement 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.

2. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates.
3. 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.
4. If the unit is owner-occupied, that the unit may be resold only to a household that has been approved in advance and in writing by the administrative agent.
5. That no sale of the unit shall be lawful, unless approved in advance and in writing by the administrative agent, and that no sale shall be for a consideration greater than regulated maximum permitted resale price, as determined by the administrative agent.
6. That no refinancing, equity loan, secured letter of credit, or any other mortgage obligation or other debt secured by the unit may be incurred except as approved in advance and in writing by the administrative agent, and that at no time will the administrative agent approve any debt, if incurring the debt would make the total of all such debt exceed 95 percent of the then applicable maximum permitted resale price.
7. That the owner of the unit shall at all times maintain the unit as his or her principal place of residence, which shall be defined as residing at the unit at least 260 days out of each calendar year.
8. That, except as set forth in N.J.A.C. 5:80-26.18(c)4vii, at no time shall the owner of the unit lease or rent the unit to any person or persons, except on a short-term hardship basis, as approved in advance and in writing by the administrative agent.
9. That the maximum permitted rent chargeable to affordable tenants is as stated in the notice required to be posted in accordance with N.J.A.C. 5:80-26.18(d)3 of this ordinance, a copy of which shall be enclosed, and that copies of all leases for affordable rental units must be submitted annually to the administrative agent.
10. Banks and other lending institutions are prohibited from issuing any loan secured by owner-occupied real property subject to the affordability controls set forth in this ordinance, if such loan would be in excess of amounts permitted by the restriction documents recorded in the deed or mortgage book in the county in which the property is located.

Section 20 Appeals

Appeals from all decisions of an administrative agent appointed pursuant to this ordinance shall be filed in writing with the Executive Director of COAH.

RESOLUTION OF INTENT TO BOND

TOWNSHIP OF PRINCETON
COUNTY OF MERCER, STATE OF NEW JERSEY

RESOLUTION FILING THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY HOUSING ELEMENT AND FAIR SHARE PLAN WITH THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING PURSUANT TO *N.J.A.C.* 5:96-2.1 AND FURTHER PETITIONING FOR SUBSTANTIVE CERTIFICATION PURSUANT TO *N.J.A.C.* 5:96-3.1

WHEREAS, the Regional Planning Board of Princeton, County of Mercer, State of New Jersey, adopted a Housing Plan Element and Fair Share Plan on December 4, 2008 entitled: Fair Share Plan: Princeton Township, Mercer County, New Jersey; and

WHEREAS, a true copy of the Resolution of said Planning Board adopted said Housing Plan Element and Fair Share Plan is attached to this Resolution pursuant to *N.J.A.C.* 5:96-2.2(a).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Princeton, County of Mercer and State of New Jersey that pursuant to *N.J.S.A.* 52:27D-301 *et seq.* and *N.J.A.C.* 5:96-3.2(a) hereby endorses the aforementioned Housing Plan Element and Fair Share Plan for the Township of Princeton and submits same to the New Jersey Council on Affordable Housing together with its Petition for Substantive Certification of the Township's Affordable Housing Plan as set forth and outlined in the aforementioned Housing Plan Element and Fair Share Plan; and

BE IT FURTHER RESOLVED that a Service List pursuant to *N.J.A.C.* 5:96-2.1(a)4 has been included with this Petition; and

BE IT FURTHER RESOLVED that a notice of this Petition for Substantive Certification and the filing of the Housing Plan Element and Fair Share Plan shall be published in a newspaper of county-wide circulation pursuant to *N.J.A.C.* 5:96-3.5 within seven (7) days of the issuance of the notification letter from the New Jersey Council on Affordable Housing Executive Director indicating

that the Township's submission for Substantive Certification is complete and that a copy of this Resolution, the adopted Housing Element and Fair Share Plan and all supporting documents shall be made available for public inspection at the Office of the Municipal Clerk, Township of Princeton, 400 Witherspoon Street, Princeton, New Jersey 08540 during regular office hours Monday thru Friday for a period forty-five (45) days following the date of publication of legal notice referenced hereinabove as required by *N.J.A.C.* 5:96-3.5.

CERTIFICATION

I, LINDA S. McDERMOTT, Clerk of the Township of Princeton, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Princeton Township Committee at its regular meeting held on the 15th day of December, 2008.

Linda S. McDermott

Linda S. McDermott, Clerk
Township of Princeton

V:\USERS\Edwin\PRTWP\Affordable Housing\2008 Resolutions\Township Committee (Filing Housing Element & Fair Share Plan with COAH) 111808.wpd

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
COUNCIL ON AFFORDABLE HOUSING
PETITION APPLICATION

This application is a guideline for creating a Housing Element and Fair Share Plan. A completed version of this application must be submitted as part of your petition for substantive certification to COAH. This application will be used by COAH staff to expedite review of your petition. This application can serve as your municipality's Fair Share Plan. A brief narrative component of the Fair Share Plan should be included with this application and can serve primarily to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would include a description of any waivers being requested.

This form reflects COAH's newly adopted procedural and substantive rules and the amendments to those rules adopted on September 22, 2008. Footnotes and links to some helpful data sources may be found at the end of each section. To use this document electronically, use the TAB KEY to navigate from field to field. Enter data or use the Right Mouse Button to check boxes.

MUNICIPALITY	PRINCETON TWP.	**COUNTY**	MERCER
COAH REGION	4	**PLANNING AREA(S)**	VARIES 2-5
SPECIAL RESOURCE AREA(S)	NONE		

PREPARER NAME	ELIZABETH C. MCKENZIE	**TITLE**	HOUSING CONSULTANT
EMAIL	ecmcke@embarqmail.com	**PHONE NO.**	908-782-5564
ADDRESS	9 MAIN ST. FLEMINGTON, NJ 08822	**FAX NO.**	908-782-4056

MUNICIPAL HOUSING LIAISON	CHRISTY PEACOCK	**TITLE**	PRINCETON TWP. AFF. HSG. COORD.
EMAIL	cpeacock@princeton-township.nj.us	**PHONE NO.**	609-688-2029
ADDRESS	369 WITHERSPOON ST. PRINCETON, NJ 08540	**FAX NO.**	609-688-2053

Enter the date(s) that COAH granted Substantive Certification or that the Court granted a Judgment of Compliance (JOC) on the Housing Element and Fair Share Plan.

History of Approvals	COAH	JOC	N/A
First Round		1989	☐
Second Round	1996		☐
Extended Second Round	2002		☐
Third Round Petition	2005		

Does the Petition include any requests for a waiver from COAH Rules? ☑ Yes ☐ No

If Yes, Please note rule section from which waiver is sought and describe further in a narrative section: 5:97-3.8 and 5:97-3.3.

FILING/PETITION DOCUMENTS (N.J.A.C. 5:96-2.2/3.2 & N.J.A.C. 5:97-2.3/3.2)

All of the following documents must be submitted in order for your petition to be considered complete. Some documents may be on file with COAH. Please denote by marking the appropriate box if a document is attached to the Housing Element and Fair Share Plan or if you are using a document on file with COAH from your previous third round submittal to support this petition. Shaded areas signify items that must be submitted anew.

Included	On File	Required Documentation/Information
☑		Certified Planning Board Resolution adopting or amending the Housing Element & Fair Share Plan
☑		Certified Governing Body Resolution endorsing an adopted Housing Element & Fair Share Plan and either (check appropriate box): ☑ Petitioning ☐ Filing ☐ Re-petitioning ☐ Amending Certified Plan
☑		Service List (in the new format required by COAH)
☑		Adopted Housing Element & Fair Share Plan narrative (including draft and/or adopted ordinances necessary to implement the Plan)
☑ ☐ N/A		If applicable, Implementation Schedule(s) with detailed timetable for the creation of units and for the submittal of all information and documentation required by N.J.A.C. 5:97-3.2(a)4
☐ ☑ N/A	☐	If applicable, Litigation Docket No., OAL Docket No., Settlement Agreement and Judgment of Compliance or Court Master's Report
☑	☐	Municipal Master Plan (most recently adopted; if less than three years old, the immediately preceding, adopted Master Plan)
☑	☐	Municipal Zoning Ordinance (most recently adopted)[1] Date of Last Amendment: 2008 Date of Submission to COAH: 12/30/08
☑	☐	Municipal Tax Maps (most up-to-date, electronic if available) Date of Last Revision: ? Date of Submission to COAH: 12/30/08
☑	☐	Other documentation pertaining to the review of the adopted Housing Element & Fair Share Plan(list): APPLICATION FORM, ATTACHMENTS, FSP APPENDICES

FOR OFFICE USE ONLY

Date Received _____ Affidavit of Public Notice _____ Date Deemed Complete/Incomplete _____ Reviewer's Initials _____

[1] Pursuant to N.J.S.A. N.J.S.A. 52:27D-307, as amended by PL 2008 c.46, any residential development resulting from a zoning change made to a previously non-residentially-zoned property, where the change in zoning precedes or follows the application for residential development by no more than 24 months, shall require that a percentage be reserved for occupancy by low or moderate income households.

HOUSING ELEMENT

(N.J.A.C. 5:97-2 & N.J.S.A. 40:55D-1 et seq.)

The following issues and items must be addressed in the Housing Element for completeness review. Where applicable, provide the page number(s) on which each issue and/or item is addressed within the narrative Housing Element.

1. The plan includes an inventory of the municipality's housing stock by[1]:

   - [✓] Age; p. 3, HPE
   - [✓] Condition; p. 3-5, HPE
   - [✓] Purchase or rental value; p. 5 + 6, HPE
   - [✓] Occupancy characteristics; and p. 6 + 7, HPE
   - [✓] Housing type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated p. 6-10, HPE

   [✓] Yes, Page Number: 3-10, HPE [ ] No (incomplete)

2. The plan provides an analysis of the municipality's demographic characteristics, including, but not necessarily limited to[2]:

   - [✓] Population trends p. 10-11, HPE
   - [✓] Household size and type p. 11-13, HPE
   - [✓] Age characteristics p. 13-14, HPE
   - [✓] Income level p. 14-15, HPE
   - [✓] Employment status of **residents** p. 15-16, HPE

   [✓] Yes, Page Number: 10-16, HPE [ ] No (incomplete)

3. The plan provides an analysis of existing and future employment characteristics of the **municipality**, including but not limited to[3]:

   - [✓] Most recently available in-place employment by industry sectors and number of persons employed; p. 18, HPE
   - [✓] Most recently available employment trends; and p. 19, HPE
   - [✓] Employment outlook p. 19 HPE

   [✓] Yes, Page Number: 18-19, HPE [ ] No (incomplete)

4. The plan includes a determination of the municipality's present and prospective fair share for low and moderate income housing and an analysis of how existing or proposed changes in zoning will provide adequate capacity to accommodate residential and non-residential growth projections. AND

The analysis covers the following:

- [x] The availability of existing and planned infrastructure;
- [x] The anticipated demand for the types of uses permitted by zoning based on present and anticipated future demographic characteristics of the municipality;
- [x] Anticipated land use patterns;
- [x] Municipal economic development policies;
- [x] Constraints on development including State and Federal regulations, land ownership patterns, presence of incompatible land uses or sites needing remediation and environmental constraints; and
- [x] Existing or planned measures to address these constraints.

[x] Yes, Page Number: 20-21, HPE [ ] No (incomplete)

5. The plan includes a consideration of 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.

   [x] Yes, Page Number: p. 22, HPE [ ] No (incomplete)

6. The plan relies on household and employment projections for the municipality as provided in Appendix F of COAH's rules (if yes check the yes box below and check no in lines 6a-8).

   [x] Yes, Page Number: p. 2-3 FSP AND APPENDIX A, FSP [ ] No (go to 6a)

   6a. The Plan relies on higher household and employment projections for the municipality as permitted under N.J.A.C. 5:97-2.3(d) (optional - see Fair Share Plan section starting on page 7 of this application).

   [ ] Yes (go to 7 and 8) [x] No (go to 6b)

   6b. The Plan relies on a request for a downward adjustment to household and employment projections for the municipality as provided in N.J.A.C. 5:97-5.6 (optional - see Fair Share Plan section starting on page 7 of this application).

   [ ] Yes, Page Number: _____ [x] No

7. If the municipality anticipates higher household projections than provided by COAH in Appendix F, the plan projects the municipality's probable future construction of housing for fifteen years covering the period January 1, 2004 through December 31, 2018 using the following minimum information for residential development:

- [ ] Number of units for which certificates of occupancy were issued since January 1, 2004;
- [ ] Pending, approved and anticipated applications for development;
- [ ] Historical trends, of at least the past 10 years, which includes certificates of occupancy issued; and
- [ ] The worksheet for determining a higher residential growth projection provided by COAH. (Worksheets are available at www.nj.gov/dca/coah/planningtools/gscalculators.shtml)

- [ ] Yes, Page Number: _____
- [ ] No (incomplete)
- [x] Not applicable (municipality accepts COAH's projections)

8. If the municipality anticipates higher employment projections than provided by COAH in Appendix F, the plan projects the probable future jobs based on the use groups outlined in Appendix D for fifteen years covering the period January 1, 2004 through December 31, 2018 for the municipality using the following minimum information for non-residential development:

   - [ ] Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
   - [ ] Square footage of pending, approved and anticipated applications for development;
   - [ ] Historical trends, of at least the past 10 years, which shall include square footage authorized by certificates of occupancy issued;
   - [ ] Demolition permits issued and projected for previously occupied non-residential space; and
   - [ ] The worksheet for determining a higher non-residential growth projection provided by COAH.

   - [ ] Yes, Page Number: _____ [ ] No (incomplete)
   - [x] Not applicable (municipality accepts COAH's projections)

9. The plan addresses the municipality's :

   - [x] Rehabilitation share (from Appendix B);
   - [x] Prior round obligation (from Appendix C); and
   - [x] Projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

☑ Yes, Page Number: 3-10, FSP ☐ No (incomplete)

10. If applicable, the plan includes status of the municipality's application for plan endorsement from the State Planning Commission.

☐ Yes, Page Number: _____ ☐ No (incomplete) ☑ Not Applicable

Petition date:_____ Endorsement date:_____

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[1] Information available through the U.S. Census Bureau at http://factfinder.census.gov/servlet/ACSSAFFHousing?_sse=on&_submenuId=housing_0

[2] Information available through the U.S. Census Bureau at http://factfinder.census.gov/home/saff/main.html.

[3] Information available through the New Jersey Department of labor at http://www.wnjpin.net/OneStopCareerCenter/LaborMarketInformation/lmi14/index.html

FAIR SHARE PLAN (N.J.A.C. 5:97-3)

Please provide a summary of the Fair Share Plan by filling out all requested information. Enter N/A where the information requested does not apply to the municipality. A fully completed application may serve as the actual Fair Share Plan. A brief narrative should be attached to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would fully describe, under a separate heading, any waivers that are being requested.

Determining the 1987-2018 Fair Share Obligation

The following tables will assist you in determining your overall 1987-2018 fair share obligation. For each cycle of the affordable housing need and rehabilitation share, please use the "need" column to enter the number of units addressed in the municipal petition. Where the municipality has received and/or is proposing any adjustments to its rehabilitation share, prior round and/or growth share obligation, use the footnotes providing rule references and follow the procedures for determining the municipal need and/or for calculating any adjustments applicable to the municipality. Enter the affordable housing need as provided by COAH or that results from the adjustment under the "Need" column.

Line		Need
1	☑ Rehabilitation Share (From N.J.A.C. 5:97 Appendix B) **OR**	47
2	○ Optional Municipally Determined Rehabilitation Share (If a municipally determined rehabilitation share is being used, attach the survey results as an exhibit to this application and indicate that it is attached as Exhibit_____.)	____
		Need
3	☑ Prior Round (1987-1999) Affordable Housing Obligation (From N.J.A.C. 5:97 Appendix C)	330
	☑ Prior Round Adjustments: SUBSTANTIAL COMPLIANCE REDUCTION EARNED (6)	
	○ 20% Cap Adjustment	N.A.
	○ 1000 Unit Cap Adjustment	N.A.
4	Total Prior Round Adjustments	N.A.
5	**Adjusted Prior Round Obligation:** (Number in Appendix C **minus** Total Prior Round Adjustment(s))	330
	○ Prior Round Vacant Land Adjustment (Unmet Need)	N.A.
6	Realistic Development Potential(RDP)[1]	N.A.

[1] RDP = Adjusted Prior Round Obligation minus Vacant Land Adjustment

Determining the Growth Share Obligation

All municipalities must complete the "COAH projections" table below. Only municipalities that anticipate higher projections or that are seeking a growth projection adjustment based on a demonstration that insufficient land capacity exists to accommodate COAH projections need complete the corresponding additional table. COAH has published three workbooks in Excel format to assist with preparing this analysis. All municipalities must complete Workbook A. Workbook B must be used when the municipality anticipates that its growth through 2018 is likely to exceed the growth through 2018 that has been projected by COAH and the municipality wants to plan accordingly. Workbook C must be used by municipalities seeking a downward adjustment to the COAH-generated growth projections based on an analysis of municipal land capacity. Workbooks may be found at the following web location:
www.nj.gov/dca/coah/planningtools/gscalculators.shtml.

The applicable workbook has been completed and is attach to this application as ~~Exhibit~~ APPENDIX A OF FSP

Line ✓ ***Required 2004-2018 COAH Projections and Resulting Projected Growth Share***

Household Growth (From Appendix F)	560	Employment Growth (From Appendix F)	886
Household Growth After Exclusions (From Workbook A)	N.A.	Employment Growth After Exclusions (From Workbook A)	N.A.
Residential Obligation (From Workbook A)	112	Non-Residential Obligation (From Workbook A)	56

7 Total 2004-2018 Growth Share Obligation 168 ____

N.A. ***Optional 2004-2018 Municipal Projections Resulting in Higher Projected Growth Share***

Household Growth After Exclusions (From Workbook B)	____	Employment Growth After Exclusions (From Workbook B)	____
Residential Obligation (From Workbook B)	____	Non-Residential Obligation (From Workbook B)	____

8 Total 2004-2018 Projected Growth Share Obligation ____

N.A. ***Optional Municipal Adjustment to 2004-2018 Projections and Resulting Lower Projected Growth Share***

Household Growth After Exclusions (From Workbook C)	____	Employment Growth After Exclusions (From Workbook C)	____
Residential Obligation (From Workbook C)	____	Non-Residential Obligation (From Workbook C)	____

9 Total 2004-2018 Growth Share Obligation ____

10 **Total Fair Share Obligation** (Line 1 or 2 + Line 5 or 6 + Line 7, 8 or 9) 545

Summary of Plan for Total 1987-2018 Fair Share Obligation

(For each mechanism, provide a description in the Fair Share Plan narrative. In the table below, specify the number of completed or proposed units associated with each mechanism.)

	Completed	Proposed	Total
Rehabilitation Share			47
Less: Rehabilitation Credits	9 ELIGIBLE		
Rehab Program(s)		47	56
Remaining Rehabilitation Share			
Prior Round (1987-1999 New Construction) Obligation			330
Less: Vacant Land Adjustment (If Applicable)			
(Enter unmet need as the adjustment amount. Unmet need = Prior round obligation minus RDP):			N.A.
Unmet Need			N.A.
RDP	N.A.	N.A.	N.A.
Mechanisms addressing Prior Round			
Prior Cycle Credits (1980 to 1986)		N.A.	N.A.
Credits without Controls	N.A.	N.A.	N.A.
Inclusionary Development/Redevelopment	60	—	60
100% Affordable Units	157	—	142
Accessory Apartments	N.A.	N.A.	N.A.
Market-to-Affordable	N.A.	N.A.	N.A.
Supportive & Special Needs	2	—	2
Assisted Living	N.A.	N.A.	N.A.
RCA Units previously approved	23	—	23
Other SUBST. COMPL. REDUCTION	6	—	6
Prior Round Bonuses	83	—	83
Remaining Prior Round Obligation	0	—	0
Third Round Projected Growth Share Obligation			168
Less: **Mechanisms addressing Growth Share**			
Inclusionary Zoning	0	47	47
Redevelopment	N.A.	N.A.	N.A.
100% Affordable Development	57	40	97
Accessory Apartments	N.A.	N.A.	N.A.
Market-to-Affordable Units	N.A.	N.A.	N.A.
Supportive & Special Need Units	N.A.	N.A.	N.A.
Assisted Living: post-1986 Units	5	—	5
Other Credits	N.A.	N.A.	N.A.
Compliance Bonuses	N.A.	N.A.	N.A.
Smart Growth Bonuses	N.A.	N.A.	N.A.
Redevelopment Bonuses	N.A.	N.A.	N.A.
Rental Bonuses	N.A.	19	19
Growth Share Total	62	106	168
Remaining (Obligation) or Surplus	—	—	0

PARAMETERS[1]

Prior Round 1987-1999			
RCA Maximum	165	RCAs Included	23
Age-Restricted Maximum	76	Age-Restricted Units Included	0
Rental Minimum	83	Rental Units Included	88

Growth Share 1999-2018			
Age-Restricted Maximum	42	Age-Restricted Units Included	82
Rental Minimum	42	Rental Units Included	100
Family Minimum	21	Family Units Included	40
Very Low-Income Minimum[2]	12(*)	Very Low-Income Units Included	12

[1] Pursuant to the procedures in N.J.A.C. 5:97-3.10-3.12

[2] Pursuant to N.J.S.A. 52:27D-329.1, adopted on July 17, 2008, at least 13 percent of the housing units made available for occupancy by low-income and moderate income households must be reserved for occupancy by very low income households.

(*) Based upon units yet to be constructed.

Summary of Built and Proposed Affordable Housing

Provide the information requested regarding the proposed program(s), project(s) and/or unit(s) in the Fair Share Plan. Use a separate line to specify any bonus associated with any program, project and/or unit in the Plan. As part of completeness review, all monitoring forms must be up-to-date (i.e. 2007 monitoring must have been submitted previously or included with this application) and all proposed options for addressing the affordable housing obligation must be accompanied by the applicable checklist(s) (found as appendices to this application). Enter whether a project is proposed or completed and attach the appropriate form or checklist for each mechanism as appendices to the plan. Please note that bonuses requested for the prior round must have been occupied after December 15, 1986 and after June 6, 1999 for the third round.

Please make sure that a corresponding mechanism checklist is submitted for each mechanism being employed to achieve compliance. Separate checklists for each mechanism are available on the COAH website at /www.nj.gov/dca/coah/planningtools/checklists.shtml.

Table 1. Projects and/or units addressing the Rehabilitation Share

Project/Program Name	Proposed (use Checklists) or Completed(use Rehabilitation Unit Survey Form)	Rental, Owner Occupied or Both	Checklist or Form Appendix Location[1]
1. LOCAL REHAB (REG.)	9+ COMPLETED	OWNER	APP. J, FSP
2. LOCAL REHAB (PCV)	47 PROPOSED	RENTAL	APP. J, FSP
3.			

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit Rehabilitation Unit Survey Forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Table 2. Programs, Projects and/or Units Addressing the Prior Round.

	Project Name	Mechanism or Bonus Type	Proposed (use checklist(s)) or Completed (use Project/Unit Program Information Form)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply	Units Addressing Rental Obligation	Units Addressing Family Obligation	Units Subject to Age-restricted Cap	Checklist or Form Appendix Location[1]
1.	16 GULICK ROAD	GROUP HOME	2 COMPLETED	2	2	2	0	ON FILE
2.	GRIGGS FARM	100% AFF.	140 COMPLETED	140	70	140	0	ON FILE
3.	WASHINGTON OAKS	INCL.	60 COMPLETED	60	0	60	0	ON FILE
4.	7 LEIGH AVE.	100% AFF.	1 COMPLETED	1	0	1	0	ON FILE
5.	WEST DR./KARIN CT.	100% AFF	16 COMPLETED	16	16 (.11)	16	0	ON FILE
6.	RCA W/ TRENTON	RCA	23 COMPLETED	23	0	0	0	ON FILE
7.	SUBST. COMPL. REDUCTION	—	6 AWARDED	—	0	0	0	ON FILE
8.	RENTAL BONUSES	RENTAL	83 COMPLETED	—	—	—	—	ON FILE

Subtotal from any additional pages used	N.A.	**Total units (proposed and completed)**	242
Total family units	219	Total rental units	88
Total age-restricted units	0	Total family rental units	88
Total Supportive/Special Needs units	0	Total very-low units	(2 GROUP HOME)
Total Special Needs bedrooms	2	Total bonuses	83 + 6 = 89

Please add additional sheets as necessary. N.A.

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Table 3. Programs, Projects and/or units addressing the Third Round.

Project/Program Name	Mechanism or Bonus Type	Proposed (use checklists) or Completed (use Project/Unit Program Information Forms)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Number Addressing Rental Obligation)	Number Subject to Age-Restricted Cap	Checklist or Form Appendix Location[1]
9. H. BRYANT HOUSE/ELM CT. II	100% AFF	55 COMPLETED	55 RENTAL	21	55(W)	APP. K, FSP
10. ACORN GLEN ASST. LIV.	ASS. LIV.	5 COMPLETED	5 RENTAL	0	5(W)	APP. K, FSP
11. HABITAT FOR HUMANITY	100% AFF	2 COMPLETED	2 SALE	0	0	APP. K, FSP
12. PCV/P. UNIV.	100% AFF	40 PROPOSED	40 RENTAL	40	0	APP. B, FSP
13. S-2 ZONE	INCL.	25-30 PROPOSED	25-30	0	0	APP. C, FSP
14. HILLIER-LOWE	INCL.	12 PROPOSED	12	0	12(W)	APP. D, FSP
15. SHOPPING CENTER	INCL.	10 PROPOSED	10	0	10(W)	APP. E, FSP
16. RENTAL BONUSES (PCV)	RENTAL	19 PROPOSED	—	—	—	APP. B, FSP
		168 TOTAL				

Subtotal from any additional pages used	N.A.
Total units (proposed and completed)	149
Total rental	100
Total age-restricted	82(W)
Total very-low	12
Total bonuses	19

Please add additional sheets as necessary. N.A.

W = Waiver requested.

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Please answer the following questions necessary for completeness review regarding the municipality's draft and/or adopted implementing ordinances.

AFFORDABLE HOUSING TRUST FUND (N.J.A.C. 5:97-8)

1. Does the municipality have an affordable housing trust fund account? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a fully executed escrow agreement will forfeit the ability to retain development fees.)**

   ☑ Yes, Bank Name ESCROW AGREEMENT PREVIOUSLY SUBMITTED.

   (Choose account type) ☑ Separate interest-bearing account

   ☐ State of New Jersey cash management fund

   ☐ No (**Skip to the Affordable Housing Ordinance section**)

2. Has an escrow agreement been executed? ☑ Yes ☐ No
   (If no, petition is incomplete. Submit an executed escrow agreement.)

3. Is all trust fund monitoring up-to-date as of December 31, 2007? ☑ Yes ☐ No
   (If no, petition is incomplete. Submit an updated trust fund monitoring report.)

DEVELOPMENT FEE ORDINANCES (N.J.A.C. 5:97-8.3)

1. Does the Fair Share Plan include a proposed or adopted development fee ordinance? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a development fee ordinance will forfeit the ability to retain non-residential development fees)**

   ☑ Yes,

   ☐ Adopted **OR** ☑ Proposed NEW

   ☐ No **Skip to the next category; Payments-in-Lieu**

2. If adopted, specify date of COAH/Court approval here: DEVEL. FEE ORDINANCE PREVIOUSLY APPROVED BY COAH BUT IN NEED OF AMENDMENT

   - Have there been any amendments to the ordinance since COAH or the Court approved the ordinance?

     ☐ Yes, Ordinance Number._____ Adopted on[1]_____

     ☑ No (**Skip to the next category; Payments-in-Lieu**)

   - If yes, is the amended ordinance included with your petition?

     ☑ Yes PROPOSED AMENDMENT

     ☐ No, (**Petition is incomplete. Submit ordinance with governing body resolution requesting COAH approval of amended ordinance**)

3. Does the ordinance follow the ordinance model **updated September 2008** and available at www.nj.gov/dca/coah/round3resources.shtml? If yes, skip to question 5.

   ☑ Yes ☐ No

4. If the answer to 3. above is no, indicate that the necessary items below are addressed before submitting the Development Fee ordinance to COAH:

Information and Documentation

The ordinance imposes a residential development fee of 1.5 % and a Non-residential fee of 2.5 %

☑ A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);

☑ A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e)

☑ A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d)

☑ A description of collection procedures per N.J.A.C. 5:97-8.3(f)

☑ A description of development fee appeals per N.J.A.C. 5:97-8.3(g)

☑ A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h)

N.A. ☐ In part of a court settlement, submit court ordered judgment of compliance, implementation ordinances, information regarding period of time encompassed by the judgment of compliance and a request for review by the court

5. Does the ordinance include an affordability assistance provision per N.J.A.C. 5:97-8.8 (**Note: must be at least 30 percent of all development fees plus interest**)?

   ☑ Yes (Specify actual or anticipated amount) $ SEE SPENDING PLAN, APPENDIX I, FSP

   ☐ No **Submit an amended ordinance with provisions for affordability assistance along with a governing body resolution requesting COAH approval of the amended ordinance.**)

   - If yes, what kind of assistance is offered?

     TWP. CURRENTLY PROVIDES DOWNPAYMENT ASSISTANCE, ASSISTANCE W/ ASSOC. DUES/FEES, RENTAL ASSISTANCE AND WILL BE BUYING DOWN LOW INC. UNITS TO VL INC.

   - Has an affordability assistance program manual been submitted? ☐ Yes ☑ No

[1] Any amendment to a previously approved and adopted development fee ordinance must be submitted to COAH along with a resolution requesting COAH's review and approval of the amendment prior to the adoption of said amendment by the municipality.

PAYMENTS-IN-LIEU OF CONSTRUCTING AFFORDABLE UNITS ON SITE (N.J.A.C. 5:97-8.4)

1. Does the Fair Share Plan include an inclusionary zoning ordinance that provides for payments-in-lieu ~~as an option to the~~ FOR PORTION OF on-site construction of affordable housing?

   ☑ Yes ☐ No (**Skip to the next category; Barrier Free Escrow)**

2. Does the plan identify an alternate site and/or project for the payment-in-lieu funds? **(Optional)**

   ☐ Yes (**attach applicable checklist**)
   ☑ No (identify possible mechanisms on which payment in lieu will be expended in narrative section of plan.) BUY DOWN LOW TO VL INCOME UNITS - SEE TEXT OF FSP, PAGES 7-8; SEE SPENDING PLAN, APPENDIX I, FSP

3. Does the ordinance include minimum criteria to be met before the payments-in-lieu becomes an available option for developers? **(Optional)**

   ☐ Yes (indicate ordinance section)_____
   ☑ No

BARRIER FREE ESCROW/OTHER FUNDS (N.J.A.C. 5:97-8.5/8.6)

1. Has the municipality collected or does it anticipate collecting fees to adapt affordable unit entrances to be accessible in accordance with the Barrier Free Subcode, N.J.A.C. 5:23-7?

   ☐ Yes ☑ No

2. Does the municipality anticipate collecting any other funds (DEV. FEES) for affordable housing activities?

   ☑ Yes (specify funding source and amount) SEE SPENDING PLAN, APPENDIX I, FSP

   ☐ No

SPENDING PLANS (N.J.A.C. 5:97-8.10)

1. Does the petition include a Spending Plan? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a Spending Plan will forfeit the ability to retain development fees.)** SEE APPENDIX I, FSP.

   ☑ Yes ☐ No

2. Does the Spending Plan follow the Spending Plan model **updated October 2008** and available at www.nj.gov/dca/coah/round3resources.shtml? If yes, skip to next section - Affordable Housing Ordinance.

   ☑ Yes ☐ No

3. If the answer to 1. above is no, indicate that the necessary items below are addressed before submitting the spending plan to COAH:

Information and Documentation

☑ A projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historical development activity;

☑ A projection of revenues anticipated from other sources (specify source(s) and amount(s));

☑ A description of the administrative mechanism that the municipality will use to collect and distribute revenues;

☑ A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7;

☑ A schedule for the expenditure of all affordable housing trust funds;

☑ A schedule for the creation or rehabilitation of housing units;

☑ If the municipality envisions being responsible for public sector or non-profit construction of housing, a detailed pro-forma statement of the anticipated costs and revenues associated with the development, consistent with standards required by HMFA or the DCA Division of Housing in its review of funding applications;

☑ If the municipality maintains an existing affordable housing trust fund, a plan to spend the remaining balance as of the date of its third round petition within four years of the date of petition;

☑ The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan;

☑ A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

☑ If not part of the petition, a resolution of the governing body requesting COAH review and approval of spending plan or an amendment to an approved spending plan.

AFFORDABLE HOUSING ORDINANCE (N.J.A.C. 5:80-26.1 *et seq.*)

1. Does the Fair Share Plan include an Affordable Housing Ordinance?

   ☑ Yes ☐ No SEE APPENDIX F, FSP

2. Does the ordinance follow the ordinance model available at www.nj.gov/dca/coah/round3resources.shtml ? ☑ Yes ☐ No

3. If the answer to 1. or 2. above is no, indicate that the required items below are addressed before submitting to COAH. If the required items are addressed in ordinances other than an Affordable Housing Ordinance, please explain in a narrative section of the Fair Share Plan.

Required Information and Documentation

- ☑ Affordability controls
- ☑ Bedroom distribution
- ☑ Low/moderate-income split and bedroom distribution
- ☑ Accessible townhouse units
- ☑ Sale and rental pricing
- ☑ Municipal Housing Liaison
- ☑ Administrative Agent
- ☑ Reference to the Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

AFFORDABLE HOUSING ADMINISTRATION (As Applicable)

Items that must be submitted with the petition:

- ☑ Governing body resolution designating a municipal housing liaison (COAH must approve) PREVIOUSLY SUBMITTED – ON FILE.

Items that must be submitted prior to COAH's grant of Substantive Certification:

- ☑ Operating manual for rehabilitation program
- ☐ Operating manual for affordability assistance
- N.A. ☐ Operating manual for an Accessory Apartment program
- N.A. ☐ Operating manual for a Market-to-Affordable program
- ☑ COAH approved administrative agent if municipal wide → G. PEACOCK, PRINCETON TWP. AFF. HSG. COORDINATOR AND K. M. LIGHT FOR PCV AND HOUSING AUTH. OF PRINCETON BOROUGH

Items that must be submitted prior to any time prior to marketing completed units:

- ☐ COAH approved administrative agent(s) if project specific WILL SUPPLY
- ☐ Operating manual for sale units WILL SUPPLY
- ☐ Operating manual for rental units WILL SUPPLY
- ☑ Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

SEE APPENDIX G, FSP

CERTIFICATION

I, Elizabeth C. McKenzie, have prepared this petition application for substantive certification on behalf of Princeton Township, Mercer County. I certify that the information submitted in this petition is complete, true and accurate to the best of my knowledge. I understand that knowingly falsifying the information contained herein may result in the denial and/or revocation of the municipality's substantive certification.

Elizabeth C. McKenzie 12/29/08

Signature of Preparer (affix seal if applicable) Date

Housing Consultant to Princeton Township

Title

N.J.S.A. 2C:21-3, which applies to the certifications, declares it to be a disorderly person offense to knowingly make a false statement or give false information as part of a public record.

Narrative Section

1) See attached for description of two waivers requested.

2) See text of Fair Share Plan for detailed discussion of all proposals.

3) See Appendices to Fair Share Plan for specifics regarding each proposal / requirement.

MASON, GRIFFIN & PIERSON, P.C.
101 Poor Farm Road
P. O. Box 391
Princeton, NJ 08542-0391
(609) 921-6543
Attorneys for Petitioner, Township of Princeton

IN RE PETITION OF THE TOWNSHIP OF PRINCETON, MERCER COUNTY, FOR WAIVER OF COAH RULES, PURSUANT TO N.J.A.C. 5:96-15.1, AND ADJUSTMENT OF TOWNSHIP'S AGE-RESTRICTED HOUSING CREDIT	COUNCIL ON AFFORDABLE HOUSING **NOTICE OF MOTION FOR WAIVER PURSUANT TO N.J.A.C. 5:96-15.1**

TO:

Lucy Vandenberg, Executive Director
New Jersey Council on Affordable Housing
101 South Broad Street, PO Box 813
Trenton, NJ 08625

See Attached Municipal Service List

Dear Sirs/Madams:

PLEASE TAKE NOTICE that on the next available regularly scheduled meeting date of the New Jersey Council on Affordable Housing ("Council" or "COAH"), but not earlier than thirty (30) days after the date of the filing of this Motion, the Township of Princeton, through its attorneys, Mason, Griffin & Pierson, P.C., shall move before the Council, pursuant to *N.J.A.C.* 5:96-15.1, for a waiver from COAH Rules regarding the percentage of age-restricted housing to be credited in Round III and the low/moderate income distribution for two (2) zoned but unbuilt age-restricted housing sites.

Petitioner hereby requests that this Petition be granted based upon the pleadings submitted.

In support hereof, the undersigned shall rely upon the certification of Lee O. Solow, P., AICP Princeton Township Planning Director, and the certification of Christy Peacock, Princeton Township Affordable Housing Coordinator, attached hereto and made a part hereof.

The within motion is made pursuant to the provisions of *N.J.A.C.* 5:96-13.

Petitioner hereby waives oral argument unless opposition is filed.

MASON, GRIFFIN & PIERSON, P.C.
Attorneys for Petitioner,
Township of Princeton

Edwin W. Schmierer

Dated: December 22, 2008

CERTIFICATION OF SERVICE

I, EDWIN W. SCHMIERER, of full age, do hereby certify as follows:

1. I am an attorney-at-law of the State of New Jersey and a member of the law firm of Mason, Griffin & Pierson, P.C., attorneys for petitioner, the Township of Princeton.

2. On or about December 22, 2008, I caused the original plus twenty copies of the following documents to be filed via hand delivery with Lucy Vandenberg, Executive Director, New Jersey Council on Affordable Housing at 101 South Broad Street, PO Box 813, Trenton, New Jersey 08625:

- Notice of Motion for Waiver, Pursuant to *N.J.A.C.* 5:96-15.1
- Certification of Lee O. Solow
- Certification of Service

3. On or about December 22, 2008, I further caused one copy of the above-referenced documents to be served via first class mail on all of the individuals and/or entities listed on the attached municipal service list.

I hereby certify that the foregoing statements made by me are true. I am aware that should any of the foregoing statements made by me be wilfully false, I am subject to punishment.

By: _____
Edwin W. Schmierer
Mason, Griffin & Pierson, P.C.

Dated: December 22, 2008

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

A municipality that petitions the Council on Affordable Housing (COAH) for substantive certification or is otherwise participating in COAH's substantive certification process must include an updated service list in order for COAH to review its submittal. At the time it files or petitions for substantive certification a municipality must provide COAH with a Service List which includes the following information (Please print clearly):

1. Current names and addresses of owners of sites included in previously certified or court settled plans that were zoned for low- and moderate-income housing and/or were to pay a negotiated fee(s). Owners of sites that have been completely developed may be excluded;

PROJECT NAME	_____	BLOCK	_____
		LOT	_____
PROPERTY OWNER	_____	TITLE	_____
EMAIL	_____	PHONE NO.	_____
ADDRESS	_____	FAX NO.	_____

PROJECT NAME	_____	BLOCK	_____
		LOT	_____
PROPERTY OWNER	_____	TITLE	_____
EMAIL	_____	PHONE NO.	_____
ADDRESS	_____	FAX NO.	_____

PROJECT NAME	_____	BLOCK	_____
		LOT	_____
PROPERTY OWNER	_____	TITLE	_____
EMAIL	_____	PHONE NO.	_____
ADDRESS	_____	FAX NO.	_____

PROJECT NAME	_____	BLOCK	_____
		LOT	_____
PROPERTY OWNER	_____	TITLE	_____
EMAIL	_____	PHONE NO.	_____
ADDRESS	_____	FAX NO.	_____

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

2. The names and addresses of owners of all new or additional sites included in the Fair Share Plan;

PROJECT NAME		BLOCK	901
		LOT	20
PROPERTY OWNER	Yedlin Family Ltd Partnership	TITLE	
EMAIL		PHONE NO.	
ADDRESS	1000 Herrontown Road Princeton, NJ	FAX NO.	

PROJECT NAME		BLOCK	901
		LOT	21
PROPERTY OWNER	SAVE	TITLE	
EMAIL		PHONE NO.	
ADDRESS	900 Herrontown Road Princeton, NJ	FAX NO.	

PROJECT NAME		BLOCK	902
		LOT	2
PROPERTY OWNER	The Medical Center @ Princeton	TITLE	
EMAIL		PHONE NO.	
ADDRESS	905 Herrontown Road Princeton, NJ	FAX NO.	

PROJECT NAME		BLOCK	902
		LOT	2
PROPERTY OWNER	Quick Frederick D et ux	TITLE	
EMAIL		PHONE NO.	
ADDRESS	924 River Road Hillsborough, NJ	FAX NO.	

PROJECT NAME		BLOCK	902
		LOT	3
PROPERTY OWNER	Snyder Daniel & Sue Ann	TITLE	
EMAIL		PHONE NO.	
ADDRESS	17 Toth Lane Rocky Hill, NJ	FAX NO.	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

The names and addresses of owners of all new or additional sites included in the Fair Share Plan (continued):

PROJECT NAME		**BLOCK**	902
		LOT	4
PROPERTY OWNER	Moore Scott M & Denelle K	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	849 State Road Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	902
		LOT	5
PROPERTY OWNER	Tarquino Claudio & Tammy	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	24 Brandywine Rd Skillman, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	902
		LOT	6
PROPERTY OWNER	Metamorphosis Holdings LLC	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	2 Stonewall Cir Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	902
		LOT	7
PROPERTY OWNER	Branning Paul & Kathleen	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	98 Crow Hill Road Freehold, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	902
		LOT	8
PROPERTY OWNER	Princeton Cherry Valley Prop. LLC	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	1700 Horizon Way #100 Mt. Laurel, NJ	**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

The names and addresses of owners of all new or additional sites included in the Fair Share Plan (continued):

PROJECT NAME		**BLOCK**	902
		LOT	9
PROPERTY OWNER	Princeton Cherry Valley Prop LLC	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	17000 Horizon Way #100 Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	2701
		LOT	1
PROPERTY OWNER	McCarthy Associates Ltd	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	87 Ettl Circle Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	6902
		LOT	68
PROPERTY OWNER	JAT Holdings	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	25 Hageman Lane Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	6903
		LOT	1
PROPERTY OWNER	JAT Holdings	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	25 Hageman Lane Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	6903
		LOT	1
PROPERTY OWNER	MAT Holdings LLC	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	171 Bayard Lane Princeton, NJ	**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

The names and addresses of owners of all new or additional sites included in the Fair Share Plan (continued):

PROJECT NAME		**BLOCK**	6903
		LOT	30
PROPERTY OWNER	JAT Holdings LLC	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	25 Hageman Lane Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	801
		LOT	9
PROPERTY OWNER	Wei Hui Lin	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	4 Hillside Av Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	804
		LOT	1
PROPERTY OWNER	Somerset Tire Service, Inc.	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	West Main Street Bound Brook, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	804
		LOT	7
PROPERTY OWNER	Charles Cryder	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	22 Bank Street Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	805
		LOT	1
PROPERTY OWNER	Maxwale Corp	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	2187 Atlantic Street Stamford, CT	**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

The names and addresses of owners of all new or additional sites included in the Fair Share Plan (continued):

PROJECT NAME		**BLOCK**	805
		LOT	2
PROPERTY OWNER	Maxwale Corp	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	2187 Atlantic Street Stamford, CT	**FAX NO.**	

PROJECT NAME		**BLOCK**	805
		LOT	3
PROPERTY OWNER	The Boo of Princeton	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	195 Nassau Street Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	805
		LOT	5
PROPERTY OWNER	Pensacola Holdings Co Inc	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	12 Prospect Av Plainsboro, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	805
		LOT	5
PROPERTY OWNER	M & S Investments	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	41 Bayard St, 2nd flr New Brunswick, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	805
		LOT	6
PROPERTY OWNER	Drimmer Marc & Linda	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	842 State Road Princeton, NJ	**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

The names and addresses of owners of all new or additional sites included in the Fair Share Plan (continued):

PROJECT NAME		**BLOCK**	805
		LOT	7
PROPERTY OWNER	PNC Realty Serv Tax/ADM	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	620 Liberty Av, 19th flr Pittsburgh, PA	**FAX NO.**	

PROJECT NAME		**BLOCK**	805
		LOT	8
PROPERTY OWNER	Studio 860, LLC	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	860 State Road Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	805
		LOT	9
PROPERTY OWNER	Delaware Petroleum Co	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	1473 Lamberton Road Trenton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	901
		LOT	14
PROPERTY OWNER	325 Princeton Av Assoc LLC	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	325 Princeton Avenue Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	901
		LOT	15
PROPERTY OWNER	Reading Richard B	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	759 State Road Princeton, NJ	**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

The names and addresses of owners of all new or additional sites included in the Fair Share Plan (continued):

PROJECT NAME		**BLOCK**	901
		LOT	16
PROPERTY OWNER	Brandon Re Dev LLC	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	1045 State Road Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	901
		LOT	17
PROPERTY OWNER	Bucci Edward D	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	915 Pennsylvania Av Trenton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	901
		LOT	18
PROPERTY OWNER	William Bucci Builders Inc	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	915 Pennsylvania Av Trenton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	901
		LOT	19
PROPERTY OWNER	Yedlin Associates	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	1000 Herrontown Road Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	901
		LOT	19
PROPERTY OWNER	Yedlin Associates	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	1000 Herrontown Road Princeton, NJ	**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

The names and addresses of owners of all new or additional sites included in the Fair Share Plan (continued):

PROJECT NAME		**BLOCK**	4401
		LOT	2
PROPERTY OWNER	Princeton Community Village	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	247 Nassau Street Princeton, NJ	**FAX NO.**	

PROJECT NAME		**BLOCK**	7401
		LOT	1
PROPERTY OWNER	G. Comfort & Sons	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	200 Madison Avenue New York, NY	**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

3. Except for Mayors, Clerks, Municipal Attorneys and Municipal Housing Liaisons, which are automatically added to every Service List by COAH, the names and addresses of all municipal employees or designees that the municipality would like notified of all correspondence relating to the filing or petition;

NAME	Linda McDermott	TITLE	Municipal Clerk
EMAIL		PHONE NO.	
ADDRESS	Township of Princeton 400 Witherspoon Street Princeton, NJ 08540-3284	FAX NO.	

NAME	Elizabeth C. McKenzie, PP/AICP	TITLE	
EMAIL		PHONE NO.	
ADDRESS	9 Main Street Flemington, NJ 08820	FAX NO.	

NAME	James J. Pascale	TITLE	Administrator
EMAIL		PHONE NO.	
ADDRESS	Township of Princeton 400 Witherspoon Street Princeton, NJ 08540-3284	FAX NO.	

NAME	David Cornell, Co-Chair	TITLE	Housing Board
EMAIL		PHONE NO.	
ADDRESS	Township of Princeton 33 Monroe Road Princeton, NJ 08540	FAX NO.	

NAME	Dee Patberg, Co-Chair	TITLE	Housing Board
EMAIL		PHONE NO.	
ADDRESS	Township of Princeton 54 Montadale Drive Princeton, NJ 08540	FAX NO.	

NAME	Lee O. Solow, PP/AICP	TITLE	Director of Planning
EMAIL		PHONE NO.	
ADDRESS	Township of Princeton 400 Witherspoon Street Princeton, NJ 08540-3284	FAX NO.	

NAME	Ilene Cutroneo	TITLE	Planning Bd. Secretary
EMAIL		PHONE NO.	
ADDRESS	Regional Planning Bd of Princeton 400 Witherspoon Street Princeton, NJ 08540-3284	FAX NO.	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

NAME	**Planning Board Secretary**	**TITLE**	
EMAIL	_____	**PHONE NO.**	_____
ADDRESS	**Township of Princeton** **Princeton, NJ 08540-3284**	**FAX NO.**	_____

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

4. The names and addresses of relevant County, Regional and/or State entities; AND

NAME	**Mercer County Planning Division**	**TITLE**	
EMAIL	_____	**PHONE NO.**	_____
ADDRESS	**McDade Administration Bldg 640 S Broad St; POB 8068 Trenton, NJ 08650-0068**	**FAX NO.**	_____

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N.J.A.C. 5:96-3.7

5. Names of known interested party(ies).

NAME	Jacqui Adam	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Allies 1262 White Horse-Hamilton Sq Rd; Bldg A, Ste 101 Hamilton, NJ 08690	FAX NO.	

NAME	Frank Andrejack	TITLE	
EMAIL		PHONE NO.	
ADDRESS	689 Mercer Road Princeton, NJ 08540	FAX NO.	

NAME	Karl Hartkopf	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Office of Smart Growth, DCA 101 S Broad Street; POB 24 Trenton, NJ 08625	FAX NO.	

NAME	Barbara Johnson	TITLE	
EMAIL		PHONE NO.	
ADDRESS	c/o C Piasocka 8 Lawrenceville Rd Princeton, NJ 08540	FAX NO.	

NAME	Sandra Persichetti Rothe	TITLE	Exec. Director
EMAIL		PHONE NO.	
ADDRESS	Princeton Community Housing 245 Nassau Street Princeton, NJ 08540	FAX NO.	

NAME	Jon Vogel	TITLE	Dev. Director
EMAIL		PHONE NO.	
ADDRESS	AvalonBay Communities 517 Rt 1 S; Suite 5500 Iselin, NJ 08830	FAX NO.	

NAME	Calton Homes (aka Centex)	TITLE	
EMAIL		PHONE NO.	
ADDRESS	500 Craig Road Manalapan, NJ 07726	FAX NO.	

NAME	Pond View Partners	TITLE	
EMAIL		PHONE NO.	
ADDRESS	500 Alexander Park Princeton, NJ 08543	FAX NO.	

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N.J.A.C. 5:96-3.7

NAME	Princeton Hunt, LP	TITLE	
EMAIL		PHONE NO.	
ADDRESS	c/oToll Brothers 250 Gibralter Horsham PA 19044	FAX NO.	

NAME	Princeton Shopping Center	TITLE	
EMAIL		PHONE NO.	
ADDRESS	c/o G Comfort 200 Madison Av New York, NY 10016	FAX NO.	

NAME	Art Bernard	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Bernard & Nebezahl 77 N Union Street Lambertville, NJ 08530	FAX NO.	

NAME	Philip B. Caton, PP/AICP	TITLE	
EMAIL		PHONE NO.	
ADDRESS	Clarke Caton & Hintz Station Place 400 Sullivan Way Trenton, NJ 08628	FAX NO.	

NAME	Princeton Universtiy	TITLE	
EMAIL		PHONE NO.	
ADDRESS	1 Nassau Street Princeton, NJ 08540	FAX NO.	

MASON, GRIFFIN & PIERSON, P.C.
101 Poor Farm Road
P. O. Box 391
Princeton, NJ 08542-0391
(609) 921-6543
Attorneys for Petitioner, Township of Princeton

IN RE PETITION OF THE TOWNSHIP OF PRINCETON, MERCER COUNTY, FOR WAIVER OF COAH RULES, PURSUANT TO N.J.A.C. 5:96-15.1, AND ADJUSTMENT OF TOWNSHIP'S AGE-RESTRICTED HOUSING CREDIT	COUNCIL ON AFFORDABLE HOUSING **CERTIFICATION OF LEE O. SOLOW, PP, AICP**

I, LEE O. SOLOW, of full age, do hereby certify as follows:

1. I am employed as the Planning Director for the Township of Princeton. This certification is submitted in support of the Township's Petition for Waiver pursuant to *N.J.A.C.* 5:96-15.1. As the Princeton Township Planner, I have personal knowledge of the facts asserted herein.

2. This Notice of Motion and supporting certification have been served in conformance with *N.J.A.C.* 5:96-13, et seq.

3. Copies of the Motion and supporting documentation are available for public inspection during regular business hours at the office of the Municipal Clerk, Princeton Township Municipal Building, 400 Witherspoon Street, Princeton, New Jersey.

4. The Township of Princeton has a long history of affirmative efforts toward providing and fostering the production of affordable housing, including efforts that predate the *Mount Laurel I* and *II* decisions and the Fair Housing Act. The Township has demonstrated a continual commitment to COAH's affordable housing goals since its creation and has provided more affordable housing units than was required during each of the two prior rounds.

5. For approximately the last 10 years, the Township has been in the process of planning and developing age-restricted affordable housing units to service an increasing demand for such housing within the Township. The increasing demand for age-restricted affordable housing within the Township was highlighted in the United States Census 2000, which demonstrated that 26% of the Township's population was aged 55 or older.

6. The Township has never restricted affordable housing units based on age in COAH's prior rounds. Because of the recent data showing such a need within the municipality, the Township has included age-restricted housing in its Third Round Fair Share Plan.

7. Specifically, during the pendency of the Second Round, the Township began planning for the development of age and income restricted units on several sites located within the Township. However, litigation over the development of these sites resulted in delays in the zoning for and construction of age-restricted affordable housing units.

8. Because of the Township's demand for age-restricted affordable housing and the fact the Township's prior plans did provide for such population, the Township committed itself to foster the development and construction of age-restricted affordable housing. In particular, the Township approved zoning for several sites that were to include age-restricted affordable housing units. Specifically:

    a. The Elm Court II/ Harriet Bryant House site was zoned for aged-restricted housing in 1996 and later amended in 2003.

    b. The Acorn Glen site was zoned for aged-restricted, assisted living housing in 1996.

    c. The site adjacent to the Princeton Shopping Center was zoned for aged-restricted housing in 1996.

    d. The Lowe site was zoned for aged-restricted housing in 2001.

9. Construction of the age-restricted affordable housing units at the Elm Court II/ Harriet Bryant House site commenced in 2005 and was completed in 2007. The Elm Court II/ Harriet Bryant House site contains 55 age-restricted, low-income rental units.

10. Similarly, construction of age-restricted affordable housing units at the Acorn Glen site began in 1998 and was completed in 2001. This site contains 5 age-restricted rental units.

11. The site adjacent to the Princeton Shopping Center has long been identified by the Township as the ideal location for age-restricted affordable housing given its adjacency to shopping, transit facilities and open space. Discussions are ongoing with the property owners to foster the development of age-restricted housing on this site. The plans for this site include 10 age-restricted, moderate-income units to be credited toward the Township's Third Round affordable housing obligations.

12. The Lowe site was zoned for age-restricted and site plan approval was granted in 2005. The proposed developer at that time withdrew from the project due to financial hardships but recently a new developer has submitted a revised age-restricted housing plan for this site. Construction is estimated to begin in 2009. The plans for the Lowe site include 12 age-restricted affordable housing units; 8 will be moderate-income units and 4 will be low-income units.

13. In this difficult economic climate, age-restricted affordable housing continues to remain the one viable sector in demand in the market. The Township, therefore, can continue to address its affordable housing obligation, and particularly its demand for age-restricted housing, if it is permitted to continue the development of age-restricted affordable housing units on these sites. Moreover, the Township's Third Round Fair Share Plan proposes the future development of affordable family units, which have been the focus of the Township's prior round obligations.

14. It also should be noted that although the Township would be exceeding the maximum percentage of age-restricted affordable housing units in this round should this Waiver be granted, cumulatively the percentage of age-restricted affordable housing in the Township would be well under the 25% maximum set forth in COAH's rules. In fact, the cumulative percentage of age-restricted affordable housing in the Township, with the

inclusion of these units, would be a mere 16.5%. Currently, there are no age-restricted affordable housing units in the Township because the Township has never age-restricted any of its current 330 affordable housing units during COAH's previous rounds.[1]

15. This Waiver satisfies the 3-prong test set forth in *N.J.A.C.* 5:96-15.2. First, granting the waiver fosters the production of affordable housing units, specifically age-restricted units that are currently in demand within the Township. Second, granting the waiver fosters the intent of COAH's rules by allowing the Township to satisfy its affordable housing obligations by restricting less than 25% of its total affordable housing units to those households with residents aged 55 or older. Lastly, the Township's Housing Element and Fair Share Plan for the Third Round includes a mix of housing options, such as family rental units and age-restricted rental units.

16. It is, therefore, respectfully requested that COAH grant this Petition for Waiver to allow the Township to address its increasing demand for age-restricted housing by permitting the Township to receive Third Round credit for a total of 82 age-restricted affordable housing units: 60 of which have already been constructed and 22 of which will be constructed starting in 2009.

17. I hereby certify that the foregoing statements made by me are true. I am aware that if any statement contained herein is willfully false, I will be subject to punishment.

LEE O. SOLOW

Dated: December 18, 2008

[1] A cumulative total of 498 affordable housing units will be constructed for COAH rounds One, Two and Three. This number includes units constructed and bonus credits as permitted under COAH rules and regulations. It does not include the Township's rehabilitation obligation.

MASON, GRIFFIN & PIERSON, P.C.
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(609) 921-6543
Attorneys for Petitioner, Township of Princeton

IN RE PETITION OF THE TOWNSHIP OF PRINCETON, MERCER COUNTY, FOR WAIVER OF COAH RULES, PURSUANT TO N.J.A.C. 5:96-15.1, AND ADJUSTMENT OF TOWNSHIP'S AGE-RESTRICTED HOUSING CREDIT	)	COUNCIL ON AFFORDABLE HOUSING **CERTIFICATION OF CHRISTY PEACOCK**

I, CHRISTY PEACOCK, of full age, do hereby certify as follows:

1. I am the Municipal Housing Liaison for the Township of Princeton. This certification is submitted in support of the Township's Petition for Waiver pursuant to *N.J.A.C.* 5:96-15.1. As the Princeton Affordable Housing Coordinator, I have personal knowledge of the facts asserted herein.

2. This Notice of Motion and supporting certification have been served in conformance with *N.J.A.C.* 5:96-13, et seq.

3. Copies of the Motion and supporting documentation are available for public inspection during regular business hours at the office of the Municipal Clerk, Princeton Township Municipal Building, 400 Witherspoon Street, Princeton, New Jersey.

4. The Township of Princeton has a long history of affirmative efforts toward providing and fostering the production of affordable housing, including efforts that predate the *Mount Laurel I* and *II* decisions and the Fair Housing Act. The Township has demonstrated a continual commitment to COAH's affordable housing goals since its creation and has provided more affordable housing units than was required during each of the two prior rounds.

5. For approximately the last 10 years, the Township has been in the process of planning and developing age-restricted affordable housing units to service an increasing demand for such housing within the Township. The increasing demand for age-restricted affordable housing within the Township was highlighted in the United States Census 2000, which demonstrated that 26% of the Township's population was aged 55 or older.

6. The Township has never restricted affordable housing units based on age in COAH's prior rounds. Because of the recent data showing such a need within the municipality, the Township has included age-restricted housing in its Third Round Fair Share Plan.

7. The Township's Plan includes the construction of age-restricted affordable housing on the site adjacent to the Princeton Shopping Center and the Lowe site. The development of these two sites will be done in conjunction with U.S. Department of Housing and Urban Development ("HUD"), which demonstrates the great sense of cooperation between HUD, the Township and the developers. In fact, HUD's involvement in these projects is what is making them viable at this time.

8. As part of HUD's financing and administration procedures, HUD has developed a policy of providing affordable housing to the next available individual or family on its waiting list.

9. Although these new units will be income-restricted, the way in which HUD administers income-restricted units differs from the income distribution requirements set forth in COAH's rules. Due to HUD's first come, first serve policy, the income-restriction on a unit can vary between very-low, low and moderate depending on the tenant occupying it. While COAH's rules require, for example, that unit "X" be restricted as low-income affordable housing and unit "Y" as moderate-income, under HUD's administrative procedures such delineations cannot be made.

10. Although such delineations cannot be made on paper, in practice, the income distribution requirements set forth in COAH's rules will, in fact, be met because all of the units will be income-restricted. Moreover, when looking at the income distribution of the

Township's senior residents already living in HUD units, the majority of them are in the very-low or low-income levels, making it likely that this trend will continue in these new units.

11. In this difficult economic climate, age-restricted affordable housing continues to remain the one viable sector in demand in the market. The Township can continue to address its affordable housing obligation, and particularly its demand for age-restricted housing, if it is permitted to continue the development of age-restricted affordable housing units on these two sites. Moreover, the Township's Third Round Fair Share Plan proposes the future development of affordable family units, which have been the focus of the Township's prior round obligations.

12. Therefore, the Township seeks a Waiver of the low/moderate income distribution for the site adjacent to the Princeton Shopping Center and the Lowe site. This Waiver satisfies the 3-prong test set forth in *N.J.A.C.* 5:96-15.2. First, granting the waiver fosters the production of affordable housing units, specifically age-restricted units that are currently in demand within the Township. The number of affordable housing units that COAH requires the Township to develop is not being decreased in any way.

13. Second, granting the waiver satisfies the spirit and intent of COAH's rules by allowing the Township to foster the production of new, income-restricted units. Although specific units cannot be labeled low or moderate-income due to HUD's administrative procedures, all of these units will be income-restricted due to the very nature of the HUD program. Additionally, most of these units, in fact, will be occupied by senior citizens with very-low or low-income levels.

14. Lastly, the Township's Housing Element and Fair Share Plan for the Third Round includes a mix of housing options, including a mix of low and moderate income units as well as a mix of age-restricted and family units.

15. For the foregoing reasons, it is respectfully requested that COAH grant the Petition of Waiver regarding the low/moderate income distribution on these two sites.

16. I hereby certify that the foregoing statements made by me are true. I am aware that if any statement contained herein is willfully false, I will be subject to punishment.

CHRISTY PEACOCK, Coordinator
Princeton Township Affordable Housing

Dated: December 18, 2008

TOWNSHIP OF PRINCETON
Mercer County

Third Round
Fair Share Plan

Adopted by the
Princeton Regional Planning Board
December 4, 2008

Endorsed by the
Princeton Township Committee
December 15, 2008

The original of this document
has been signed and sealed in
accordance with law.

Elizabeth C. McKenzie, AICP, PP
New Jersey Professional Planner License No. 33LI00229400
December 22, 2008

TOWNSHIP OF PRINCETON
Mercer County

Third Round
Fair Share Plan

Adopted by the
Princeton Regional Planning Board
December 4, 2008

Endorsed by the
Princeton Township Committee
December 15, 2008

The original of this document
has been signed and sealed in
accordance with law

Elizabeth C. McKenzie, AICP, PP
New Jersey Professional Planner License No. 33LI00229400
December 22, 2008

FAIR SHARE PLAN
Princeton Township, Mercer County

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FAIR SHARE PLAN
Princeton Township, Mercer County

Overview

The Housing Element and Fair Share Plan for Princeton Township has been prepared in accordance with the Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-28b(3) to address Princeton Township's third round affordable housing obligations covering the period from 2000 to 2018, with a delivery period from 2008 to 2018. This Plan includes the minimum requirements presented by N.J.S.A. 52:27D-310, the Fair Housing Act, and the information required pursuant to N.J.A.C. 5:97-2.3 and 3.2.

According to the Fair Housing Act, municipalities that choose to enact and enforce a zoning ordinance are obligated to prepare and adopt a Housing Element as part of the community's Master Plan. The Fair Housing Act established the Council on Affordable Housing (COAH) as the State agency to administer municipal implementation of municipal Housing Elements and Fair Share Plans and to create rules and regulations regarding the development of low- and moderate-income housing in the State. COAH has established both Procedural and Substantive Rules for municipalities to adhere to in addressing their affordable housing obligations. To receive certification from COAH, a municipality must not only adopt the required Housing Element of the Master Plan but also a Fair Share Plan that includes all of the implementation strategies, including the specific ordinances, plans, timetables and resolutions that are needed to carry out the plan. Once certified by COAH (or approved by a Court in a Judgment of Compliance and Repose), a municipality's Housing Element and Fair Share Plan is entitled to a ten-year presumption of validity against a builders remedy challenge.

COAH's first round regulations covered the time period from 1987 to 1993. In 1994, COAH adopted new Substantive Rules establishing the requirements for the second round of affordable housing plans, covering the twelve year cumulative period from 1987 to 1999.

The Substantive Rules for COAH's third round were initially adopted on December 20, 2004, to cover the period from January, 2000, to December, 2013. These third round Rules were challenged, and in January of 2007, the Appellate Court invalidated large portions of the 2004 Rules. As a result, COAH went back to the drawing boards and prepared new Rules, which were introduced in December of 2007 and adopted in May of 2008. COAH received an overwhelming number of comments on the December, 2007, Rule proposals. Consequently, when COAH adopted the Rules, it simultaneously introduced a set of comprehensive amendments to the newly adopted Rules. These amendments were adopted in September of 2008. In addition, the New Jersey Legislature adopted amendments to the Fair Housing Act in June of 2008 that were signed into law by the Governor in July of 2008. Among other things, the Fair Housing Act amendments affect the requirements for providing very low income housing and the role of non-residential developments in the provision of affordable housing.

The Rules now in effect provide that municipalities address a third round fair share obligation based upon COAH's projections of growth in households and employment in each municipality

during the delivery period. Municipalities are required to provide one affordable housing unit for every four market priced housing units projected and one affordable housing unit for every 16 jobs projected.

Summary of Princeton Township's Past Affordable Housing Activities

Princeton Township has had a long history of providing affordable housing in response to its COAH or Court-mandated fair share obligations. COAH's initial fair share housing allocation for Princeton Township for the first six year period following the adoption of the 1985 Fair Housing Act, which established COAH, was a total of 275 units. At that time, the Township was before the Court and received a Judgment of Repose for its first round Housing Element and Fair Share Plan in 1989. In October of 1993, COAH determined that Princeton Township's cumulative twelve year (second round) fair share obligation was 381 units, consisting of 331 units of new construction and a 50 unit rehabilitation obligation. The Township received Substantive Certification of its second round Housing Element and Fair Share Plan from COAH in 1996. That Substantive Certification included a substantial compliance reduction based on how well the Township had progressed in satisfying its first round obligation.

Princeton Township completely satisfied its 330 unit prior round obligation (in fact, it fully satisfied a 331 unit obligation). All of the units in the prior round plan have been completed and are occupied. The 23 unit RCA with the City of Trenton was also fully executed. The Township has submitted its annual monitoring reports to COAH documenting its compliance with the programs included in its prior round Housing Element and Fair Share Plan.

In 2002, shortly before the expiration of its prior round Substantive Certification, the Township applied for and received an extension of its prior round Substantive Certification from COAH on the condition that a third round Housing Element and Fair Share Plan be adopted and submitted by December 20, 2005. The Township complied fully with that condition, but is now required to make substantial revisions to its 2005 adopted third round plan to comply with the new third round Rules and amendments adopted by COAH. The deadline for submission of a revised third round plan is December 31, 2008.

This revised Housing Element and Fair Share Plan has been prepared and adopted to address Princeton Township's third round fair share obligation.

Components of the Current Fair Share Obligation

Table I presents the entire cumulative fair share obligation for Princeton Township, including the prior round obligation, the rehabilitation obligation determined by COAH based upon the 2000 Census, and the third round obligation based upon COAH's projections of household and employment growth within Princeton Township between 2004 and 2018.

TABLE I
TOTAL CUMULATIVE AFFORDABLE HOUSING OBLIGATION

Prior Round Obligation	330
Rehabilitation Obligation	47
Third Round Obligation	168
Total	**545**

As previously indicated, the entire prior round obligation has already been satisfied.

The third round fair share obligation has been calculated by COAH based upon a projection of 560 new housing units, which, divided by 5, yields an obligation for 112 affordable housing units, plus 886 new jobs, which, divided by 16, yields an obligation for 55.4 (or 56) affordable housing units, for a total of 168 affordable housing units that are required to meet the third round fair share obligation. At least half of these units must be provided as family housing units, available to the general public.

According to COAH's Rules, the maximum number of units that can be age-restricted in the third round is, as it was in the prior round, 25% of the total third round obligation, or, in Princeton's case, 42 units in the third round.

The Township has a third round rental obligation of 42 units. If the rental obligation is fully satisfied, with at least 50% of the rental units being family rental units available to the general public, the Township will be eligible to receive rental bonuses at the rate of two credits (one being the rental bonus) for each excess family rental unit (over and above those counted toward fulfillment of the rental obligation) that is available to the general public. Bonus credits for excess rental units and for certain other mechanisms in COAH's Rules may be used to satisfy up to 25% (or 42 units) of the total third round obligation.

Based upon the new amendments to the Fair Housing Act, the Township also has an obligation to provide very low income housing. At least 13% of all housing units created to satisfy the third round obligation must be affordable to households earning 30% or less of median income, and at least 50% of the very low income housing must be in the form of family units available to the general public.

Third Round Rehabilitation Obligation

In satisfaction of its new 47 unit third round rehabilitation obligation, the Township of Princeton will be undertaking the rehabilitation of a deed-restricted affordable housing development that

predated COAH's rules but is nevertheless deed-restricted for affordable housing. This development was built with long-term controls on affordability (99 years) and is operated by a non-profit entity (Princeton Community Housing).

Princeton Township has been asked to assist in the rehabilitation of at least 47 existing older low and moderate income units in Princeton Community Village. According to Princeton Community Housing (PCH), the low and moderate income sponsor that owns and manages the PCV units, the minimum amount of money needed to accomplish the rehabilitation of these 47 units will be at least $470,000, satisfying COAH's threshold of $10,000 per unit in hard costs. The needed rehabilitation work includes: replacing siding and related insulation, replacing roofs, replacing hot water tanks, and electrical work needed to bring the units up to Code, thereby meeting COAH's requirement that at least one "major system" be included in the rehabilitation project. Occupants of the units that benefit from the Township's expenditures for rehabilitation at PCV will be recertified at the time the rehabilitation funds are committed to ensure that they are all currently qualified as low or moderate income households, although, as indicated, this is a housing development that was originally built and continues to be restricted as affordable housing for low and moderate income households.

In addition to the PCV rehabilitation program, the Township had obtained approval from COAH to expend some of its Affordable Housing Trust Fund money in order to provide new roofing and structural elements (columns) for the condominium flats at Washington Oaks, a development that had been approved and built as part of the Township's prior round compliance plan. The amount expended by the Township was $70,000 in the form of a loan and $28,146 in the form of a grant for a total of $98,146. Some of this money was expended on the 48 market units within the complex (with COAH's approval), but the 60 affordable units in the complex also benefited from these rehabilitation projects. In all, 108 units benefited from the expenditure of $98,146 in "hard costs" for rehabilitation that included a major system (a new roof). Prorated, the average "hard cost" expenditure was only $982 per unit, which is far less than the minimum average required by COAH's third round Rules. Thus, while this rehabilitation project cannot count toward satisfaction of the Township's third round rehabilitation obligation, COAH had required that the Washington Oaks affordable units remain in the Township's third round plan. It is noted that all 60 low and moderate income units that benefited from the rehabilitation are already deed-restricted for a period of 99 years from the initial date of occupancy, which was in the early 1990's, so they will remain in the Township's affordable housing program for a long time to come.

In addition to the Washington Oaks rehabilitation work, in 2000 and 2001, the Township also funded floor repairs to 17 affordable units at Griggs Farm (a prior round project) This was necessitated due to Gyp-Crete failure that resulted in violations of noise and fire code requirements. These repairs were not done under the Township's rehabilitation program, and the money for them did not come out of the Affordable Housing Trust Fund. The hard costs of this work averaged just under $8,720 per unit.

Based upon the proposed rehabilitation of at least 47 low and moderate income units at Princeton Community Village, all of which are rental units, Princeton Township will have satisfied its 47 unit rehabilitation obligation for the third round.

Third Round Credits for Built/Zoned Units

The Township has continued to provide affordable housing since it received certification of its second round plan from COAH, although the new affordable housing has tended to be biased in the direction of age-restricted housing. In fact, the Township has already created a total of 60 new units of age-restricted housing, which, under a strict interpretation of COAH's Rules, is 18 more age-restricted units than the Township would be permitted to claim credit for against the third round obligation alone. However, out of the 330 unit prior round new construction obligation, less the 23 units that were satisfied via an RCA, the Township could have age-restricted as many as 76 units in the prior round, and none were age-restricted. Consequently, despite the number of age-restricted units the Township would like to claim credit for in the third round, the Township has not exceeded the maximum number of age-restricted units (118) it is permitted to use in satisfaction of its cumulative fair share obligation. ***The Township, therefore, seeks a waiver from COAH in recognition of this, so that all 60 units of age-restricted housing that have already been built can be credited against the third round obligation in addition to the 22 additional units of age-restricted housing yet to be built on the two zoned sites.***

Table II on the following page is a summary of all of the credits and reductions the Township already received from COAH for the prior round and all of the potential credits that may be available to the Township for the third round from projects already built or zoned.

Table II shows the previously certified credits that were applied to the prior round and the credits that are anticipated to be applied to the third round. As indicated, in addition to the 60 age-restricted units that have been built at Elm Court II (Harriet Bryant House - 55 independent living senior housing units) and Acorn Glen (5 assisted living Medicaid waiver units), there are two as yet unbuilt senior housing zones, the Hillier/Lowe site and the Shopping Center site (roughly 4.5 acres adjacent to the Princeton Shopping Center). Even with the addition of the age-restricted housing to be built on these two zoned sites, the Township will still be well below the total number of age-restricted units permitted based upon the cumulative prior round and third round fair share obligations.

The Township seeks a waiver of the low/moderate income distribution on both of the two zoned but as yet unbuilt age-restricted sites, as they will be disproportionately moderate income. However, on a Township-wide basis, the moderate income units in these projects will be balanced out by the 40 low income units to be developed at Princeton Community Village and the five (5) low or very low income units in Acorn Glen.

TABLE II
CREDITS AND REDUCTIONS FOR THE SECOND ROUND
AND POTENTIAL CREDITS FOR THE THIRD ROUND

Project Name	**Description**	**Second Round Approved Credits**	**Third Round Potential Credits**
16 Gulick Road Built	2 bedroom group home (rental)	2 + 2 RB (4)	
Griggs Farm Built	140 (70 low income rentals)	140 + 70 RB (210)	
White Farm/Calton Homes/Washington Oaks Built	60 low/mod. units	60	
7 Leigh Avenue Built	1 reconstruction unit	1	
West Drive/Karin Court Built	16 low/mod. rental units	16 + 11 RB (27)	
RCA/Trenton Completed	23 units	23	
Substantial Compliance 1st to 2nd Round Previously Awarded	6 unit reduction	6	
Elm Court II (Harriet Bryant House) Built	55 age-restricted low income (per HUD) rental units		55 age-restricted low income (per HUD) rental units
Acorn Glen Built	5 age-restricted assisted living rentals		5 age-restricted rentals
Habitat for Humanity Built	2 low/mod. family owned units		2 low/mod. family owned units
Shopping Center Zoned	50 total age-restricted units at 11/acre x 4.5 acres, including 10 moderate income age-restricted units		10 age-restricted moderate income units
Hillier/Lowe Zoned	157 total age-restricted units, including 12 low/ mod. age-restricted units (8 mod. and 4 low)		12 age-restricted low/mod. units (8 moderate and 4 low income)
PCV Addition Proposed	40 low income family rental units		40 low income family rental units
Total		**248 units and reductions** **+ 83 RBC** **(331)**	**124 units (including all excess age-restricted units)** **+ 19 RBC** **(143)**

Third Round Rental Obligation

The Table below identifies the units that have been built or that are proposed as part of the Township's third round Fair Share Plan that will satisfy the third round rental obligation.

TABLE III
EXISTING/PROPOSED AFFORDABLE UNITS ASSIGNED TO THE THIRD ROUND RENTAL OBLIGATION

Development	Units
Elm Court II (Harriet Bryant House)	21 out of 55 units
PCV Addition	21 out of 40 units
Total Third Round Rental Obligation	**42**

The rental obligation will not only be met, but there will be 19 surplus family rental units available to the general public, and these 19 surplus family rental units will be eligible for rental bonuses.

Third Round Very Low Income Housing Obligation

Princeton Township also has to address the new requirement of the Fair Housing Act that 13% of ALL affordable housing units that will be built to satisfy the third round obligation must be affordable to very low income households. The Affordable Housing Ordinance will include a requirement that 10% of all affordable rental units shall be affordable to households earning 30% or less of median income. This means that 4 of the affordable units to be added at PCV will be affordable to very low income households. These are all family affordable units. The Township will still need to provide additional very low income units, however, to be certain that the full 13% of all new affordable units created in satisfaction of the third round obligation will be affordable to very low income households.

Table II indicates two things that are relevant to the very low income housing obligation: first, that of the 143 potential credits available to the Township for the third round, 62 of them have yet to be constructed; and second, that there is still a 25 unit shortfall in meeting the third round obligation that will have to be addressed through the creation of new affordable housing units whether through new construction or through conversions of existing buildings. Consequently, the total number of very low income housing units the Township will need to provide is 12 (13% of the 85 yet to be built units). Four (4) of these will be provided among the 40 affordable units to be constructed at PCV, leaving 8 additional very low income units to be addressed in some other way.

It is recommended that the creation of these 8 very low income units be accomplished (to the extent necessary) by means of a program designed to subsidize the creation of very low income units from new low or moderate income units being provided by others. The amount of the subsidy would be calculated by converting the difference in projected lost rental income from a very low income unit versus a low or moderate income unit over a thirty year period to its present value and then paying the landlord the present value in exchange for a deed restriction on the unit such that it would remain affordable as a very low income unit for at least 30 years.

This type of program is more affordable than one involving the construction of new units, especially if it is low income units that are being bought down to a very low income level. An analysis prepared by a developer in another community of the present value difference between the net rents at the 30% affordability level and the net rents at the 44% affordability level over a 30 year period yielded a cost of $40,000 to $56,000 per unit, depending on the size of the unit. Allocating roughly $500,000 over the 10 year certification period to fund this type of program would more than cover its costs.

New Affordable Housing Opportunities

In addition to the units in Table II that are either already built or that have already been zoned, the Township still needs to provide an opportunity to create at least 25 additional new affordable housing units in the Township.

Princeton Township proposes to recast its northernmost Service Business zone to permit residential uses above the ground floor of buildings containing retail and office uses. This area, which encompasses most of Tax Blocks 901, 902, 804 and 805, contains a number of developed but underutilized sites fronting on Route 206. The existing floor area ratio and impervious coverage limits in this zone would permit the construction of second stories on many of the buildings and/or the redevelopment of these sites with new mixed use buildings.

A proposed zoning amendment that would allow such development or redevelopment is included in the Fair Share Plan. According to the study undertaken by the Princeton Regional Planning Board office (also included in the Fair Share Plan), this area, if rezoned, could reasonably be expected to generate a total of 150 new residential units, of which 30 (or 20% of the total) would be required to be affordable to low and moderate income households. Only 125 total residential units are needed to generate the 25 additional low and moderate income units the Township requires to meet the balance of its third round obligations, but a margin of safety is provided in the zoning in the event that some site owners choose not to avail themselves of this opportunity.

The Township will continue to seek other opportunities to increase affordable housing obligations, as well, although it is not required to do so to meet its current fair share obligation. For example, there have been discussions with the owner of the Princeton Shopping Center about amending some of the zoning provisions currently applicable to the shopping center tract (encompassing both the shopping center itself as well as the vacant land adjacent to it in the same block). If the outcome of such discussions is likely to yield additional affordable housing opportunities, the Fair Share Plan may be amended to include them.

same block). If the outcome of such discussions is likely to yield additional affordable housing opportunities, the Fair Share Plan may be amended to include them.

Summary of Fair Share Plan for Third Round

Princeton Township will address its current cumulative affordable housing obligation as follows:

Prior Round Obligation	330 units	Fully addressed in prior round.
Rehab Obligation	47 units	To be fully addressed with 47+ unit rehabilitation program in an existing low and moderate income rental housing development, Princeton Community Village.
Third Round Obligation	168 units	55 credits for low income age-restricted rental units at Harriet Bryant House (Elm Court II) 5 credits for low/very low income age-restricted (assisted living) units at Acorn Glen 2 credits for low/moderate income family owner-occupied Habitat for Humanity units 10 reductions for moderate income age-restricted for sale units at shopping center site 12 reductions for low and moderate income age-restricted for sale units at Hillier/Lowe site (4 low/8 moderate) 40 reductions for low income family rental units to be added at PCV plus 19 rental bonuses, for a total of 59 credits 25+ new affordable units in inclusionary mixed use buildings in Service Zone TOTAL: 168 units/credits

The Appendices to this Fair Share Plan include all of the documentation and support required by COAH confirming the fair share obligation and justifying each of the foregoing programs, in addition to a new Affordable Housing Ordinance, new Affirmative Marketing Plan, new Development Fee Ordinance and new Spending Plan. An Escrow Agreement pertaining to the Affordable Housing Trust Fund is already on file with COAH.

FAIR SHARE PLAN APPENDICES

APPENDIX A

WORKBOOK A
PRINCETON TOWNSHIP'S FAIR SHARE OBLIGATION

Workbook A: Growth Share Determination Using Published Data

(Using Appendix F(2), *Allocating Growth To Municipalities)*

COAH Growth Projections
Must be used in all submissions

Municipality Name: PRINCETON TOWNSHIP, MERCER COUNTY

Enter the COAH generated growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated. Use these figures in the Application for Substantive Certification.

		Residential	Non-Residential
1	**Enter Growth Projections From Appendix F(2) ***	560	886
2	**Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab**	Click Here to enter Prior Round Exclusions	
	built or projected to be built post 1/1/04		
	Inclusionary Development	0	
	Supportive/Special Needs Housing	0	
	Accessory Apartments	0	
	Municipally Sponsored or 100% Affordable	0	
	Assisted Living	0	
	Other	0	
	Market Units in Prior Round Inclusionary development built post 1/1/04	0	
3	**Subtract the following Non-Residential Exclusions (5:97-2.4(b)**		
	Affordable units	0	
	Associated Jobs		0
4	**Net Growth Projection**	560	886
5	**Projected Growth Share** (Conversion to Affordable Units Dividing Households by 5 and Jobs by 16)	112 **Affordable Units**	56 **Affordable Units**
6	**Total Projected Growth Share Obligation**		168 **Affordable Units**

* For residential growth, see Appendix F(2), Figure A.1, Housing Units by Municipality. For non-residential growth, see Appendix F(2), Figure A.2, Employment by Municipality.

Affordable and Market-Rate Units Excluded from Growth

Municipality Name: PRINCETON TOWNSHIP, MERCER CO.

Prior Round Affordable Units NOT included in Inclusionary Developments Built post 1/1/04

Development Type	Number of COs Issued and/or Projected
Supportive/Special Needs Housing	
Accessory Apartments	
Municipally Sponsored and 100% Affordable	
Assisted Living	
Other	
Total	**0**

Market and Affordable Units in Prior Round Inclusionary Development
Built post 1/1/04
N.J.A.C. 5:97-2.4(a)
(Enter Y for yes in Rental column if rental units resulted from N.J.A.C. 5:93-5.15(c)5 incentives)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
		0			0
		0			0
		0			0
		0			0
		0			0
Total		**0**	**0**	**0**	**0**

Jobs and Affordable Units Built as a result of post 1/1/04 Non-Residential Development
N.J.A.C. 5:97-2.4(b)

Development Name	Affordable Units Provided	Permitted Jobs Exclusion
		0
		0
		0
		0
Total	**0**	0

Return To Workbook A Summary

APPENDIX B

PROPOSED ZONING AMENDMENT, AND SITE AND OTHER DOCUMENTATION FOR AFFORDABLE UNITS AT PCV SITE

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

(Submit separate checklist for each site or project)

General Description

Municipality/County: PRINCETON TWP, MERCER CO.

Project Name: PCV SITE

Block(s) and Lot(s): LOT 2, BLOCK 4401

Affordable Units Proposed: 40 LOW INCOME

Family: ✓ Sale: ____ Rental: ✓

Very low-income units: 4 Sale: ____ Rental: ✓

Age-Restricted: ____ Sale: ____ Rental: ____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: ____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 19

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: ____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: ____

Compliance Bonus as per N.J.A.C. 5:97-3.17: ____

Date zoning adopted: ____ Date development approvals granted: ____

Required Information and Documentation with Petition or in Accordance with an Implementation Schedule

☐ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

☑ Yes. Skip to and complete implementation schedule found at the end of this checklist. NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

☐ No. Continue with this checklist.

☑ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property OWNED BY PRINCETON COMMUNITY VILLAGE ASSOCIATES, L.P., 247 NASSAU STREET, PRINCETON, NJ 08540

A general description of the site, including:

- ☑ Name and address of owner SEE APPENDIX B, FSP
- ☑ Subject property street location (BUNN DRIVE)
- ☑ Subject property block(s) and lot(s) SEE APPENDIX B, FSP
- ☑ Subject property total acreage SEE APPENDIX B, FSP
- ☑ Indicate if urban center or workforce housing census tract (NO)
- ☑ Description of previous zoning SEE APPENDIX B, FSP
- ☑ Current zoning and date current zoning was adopted (PROPOSED - NOT YET ADOPTED)
- ☑ Tax maps showing the location of site(s) with legible dimensions (electronic if available) SEE APPENDIX B, FSP

A description of the suitability of the site, including:

- ☑ Description of surrounding land uses SEE APPENDIX B, FSP
- ☑ Demonstration that the site has street access SEE APPENDIX B, FSP
- ☑ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans SEE APPENDIX B, FSP
- ☑ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4 SEE APPENDIX B, FSP
- ☑ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4 SEE APPENDIX B, FSP

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☑ Wetlands and buffers
- ☑ Steep slopes

SEE MAPPING, APPENDIX B, FSP

- ☑ Flood plain areas NONE
- ☑ Stream classification and buffers NONE
- ☑ Critical environmental site NONE
- ☑ Historic or architecturally important site/district NONE
- ☑ Contaminated site(s); proposed or designated brownfield site NONE

N.A. ☐ Based on the above, a quantification of buildable and non-buildable acreage NOT QUANTIFIED. SITE IS PARTIALLY DEVELOPED

☑ RFP or Developer's Agreement AGREEMENT BETWEEN P.U./PCVA

☐ Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process SEE SCHEDULE BELOW

☐ Pro-forma statement for the project SEE SCHEDULE BELOW

☐ Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14 SEE SCHEDULE BELOW

☑ Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable PRINCETON UNIVERSITY WILL FUND, BY AGREEMENT WITH P.C. V.A., L.P.

Information and Documentation Required Prior to Marketing the Completed Units

N.A. ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18 TO BE MANAGED BY PCVA, LP

☐ Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC TO BE SUPPLIED

☑ An affirmative marketing plan in accordance with UHAC SEE APPENDIX G, FSP

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	—	—	12/31/08

RFP Process	N.A.	N.A.	N.A.
Developer Selection	—	—	12/31/08
Executed Agreement with provider, sponsor or developer	—	—	12/31/08
Development Approvals	10/1/09	2/28/10	3/31/10
Contractor Selection	7/1/10	9/30/10	12/31/10
Building Permits	7/1/11	9/30/11	12/31/11
Occupancy	6/30/12	11/30/12	12/31/12

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	12/31/08
Site Suitability Description	12/31/08
Environmental Constraints Statement	12/31/08

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources	—	12/31/08
Project Pro-forma	6/15/09	7/1/09

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds	N.A.	N.A.

100% or Municipally Sponsored Narrative Section

THIS PROJECT (40 LOW INCOME FAMILY RENTAL UNITS) WILL BE FUNDED BY PRINCETON UNIVERSITY AND CONSTRUCTED AS INFILL DEVELOPMENT AT PRINCETON COMMUNITY VILLAGE, BUNN DRIVE

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

AH Zone Analysis

The Township of Princeton proposes to create a new zone designated Affordable Housing (AH) on 35.7 acres of land. This new zone will permit affordable housing at a density of eight dwelling units per acre. The zone is currently occupied by Princeton Community Village (PCV), a 239 unit affordable housing development constructed in the mid 1970's. PCV includes 168 townhouse units and 71 one-bedroom units in a 6-story mid rise structure and a community clubhouse. The new zone designation will recognize the existing thirty year old development as a permitted use and allow for its expansion by approximately 40 additional units.

The proposed 40 unit expansion will result in the new buildings being clustered near existing structures to minimize site disturbance and to take advantage of existing infrastructure. The proposed building areas are free of any environmental restrictions and located in relatively flat areas of the site. The property is within the Princeton Regional Center boundary and is located in Planning Area 3 in the State Plan. Surrounding land uses include parkland, office buildings and residential uses.

DESCRIPTION OF PCV SITE
PROPOSED FOR 40 NEW UNITS
by Agreement between PCH and Princeton University

1. The subject site is identified on the Princeton Township Tax Map as **Lot 2 in Block 4401.** It is located in **Planning Area Three** on the State Plan. The site was previously included as part of the Princeton Regional Center, however the center designation has expired, and the Princeton Community has not renewed the designation.

2. Attached to this Description are three GIS maps showing the PCH site and the existing conditions thereon. One of the maps combines the data on slopes over 15% and wetlands. The rear portion of the site is affected by both and there is some overlap. The other two maps break out the information shown on the single map so that the wetlands appear on one map and the slopes over 15% appear on the other. Development is not contemplated within the wetlands, although it may partially impact areas of slope.

3. There are no flood plains on or affecting the site, and there are no C-1 water ways on or affecting the site.

4. No known historic or architecturally important sites or districts exist on or are affected by this site.

5. The site contains a total of 35.71 acres of land located on and having access from Bunn Drive. The property is and has been developed since the 1970's with 239 affordable housing units.

6. Sewer and water lines are located on Bunn Drive and extend into the property to serve these existing units. We have not attached a map of sewer and water lines for this portion of the Township, but there is no issue of extending them into the property; they are already on the property.

7. The property is owned by Princeton Community Village Associates, L.P., 247 Nassau Street, Princeton, New Jersey 08540.

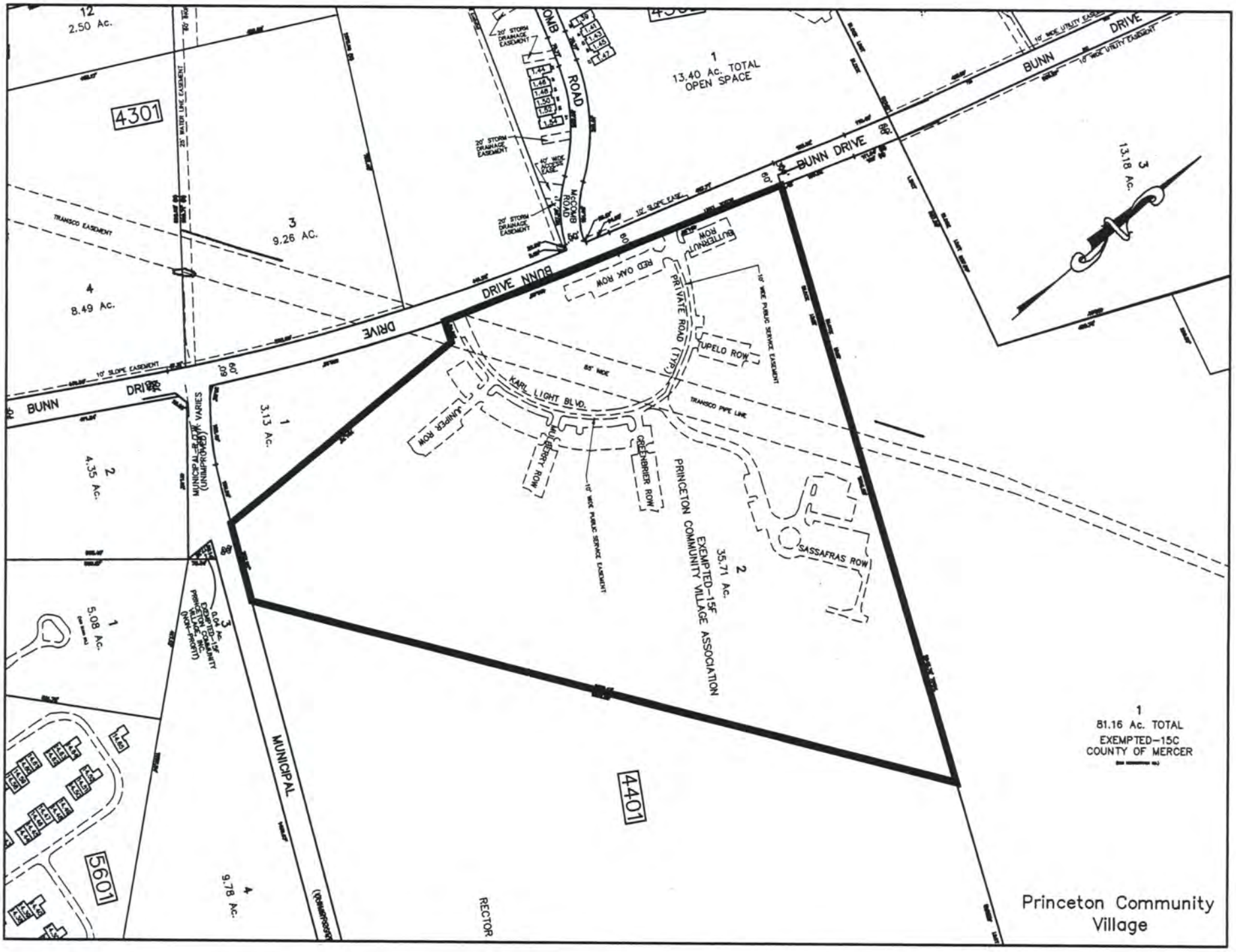
8. The property is currently zoned OR-1, an Office Research designation. This Appendix to the Fair Share Plan contains a draft of an Ordinance amending the Code to permit the proposed development of what will be 40 new low income units.

9. Land uses on surrounding properties include vacant land to the east owned by All Saints Church (which is predominantly wetlands); County parkland and other vacant land to the north; Campbell Woods (a townhouse development) and a municipal park to the west; and vacant land to the south.

10. Princeton Community Housing is a non-profit entity that exists for the sole purpose of providing and maintaining affordable housing in the Princetons. PCH proposes to develop 40 units of additional affordable housing on the property, and the construction will be funded by Princeton University by Agreement between the parties. This project is in the very earliest stages of planning and development. There are, as yet, no site plans or site analysis, no approvals and no firm construction schedule for this undertaking. It is anticipated that construction will begin in three (3) years.

11. A copy of the resolution adopted by the Princeton Township Committee relative to this development is attached to this submission.

Attachments (GIS maps)



12
2.50 Ac.
4301
3
9.26 AC.
4
8.49 Ac.
TRANSCO EASEMENT
25' WATER LINE EASEMENT
BUNN DRIVE
10' SLOPE EASEMENT
1
3.13 Ac.
2
4.35 Ac.
MUNICIPAL-R.O.W. VARIES (UNIMPROVED)
1
5.08 Ac.
3
0.04 Ac.
EXEMPTED-15F
PRINCETON COMMUNITY VILLAGE, INC.
(NON-PROFIT)
MUNICIPAL
4
9.78 Ac.
5601
RECTOR
4401
20' STORM DRAINAGE EASEMENT
40' WIDE ACCESS EASE
McCOMB ROAD
1
13.40 Ac. TOTAL
OPEN SPACE
BUNN DRIVE
10' WIDE UTILITY EASEMENT
3
13.18 Ac.
RED OAK ROW
BUTTERNUT ROW
PRIVATE ROAD (TYP.)
TUPELO ROW
10' WIDE PUBLIC SERVICE EASEMENT
85' WIDE
KARL LIGHT BLVD.
TRANSCO PIPE LINE
JUNIPER ROW
MULBERRY ROW
GREENBRIER ROW
SASSAFRAS ROW
2
35.71 Ac.
EXEMPTED-15F
PRINCETON COMMUNITY VILLAGE ASSOCIATION
1
81.16 Ac. TOTAL
EXEMPTED-15C
COUNTY OF MERCER
Princeton Community Village

New Jersey Map

Scale 1:6872

Counties

State Planning Areas

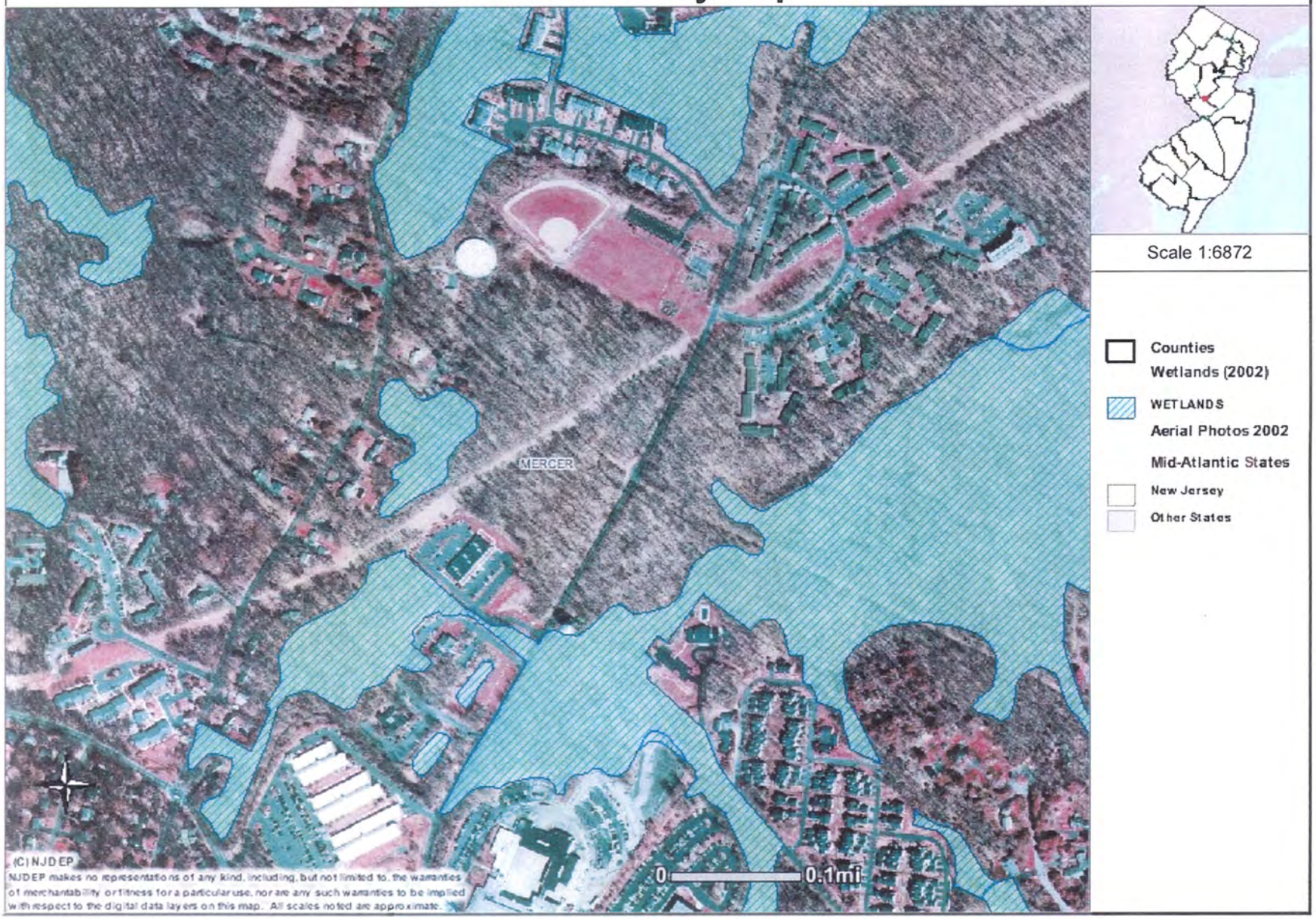
- ENVIRONMENTALLY SENSITIVE
- FRINGE
- RURAL
- WATER
- PARK 2ND PLAN
- STATE PARK
- ENV. SENSITIVE BARRIER IS
- ELLIS ISLAND
- HACKENSACK MEADOWLANDS
- COUNTY PARK
- COUNTY PARK P2
- PARK 1ST PLAN
- MILITARY
- ELLIS ISLAND - NY
- RURAL ENV. SENSITIVE
- METROPOLITAN
- SUBURBAN
- NATIONAL PARK-CROSS ACC.
- FED PARK, CROSS ACC.
- PARK 1ST & 2ND PLAN
- FEDERAL PARK
- PINELANDS

Aerial Photos 2002

Mid-Atlantic States

- New Jersey
- Other States

New Jersey Map

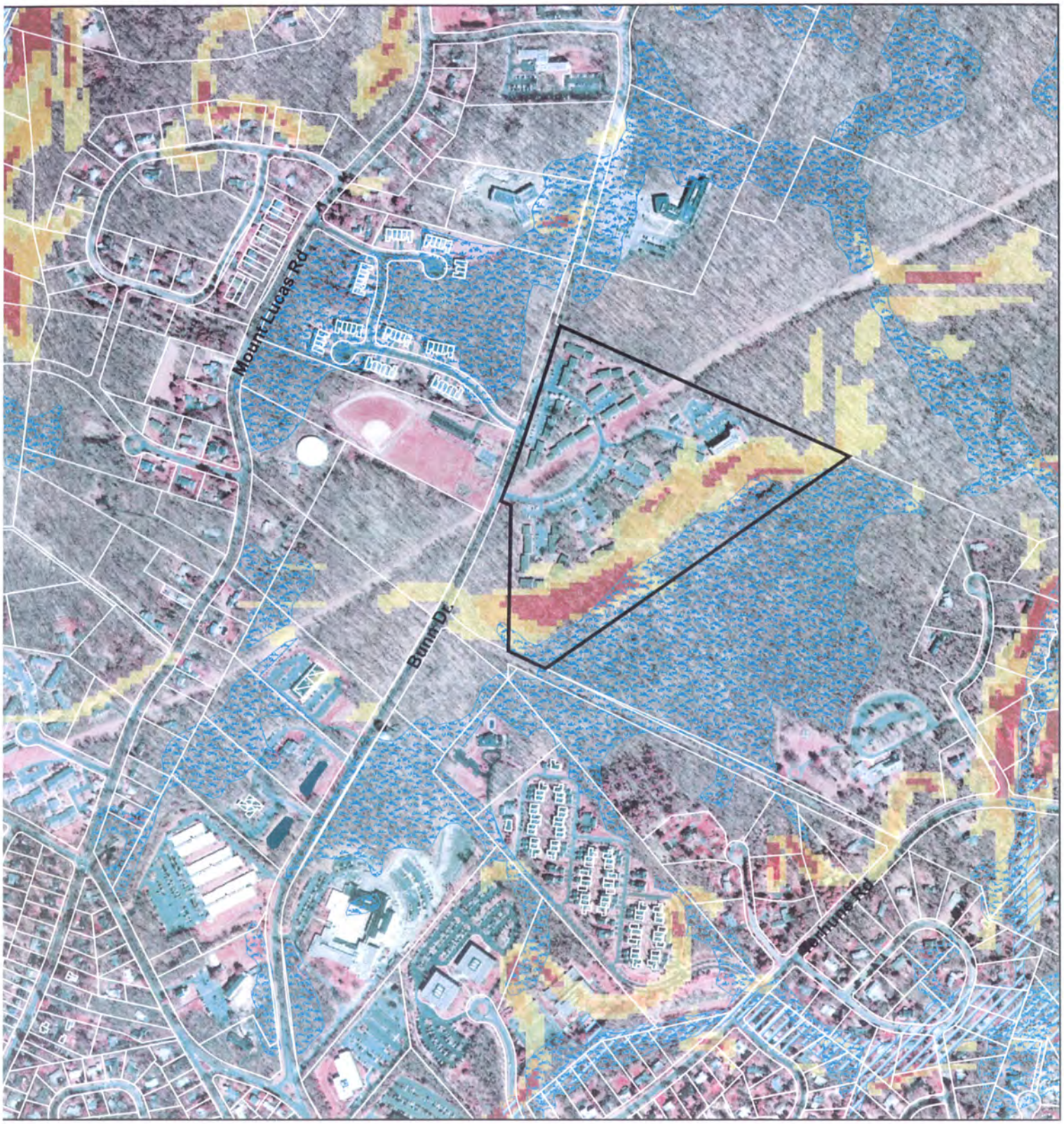


(C) NJDEP
NJDEP makes no representations of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied with respect to the digital data layers on this map. All scales noted are approximate.

Block 4401, Lot 2

Portion of Princeton Township
Mercer County
December 2005

Prepared by:
Elizabeth C. McKenzie, PP, PA



Legend

- Block 4401, Lot 2
- Water
- Wetlands
- 100 yr Floodplain
- Slopes 0-15%
- Slopes 15-20%
- Slopes 20-25%
- Slopes greater than 25%

N
W E
S

0 500
Feet

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

Data Sources:
NJDEP
Mercer County Department of GIS

Block 4401, Lot 2 - Wetlands

Portion of Princeton Township
Mercer County
July 2006

Prepared by:
Elizabeth C. McKenzie, PP, PA

Legend

Block 4401, Lot 2

Wetlands

N
W E
S

0 250 500
Feet

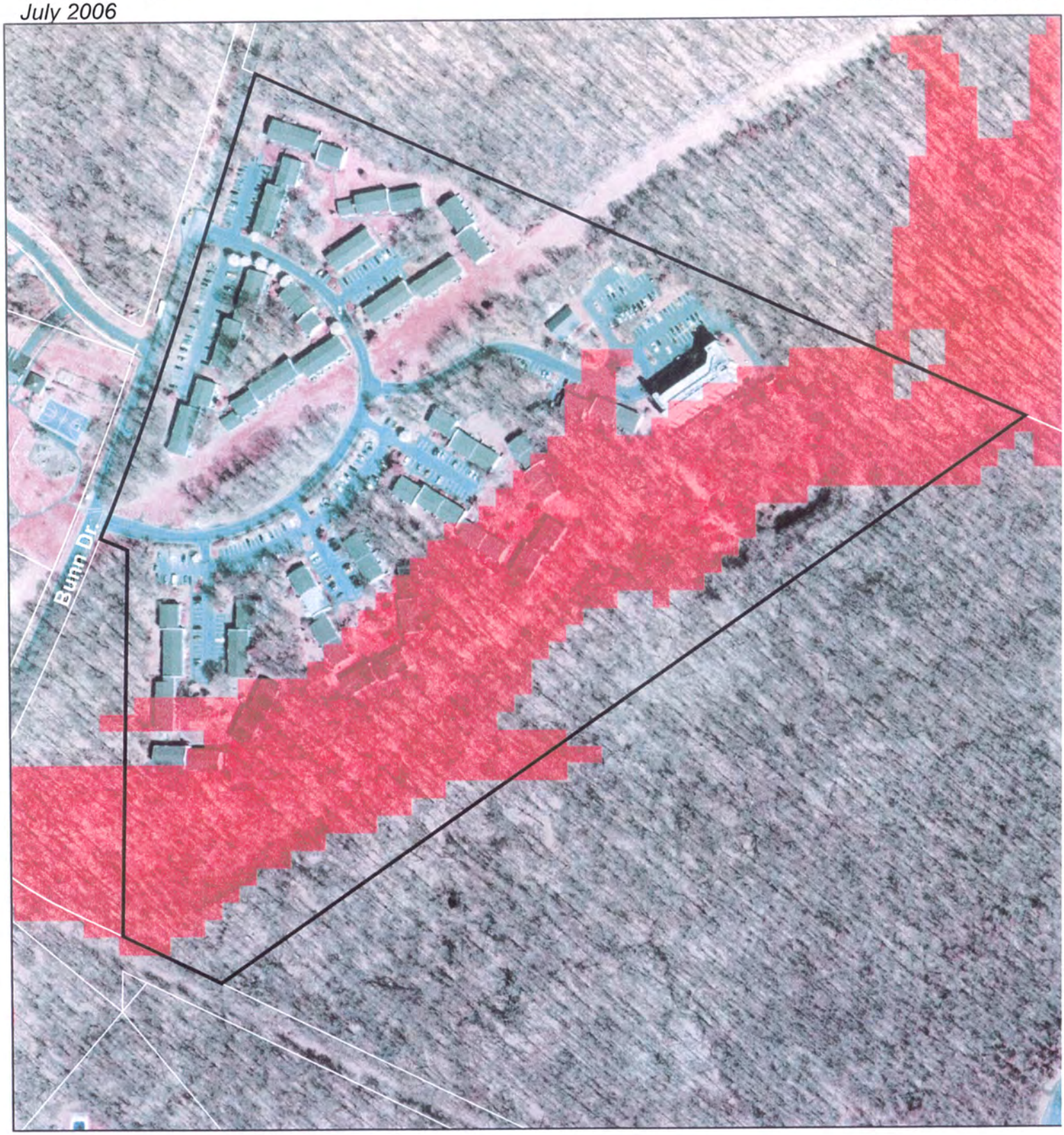
This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

Data Sources:
2002 LULC,
2002 Aerial Photography
Mercer County Department of GIS

Block 4401, Lot 2 - Steep Slopes

Portion of Princeton Township
Mercer County
July 2006

Prepared by:
Elizabeth C. McKenzie, PP, PA



Legend

Block 4401, Lot 2

Slopes greater than 15%

N
W E
S

0 250 500
Feet

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been NJDEP verified and is not State-authorized.

Data Sources:
NJDEP - 10 Meter DEM's
2002 Aerial Photography
Mercer County Department of GIS

Draft: November 6, 2008

AN ORDINANCE ESTABLISHING A AFFORDABLE HOUSING (AH) ZONE AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968

A new Section 10B-367 is created as follows

1.0 Statement of Purpose

The Princeton Township Committee has determined that there is a need for affordable housing in the Princeton community. There is an affordable housing development in Princeton Township that can be expanded to meet the goals and objectives of the Princeton Community Master Plan and Fair Share Plan. The existing development known as Princeton Community Village comprises 239 affordable units on approximately 35.7 acres of land..

It is the policy of the Princeton Township to provide additional opportunities for affordable housing that:

a) Provide for the present and future community needs for affordable housing in appropriate locations.
b) Allow innovation in the design of affordable housing by providing flexible design standards which relate to the type and layout of residential development on a particular site.
c) Allow the most developable areas of the site to be more intensely developed in return for retaining other portions of the site in common open space.
d) Allow residential developments to be designed and constructed at a lower cost per dwelling unit for streets, utilities and other site improvements.

2.0 Zoning Map Revisions

Block 4401, lot 2 as shown on the revised Township Zoning Map shall be designated as the AH zone.

3.0 Permitted uses

Within the AH zoning district the following uses shall be permitted.

a) Low and moderate income attached or multi-family housing.
b) Multifamily structures: Defined as a freestanding building containing at least two but no more than 75 dwelling units, each unit sharing with another unit or units one or more vertical or horizontal common walls.

The permitted gross density shall be 8 dwelling units per acre.

4.0 Minimum tract size

A minimum tract size shall be the AH district as shown on the Township of Princeton Zoning Map.

5.0 Mandatory set aside for affordable housing

Subdivision and site plan approvals for developments within the district may only be approved if all of the dwelling units are affordable units as defined in this article

6.0 Development Requirements

For the purposes of determining compliance with this section individual interior lot lines within the zone designation shall not be considered when determining setbacks. All measurements shall be taken form the outside boundary of the tract.

a) Maximum floor area ratio:	25%
b) Minimum building setback:	
Front Yard	50 feet
Rear Yard	50 feet
Side Yard	50 feet
c) Minimum parking setback:	5 feet
d) Maximum building height:	75 feet or six stories
e) Parking requirement:	1.5 parking spaces per unit
f) Perimeter Screen Buffers (in lieu of Sec10B-307)	10 feet
g) Maximum impervious coverage	25%

7.0 Unnecessary Cost Generating Features

In order to eliminate unnecessary cost generating features for affordable housing developments, as required by the Fair Housing Act, N.J.S.A. 52:27D-314.b., any development in the AH zone shall be entitled to the rights and relief provided in the rules of the New Jersey Council on Affordable Housing for inclusionary development and as set forth in N.J.A.C. 5:93-10.1(b).

TOWNSHIP OF PRINCETON
COUNTY OF MERCER, STATE OF NEW JERSEY

RESOLUTION

PRINCETON UNIVERSITY - PRINCETON COMMUNITY VILLAGE ASSOCIATES, L.P.
HOUSING CONSTRUCTION COOPERATION AGREEMENT

WHEREAS, the Township of Princeton has filed a Petition with the New Jersey Council on Affordable Housing ("COAH") pursuant to *N.J.A.C.* 5:95-3.1 for continued substantive certification of the Township's Affordable Housing Program; and

WHEREAS, said Petition as reflected in the Township's Housing Element and Fair Share Plan proposes implementing the COAH Growth Share methodology for the Township's Affordable Housing Program 2004-2014; and

WHEREAS, said methodology embraces the concept that as residential and non-residential development occurs within a municipality an affordable housing obligation is generated and should be addressed by said growth; and

WHEREAS, *N.J.A.C.* 5:94-4.15 now permits and encourages municipalities to include in their Housing Elements and Fair Share Plans innovative programs or approaches that will foster the actual construction of affordable housing units as the municipality grows; and

WHEREAS, Princeton University is the largest employer within the Township of Princeton and has shared with the Township its growth plans through the year 2014; and

WHEREAS, Princeton Community Village Associates, L.P., is a New Jersey Limited Partnership which has constructed affordable housing within the Township and its Managing General Partner, PCV Group, Inc., a Not for Profit New Jersey Corporation, currently manages Princeton Community Village consisting of 239 affordable rental units; and

9/25 | 06-113

WHEREAS, Princeton University wishes to continue its support of the Princeton Township Affordable Housing Program by entering into a partnership with Princeton Community Village Associates, L.P. in order to construct additional units of low- and moderate-income housing within Princeton Community Village; and

WHEREAS, Princeton Community Village Associates, L.P. has expressed a willingness to make land available within the Princeton Community Village for the purpose of adding additional units of low-and moderate-income rental housing; and

WHEREAS, a COAH task force is currently studying the growth share impact involving construction by educational research universities and colleges on a municipal fair share obligation in order to determine the appropriate manner within which to require a contribution towards affordable housing construction as said institutions grow in the future; and

WHEREAS, while said COAH study is ongoing, Princeton University and Princeton Community Village Associates, L.P. propose moving forward with an innovative agreement whereby additional low- and moderate-income affordable rental housing will be built within Princeton Community Village.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Princeton as follows:

1. The Township of Princeton hereby endorses and supports an agreement between Princeton University and Princeton Community Village Associates, L.P. in order to lead to the actual construction of between thirty (30) and fifty (50) additional low- and moderate-income housing units within Princeton Community Village, and to that

end the Township will fast track local approvals associated with such development at the time applications are submitted.

2. It is the Township's understanding that Princeton Community Village Associates, L.P. intends to identify land within their existing development which will support the construction of said additional low- and moderate-income housing units and Princeton University proposes contributing sums necessary for the construction of said low- and moderate-income housing unit.

3. The Township is of the opinion that such a partnership between the Township's largest employer who has supported the Township's Affordable Housing Program since its inception in November 1984 and Princeton Community Villages Associates, L.P., a non-profit corporation with a proven track record in constructing and managing affordable housing within the Princeton community does in fact reflect an innovative partnership which will address a portion of the Township's growth share obligation through 2014.

4. If said units are constructed pursuant to an agreement between Princeton University and Princeton Community Village Associates, L.P. and said units qualify as affordable housing units as defined by the New Jersey Fair Housing Act, *N.J.S.A.* 52:27D-301 and the COAH Substantive Rule appearing at *N.J.A.C.* 5:94-1 *et seq.*, then the Township of Princeton shall recognize said units as Princeton University's contribution towards the fair share obligation associated with the University's future development through the year 2014 and will give the University the same credit for these units as the Township receives from COAH towards the Township's Growth Share Obligation.

5. The Agreement referenced herein is subject to Princeton Community Village Associates, L.P. obtaining approval from the New Jersey Housing and Mortgage Finance Agency for the additional units.

6. A certified true copy of this Resolution shall be furnished upon its adoption to Princeton University, Department of Community and Regional Affairs, 22 Chambers Street, Princeton, New Jersey 08542, Attention: Kristin Appelget, Director; PCV Group, Inc., 245 Nassau Street, Princeton, New Jersey 08540, Attention: Sandra Persichetti Rothe, Executive Director; and the New Jersey Council on Affordable Housing, 101 South Broad Street, Trenton, New Jersey 08628, Attention: Lucy Voorhoeve, Executive Director.

CERTIFICATION

I, Linda S. McDermott, Clerk of the Township of Princeton, do hereby certify that the foregoing Resolution was adopted by the Township Committee of the Township of Princeton at its regular meeting held on the 25th day of September, 2006.

Linda S McDermott

Linda S. McDermott, Clerk
Township of Princeton

V:\Users\Edwin PRTWP\2006 Resolutions\Princeton University - Princeton Community Housing, Inc. - Housing Construction Corporation Agreement 091806.wpd

APPENDIX C
PROPOSED ZONING AMENDMENT AND DOCUMENTATION FOR AFFORDABLE HOUSING IN S-2 ZONE

ZONING FOR INCLUSIONARY DEVELOPMENT (N.J.A.C. 5:97-6.4)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: PRINCETON TWP., MERCER CO.

Project Name/Zoning Designation: MIXED USE / S-2 ZONE

Block(s) and Lot(s): SEE ZONE ANALYSIS SUMMARY (ATTACHED)

Total acreage: 54 ACRES Proposed density (units/gross acre): 6 DU/ACRE
TOTAL / 25 AC. PROBABLE

Affordable Units Proposed: 30

Family: 30	Sale:____	Rental: PROBABLY ALL RENTAL
Very low-income units: 3	Sale:____	Rental: 3
Age-Restricted: ____	Sale:____	Rental:____

Market-Rate Units Anticipated: 120

Non-Residential Development Anticipated (in square feet), if applicable: VARIES

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☒ No

Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: ____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): UNKNOWN

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: ____

Smart growth bonuses as per N.J.A.C. 5:97-3.18: ____

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: ____

Compliance bonuses as per N.J.A.C. 5:97-3.17: ____

Date inclusionary zoning adopted: PROPOSED Date development approvals granted: NONE YET

Information and Documentation Required with Petition

- [ ] Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, check here [ ] in lieu of submitting forms.)
- [x] Draft or adopted zoning or land use ordinance, which includes the affordable housing requirement and minimum presumptive density for the site/zone.
- N.A. [x] Copies of all decisions made on applications for affordable housing development subsequent to adoption of the current zoning

If payments in lieu of on-site construction of the affordable units is an option, submit:

- N.A. [x] Proposed or adopted ordinance establishing the amount of the payments
- [x] Spending plan SEE APPENDIX I, FSP

A general description of the site or zone, including:

- N.A. [x] Name and address of owner MULTIPLE OWNERS
- N.A. [x] Name and address of developer(s) MULTIPLE DEVELOPERS
- [x] Subject property street location SEE APPENDIX C, FSP
- [x] Indicate if urban center or workforce housing census tract NO
- [x] Previous zoning designation and date previous zoning was adopted S-2 / UNKNOWN
- [x] Current zoning and date current zoning was adopted PROPOSED
- [x] Description of any changes to bulk standards intended to accommodate the proposed densities SEE APPENDIX C, FSP
- [x] Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- [x] Description of surrounding land uses SEE APPENDIX C, FSP
- [x] Demonstration that the site has street access SEE APPENDIX C, FSP
- [x] Planning Area and/or Special Resource Area designation(s) i.e., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans SEE APPENDIX C, FSP
- [x] Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4 ALL LOTS HAVE PUBLIC WATER
- [x] Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4 ALL LOTS HAVE PUBLIC SEWER

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- N.A. [x] Wetlands and buffers
- N.A. [x] Steep slopes
- N.A. [x] Flood plain areas

N.A. ☐ Stream classification and buffers

N.A. ☐ Critical environmental site

N.A. ☐ Historic or architecturally important site/district

N.A. ☐ Contaminated site(s); proposed or designated brownfield site UNKNOWN

☑ Based on the above, a quantification of buildable and non-buildable acreage EST. 25 ACRES OUT OF 54 TOTAL

Agreements with developers or approvals for development of specific property, which shall include:

N.A. ☐ Number, tenure and type of units

N.A. ☐ Compliance with N.J.A.C. 5:97-9 and UHAC

N.A. ☐ Progress points at which the developer shall coordinate with the Municipal Housing Liaison

Information and Documentation Required Prior to Marketing the Completed Units

☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18 TO BE SUBMITTED

☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual TO BE SUBMITTED

☑ An affirmative marketing plan in accordance with UHAC SEE APPENDIX G, FSP

Zoning Narrative Section

This is a proposed amendment to an existing, long standing S-2 zone to encourage mixed-use redevelopment (private sector).

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

S-2 Zone Analysis Summary

As part of its affordable housing plan Princeton Township proposes to rezone a portion of the S-2 zone to permit residential uses on the second and third floor of nonresidential buildings. This will create a mixed use zone in an area of town that currently provides jobs, shopping and service uses to the community. It is also hoped that this zone change will spur further economic development of the zone and facilitate the replacement of many older structures that are in poor condition with new and vibrant uses.

The S-2 zones in Princeton Township comprise two distinct areas along Route 206. The smaller of the two areas, contains less than an acre of land and is located along the southbound side of Route 206, extending from just south of Leigh Avenue to just north of Birch Avenue. This area has recently been redeveloped with a new bank and restaurant and has little potential for additional redevelopment. The larger S-2 district straddles both sides of Route 206 in the northern portion of the Township and contains approximately 54 acres. Many of the older structures in the northern S-2 zone are in poor condition or do not take advantage of the development potential for this area.

Historically the S-2 zones were developed to provide an area for service, warehouse and retail uses that would take advantage of its location along Route 206. Over the last twenty years the character of the area has changed and office uses and retail uses have become the predominate land use pattern. Most of the larger parcels have been redeveloped with office uses or more recently larger retail uses. In some cases an existing residence has been converted to either office or retail use with minimal site improvements. The smaller lots, ranging in size from approximately one-half acre to just under three acres have struggled to redevelop.

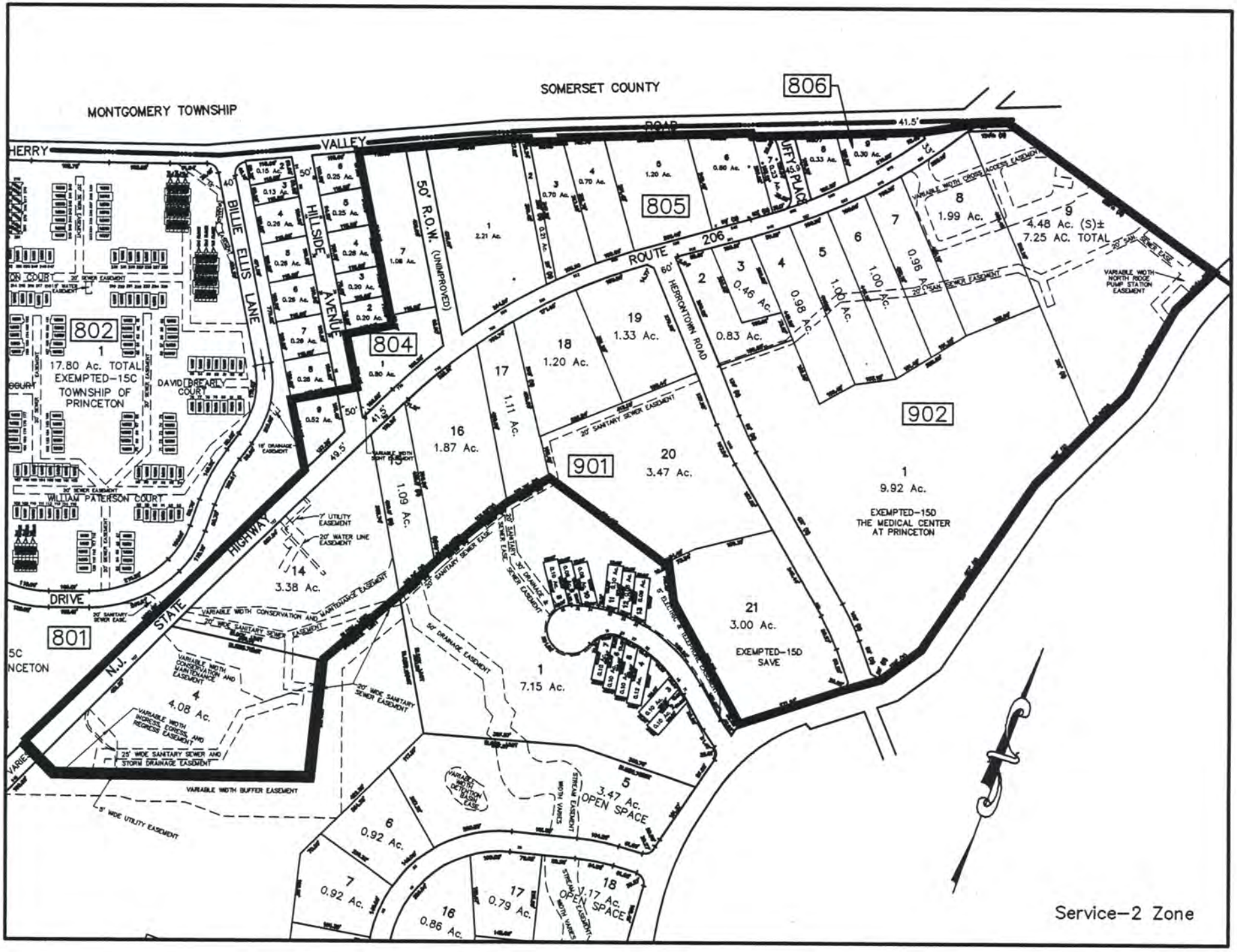
In order to spur the redevelopment of these parcels and provide for a mixed use environment the Township proposes to permit residential uses at six dwelling units per acre on the second and third floors of nonresidential buildings in the northerly S-2 zone. The permitted height will be increased form 30 feet to 35 feet in order to not limit structures to flat roofs. The Township will also require a 20% set aside for affordable housing.

After a careful field review of the area it is assumed that approximately half of the lots in the zone are likely to take advantage of this residential option. The land area likely to take advantage of the residential option contains approximately 25 acres of land and has the potential to create 150 residential units and 30 affordable units.

The attached chart presents an analysis of each lot and its development potential. The attached map indicates the boundaries of the S-2 zone.

S-2 Lot Analysis					
Block	**Lot No.**	**Acres**	**Square feet**	**Description**	**Potential**
901	4	4.08	177,724.8	Multi-story office building	NL
901	14	3.38	147,232.8	Multi-story office building	NL
901	15	1.09	47,480.4	One story office buildings	HL
901	16	1.87	81,457.2	Vacant store (Taylor Rental)	HL
901	17	1.11	48,351.6	Vacant	HL
901	18	1.20	52,272	Vacant	HL
901	19	1.33	57,934.8	Multi-story office building	NL
901	20	3.47	151,153.2	Multi-story office building	NL
901	21	3.00	130,680	Animal Shelter	NL
902	2	0.83	36,154.8	Warehouse/retail (Hesco)	HL
902	1	9.92	432,115.2	Medical (Princeton House)	HL
902	3	0.46	20,037.6	Retail(Hesco)	HL
902	4	0.98	42,688.8	Residential	HL
902	5	1.0	43,560	Residential	HL
902	6	1.0	43,560	Office/service	P
902	7	0.96	41,817.6	Auto repair	NL
902	8	1.99	86,684.4	Retail (CVS)	NL
902	9	7.25	315,810	Retail (Bank)	NL
805	9	0.30	13,068	Retail (Exxon)	NL
805	8	0.33	14,374.8	One story office	P
805	7	0.41	17,859.6	Retail/office	P
805	6	0.80	34,848	Retail/office	P
805	5	1.20	52,272	Retail	P
805	4	0.70	30,492	Vacant/retail	HL
805	3	0.70	30,492	Retail/office	HL
805	2	0.21	9,147.6	Retail/office	HL
805	1	2.21	96,267.6	Warehouse/Service (Petro Oil)	NL
804	7	1.08	47,044.8	Office/industrial	P
804	1	0.80	34,848	Retail/service (STS)	NL
804	9	0.52	22,651.2	Residential	HL
	TOTAL	54.18	2,360,080.		
6902	68	0.28	12,196.8		
	69	0.15	6,534		
6903	1	0.21	9,147.6		
6903	30	0.25	10,890		

HL Highly Likely 20.59 acres
P Possible 4.82 acres
NL No Likely 28.77 acres


SOMERSET COUNTY
MONTGOMERY TOWNSHIP
806
805
804
802
801
901
902
VALLEY ROAD
BILLIE ELLIS LANE
HILLSIDE AVENUE
50' R.O.W. (UNIMPROVED)
ROUTE 206
HERRONTOWN ROAD
N.J. STATE HIGHWAY
DAVID BREARLY COURT
WILLIAM PATERSON COURT
17.80 Ac. TOTAL
EXEMPTED-15C
TOWNSHIP OF PRINCETON
9.92 Ac.
EXEMPTED-15D
THE MEDICAL CENTER AT PRINCETON
3.00 Ac.
EXEMPTED-15D
SAVE
4.48 Ac. (S)±
7.25 AC. TOTAL
OPEN SPACE
VARIABLE WIDTH NORTH RIDGE PUMP STATION EASEMENT
VARIABLE WIDTH CONSERVATION AND MAINTENANCE EASEMENT
VARIABLE WIDTH BUFFER EASEMENT
Service-2 Zone

New Jersey Map

Scale 1:6872

Counties

State Planning Areas

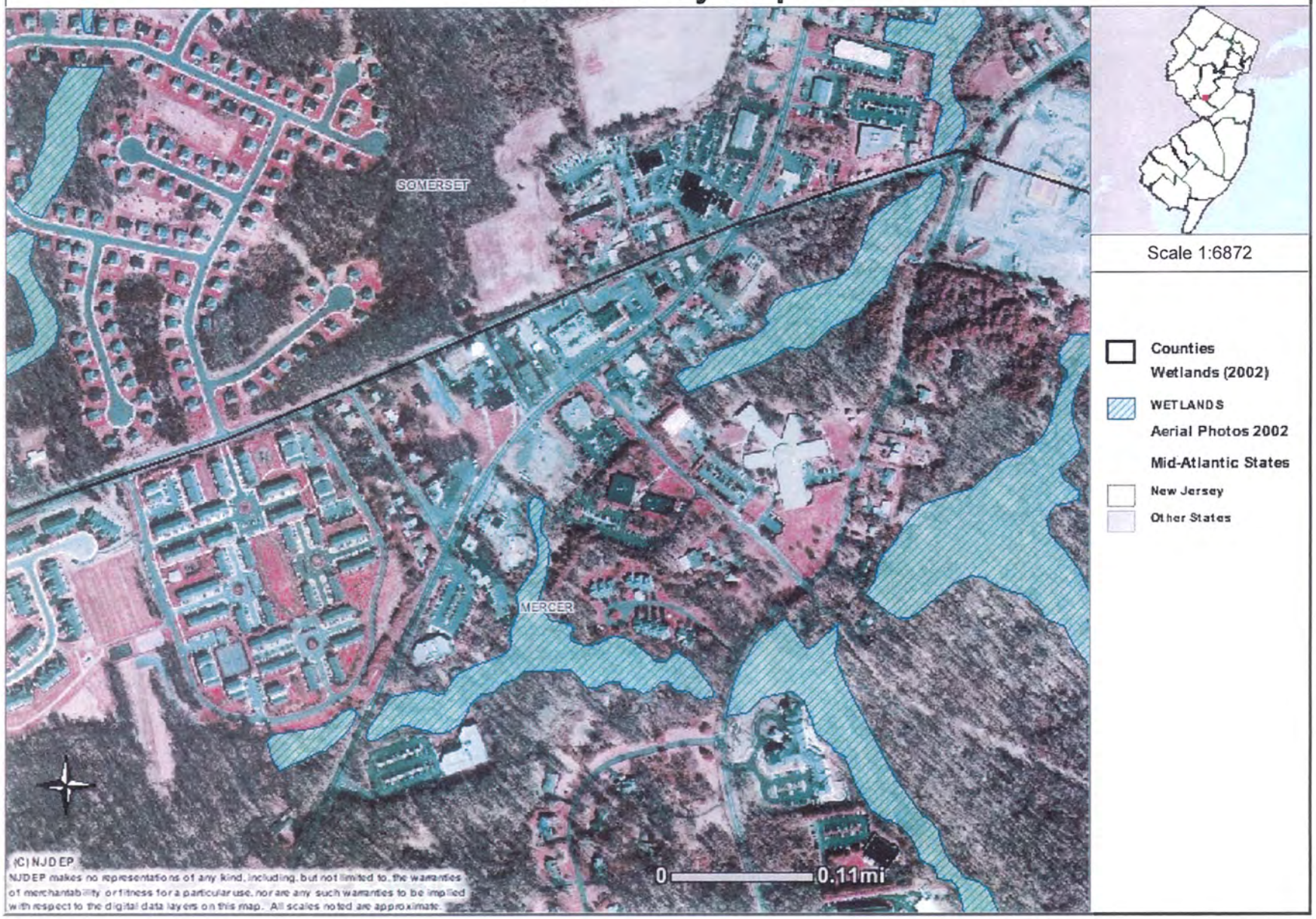
- ENVIRONMENTALLY SENSITIVE
- FRINGE
- RURAL
- WATER
- PARK 2ND PLAN
- STATE PARK
- ENV. SENSITIVE BARRIER IS
- ELLIS ISLAND
- HACKENSACK MEADOWLANDS
- COUNTY PARK
- COUNTY PARK P2
- PARK 1ST PLAN
- MILITARY
- ELLIS ISLAND - NY
- RURAL ENV. SENSITIVE
- METROPOLITAN
- SUBURBAN
- NATIONAL PARK-CROSS ACC.
- FED PARK, CROSS ACC.
- PARK 1ST & 2ND PLAN
- FEDERAL PARK
- PINELANDS

Aerial Photos 2002

Mid-Atlantic States

- New Jersey
- Other States

New Jersey Map



Sec. 10B-271. Permitted uses.

The following uses are permitted in S-1 and S-2 districts or, if so indicated, in one of those districts, in addition to those permitted by section 10B-253.

~~(a) Uses conducive to heavy trucking and to bus transportation.~~

~~(b) Uses characterized by a moderate amount of dust and noise, such as the storage, handling, sale and delivery, either retail or wholesale, of lumber, coal, mason materials, grain and feed, solid and liquid fuels and similar goods.~~

~~(c) Storage of inflammable materials other than explosives.~~

(d) Storage warehouses.

(e) Public utility structures and uses.

~~(f) Freight yards, railroad sidings and other necessary railroad uses (permitted in S-1 districts only).~~

(g) Commercial garages and gasoline service stations.

(h) Printing establishments and newspaper offices.

(i) Banks and savings institutions.

(j) Retail stores and bakeries.

(k) Hotels and motels.

(l) Business offices.

(m) Accessory uses on the same lot with, and customarily incidental to, any of the foregoing permitted uses. (Ord. No. 856, § 2.)

(n) In the S-2 overlay zone multifamily dwelling units on the second and/or third floor of any permitted structure at a density of six dwelling units per acre provided 20% of the units are affordable units as defined by this ordinance. Development which includes multifamily units in the S-2 zone may be three stories with a height not to exceed 35 feet.

SEC. 10B-246

Schedule of Regulations

District	*SC*	*R-A*	*R-B*	*S-1*	*S-2*	*OR-1*	*OR-2*	*R-O*
For Permitted Uses	*All*			*All*	*All*			
Required Lot Area (Min. Acre)	25	4	3	1/4	3/4	5	5	--
(Min. Sq. Ft.)	1,089,000	174,240	130,680	10,890	32,670	217,800	217,800	8,500
Required Lot Width (Min. Ft.)	1,600	200	200	100	100	330	330	50
Required Lot Depth (Min. Ft.)	(na)	300	250	100	100	330	330	50
Required Lot Frontage (Min. Ft.)	800	150	125	50	50	165	165	30
Required Bldg. Setback								
Front	175	50	40	25	35	60(g)	60(g)	25
Side	280	40	35	60(5)	60(a)	60(g)	60(g)	10
Combined Side	(na)	(na)	(na)	(na)	(na)	(na)	(na)	20
Rear	200	40	35	(na)	(na)	60(g)	60(g)	0
Permitted Bldg. Height (Max. Ft.)	38	(na)	(na)	55	30	45 (not to exceed 3 stories)	45 (not to exceed 3 stories)	35
Bldg. Setback Height Ratio	(na)	1.5:1	1.5:1	(na)	(na)	(na)	(na)	(na)
Permitted Building. F.A.R. (Max. %)	20(d)	6.5	7.5%	75	35	8(d')(m)	10(d')(n)	135
Required Parking Setback								
Front	50	40(b) 40(c)	35(b) 35(c)	10	25	60(g) 20(h)	60(g) 20(h)	25(b) 25(c)
Side	50	50(b) 40(c)	40(b) 30(c)	(na)	(na)	60(g) 20(h)	60(g) 20(h)	0 0
Rear	50	40(b) 30(c)	35(b) 25(c)	(na)	(na)	60(g) 20(h)	60(g) 20(h)	0 0

APPENDIX D

SITE DOCUMENTATION AND ZONING FOR HILLIER-LOWE SITE

ZONING FOR INCLUSIONARY DEVELOPMENT (N.J.A.C. 5:97-6.4)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: PRINCETON TWP., MERCER

Project Name/Zoning Designation: HILLIER/LOWE SITE

Block(s) and Lot(s): BLOCK 4301, LOTS 3 + 4; BLOCK 4401, LOT 1

Total acreage: 20.8 ± Proposed density (units/gross acre): 7 D.U./ACRE (MAX 158 UNITS)

Affordable Units Proposed: 12

Family:____	Sale:____	Rental:____
Very low-income units:____	Sale:____	Rental:____
Age-Restricted: 12	Sale: 12	Rental:____

Market-Rate Units Anticipated: 146

Non-Residential Development Anticipated (in square feet), if applicable: N.A.

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☒ No

Bonuses for affordable units, if applicable: N.A.

Rental bonuses as per N.J.A.C. 5:97-3.5: ____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): ____

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: ____

Smart growth bonuses as per N.J.A.C. 5:97-3.18: ____

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: ____

Compliance bonuses as per N.J.A.C. 5:97-3.17: ____

Date inclusionary zoning adopted: 2008 Date development approvals granted: N.A.

Information and Documentation Required with Petition

- [ ] Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, check here [ ] in lieu of submitting forms.)
- [x] Draft or adopted zoning or land use ordinance, which includes the affordable housing requirement and minimum presumptive density for the site/zone.
- N.A. [ ] Copies of all decisions made on applications for affordable housing development subsequent to adoption of the current zoning

If payments in lieu of on-site construction of the affordable units is an option, submit:

- [x] Proposed or adopted ordinance establishing the amount of the payments SEE APPENDIX D, FSP
- [x] Spending plan SEE APPENDIX I, FSP

A general description of the site or zone, including:

- [ ] Name and address of owner
- [ ] Name and address of developer(s)
- [x] Subject property street location BUNN DRIVE
- [x] Indicate if urban center or workforce housing census tract NO
- [x] Previous zoning designation and date previous zoning was adopted UNKNOWN DATE;
- [x] Current zoning and date current zoning was adopted 2008 (ZONING ATTACHED)
- [ ] Description of any changes to bulk standards intended to accommodate the proposed densities
- [x] Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including: SEE WRITE-UP, THIS APPENDIX D, FSP.

- [x] Description of surrounding land uses
- [x] Demonstration that the site has street access
- [x] Planning Area and/or Special Resource Area designation(s) i.e., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans PA 3
- [x] Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- [x] Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- [x] Wetlands and buffers SEE WRITE-UP, THIS APPENDIX D, FSP.
- NA [x] Steep slopes
- NA [x] Flood plain areas

N.A. ☐ Stream classification and buffers

N.A. ☐ Critical environmental site

N.A. ☐ Historic or architecturally important site/district

N.A. ☐ Contaminated site(s); proposed or designated brownfield site

☑ Based on the above, a quantification of buildable and non-buildable acreage APPROX. 17.75 AC.

Agreements with developers or approvals for development of specific property, which shall include: NO AGREEMENT AT THIS TIME

N.A. ☐ Number, tenure and type of units

N.A. ☐ Compliance with N.J.A.C. 5:97-9 and UHAC

N.A. ☐ Progress points at which the developer shall coordinate with the Municipal Housing Liaison

Information and Documentation Required Prior to Marketing the Completed Units

☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18 TO BE SUPPLIED

☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual TO BE SUPPLIED

☑ An affirmative marketing plan in accordance with UHAC SEE APPENDIX G, FSP

Zoning Narrative Section

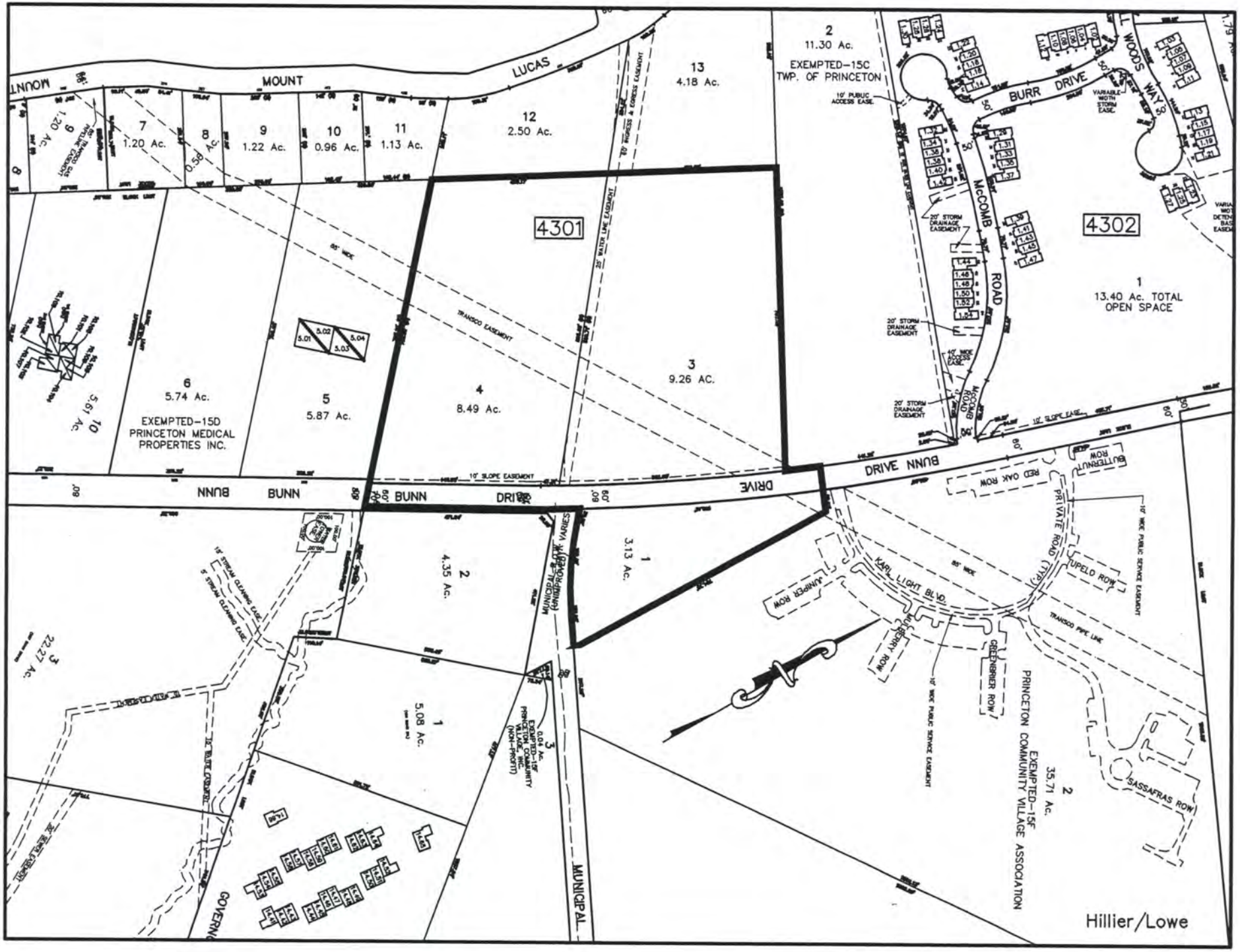
See Write-Up on following page, this Appendix D, FSP.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

Hillier/Lowe Tract
RSC-2 Zone

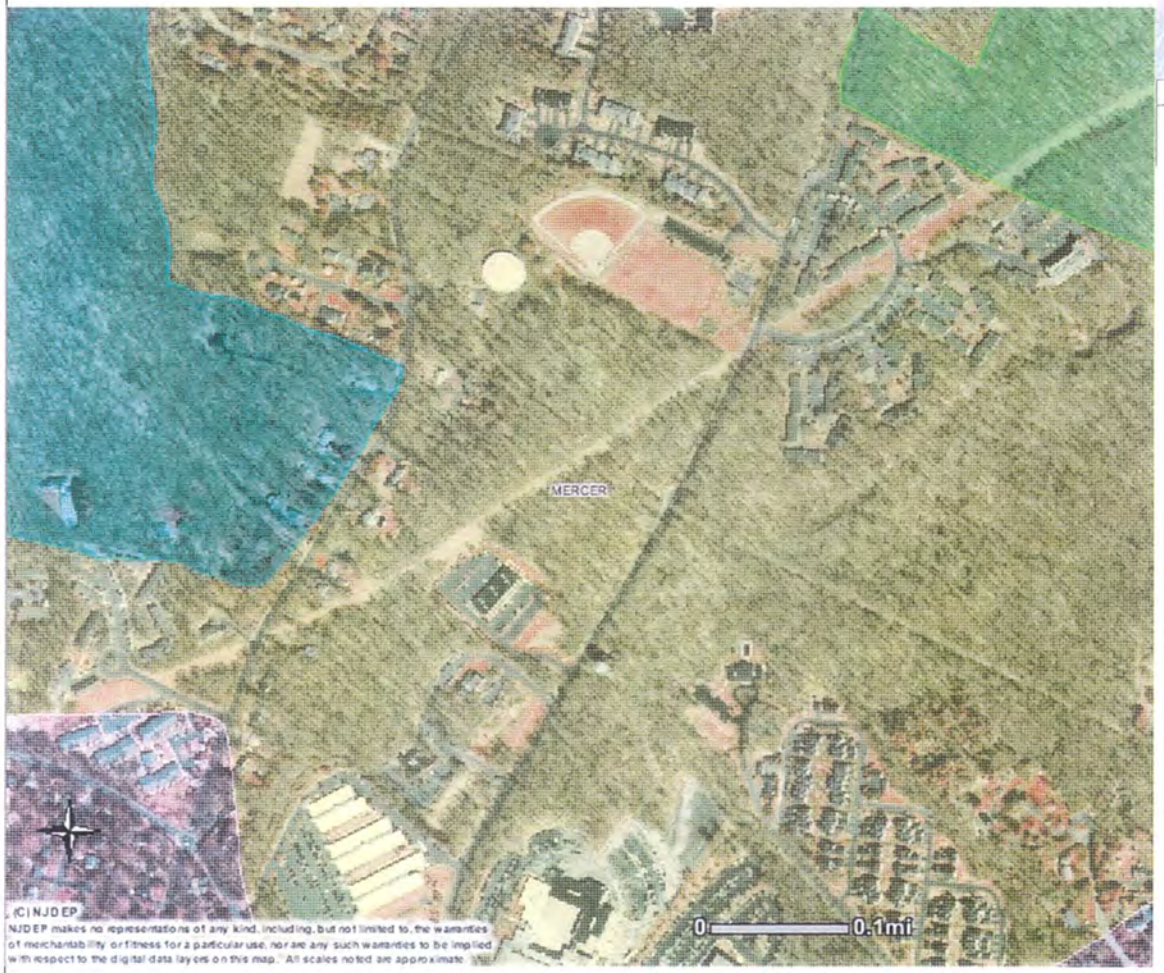
The Township of Princeton has rezoned Block 4301, lots 3 and 4 and Block 4401, lot 1 as RSC-2. These parcels contain approximately 20.8 acres of land and the zone permits age restricted housing at a density of seven dwelling units per acre. The zone also provides for an affordable housing set aside of 12 units with eight units being made available to moderate income persons and 4 units available to low income persons. The zone excludes from the density calculations any affordable housing units and thus the site has the potential to generate 158 units.

It is anticipated, based on site plans submitted, that the housing units will be developed on lots 3 and 4 and no units will be proposed on lot 1. All three lots are heavily wooded. Lots 3 and 4 do not have any wetlands. Approximately one-third of lot 1 is covered with wetlands. The site has public sewer and water and NJ Transit bus service is available on Bunn Drive. The parcels are located in PA 3 and are part of the Princeton Regional Center as designated on the State Development and Redevelopment Plan. Surrounding land uses include: a public park to the north, vacant land and existing affordable housing to the east, an office building to the south and a residence and water tank to the west.



MOUNT LUCAS
BURR DRIVE
WOODS WAY
McCOMB ROAD
BUNN DRIVE
MUNICIPAL
4301
4302
1
13.40 Ac. TOTAL OPEN SPACE
2
11.30 Ac.
EXEMPTED-15C
TWP. OF PRINCETON
3
9.26 AC.
4
8.49 Ac.
5
5.87 Ac.
6
5.74 Ac.
EXEMPTED-15D
PRINCETON MEDICAL PROPERTIES INC.
7
1.20 Ac.
8
0.58 Ac.
9
1.22 Ac.
10
0.96 Ac.
11
1.13 Ac.
12
2.50 Ac.
13
4.18 Ac.
1
3.13 Ac.
2
4.35 Ac.
1
5.08 Ac.
3
0.04 Ac.
EXEMPTED-15F
PRINCETON COMMUNITY VILLAGE, INC.
(NON-PROFIT)
2
35.71 Ac.
EXEMPTED-15F
PRINCETON COMMUNITY VILLAGE ASSOCIATION
10' PUBLIC ACCESS EASE.
20' STORM DRAINAGE EASEMENT
40' WIDE ACCESS EASE.
10' SLOPE EASEMENT
TRANSCO EASEMENT
TRANSCO PIPE LINE
10' WIDE PUBLIC SERVICE EASEMENT
KARL LIGHT BLVD.
JUNIPER ROW
MULBERRY ROW
GREENBRIER ROW
PRIVATE ROAD (TYP.)
RED OAK ROW
BUTTERNUT ROW
TUPELO ROW
SASSAFRAS ROW
MUNICIPAL BLDG. VARIES (UNIMPROVED)
GOVERNO
Hillier/Lowe

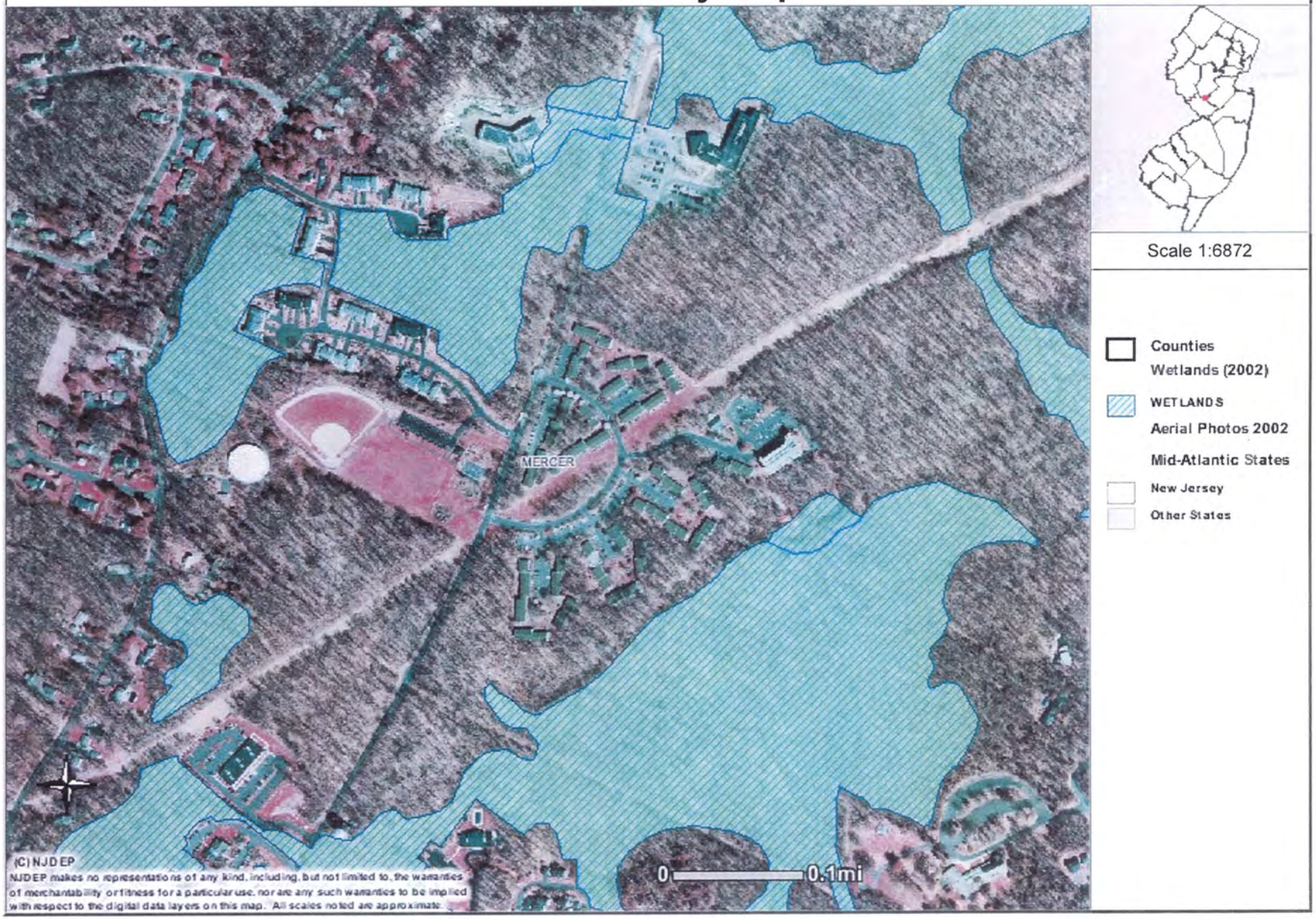
New Jersey Map



Scale 1:6872

- Counties
- State Planning Areas
- ENVIRONMENTALLY SENSITIVE
- FRINGE
- RURAL
- WATER
- PARK 2ND PLAN
- STATE PARK
- ENV. SENSITIVE BARRIER IS
- ELLIS ISLAND
- HACKENSACK MEADOWLANDS
- COUNTY PARK
- COUNTY PARK P2
- PARK 1ST PLAN
- MILITARY
- ELLIS ISLAND - NY
- RURAL ENV. SENSITIVE
- METROPOLITAN
- SUBURBAN
- NATIONAL PARK-CROSS ACC.
- FED PARK, CROSS ACC.
- PARK 1ST & 2ND PLAN
- FEDERAL PARK
- PINELANDS
- Aerial Photos 2002
- Mid-Atlantic States
- New Jersey
- Other States

New Jersey Map



(C) NJDEP
NJDEP makes no representations of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied with respect to the digital data layers on this map. All scales noted are approximate.

Subdivision XXII. Residential Senior Community-2

Overlay Zone (RSC-2) District.

Sec. 10B-272.65. Permitted uses; RSC-2 zone.

The following uses or any combination thereof are permitted in the RSC-2 overlay zone:

(a) Age restricted housing intended for, and solely occupied by, persons fifty-five years of age or older.

(b) The permitted age restricted housing may be:

(1) Single family structures defined as freestanding buildings containing only one dwelling unit.

(2) Two family structures defined as freestanding buildings containing two dwelling units sharing one or more vertical or horizontal common walls and with each unit having a separate exterior entrance.

(3) Townhouse structures defined as freestanding buildings containing two, three, four, five or six townhouse units. A townhouse unit is defined as a dwelling unit which has freestanding walls on two sides (or if, at the end of the townhouse structure, three sides) and shares party walls with units on both sides (or, if it is at the end of a townhouse structure, shares a party wall on one side), with the unit having a separate exterior entrance.

(4) Quadraplex structures defined as four attached dwellings in one building in which each unit has two open space exposures and shares a common interior wall with one or two adjoining units, with separate ground floor access for each unit. Units are joined side to side, but are not located one above another.

(5) Multifamily structures defined as freestanding buildings containing at least two units and not more than thirty dwelling units, with each sharing with another unit or units one or more vertical or horizontal common walls. If a multifamily structure also meets the definition of a townhouse structure it shall be considered a townhouse structure.

(6) Accessory structures and uses customarily incidental to a residential retirement community development.

(Ord. No. 2001-29, § 3; Ord. No. 2008-1, § 1.)

Sec. 10B-272.66. Permitted gross density; RSC-2 zone.

The permitted gross density in the RSC-2 shall be seven dwelling units per acre. Affordable housing units as defined in Section 10B-333 of this code shall be excluded from the gross density calculation provided that the total number of dwelling units (market rate and affordable) do not exceed one hundred fifty-eight units. (Ord. No. 2001-29, § 3; Ord. No. 2008-1, § 1.)

Sec. 10B-272.67. Mandatory set aside for affordable housing; RSC-2 zone.

Subdivision and site plan approvals for developments within the district may only be approved if twelve of the sale units are age restricted affordable housing units meeting the standards in section 10B-332 and section 10B-350 as follows: eight moderate income units and four low income units.

Additionally, any developer shall enter into a developer's agreement with the township to provide for the donation of at least three acres of land to the township for future municipal purposes, enlargement and improvements to a detention basin to accommodate adjacent affordable housing units and a cash contribution to the Princeton Township Affordable Housing Trust Fund as required by the township's affordable housing ordinance in effect at the time the developer receives its first construction permit for the project. (Ord. No. 2001-29, § 3; Ord. No. 2008-1, § 1.)

Sec. 10B-272.68. Development rights; RSC-2 zone.

It is not the intent of this division to prescribe the form of ownership for the dwelling units in a residential development and the ownership may be fee simple, condominium or cooperative or any combination thereof. However for the purposes of regulating the location of buildings within the development it is necessary to prescribe lot sizes, dimensions and setbacks standards. In zero lot line developments (i.e. where the dwelling units are not to be located on individually owned separate fee simple title lots) each dwelling unit or structure shall be located so that it would comply with prescribed lot standards if imaginary lot lines were superimposed on the development.

(a) The following standards shall apply to all tracts to be developed in the RSC-2 overlay district:

(1) Minimum tract size: 10 acres

(2) Minimum building setback from tract line

abutting a residential use or park:[3] 100 feet

(3) Minimum building setback from tract line

abutting a nonresidential use: 35 feet

(4) Minimum building setback to height ratio

abutting a residential use: 2.0 to 1

(5) Minimum building setback to height ratio

abutting a park or nonresidential use: 1.0 to 1

(6) Minimum parking setback from tract line

abutting a residential use:[4] 50 feet

(7) Minimum parking setback from tract line

abutting a park or nonresidential use: 15 feet

(8) Maximum impervious coverage: 30% (9) Minimum common open space: 60%

(Provided that a minimum of 12 acres of the tract of which a minimum of 8.5 acres remains undistributed shall be common open space.)

(10) Maximum floor area ratio:[5] 30%

(b) Development in the RSC-2 overlay zones which does not include the entire overlay area shall be designed to take into account the future development of the overlay zone considering future connection to its circulation, open space, utility and drainage systems.

(c) The following are the standards for each residential unit type permitted in the RSC-2 overlay district:

---

(1) Single family

a.	Minimum lot area	5,000 square feet
b.	Minimum lot width	50'
c.	Minimum lot depth	90'
d.	Minimum lot frontage	30'
e.	Minimum building setback	
	1. Front	15'
	2. Side	10'
	3. Combined side	25'
	4. Rear	20'
f.	Maximum building height	35'

(2) Two-family

a.	Minimum lot area	6,000 square feet
b.	Minimum lot width	60'
c.	Minimum lot depth	100'
d.	Minimum lot frontage	40'
e.	Minimum building setback	
	1. Front	15'
	2. Side	10'
	3. Combined side	25'
	4. Rear	20'
f.	Maximum building height	35'

(3) Townhouse

a. Minimum lot width 20'

b. Minimum lot depth 90'

c. Minimum lot frontage 20'

d. Minimum building setback

1. Front 15'

2. Side 10' (end units)

3. Rear 15'

e. Maximum building height 35'

(4) Quadraplex

a. Minimum lot width 30' per unit

b. Minimum lot depth 40'

c. Minimum lot frontage 30'

d. Minimum building setback

1. Front 15'

2. Side 10' (end units)

3. Rear 15'

e. Maximum building height 35'

(5) Multifamily

a. Minimum building setback from internal street/driveway

1. Front 10'

2. Side 15'

3. Rear 20'

b. Minimum setback distance between multifamily buildings

1. Front 35'

2. Side 20'

3. Rear 35'

c. Maximum number of stories 3

(Except a 4th story may be added to

any building(s) constructed within

300 feet of a public park.)

d. Maximum height to the building plate 44'

e. Maximum building height 54'

f. Maximum height of building shall be measured pursuant to section 10B-241, except that if underground parking facilities are proposed, the measurement shall be made from pre-existing grade. 54'

Building plate is defined as the upper most horizontal wall structural timber supporting a roof. The building plate shall be measured in the same way as building height is measured.

(d) *Off Street parking:*

(1) Parking requirements: The following parking standards shall apply for all units.

1 Bedroom	1.8 parking spaces
2 Bedroom	2.0 parking spaces
3 Bedroom	2.1 parking spaces

(2) The provisions of sections 10B-286 through 289 regarding parking lot design shall apply.

(3) Underground or structure parking shall be excluded from any floor area ratio calculation.

(4) Public streets shall not be determined to make land noncontiguous for the purposes of this ordinance.

(e) *Arrangement of buildings:*

(1) The following standards shall govern the location and arrangement of buildings:

a. Structures shall be located on the least environmentally vulnerable land on the tract as determined with reference to section 10B-233(h) and shall be sited in one or more clusters in a manner most appropriate to the natural features and critical areas of the tract.

b. Each dwelling unit shall be located so that it is accessible by police, firefighting and emergency vehicles.

c. Each dwelling unit location shall be reasonably related to the appurtenant parking areas.

(2) Multifamily, quadraplex and townhouse structures shall be no closer to each other or to single family or two-family structures than twenty-five feet on the plane which describes the buildings as backing or fronting each other. Garages for adjacent townhouse or quadraplex units may be attached to each other.

(3) Townhouse, multifamily or quadraplex structures shall not have a length in excess of one hundred eighty feet, excluding connecting hallways and shall be designed with offsets or other architectural features so as to provide breaks in the linear plane.

(4) Multifamily structures shall provide for variety in roof height and avoid the appearance of one continuous structure. Developers are encouraged to include buildings which have both two and three story portions.

(f) *Screening of uses:*

(1) Sections 10B-304 through 306 shall apply.

(2) Section 10B-307 shall be modified to require a forty foot wide buffer strip along all property lines in the RSC-2 overlay zone.

(g) *Common open space:*

(1) At least sixty percent of the tract or twelve acres shall be devoted to common open space for the benefit of the residents of the residential senior community of which a minimum of at least eight and one-half acres of the tract shall remain in an undisturbed state.

(2) The provisions of sections 10B-194 through 10B-195(b) shall apply except for section 10B-194.1(f).

(h) *Community space:*

(1) All developments in the RSC-2 zone may include community space for the use of residents including, but not limited to, space for dining rooms, laundry rooms, nurses' offices, other staff offices, meeting rooms, and game rooms. The community space shall not constitute gross floor area for purposes of the limitation on the floor area ratio to the extent that two percent of the total gross floor area of the development, excluding this community space.

(2) The provisions of section 10B-194 through 10B-195(b) shall apply except for section 10B-194.1(f).

(i) All buildings constructed within the zone shall be Leadership and Energy and Environmental Design ("LEED") certified.

(j) All units subject to the barrier free subcode of the Uniform Construction Code must be handicapped adaptable pursuant to the provisions of N.J.A.C. 5:23-7 which shall mean that the dwelling unit has an accessible entrance; an accessible interior route into and throughout the dwelling unit, including maneuvering space at doors; and required clear floor spaces and reach ranges in all rooms. The dwelling unit shall have either the adaptable features in the kitchen and bathroom or a fully accessible kitchen and bathroom.

(k) All market rate units constructed within the zone shall be marketed with an equal preference as follows:

(1) To current residents of the Township and Borough of Princeton; and

(2) To parents and children of current residents of the Township and Borough of Princeton; and

(3) To persons who were either residents of the Township or Borough of Princeton within the past five years of the date of the adoption of this subdivision; and

(4) Current, active emergency service volunteers of the fire department and the first aid and rescue squads; and

(5) Current employees of the township, Borough of Princeton, Princeton Public Library, Princeton Regional Board of Education or employees of any of the Joint Township and Borough of Princeton Municipal Agencies.

This preference for the sale of market rate units shall take place through the date the developer issues its final construction documents and receives it first construction permit for the development.

In providing this preference for the sale of market rate units, the developer shall maintain two reservation lists. One list shall contain those qualifying for the above-referenced preference. A second list shall be maintained for all other expressing an interest in purchasing a unit from the developer. While the aforementioned preference is in effect, the developer may only offer binding contracts of sale and reservation agreements to those qualifying for the preference. After the preference period has expired, the developer then may offer binding contracts of sale and reservation agreements to any potential purchaser without preference.

(l) Of the market rate units on the tract, at least twenty-four of said units shall be affirmatively marketed to middle income households who have a preference to purchase as defined in subsection (k) above. For purposes of this subdivision, middle income households are defined as households with a gross household income equal to two hundred percent of the median gross household income for households of the same size within the Council on Affordable Housing ("COAH") Housing Region #4 wherein the township is located. Any developer of market rate units within the zone shall market twenty-four of said units as middle income units through the date that the developer issues its final construction documents and receives its first construction permits. During this time frame, the developer may only offer binding contracts and reservation agreements to those who have a preference to purchase and who qualify for the middle income units. Thereafter, binding contracts and reservation agreements may be offered to any of the potential purchasers of the market rate units.

(Ord. No. 2001-29, § 3; Ord. No. 2002-6, § 2; Ord. No. 2003-5, § 5; Ord. No. 2008-01, § 1.)

APPENDIX E

SITE DOCUMENTATION AND ZONING FOR SHOPPING CENTER SITE

ZONING FOR INCLUSIONARY DEVELOPMENT (N.J.A.C. 5:97-6.4)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: PRINCETON TWP., MERCER

Project Name/Zoning Designation: SHOPPING CENTER SITE (PORTION)

Block(s) and Lot(s): PORTION OF BLOCK 7401, LOT 1

Total acreage: 4.5 AC. ± Proposed density (units/gross acre): 11/ACRE

Affordable Units Proposed: 10

Family:____	Sale:____	Rental:____
Very low-income units:__ _	Sale:____	Rental:____
Age-Restricted: 10	Sale: 10	Rental:____

Market-Rate Units Anticipated: 40

Non-Residential Development Anticipated (in square feet), if applicable: 0

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☒ No

Bonuses for affordable units, if applicable: N.A.

Rental bonuses as per N.J.A.C. 5:97-3.5: ____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): ____

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: ____

Smart growth bonuses as per N.J.A.C. 5:97-3.18: ____

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: ____

Compliance bonuses as per N.J.A.C. 5:97-3.17: ____

Date inclusionary zoning adopted: 1996 Date development approvals granted: N.A.

Information and Documentation Required with Petition

- [ ] Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, check here [ ] in lieu of submitting forms.)
- [x] Draft or adopted zoning or land use ordinance, which includes the affordable housing requirement and minimum presumptive density for the site/zone.
- N.A. [ ] Copies of all decisions made on applications for affordable housing development subsequent to adoption of the current zoning

If payments in lieu of on-site construction of the affordable units is an option, submit:

- N.A. [ ] Proposed or adopted ordinance establishing the amount of the payments
- [x] Spending plan SEE APPENDIX I, FSP.

A general description of the site or zone, including:

- [x] Name and address of owner G. COMFORT & SONS, 200 MADISON AVE., NY, NY
- NA. [ ] Name and address of developer(s)
- [x] Subject property street location SEE MAPS
- [x] Indicate if urban center or workforce housing census tract NO
- [ ] Previous zoning designation and date previous zoning was adopted UNKNOWN
- [x] Current zoning and date current zoning was adopted 1996 – ZONING INCLUDED IN THIS APPENDIX E, FSP
- [x] Description of any changes to bulk standards intended to accommodate the proposed densities IN ZONING
- [x] Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including: SEE WRITE-UP IN THIS APPENDIX E, FSP

- [x] Description of surrounding land uses
- [x] Demonstration that the site has street access
- [x] Planning Area and/or Special Resource Area designation(s) i.e., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans PA-2
- [x] Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4 SITE IS SERVED
- [x] Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4 SITE IS SERVED

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- N.A. [ ] Wetlands and buffers
- NA [ ] Steep slopes
- N.A. [ ] Flood plain areas

N.A. ☐ Stream classification and buffers

N.A. ☐ Critical environmental site

N.A. ☐ Historic or architecturally important site/district

N.A. ☐ Contaminated site(s); proposed or designated brownfield site

☑ Based on the above, a quantification of buildable and non-buildable acreage 4.5 AC. ±

Agreements with developers or approvals for development of specific property, which shall include: NO AGREEMENTS TO DATE

☐ Number, tenure and type of units

☐ Compliance with N.J.A.C. 5:97-9 and UHAC

☐ Progress points at which the developer shall coordinate with the Municipal Housing Liaison

Information and Documentation Required Prior to Marketing the Completed Units

☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18 TO BE SUPPLIED

☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual TO BE SUPPLIED

☑ An affirmative marketing plan in accordance with UHAC SEE APPENDIX G, FSP

Zoning Narrative Section

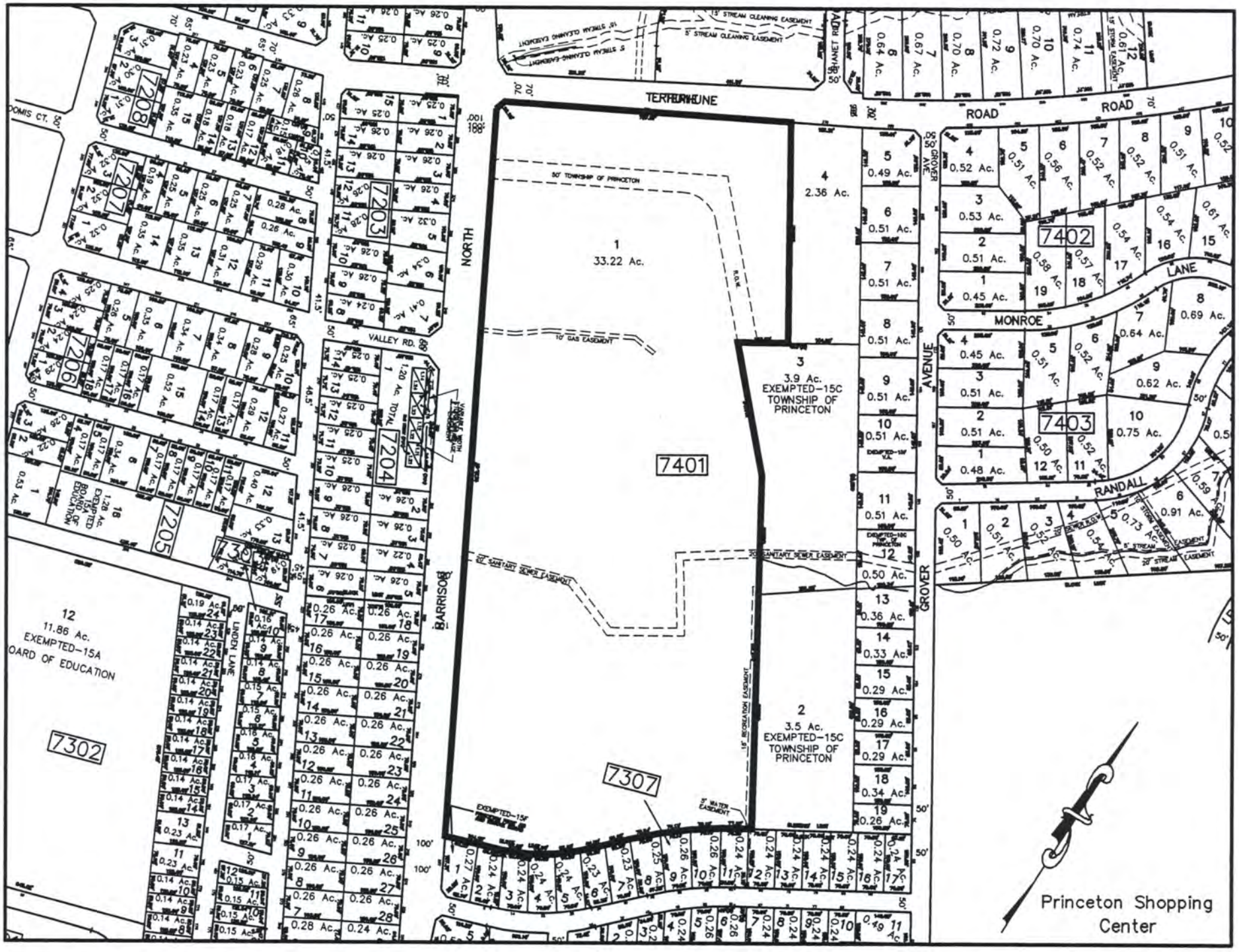
See Write-up on following page, this Appendix E, FSP.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

Princeton Shopping Center
R-SM Zone

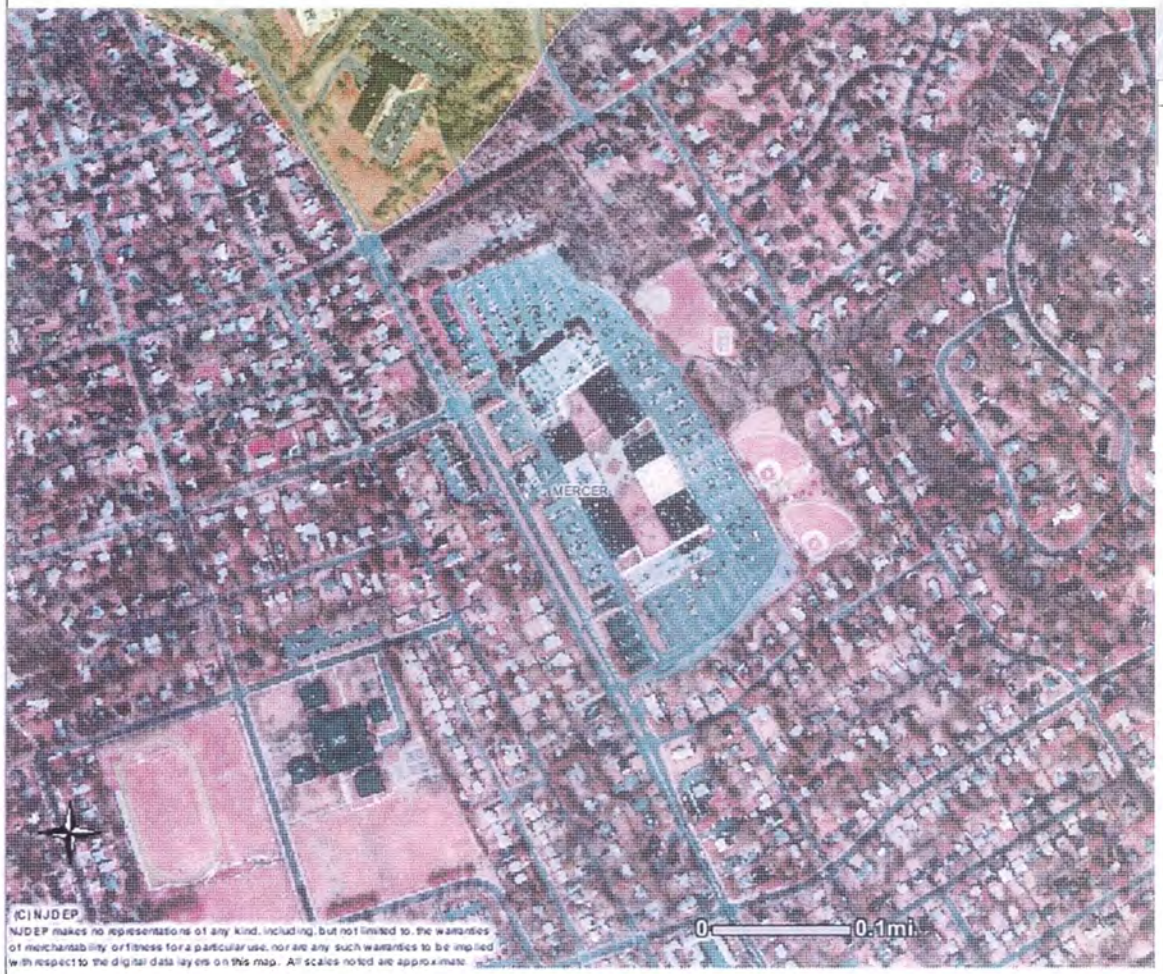
The Princeton Shopping Center consists of approximately 33.2 acres of land. The center contains over 200,000 square feet of retail space and approximately 1,200 parking spaces. The northwest corner of the site containing approximately 4.5 acres is vacant and the Township has zoned this portion of the center as R-SM. The R-SM Zone permit age restricted housing at 11 units per acre and requires a 20 percent set aside for moderate income units. This site has the potential to generate approximately 50 units of housing.

The 4.5 acre portion of the shopping center site is located at the corner of Harrison Street and Terhune Road. A row of evergreen trees screen the Terhune Road frontage. The rest of the site is vacant and does not contain any wetlands. The site is located in PA 2 and the Princeton Regional Center as shown on the State Development and Redevelopment Plan. Public sewer and water are available to the site. Bus service to New York City is available from the shopping center. Surrounding uses include a public park and residences to the east, office buildings to the north, residences and offices to the west and residences to the south.



TERHUNE ROAD
NORTH BARRISON
GROVER AVENUE
MONROE LANE
RANDALL
VALLEY RD.
LINDEN LANE
1
33.22 Ac.
2
3.5 Ac.
EXEMPTED-15C
TOWNSHIP OF
PRINCETON
3
3.9 Ac.
EXEMPTED-15C
TOWNSHIP OF
PRINCETON
4
2.36 Ac.
12
11.86 Ac.
EXEMPTED-15A
BOARD OF EDUCATION
7401
7402
7403
7204
7205
7206
7207
7208
7302
7307
Princeton Shopping
Center

New Jersey Map



Scale 1:6872

Counties

State Planning Areas

ENVIRONMENTALLY SENSITIVE
FRINGE
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PARK 1ST & 2ND PLAN
FEDERAL PARK
PINELANDS

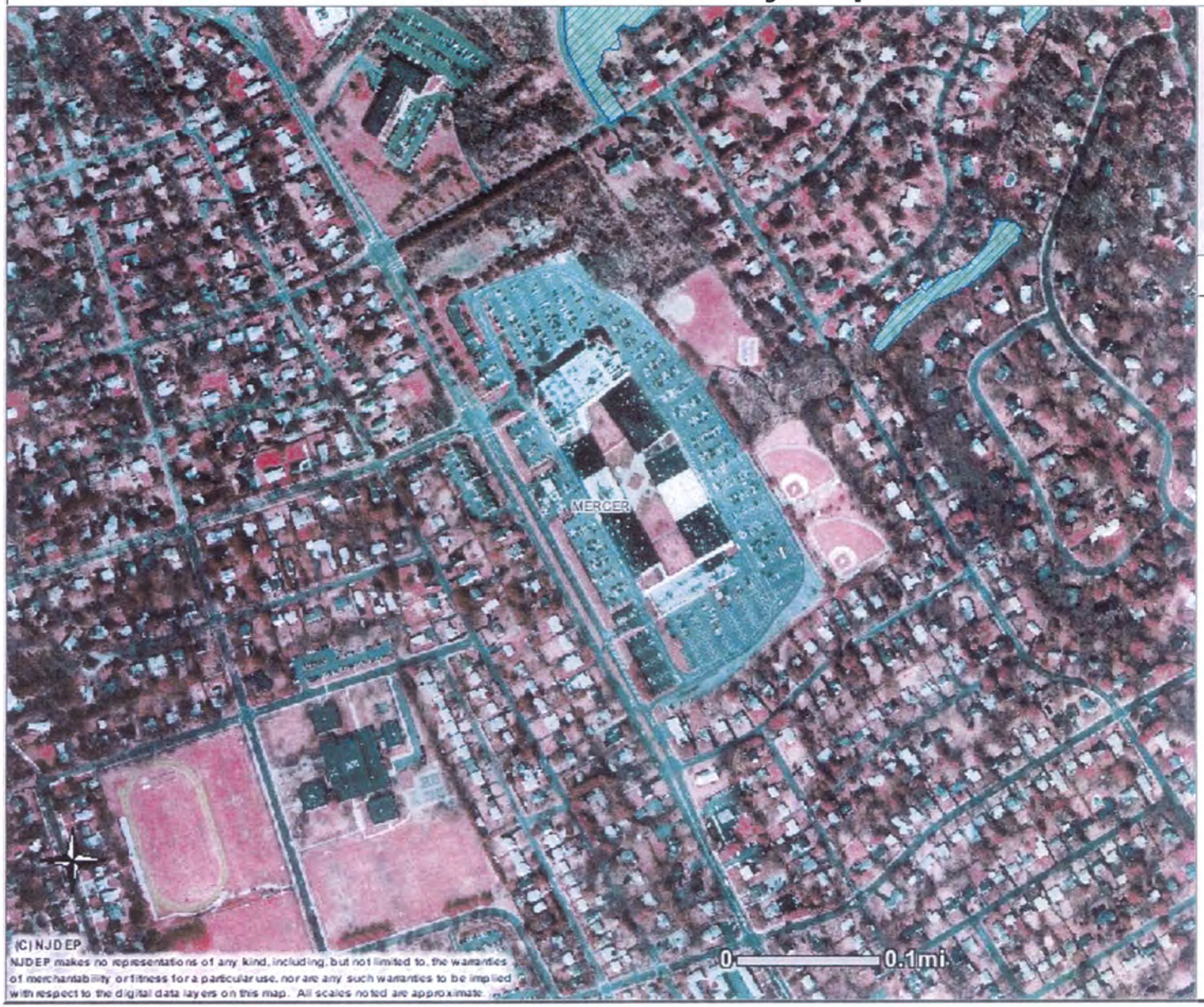
Aerial Photos 2002

Mid-Atlantic States

New Jersey

Other States

New Jersey Map



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Scale 1:6872

Counties

Wetlands (2002)

WETLANDS

Aerial Photos 2002

Mid-Atlantic States

New Jersey

Other States

DIVISION 8. RESIDENTIAL SENIOR MARKET (R-SM) PROGRAM

Sec. 10B-360. Establishments.

There is hereby established a residential senior market (R-SM) zoning district, made up of such land area as shown on the zoning map on file in the office of the township clerk, such map being entitled, "Zoning Map, Princeton Township, Mercer County, New Jersey," prepared by the Princeton Township Engineering Department, as revised through June 29, 1993. (Ord. No. 96-19.)

Sec. 10B-361. Permitted uses.

Residential clusters meeting the requirements of this article and division 9 (Residential Clusters) of article IX, as modified herein, shall be permitted at a gross density not exceeding eleven units per acre with occupancy restricted to persons who are sixty-two years of age or older. (Ord. No. 96-19.)

Sec. 10B-362. Mandatory setaside/comprehensive development.

(a) Subdivision and site plan approvals for developments within the R-SM district shall be denied, unless the development complies with the obligation to provide affordable housing pursuant to this article.

(b) At least twenty percent of the for sale units and fifteen percent of the rental units shall be set aside to be sold or rented at prices qualifying the units as moderate income units pursuant to section 10B-337 of this article. No development fees shall be due under the provisions of division 4 of this article.

(Ord. No. 96-19.)

Sec. 10B-363. Provisions applicable to moderate income units.

(a) The provisions of section 10B-337 shall apply to the moderate income units, except that the provisions of sections 10B-337(b) and 337(f) shall not apply.

(b) The provisions of section 10B-338 shall not apply.

(c) The provisions of section 10B-341 shall apply.

(Ord. No. 96-19.)

Sec. 10B-364. Residential cluster requirements for developments including moderate income housing in the R-SM district.

All of the provisions of division 9 of article IX of this chapter (Residential Clusters) shall apply to developments in the R-SM district (including the moderate housing unit), with the following modifications:

(a) The provisions of subsections (a) through (g) and (i) of section 10B-343 shall apply with the following modifications:

(1) In lieu of the text of section 10B-343(a), the following shall be substituted:

Section 10B-191(c) shall be modified in its entirety to read as follows: Multifamily structures/non-townhouses; defined as one or more freestanding buildings with each residential unit sharing with another unit, or units, one or more vertical or horizontal common walls.

(2) Sections 10B-193(e) and 195(c) shall not apply.

(3) The provisions of section 10B-343(i) shall apply, except that the cross-reference to the R-H district is changed to the R-SM district.

(b) The provisions of section 10B-344 shall apply.

(c) The provisions of section 10B-345 shall apply.

(d) The provisions of section 10B-346 shall apply.

(e) The provisions of section 10B-347 shall apply.

(f) The following additional regulations shall apply:

(1) Minimum tract size: four acres

(2) Maximum floor area ratio: twenty-five percent;

(3) Minimum tract width, depth, and frontage: 100 feet;

(4) Minimum building setbacks: twenty feet, except that the minimum setback shall be fifty feet for yards abutting a single family zoning district;

(5) Minimum parking setback: twenty feet, but no parking shall be allowed in the area between the road and the facade of the building closest to the road. For a corner lot this shall apply to the setback from both roads.

(6) Maximum impervious coverage: forty percent;

(7) Perimeter screen buffers of twenty feet shall be installed in accordance with section 10B-304, except that this may be reduced to five feet for yards abutting the SC district;

(8) Maximum height: thirty-five feet, with flat roofs discouraged;

(9) The setback to height ratio for front, rear, and side yards shall be no less than 1.5 to 1, except for yards abutting to SC district.

(g) The parking requirement shall be the number of off-street parking required to meet the needs of the residents, employees and guests. The applicant shall submit a parking study prepared by an expert to justify its need for the proposed number of spaces. The applicant's proposed number shall not be less than 1.25 spaces per unit.

(h) All developments in the R-SM district shall include community space for the use of residents including, but not limited to, space for dining rooms, laundry rooms, nurses offices, other staff offices, meeting rooms, and game rooms. The community space shall not constitute gross floor area for purposes of the limitation on the floor area ratio to the extent of five percent of the total gross floor area of the development, excluding this community space.

(Ord. No. 96-19.)

APPENDIX F

PROPOSED AFFORDABLE HOUSING ORDINANCE

Ordinance No. ____-__-__
Affordable Housing Ordinance
Township of Princeton, Mercer County

AN ORDINANCE AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968" TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE TOWNSHIP'S THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

BE IT ORDAINED by the governing body of the Township of Princeton, Mercer County, New Jersey, that the "Code of the Township of Princeton, New Jersey, 1968" is hereby amended to include provisions addressing the Township's constitutional obligation to provide for its fair share of low- and moderate-income housing, consistent with N.J.A.C. 5:97-1, et seq., as may be amended and supplemented, and N.J.A.C. 5:80-26.1, et seq., as may be amended and supplemented, and pursuant to the New Jersey Fair Housing Act of 1985. This Ordinance is intended to provide assurances that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Ordinance shall apply except where inconsistent with applicable law.

The Princeton Regional Planning Board has adopted a 2008 Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan has been endorsed by the governing body. The Fair Share Plan describes the methods by which Princeton Township shall address its fair share for low- and moderate-income housing as determined by the Council on Affordable Housing (COAH) and as outlined in the Housing Element and Fair Share Plan. This Ordinance is part of and implements the balance of the Fair Share Plan and addresses the requirements of N.J.A.C. 5:97-1, et seq., as may be amended and supplemented.

The Township of Princeton shall file monitoring reports with COAH in accordance with N.J.A.C. 5:96 et seq. regarding the status of the implementation of the Housing Element and Fair Share Plan. Any report filed by Princeton Township with COAH and any report prepared by COAH in response shall also be available to the public at the Princeton Township Municipal Building, Township Clerk's Office, 400 Witherspoon Street, Princeton, New Jersey, 08540, at the COAH offices at P.O. Box 813, 101 South Broad Street, Trenton, New Jersey 08625-0813 and on COAH's website.

Section 1. Municipal Fair Share Obligation

The Township of Princeton has a third round fair share obligation consisting of a 330 unit prior round obligation, a 47 unit rehabilitation obligation, and a 168 unit projected growth share obligation. Notwithstanding the fact that the Housing Element and Fair Share Plan have been prepared based upon the projected third round growth share obligation, the actual third round growth share obligation will be determined based on the actual development that occurs between

January 1, 2004, and December 31, 2018, and calculated at the rate of one affordable housing unit for every four market rate residential units constructed and one affordable housing unit for every 16 jobs created through the development or expansion of non-residential floor area in accordance with the schedule presented in Appendix D of COAH's Substantive Rules (N.J.A.C. 5:97).

Section 2. Definitions

The following terms when used in this Ordinance shall have the meanings given in this Section:

"Act" means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

"Adaptable" means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

"Administrative agent: means the entity responsible for the administration of affordable units in accordance with this Ordinance, N.J.A.C. 5:96, N.J.A.C. 5:97 and UHAC (N.J.A.C. 5:80-26).

"Affirmative marketing" means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

"Affordability average" means the average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

"Affordable" means, a sales price or rent level that is within the means of a low- or moderate-income household as defined in N.J.A.C. 5:97-9 and in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

"Affordable development" means a housing development of which all or a portion consists of restricted units.

"Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development.

"Affordable housing program(s)" means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

"Affordable unit" means a housing unit proposed or created pursuant to the Act, credited pursuant to N.J.A.C. 5:97-4, and/or funded through an affordable housing trust fund.

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

"Age-restricted unit" means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years of age or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Assisted living residence" means a facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

"Certified household" means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

"COAH" means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.).

"DCA" means the State of New Jersey Department of Community Affairs.

"Deficient housing unit" means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

"Developer" means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use 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.

"Inclusionary development" means a development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-

residential structure to residential use and the creation of new affordable units through the reconstruction of a vacant residential structure.

"Low-income household" means a household with a total gross annual household income equal to 50 percent or less of the median household income.

"Low-income unit" means a restricted unit that is affordable to a low-income household.

"Major system" means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

"Market-rate units" means housing not restricted to low- and moderate-income households that may sell or rent at any price.

"Median income" means the median income by household size for the applicable housing region, as adopted annually by COAH.

"Moderate-income household" means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

"Moderate-income unit" means a restricted unit that is affordable to a moderate-income household.

"Non-exempt sale" means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary and the transfer of ownership by court order.

"Random selection process" means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

"Regional asset limit" means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by COAH's adopted Regional Income Limits published annually by COAH.

"Rehabilitation" means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

"Rent" means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with

allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

"Restricted unit" means a dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

"UHAC" means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26, et seq.

"Very low-income household" means a household with a total gross annual household income equal to 30 percent or less of the median household income for the applicable housing region.

"Very low-income unit" means a restricted unit that is affordable to a very low-income household.

"Weatherization" means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of the rehabilitation program.

Section 3. Affordable Housing Programs

Princeton Township has fully satisfied its entire prior round obligation and has determined that it will use the following programs to satisfy its remaining third round affordable housing obligation:

1. A rehabilitation program covering at least 47 rental units. See Section 4.

2. Zoning to allow, and development of, 40 units of low income family rental housing on vacant land adjacent to Princeton Community Village (a portion of Lot _____, Block _____) as the result of an agreement between Princeton Community Housing, who owns the land, and Princeton University, who will fund the project.

3. Inclusionary zoning for approximately 50 total age-restricted units on a portion of Lot _____, Block _____, including 10 moderate income age-restricted units.

4. Inclusionary zoning for approximately 157 total age-restricted units on Lot _____, Block _____, including 12 low and moderate income age-restricted units (8 moderate income and 4 low income).

5. Inclusionary mixed use private sector redevelopment of land within the S-2 Service Business District encompassing lands in Block 804, 805, 901, 902, 6902 and 6903, anticipated to produce at least 150 total residential units and 30 affordable residential units, which are anticipated but not required to be rental units.

6. In addition, the Township expects to receive credits towards its third round growth share obligation for three projects that were not included in the Township's prior round Housing Element and Fair Share Plan: 55 age-restricted low and moderate income units previously constructed at Elm Court II (Harriet Bryant House) on Lot _____, Block _____; 5 age-restricted Medicaid waiver assisted living facility units constructed at Acorn Glen on Lot _____, Block _____; and 2 low and moderate income family units constructed by Habitat for Humanity on Lot _____, Block _____.

7. In addition to the foregoing, any property in the Township of Princeton that is currently zoned for nonresidential uses and is subsequently rezoned for residential purposes or receives a use variance to permit residential development shall provide an affordable housing set-aside of 20% if the affordable units will be for rent and 25% if the affordable units will be for sale.

8. The following general guidelines apply to <u>all</u> developments that contain low-and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

<u>Section 4. Rehabilitation</u>

1. Princeton's rehabilitation program will result in the rehabilitation of 47 identified deficient housing units occupied by low- and moderate-income households within Princeton Community Village, an older, deed-restricted affordable housing development constructed prior to 1980. It is the Township's intention to fund sufficient improvements to these units such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28. The units to be rehabilitated are all rental units. In addition, the Township will maintain its existing "regular" Rehabilitation Program in the event other qualified owners of units apply for rehabilitation funding.

2. Princeton hereby designates Princeton Community Housing as the Administrative Agent for the 47 unit rental rehabilitation program. The Township has operated its "regular" Rehabilitation Program through the Princeton Township Housing Board in cooperation with Cambridge Construction Management, Inc., and the Princeton Township Housing Coordinator.

3. Both owner occupied and renter occupied units shall continue to be eligible for rehabilitation funds.

4. All rehabilitated units shall remain affordable to low- and moderate-income households for a period of 10 years (the control period). For owner occupied units, the control period shall be enforced with a lien, and, for renter occupied units, the control period shall be enforced with a deed restriction.

5. Princeton Township shall dedicate a minimum of $10,000 for each rental unit to be rehabilitated through the rental occupancy rehabilitation program to be administered by Princeton Community Housing, and all of the $10,000 (or any additional amount) shall be

utilized for the hard costs of rehabilitation, with no charge for administrative services provided by Princeton Community Housing. The "regular" rehabilitation program shall also be funded by Princeton Township. In both cases, development fees in the Affordable Housing Trust Fund shall be utilized to the extent available and supplemented with additional municipal funds out of general revenues, as needed.

6. The Township of Princeton shall adopt a resolution committing to fund any shortfall in either the PCH rental or the "regular" rehabilitation programs.

7. The Administrative Agent in each case shall provide a rehabilitation manual for the applicable rehabilitation program to be adopted by resolution of the governing body so as to ensure that COAH's rehabilitation program requirements are met. Both manuals shall be continuously available for public inspection in the Office of the Township Clerk, in the Office of the Affordable Housing Coordinator (also acting as the Township's Affordable Housing Liaison) and in the office of each Administrative Agent.

8. Units in a rehabilitation program shall be exempt from N.J.A.C. 5:97-9 and UHAC, but shall be administered in accordance with the following:

a. Upon the initial rental of a vacant unit subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate-income household at an affordable rent and to be affirmatively marketed pursuant to N.J.A.C. 5:97-9 and UHAC, unless otherwise provided by the requirements of a Federally-funded affordable housing program that governs the management of the units.

b. If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rent shall be the lesser of the current rent or the maximum permitted rent pursuant to N.J.A.C. 5:97-9 and UHAC, unless otherwise provided by the requirements of a Federally-funded affordable housing program that governs the management of the units.

c. Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:97-9, unless otherwise provided by the requirements of a Federally-funded affordable housing program that governs the management of the units.

d. Applicant and/or tenant households shall be certified as income-eligible in accordance with N.J.A.C. 5:97-9 and UHAC, unless otherwise provided by the requirements of a Federally-funded affordable housing program that governs the management of the units, except that households in owner occupied rehabilitation units shall be exempt from the regional asset limit.

Section 5. Permanent Supportive Living and Supportive Shared Living Housing

1. The administration of a supportive living housing facility shall be in compliance with N.J.A.C. 5:97-6.10, including the administration thereof in accordance with N.J.A.C. 5:97-9 and UHAC, with the following exceptions:

a. Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms shall be affirmatively marketed to individuals with special needs in accordance with a plan approved by COAH's Executive Director;

b. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).

2. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, supportive living housing facilities shall have the appropriate controls on affordability in accordance with N.J.A.C. 5:97-9 and UHAC.

3. The service provider for a supportive living housing facility shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the supportive living housing facility.

Section 6. Municipally Sponsored and 100% Affordable Housing

1. Princeton Township has prepared and intends to adopt zoning regulations to permit the development of 40 additional 100% low-income rental affordable housing units at Princeton Community Village, on a portion of Lot _____, Block _____.

2. The administration of a municipally sponsored or 100% affordable housing project shall be in compliance with N.J.A.C. 5:97-6.7, including the administration thereof in accordance with N.J.A.C. 5:97-9 and UHAC, and all of the provisions of Section 8 of this Ordinance shall be applicable to municipally sponsored or 100% affordable housing developments.

Section 7. Inclusionary Zoning

1. Princeton Township has prepared and adopted zoning regulations governing two age-restricted inclusionary development zones and one mixed use inclusionary development zone. The two age-restricted zones will result in more moderate income affordable units being constructed than low income units on each of those sites, and the Township expects to receive a waiver from COAH of the requirement that at least 50% of all affordable units be low income units as to these two sites only, on the grounds that excess low income units are being provided by other mechanisms in the Fair Share Plan.

2. Princeton Township has also prepared zoning regulations for the S-2 zone to encourage mixed use private sector redevelopment of sites so as to produce inclusionary developments with an affordable housing set aside at the rate of 20% of the total if the affordable units will be for sale and 25% of the total if the affordable units will be for rent.

3. In the foregoing inclusionary developments and in any currently unanticipated inclusionary developments, the following phasing schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

Section 8. New Construction

1. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:

a. Except as otherwise specified herein and subject to COAH's grant of a waiver for any exceptions sought by the Township, affordable housing units constructed on each site shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit.

b. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.

c. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:

1) The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;

2) At least 30 percent of all low- and moderate-income units shall be two bedroom units;

3) At least 20 percent of all low- and moderate-income units shall be three bedroom units; and

4) The remaining units may be allocated among two and three bedroom units at the discretion of the developer.

d. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units

within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

2. Accessibility Requirements:

a. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.

b. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:

1) An adaptable toilet and bathing facility on the first floor;

2) An adaptable kitchen on the first floor;

3) An interior accessible route of travel on the first floor;

4) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor;

5) An interior accessible route of travel between stories within an individual unit, except that if all of the terms of paragraphs b.1) through b.4) above have been satisfied, an interior accessible route of travel shall not be required between stories within an individual unit; and

6) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, or evidence that Princeton has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:

a) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.

b) To this end, the builder of restricted units shall deposit funds within the Township of Princeton's Affordable Housing Trust Fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.

c) The funds deposited under paragraph 6)b) above shall be used by the Township of Princeton for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.

d) The developer of the restricted units shall submit a design plan and cost estimate for the conversion of adaptable to accessible entrances to the Construction Official of the Township of Princeton.

e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free SubCode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township's Affordable Housing Trust Fund in care of the Township CFO or Township Treasurer, as applicable, who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.

6) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.

3. Design:

a. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.

b. In inclusionary developments, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.

4. Maximum Rents and Sales Prices:

a. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the regional income limits established by COAH.

b. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.

c. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 10 percent of all low- and moderate-income rental units shall be affordable to very low-income households.

d. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type,

and low-income ownership units must be available for at least two different sales prices for each bedroom type.

e. In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:

1) A studio shall be affordable to a one-person household;

2) A one-bedroom unit shall be affordable to a one and one-half person household;

3) A two-bedroom unit shall be affordable to a three-person household;

4) A three-bedroom unit shall be affordable to a four and one-half person household; and

5) A four-bedroom unit shall be affordable to a six-person household.

f. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:

1) A studio shall be affordable to a one-person household;

2) A one-bedroom unit shall be affordable to a one and one-half person household; and

3) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.

g. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

h. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

i. The price of owner-occupied low- and moderate-income 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 Administrative Agent be lower than the last recorded purchase price.

j. The rent of low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.

Section 9. Utilities

1. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.

2. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

Section 10. Occupancy Standards

In referring certified households to specific restricted units, the Administrative Agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:

1. Provide an occupant for each bedroom;

2. Provide children of different sexes with separate bedrooms;

3. Provide separate bedrooms for parents and children; and

4. Prevent more than two persons from occupying a single bedroom.

Section 11. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

1. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until Princeton takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.

2. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.

3. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative

Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.

4. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

5. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.

6. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

Section 12. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

1. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.

2. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.

3. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.

4. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See Section 15.

Section 13. Buyer Income Eligibility

1. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50

percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.

2. Notwithstanding the foregoing, however, the Administrative Agent may, subject to COAH's approval, permit moderate-income purchasers to buy low-income units in housing markets determined by COAH to have an insufficient number of eligible low-income purchasers to permit prompt occupancy of the units. All such low-income units to be sold to moderate-income households shall retain the required pricing restrictions for low-income units.

3. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to a certified household for a period not to exceed one year.

4. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's eligible monthly income.

Section 14. Limitations on Indebtedness Secured by Ownership Unit; Subordination

1. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.

2. With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of the unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C.5:80-26.6(b).

Section 15. Capital Improvements To Ownership Units

1. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.

2. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the

maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of 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, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, 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 the time of or as a condition of resale.

Section 16. Control Periods for Restricted Rental Units

1. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least 30 years, until Princeton Township takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.

2. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Mercer. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.

3. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:

a. Sublease or assignment of the lease of the unit;

b. Sale or other voluntary transfer of the ownership of the unit; or

3. The entry and enforcement of any judgment of foreclosure on the property containing the unit.

Section 17. Rent Restrictions for Rental Units; Leases

1. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.

2. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.

3. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

Section 18. Tenant Income Eligibility

1. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:

a. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.

b. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.

c. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.

2. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:

a. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;

b. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;

c. The household is currently in substandard or overcrowded living conditions;

d. The household documents the existence of assets with which the household proposes to supplement the rent payments; or

e. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.

3. The applicant shall file documentation sufficient to establish the existence of the circumstances in 1.a. through 2.e. above with the Administrative Agent, who shall counsel the household on budgeting.

Section 19. Municipal Housing Liaison

1. COAH requires municipalities to appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for administering the affordable housing program, including affordability controls, the Affirmative Marketing Plan, monitoring and reporting, and, where applicable, supervising any contracted Administrative Agent. Princeton Township has adopted an Ordinance creating the position of Municipal Housing Liaison and has adopted a resolution appointing a Municipal Housing Liaison.

2. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Township, including the following responsibilities which may not be contracted out to the Administrative Agent:

a. Serving as the Township's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;

b. Monitoring the status of all restricted units in the Fair Share Plan;

c. Compiling, verifying and submitting annual monitoring reports as required by COAH;

d. Coordinating meetings with affordable housing providers and Administrative Agents, as needed; and

e. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by COAH.

3. Subject to the approval of COAH, the Township of Princeton shall designate one or more Administrative Agent(s) to administer newly constructed affordable units in accordance with N.J.A.C. 5:96, N.J.A.C. 5:97 and UHAC. An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of COAH. The Operating Manuals shall be available for public inspection in the Office of the Township Clerk and in the office(s) of the Administrative Agent(s). The Municipal Housing Liaison shall supervise the contracting Administrative Agent(s).

Section 20. Administrative Agent(s)

The Administrative Agent(s) shall perform the duties and responsibilities of an Administrative Agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

1. Affirmative Marketing:

a. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Princeton 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 non-eligibility;

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 a random selection process as provided in the Affirmative Marketing Plan and the applicable Operating Manual of the Township of Princeton 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 Mercer County Register of Deeds or Mercer 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. Resales and Rerentals:

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 rerental; 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 re-rental.

5. Processing Requests from Unit Owners:

a. Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;

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

c. Notifying the municipality of an owner's intent to sell a restricted unit; and

d. Making determinations on requests by owners of restricted units for hardship waivers.

6. Enforcement:

a. Securing annually from the municipality a list 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 acknowledgement 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 or other charges 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; and

f. Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering the affordability controls.

7. Additional Responsibilities:

a. The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

b. The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time for their submission by the Municipal Housing Liaison to COAH, as required by COAH.

c. The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH.

Section 21. Affirmative Marketing Requirements

1. The Township of Princeton shall adopt by resolution an Affirmative Marketing Plan that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.

2. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs marketing activities toward COAH Housing Region 4 and is required to be followed throughout the period of restriction.

3. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 4, comprised of Mercer, Monmouth and Ocean Counties.

4. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and rerentals. The Administrative Agent designated by the Township of Princeton shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.

5. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

6. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.

7. The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.

8. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's sales or rental office. Applications shall be mailed to prospective applicants upon request.

9. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

Section 22. Enforcement of Affordable Housing Regulations

1. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

2. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action(s) against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

a. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:

1) A fine of not more than $500.00 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;

2) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Township of Princeton Affordable Housing Trust Fund of the gross amount of rent illegally collected;

3) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.

b. The municipality may file a court action in the Superior Court seeking a judgment that would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- or moderate-income unit.

1) The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.

2) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

3) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.

4) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.

5) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.

6) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner

Section 23. Appeals

Appeals from all decisions of an Administrative Agent appointed pursuant to this Ordinance shall be filed in writing with the Executive Director of COAH.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as provided by law.

ATTEST:

_____
Linda S. McDermott, RMC,
Township Clerk

TOWNSHIP OF PRINCETON

_____
_____,
Mayor

APPENDIX G

PROPOSED AFFIRMATIVE MARKETING PLAN

RESOLUTION
OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF PRINCETON, COUNTY OF MERCER
STATE OF NEW JERSEY
ADOPTING THE 'AFFIRMATIVE MARKETING PLAN'
FOR THE TOWNSHIP OF PRINCETON

WHEREAS, in accordance with the regulations of COAH pursuant to N.J.A.C. 5:97-1, *et seq*., and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26-1, *et seq*., the Township of Princeton is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Township of Princeton, are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 4, the COAH Housing Region encompassing the Township of Princeton.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Princeton, County of Mercer, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

A. All affordable housing units in the Township of Princeton shall be marketed in accordance with the provisions herein unless otherwise provided in COAH's Rules at N.J.A.C. 5:97-1, *et seq*.

B. The Township of Princeton has a Prior Round obligation and a Third Round obligation. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low and moderate income units, including those that are part of the Township's current Fair Share Plan and those that may be constructed in future developments not yet anticipated by the Fair Share Plan. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and rerented during the applicable period of controls for rehabilitated rental units (unless otherwise governed by the requirements of a Federally-funded program).

C. The Affirmative Marketing Plan shall be implemented by an Administrative Agent designated by and/or under contract to the Township of Princeton. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developer/seller/owner of the affordable unit(s).

D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Township of Princeton, shall undertake all of the following strategies:

1. Publication of one advertisement in a newspaper of general circulation within the housing region.

2. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region.

3. At least one additional regional marketing strategy using one of the other sources listed below.

E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Township of Princeton is located in COAH Housing Region 4, consisting of Mercer, Monmouth and Ocean Counties.

F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:

1. All newspaper articles, announcements and requests for applications for low and moderate income units shall appear in the Trenton Times, the Asbury Park Press and the Ocean County Observer.

2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.

3. The advertisement shall include a description of the:

   a. Location of the units;

   b Directions to the units;

   c. Range of prices for the units;

   d. Size, as measured in bedrooms, of units;

e. Maximum income permitted to qualify for the units;

f. Location of applications;

g. Business hours when interested households may obtain an application; and

h. Application fees.

4. Newspaper articles, announcements and information on where to request applications for low and moderate income housing shall appear at least once a week for four consecutive weeks in at least three locally oriented weekly newspapers within the region, one of which shall be circulated primarily in Mercer County and the other two of which shall be circulated primarily outside of Mercer County but within the housing region.

5. The following regional cable television stations or regional radio stations shall be used during the first month of advertising. The developer must provide satisfactory proof of public dissemination:

a. WKXW (101.5 FM)

b. WOR (710 AM)

c. WTTM (1680 AM)

d. Comcast of Mercer County, Southeast Pennsylvania

e. Comcast of Monmouth County

f. Comcast of Central New Jersey

G. Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:

1. Princeton Township Municipal Building.

2. Princeton Public Library.

3. Princeton Township Web Site.

4. Developer's Sales/Rental Offices.

5. Mercer County Administration Building.

6. Monmouth County Administration Building.

7. Ocean County Administration Building.

8. Mercer County Library (all branches).

9. Monmouth County Library (all branches).

10. Ocean County Library (all branches).

Applications shall be mailed by the Administrative Agent to prospective applicants upon request. Also, applications shall be available at the developer's sales/rental office and shall be mailed to prospective applicants upon request.

H. The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Mercer, Monmouth and Ocean Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers identified in Attachment A, Part III, Marketing, Section 3d of COAH's ***Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 4*** (attached to and hereby made part of this Resolution).

1. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:

   Mercer County Board of Realtors
   Monmouth County Board of Realtors
   Ocean County Board of Realtors

2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the counties of Mercer, Monmouth and Ocean:

   Welfare or Social Service Board (via the Director)
   Rental Assistance Office (local office of DCA)
   Office on Aging
   Housing Authority (municipal or county)
   Community Action Agencies
   Community Development Departments
   Salvation Army, Trenton Office

3. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all of the major employers within the region, as listed on Attachment A, Part III, Marketing, Section 3d.

I. The following is a listing of community contact person(s) and/or organizations in Mercer, Monmouth and Ocean Counties that will aid in the affirmative marketing program and provide guidance and counseling services to prospective occupants of low and moderate income units:

1. Affordable Housing Coordinator, Princeton Township.

2. Witherspoon-Jackson Development Corporation.

3. Princeton Community Housing, Inc.

4. K.M. Light Management, Inc.

5. Housing Authority of Princeton.

J. A random selection method to select occupants of low and moderate income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16 (l). The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 4 comprised of Mercer, Monmouth and Ocean Counties.

J. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify low and moderate income households; to place income eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C 5:80-26-1, *et seq*.

K. The Administrative Agent shall provide or direct qualified low and moderate income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.

L. All developers/owners of low and moderate income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.

M. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative

Marketing Plan shall continue until all low income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or reoccupancy of units continues to be necessary.

N. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, *et seq*.

I hereby certify that this is a true copy of a resolution duly adopted by the Township Committee of the Township of Princeton at a Township Committee meeting held on _____, 2008.

_____

Linda S. McDermott, RMC, Township Clerk

ATTACHMENT A
AFFIRMATIVE FAIR HOUSING MARKETING PLAN
For Affordable Housing in **(REGION 4)**

I. APPLICANT AND PROJECT INFORMATION
(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number	1b. Development or Program Name, Address	
1c. Number of Affordable Units: Number of Rental Units: Number of For-Sale Units:	1d. Price or Rental Range From To	1e. State and Federal Funding Sources (if any)
1f. ☐ Age Restricted ☐ Non-Age Restricted	1g. Approximate Starting Dates Advertising: Occupancy:	
1h. County **Mercer, Monmouth, Ocean**	1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number		
1k. Application Fees (if any):		

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

II. RANDOM SELECTION

2. Describe the random selection process that will be used once applications are received.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

☐ White (non-Hispanic X Black (non-Hispanic) X Hispanic ☐ American Indian or Alaskan Native

☐ Asian or Pacific Islander ☐ Other group:

3b. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS PARTIAL COAH REGION 4			
Daily Newspaper			
☐		Trenton Times	Mercer
☐		Trentonian	Mercer
☐		Asbury Park Press	Monmouth, Ocean
☐		Ocean County Observer	Ocean
Weekly Newspaper			
☐		Ewing Observer	Mercer
☐		Hopewell Valley News	Mercer
☐		Lawrence Ledger	Mercer
☐		Pennington Post	Mercer
☐		Princeton Town Topics	Mercer
☐		Tempo Mercer	Mercer
☐		Trenton Downtowner	Mercer
☐		Windsor Heights Herald	Mercer
☐		West Windsor-Plainsboro News	Mercer, Middlesex
☐		Princeton Packet	Mercer, Middlesex, Somerset
☐		Messenger-Press	Mercer, Monmouth, Ocean
☐		Woodbridge Sentinel	Middlesex
☐		Atlanticville	Monmouth
☐		Coaster	Monmouth
☐		Courier	Monmouth
☐		Examiner	Monmouth
☐		Hub, The	Monmouth

☐		Independent, The	Monmouth
☐		News Transcript	Monmouth
☐		Two River Times	Monmouth
☐		Coast Star, The	Monmouth, Ocean
☐		Beach Haven Times	Ocean
☐		Beacon, The	Ocean
☐		Berkeley Times	Ocean
☐		Brick Bulletin	Ocean
☐		Brick Times	Ocean
☐		Jackson Times	Ocean
☐		Lacey Beacon	Ocean
☐		Manchester Times	Ocean
☐		New Egypt Press	Ocean
☐		Ocean County Journal	Ocean
☐		Ocean Star, The	Ocean
☐		Tri-Town News	Ocean
☐		Tuckerton Beacon	Ocean
☐		Atlantic Highlands Herald	Monmouth

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE COAH REGION 4			
☐		2 WCBS-TV CBS Broadcasting Inc.	
☐		4 WNBC NBC Telemundo License Co. (General Electric)	
☐		5 WNYW Fox Television Stations, Inc. (News Corp.)	
☐		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	
☐		9 WWOR-TV Fox Television Stations, Inc. (News Corp.)	
☐		10 WCAU NBC Telemundo License Co. (General Electric)	

☐		11 WPIX WPIX, Inc. (Tribune)	
☐		13 WNET Educational Broadcasting Corporation	
☐		58 WNJB New Jersey Public Broadcasting Authority	
TARGETS PARTIAL COAH REGION 4			
☐		25 W25AW WZBN TV, Inc.	Mercer
☐		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Mercer
☐		60 WBPH-TV Sonshine Family Television Corp	Mercer
☐		63 WMBC-TV Mountain Broadcasting Corp.	Mercer
☐		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Mercer
☐		41 WXTV WXTV License Partnership, G.p. (Univision Communications Inc.)	Mercer, Monmouth
☐		3 KYW-TV Cbs Broadcasting Inc.	Mercer, Ocean
☐		6 WPVI-TV American Broadcasting Companies, Inc (Walt Disney)	Mercer, Ocean
☐		12 WHYY-TV WHYY, Inc.	Mercer, Ocean
☐		17 WPHL-TV Tribune Company	Mercer, Ocean
☐		23 WNJS New Jersey Public Broadcasting Authority	Mercer, Ocean
☐		29 WTXF-TV Fox Television Stations, Inc. (News Corp.)	Mercer, Ocean
☐		35 WYBE Independence Public Media Of Philadelphia, Inc.	Mercer, Ocean
☐		48 WGTW-TV Trinity Broadcasting Network	Mercer, Ocean
☐		52 WNJT New Jersey Public Broadcasting Authority	Mercer, Ocean
☐		57 WPSG CBS Broadcasting Inc	Mercer, Ocean
☐		61 WPPX Paxson Communications License Company, LLC	Mercer, Ocean
☐		65 WUVP-TV Univision Communications, Inc.	Mercer, Ocean
☐		25 WNYE-TV New York City Dept. Of Info Technology & Telecommunications	Monmouth

☐		31 WPXN-TV Paxson Communications License Company, LLC	Monmouth
☐		47 WNJU NBC Telemundo License Co. (General Electric)	Monmouth
☐		50 WNJN New Jersey Public Broadcasting Authority	Monmouth
☐		68 WFUT-TV Univision New York LLC	Monmouth, Ocean (Spanish)
☐		62 WWSI Hispanic Broadcasters of Philadelphia, LLC	Ocean

	Duration & Frequency of Outreach	**Names of Cable Provider(s)**	**Broadcast Area**
TARGETS PARTIAL COAH REGION 4			
☐		Cablevision of Hamilton	Partial Mercer, Monmouth
☐		Comcast of Central NJ,	Partial Mercer, Monmouth
☐		Patriot Media & Communications, CNJ	Partial Mercer
☐		Cablevision of Monmouth, Raritan Valley	Partial Monmouth
☐		Comcast of Mercer County, Southeast Pennsylvania	Partial Middlesex
☐		Comcast of Monmouth County	Partial Monmouth, Ocean
☐		Comcast of Garden State, Long Beach Island, Ocean County, Toms River	Partial Ocean

	Duration & Frequency of Outreach	**Names of Regional Radio Station(s)**	**Broadcast Area and/or Racial/Ethnic Identification of Readers/Audience**
TARGETS ENTIRE COAH REGION 4			
AM			
☐		WFAN 660	
☐		WOR 710	
☐		WABC 770	
☐		WCBS 880	
☐		WBBR 1130	
☐		WWTR 1170	
☐		WTTM 1680	Spanish, Asian, etc.
FM			
☐		WFNY-FM 92.3	

☐		WPAT-FM 93.1	Spanish
☐		WNYC-FM 93.9	
☐		WPST 94.5	
☐		WFME 94.7	
☐		WPLJ 95.5	
☐		WQXR-FM 96.3	
☐		WQHT 97.1	
☐		WSKQ-FM 97.9	Spanish
☐		WRKS 98.7	
☐		WAWZ 99.1	Christian
☐		WBAI 99.5	
☐		WPHI-FM 100.3	
☐		WCBS-FM 101.1	
☐		WKXW-FM 101.5	
☐		WQCD 101.9	
☐		WNEW 102.7	
☐		WPRB 103.3	
☐		WKTU 103.5	
☐		WWPR-FM 105.1	
☐		WDAS-FM 105.3	
☐		WLTW 106.7	
TARGETS PARTIAL COAH REGION 4			
AM			
☐		WFIL 560	Hunterdon
☐		WIP 610	Hunterdon
☐		WAEB 790	Hunterdon
☐		WCHR 1040	Hunterdon
☐		WGPA 1100	Hunterdon
☐		WEEX 1230	Hunterdon
☐		WKAP 1470	Hunterdon

☐		WRNJ 1510	Hunterdon
☐		WWJZ 640	Hunterdon, Middlesex
☐		WPHY 920	Hunterdon, Middlesex
☐		WPHT 1210	Hunterdon, Middlesex
☐		WBUD 1260	Hunterdon, Middlesex
☐		WMCA 570	Middlesex (Christian)
☐		WIMG 1300	Middlesex
☐		WCTC 1450	Middlesex, Somerset
FM			
☐		WRTI 90.1	Hunterdon
☐		WCVH 90.5	Hunterdon
☐		WHYY-FM 90.9	Hunterdon
☐		WXTU 92.5	Hunterdon
☐		WAEB-FM 104.1	Hunterdon
☐		WFKB 107.5	Hunterdon
☐		WMMR 93.3	Hunterdon, Middlesex
☐		WYSP 94.1	Hunterdon, Middlesex
☐		WBEN-FM 95.7	Hunterdon, Middlesex
☐		WRDW-FM 96.5	Hunterdon, Middlesex
☐		WOGL 98.1	Hunterdon, Middlesex
☐		WUSL 98.9	Hunterdon, Middlesex
☐		WIOQ 102.1	Hunterdon, Middlesex
☐		WMGK 102.9	Hunterdon, Middlesex
☐		WJJZ 106.1	Hunterdon, Middlesex
☐		WKDN 106.9	Hunterdon, Middlesex (Christian)
☐		WAXQ 104.3	Hunterdon, Middlesex, Somerset
☐		WNTI 91.9	Hunterdon, Somerset
☐		WZZO 95.1	Hunterdon, Somerset
☐		WCTO 96.1	Hunterdon, Somerset
☐		WLEV 100.7	Hunterdon, Somerset
☐		WNJT-FM 88.1	Middlesex

☐		WRSU-FM 88.7	Middlesex
☐		WWFM 89.1	Middlesex
☐		WWPH 107.9	Middlesex
☐		WDVR 89.7	Middlesex, Somerset
☐		WVPH 90.3	Middlesex, Somerset
☐		WMGQ 98.3	Middlesex, Somerset
☐		WBLS 107.5	Middlesex, Somerset

3c. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that apply)

		NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE COAH REGION 4				
Weekly				
		Nuestra Communidad	Central/South Jersey	Spanish-Language
TARGETS PARTIAL COAH REGION 4				
Weekly				
☐		New Jersey Jewish News	Northern and Central New Jersey	Jewish
☐		El Hispano	Camden and Trenton areas	Spanish-Language
☐		Ukrainian Weekly	New Jersey	Ukrainian community

3d. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)

DURATION & FREQUENCY OF OUTREACH		NAME OF EMPLOYER/COMPANY	LOCATION
Mercer County			
☐		Mercer County Board of Education	1075 Old Trenton Rd., Trenton, NJ
☐		Medical Center at Princeton	253 Witherspoon St., Princeton, NJ
☐		Bristol-Myers Squibb	100 Nassau Park Blvd., Princeton, NJ and 820 Bear Tavern Rd., Trenton, NJ
☐		St. Lawrence Rehabilitation Center	2381 Lawrenceville Rd., Lawrenceville, NJ
☐		McGraw-Hill	120 Windsor Center Dr., East Windsor, NJ
☐		Conair Corporation	150 Milford Rd., Hightstown, NJ
☐		Shiseido America, Inc.	366 Princeton Hightstown Rd., East Windsor, NJ

☐		NJ Manufacturers Insurance Company	1001 Grand St. S., Hammonton, NJ
☐		Homasote	932 Lower Ferry Rd., Trenton, NJ
☐		Robert Wood Johnson University Hospital	1 Hamilton Health Pl., Trenton, NJ
☐		Congoleum Corp.	3500 Quakerbridge Rd., Mercerville, NJ
☐		Coca-Cola Foods	480 Mercer St., Hightstown, NJ
☐		Peddie School	111 Armellino Ct., Hightstown, NJ
☐		Dana Communications	2 E Broad St., Hopewell, NJ
☐		Merrill Lynch	410 Scotch Rd., Hopewell, NJ
☐		Janssen Pharmaceutical	1125 Trenton-Harbourton Rd., Titusville, NJ
☐		St. Francis Medical Center	601 Hamilton Avenue, Trenton, NJ 08629-1986
☐		The Trenton Times	500 Perry St., Trenton, NJ
☐		Gaum. Inc.	1080 US Highway 130, Robbinsville, NJ

Monmouth County			
☐		Meridian Health System	1350 Campus Parkway, Neptune
☐		US Army Communications Electronics Command Fort Monmouth	CECOM Bldg 901, Murphy Drive, Fort Monmouth
☐		County of Monmouth Hall of Records	1 East Main Street, Freehold
☐		Central State Healthcare Systems	West Main Street, Freehold
☐		Monmouth Medical Center	300 Second Ave., Long Branch
☐		Asbury Park Press	3601 Route 66, Neptune, NJ
☐		Food Circus Super Markets, Inc.	835 Highway 35 PO BOX 278 Middletown, NJ
☐		Monmouth University	Cedar Ave., West Long Branch
☐		Naval Weapons stations Earle	State Highway 34, Colts Neck, NJ
☐		Norkus Enterprises, Inc.	505 Richmond Ave., Point Pleasant, NJ
☐		Horizon Blue Cross Blue Shield	1427 Wyckoff Road, Farmingdale, NJ

Ocean County			
☐		Saint Barnabas Health Care System	300 2nd Ave., Long Branch, NJ 07740
☐		Six Flags Theme Parks Inc	Route 537, Jackson, NJ 08527
☐		Meridian Health Care System	415 Jack Martin Blvd., Brick, NJ
☐		Southern Ocean County Hospital	1140 Route 72 West, Manahawkin, NJ

☐		Jenkinsons	300 Ocean Ave., Pt. Pleasant Beach, NJ 08742

3e. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)

Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:

4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)

	BUILDING	LOCATION
☐	Mercer County Library Headquarters	2751 Brunswick Pike, Lawrenceville, NJ 08648
☐	Monmouth County Headquarters Library	125 Symmes Drive, Manalapan, NJ 07726
☐	Ocean County Library	101 Washington Street, Toms River, NJ 08753

4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)

4c. Sales/Rental Office for units (if applicable)

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's COAH substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI funding).

Name (Type or Print)

Title/Municipality

Signature Date

APPENDIX H

PROPOSED AMENDED DEVELOPMENT FEE ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE CONCERNING AFFORDABLE HOUSING DEVELOPMENT FEES AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968"

BE IT ORDAINED by the Township Committee of the Township of Princeton in the County of Mercer as follows:

SECTION ONE

Chapter 10B, Article XII, Division 4, of the "Code of the Township of Princeton, New Jersey, 1968", which establishes affordable housing development fees, is hereby amended in its entirety to read as follows:

Sec. 10B-340 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-301, *et seq.*, and the State Constitution, subject to the adoption of Rules by COAH.

B. Pursuant to N.J.S. 52:27D-329.2 (L. 2008, c. 46, §8) and the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of COAH or a court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.

C. This Section establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance N.J.S.A. 52:27D-329.2 (L. 2008, c. 46, §8 and N.J.S.A. 40:55D-8.1 through 8.7 (L. 2008, c. 46, §§32-38). Fees collected pursuant to this Section shall be used for the sole purpose of providing low- and moderate-income housing. This Section shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

Sec. 10B-340.1 Basic Requirements.

A. This Ordinance shall not become effective until approved by COAH pursuant to N.J.A.C. 5:96-5.1.

B. The Township shall not spend development fees until COAH has approved a plan for spending such fees in conformance with N.J.A.C. 5:97-8.10 and N.J.A.C. 5:96-5.3.

Sec. 10B-340.2 Definitions. The following terms, as used in this Section, shall have the following meanings:

A. "Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a Township construction project or a 100% affordable development.

B. "COAH" means the New Jersey Council on Affordable Housing established under the Fair Housing Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning considerations in the State.

C. "Development fee" means money paid by a developer for the improvement of property as permitted in N.J.A.C. 5:97-8.3.

D. "Developer" means 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.

E. "Equalized assessed value" means the assessed value of a property divided by the current average ratio of assessed to true value for the Township, as determined in accordance with N.J.S.A. 54:1-35a through 54:1-35c (L. 1973, c.123, §§4, 5 and 6).

F. "Green building strategies" means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

Sec. 10B-340.3 Residential Development Fees.

A. Imposed Fees.

1. Within all zoning districts, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1½% of the equalized assessed value for residential development provided no increased density is permitted.

2. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 6% of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees would equal 1½% of the equalized assessed value on the first two units; and could equal 6% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

3. In any residential development resulting from a zoning change from a non-residential zone to a residential zone, where the zoning change occurs within the two-year period preceding the application for development, 20% of the residential units shall be restricted for occupancy by low and moderate income households if the affordable units are rental units and 25% of the residential units shall be restricted for occupancy by low and moderate income households if the affordable units are for sale. Similarly, if a use variance is granted pursuant to N.J.S.A. 40:55D-70d(1) for residential development on a site zoned for non-residential development, 20% of the residential units shall be restricted for occupancy by low and moderate income households if the affordable units are rental units and 25% of the residential units shall be restricted for occupancy by low and moderate income households if the affordable units are for sale. In either case, such development shall be exempt from the payment of a development fee pursuant to paragraph B.1. below.

B. Eligible Exactions, Ineligible Exactions and Exemptions for Residential Development.

1. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from the payment of development fees.

2. Developments that have received preliminary or final site plan approval prior to the adoption of a Township development fee ordinance shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

3. Improvements or additions to existing one- and two-family dwellings on individual lots shall not be required to pay a development fee, but a development fee shall be

charged for any new dwelling constructed as a replacement for a previously existing dwelling on the same lot that was or will be demolished, unless the owner resided in the previous dwelling for a period of one year or more prior to obtaining a demolition permit.

Sec. 10B-340.4 Non-residential Development Fees.

A. Imposed Fees.

1. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2½% of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

2. Non-residential developers, except for developers of the types of development specifically exempted in Section B.3. below, shall also pay a fee equal to 2½% of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

3. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2½% shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure, i.e. land and improvements, at the time the final certificate of occupancy is issued. If the calculation required under this Section results in a negative number, the non-residential development fee shall be zero.

B. Eligible Exactions, Ineligible Exactions and Exemptions for Non-residential Development.

1. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the 2½% development fee, unless otherwise exempted below.

2. The 2½% fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

3. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in the N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" form. Any exemption claimed by a developer shall be substantiated by that developer.

4. A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time the basis for the exemption no longer applies, and shall

make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.

5. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this Section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Township as a lien against the real property of the owner.

Sec. 10B-340.5 Collection Procedures.

A. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the Construction Official responsible for the issuance of a building permit.

B. For non-residential developments only, the developer shall also be provided with a copy of form N-RDF "State of New Jersey Non-Residential Development Certification/ Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the non-residential developer as per the instructions provided in the form N-RDF. The Township Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in form N-RDF.

C. The Construction Official responsible for the issuance of a building permit shall notify the Township Tax Assessor of the issuance of the first building permit for a development which is subject to a development fee.

D. Within 90 days of receipt of that notice, the Township Tax Assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.

E. The Construction Official responsible for the issuance of a final Certificate of Occupancy shall notify the Township Tax Assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

F. Within 10 business days of a request for the scheduling of a final inspection, the Township Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

G. Should the Township fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer

may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in N.J.S.A. 40:55D-8.6 (L. 2008, c.46 §37, subsection b).

H. Fifty percent (50%) of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the Certificate of Occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of Certificate of Occupancy.

I. Appeal of Development Fees.

1. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Township. Appeals from a determination of the Board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

2. A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Township. Appeals from a determination of the Director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1, *et seq*., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

Sec. 10B-340.6 Affordable Housing Trust Fund.

A. The Township has established a separate, interest-bearing housing trust fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.

B. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

1. payments in lieu of on-site construction of affordable units;

2. developer contributed funds to make 10% of the adaptable entrances in a townhouse or other multistory attached development accessible;

3. rental income from Township operated units;

4. repayments from affordable housing program loans;

5. recapture funds;

6. proceeds from the sale of affordable units; and

7. any other funds collected in connection with the Township's affordable housing program.

C. The Township has provided COAH with written authorization, in the form of a three-party escrow agreement between the Township, the bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).

D. All interest accrued in the Affordable Housing Trust Fund shall only be used on eligible affordable housing activities approved by COAH.

Sec. 10B-340.7 Use of Funds.

A. The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by COAH to address the Township's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

B. Funds shall not be expended to reimburse the Township for past housing activities.

C. At least 30% of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the Township's Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of median income by region.

1. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.

2. Affordability assistance to households earning 30% or less of median income may include buying down the cost of low or moderate income units in the Township Fair Share Plan to make them affordable to households earning 30% or less of median income. The use of development fees in this manner shall entitle the Township to bonus credits pursuant to N.J.A.C. 5:97-3.7.

3. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

4. The Township may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.

5. No more than 20% of all revenues collected from development fees may be expended on administration, including, but not limited to, salaries and benefits for Township employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20% of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to COAH's regulations and/or action are not eligible uses of the affordable housing trust fund.

Sec. 10B-340.8 Monitoring. The Township shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Township's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

Sec. 10B-340.9 Ongoing Collection of Fees.

A. The ability for the Township to impose, collect and expend development fees shall expire with the expiration of its substantive certification unless the Township has filed an

adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance.

B. If the Township fails to renew its ability to impose and collect development fees prior to the expiration of its substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to N.J.S.A. 52:27D-320 (L. 1985, c.222, §20).

C. The Township shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification, nor shall the Township retroactively impose a development fee on such a development. The Township shall not expend development fees after the expiration of its substantive certification.

SECTION TWO

Effective Date. This Ordinance shall take effect upon final passage and publication according to law and approval by the New Jersey Council on Affordable Housing.

_____	_____
Linda S. McDermott, RMC, Princeton Township Clerk	, Mayor of Princeton Township

APPENDIX I

PROPOSED SPENDING PLAN
AND RESOLUTION REGARDING SHORTFALL

TOWNSHIP OF PRINCETON
COUNTY OF MERCER, STATE OF NEW JERSEY
RESOLUTION REQUESTING COAH'S
APPROVAL OF THE SPENDING PLAN

WHEREAS, the Governing Body of the Township of Princeton, Mercer County, is petitioning the Council on Affordable Housing (COAH) for substantive certification of its Third Round Housing Element and Fair Share Plan; and

WHEREAS, Princeton Township, Mercer County, received approval from COAH on October 11, 1995, of its original Development Fee Ordinance and proposes as part of its Fair Share Plan to adopt a new Development Fee Ordinance consistent with COAH's current regulations and the Fair Housing Act, as amended; and

WHEREAS, the proposed Development Fee Ordinance establishes an Affordable Housing Trust Fund that will receive development fees, payments from developers in lieu of constructing a fraction of an affordable unit on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and other sources of funds consistent COAH's Rules; and

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an Affordable Housing Trust Fund to receive approval of a Spending Plan from COAH prior to spending any of the funds in its Affordable Housing Trust Fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a Spending Plan to include the following:

A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;

A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;

A description of the administrative mechanism that the municipality will use to collect and distribute revenues;

A description of the anticipated use of all funds in the Affordable Housing Trust Fund pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;

A schedule for the expenditure of all affordable housing trust funds;

If applicable, a schedule for the creation or rehabilitation of housing units;

A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and

A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the Spending Plan, or in accordance with an implementation schedule approved by the Council;

A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;

The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and

A description of the anticipated use of excess funds in the Affordable Housing Trust Fund, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

WHEREAS, the Township of Princeton, Mercer County, has prepared a Spending Plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c. 46;

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Princeton, Mercer County, requests that COAH review and approve Princeton Township's Spending Plan.

Linda S. McDermott

Linda S. McDermott, RMC, Township Clerk

Affordable Housing Trust Fund Spending Plan

Township of Princeton
Mercer County
2008

INTRODUCTION

The Township of Princeton, Mercer County, has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A Development Fee Ordinance creating a dedicated revenue source for affordable housing was approved by COAH on 10/11/1995 and adopted by the municipality on 6/24/1996, although it should be noted that a new Development Fee Ordinance is proposed and is included in the Fair Share Plan. The original Development Fee Ordinance established the Township of Princeton Affordable Housing Trust Fund for which this Spending Plan is prepared.

As of July 17, 2008, the Township of Princeton has collected $1,880,513.16, expended $1,359,055.58, resulting in a balance of $521,457.58. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees have been deposited and remain in a separate interest-bearing Affordable Housing Trust Fund in Wachovia Bank for the purposes of providing, administering and assisting in maintaining affordable housing, consistent with COAH's Rules. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

The Township of Princeton first petitioned COAH for substantive certification on 5/8/1995 and received prior approval to maintain an Affordable Housing Trust Fund on 10/11/1995. As of December 31, 2004, the prior round balance remaining in the Affordable Housing Trust Fund was $56,527.01. From January 1, 2005 through July 17, 2008, the Township of Princeton collected an additional $1,021,934.03 in development fees, payments in lieu of construction, other funds, and/or interest. From January 1, 2005 through July 17, 2008, the Township of Princeton expended funds on the affordable housing activities detailed in Section 4 of this Spending Plan.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, the Township of Princeton considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL): Payments in lieu have not been nor are they currently anticipated to be collected or assessed, except as may incidentally flow from obligations for fractions of units in inclusionary developments, perhaps generating an accumulated equivalent of 2-3 units or $304,454 to $456,681 over the entire certification period.

(c) No other funds have been or are anticipated to be collected.

(d) Projected interest: Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate of 1% projected to a total of $23,395.72.

Source of Funds	PRINCETON TWP. PROJECTED REVENUES-HOUSING TRUST FUND- 2008 THROUGH 2018											
	7/18/2008											
	12/31/2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development Fees												2,085,118.28
1. Approved Development	85,118.28											85,118.28
2. Development Pending Appvl												0.00
3. Projected Development		200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00	2,000,000.00
(b) Pmts in Lieu of Construction	0.00				95,142.00	95,142.00						190,284.00
(c) Other Funds	0.00											0.00
(d) Interest 1%	1,492.88	2,000.00	2,000.00	2,000.00	2,951.42	2,951.42	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	23,395.72
Total	86,611.16	202,000.00	202,000.00	202,000.00	298,093.42	298,093.42	202,000.00	202,000.00	202,000.00	202,000.00	202,000.00	2,298,798.00

The Township of Princeton projects a total of $2,298,798.00 in revenue to be collected between July 18, 2008 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Township of Princeton:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with the Township of Princeton's Development Fee Ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L. 2008, c. 46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

The governing body shall adopt a resolution authorizing the expenditure of development fee revenues consistent with the COAH-approved Spending Plan. Once a request has been approved by resolution, the CFO shall release the requested revenue from the Affordable Housing Trust Fund for the specific use approved in the governing body's resolution.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **New construction programs and projects (N.J.A.C. 5:97-8.7)**

The Township of Princeton will dedicate a minimum of $1,725,600.02 to the following new construction programs:

Griggs Farm debt service: $1,725,600.02

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

Projected minimum affordability assistance requirement:

Princeton Twp. Projected Minimum Affordability Assistance		**$**
Actual development fees through 7/17/2008	+	814,146.26
Actual interest earned through 7/17/2008	+	276,609.90
Development fees projected 7/18/2008-2018	+	2,085,118.28
Interest projected 7/18/2008-2018	+	23,395.72
Less housing activity expenditures through 6/2/2008	-	-1,091,443.79
Total	=	2,107,826.37
30 percent requirement	x 0.30 =	632,347.91
Less Affordability assistance expenditures through 12/31/2004	-	-267,611.79
Projected Minium Affordability Assistance	=	364,736.12
Requirement 1/1/2005 through 12/31/2018		
Projected Minimum Very-Low-Income Affordability Asst.	/3 =	121,578.71

The Township of Princeton will dedicate a minimum of $364,736.12 from the Affordable Housing Trust Fund to render units more affordable, including $121,578.71 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

Providing down-payment assistance loans, association fee assistance to bring their homeowner association dues current and mortgage buy-ins to homeowners to avoid foreclosure.

Additionally, the Township of Princeton will supplement affordability assistance from the Affordable Housing Trust Fund with funds from its Utility Fund for these programs, as needed, and to provide a Low Income to Very Low Income Buy Down Program, budgeting $480,000, to buy down 8 of the new low-income rental units to be added at Princeton Community Village to a very low-income affordability level.

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

The Township of Princeton projects that a maximum of $797,805.43 will be available from the Affordable Housing Trust Fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

Administrative costs may include the costs of salaries and benefits for municipal employees or consultants' fees necessary to develop or implement municipal housing programs such as the preparation of amendments to the Housing Element

and Fair Share Plan, the implementation of the Affirmative Marketing Program, the costs of income qualifying households and of monitoring implementation.

Princeton Twp. Projected Maximum Administrative Expenses		**$**
Actual development fees through 7/17/2008	+	814,146.26
Actual interest earned through 7/17/2008	+	276,609.90
Development fees projected 7/18/2008-2018	+	2,085,118.28
Interest projected 7/18/2008-2018	+	23,395.72
Pmts in Lieu of Construction through 7/17/2008	+	0.00
Other Funds 7/17/2008	+	789,757.00
Less RCA Expenditures through 2018	-	0.00
Total Projected Administration Expenses	x 0.20 =	797,805.43
Less Actual Administrative Expenses through 12/31/2004	-	0.00
Total Remaining Projected Administration Expenses	=	797,805.43

4. EXPENDITURE SCHEDULE

The Township of Princeton intends to use Affordable Housing Trust Fund revenues for the creation of housing units. Where applicable, the funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

	#of	Funds Expended/ Dedicated	PRINCETON TWP. PROJECTED EXPENDITURE SCHEDULE 2009-2018											
	Projected	2005-	7/18/2008											
Program	Units	7/17/2008	12/31/2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Griggs Farm		0	471,718.76	444,118.76	416,462.50	393,300.00								1,725,600.02
Purchase of Existing Units		482,003.46												0.00
Rehbilitation Program		75,000.00												0.00
Total Programs	0	557,003.46	471,718.76	444,118.76	416,462.50	393,300.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,725,600.02
Affordability Assistance			6,876.00	35,786.01	35,786.01	35,786.01	35,786.01	35,786.01	35,786.01	35,786.01	35,786.01	35,786.01	35,786.14	364,736.25
Administration				52,991.93	52,991.93	52,991.93	52,991.93	52,991.93	52,991.93	52,991.93	52,991.93	52,991.93	52,991.93	529,919.31
Total	0	557,003.46	478,594.76	532,896.70	505,240.44	482,077.94	88,777.94	88,777.94	88,777.94	88,777.94	88,777.94	88,777.94	88,778.07	2,620,255.55

5. EXCESS OR SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of the Township of Princeton has adopted a resolution determining that there is adequate and stable funding for all of the affordable housing compliance mechanisms set forth in the Housing Element and Fair Share Plan, and, in the event that a shortfall of anticipated revenues occurs, the Township may determine to provide for an alternate source of affordable housing funding such as municipal bonding or elect to modify and change its Fair Share Plan in order to address its remaining affordable housing obligation in lieu of municipal bonding. A copy of the adopted resolution is attached to this Spending Plan.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used for the purchase of residences to establish group homes and/or administration of its affordable housing programs, affordability assistance programs, funding for additional housing rehabilitation or to buy down additional low-income rental units to a very low-income level.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with the Township of Princeton's Affordable Housing Ordinance Section 8, Subsection 2.b.6) Accessibility Requirements and in accordance with N.J.A.C. 5:97-8.5

SUMMARY

The Township of Princeton intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the adopted Third Round Housing Element and Fair Share Plan to be adopted by the Princeton Regional Planning Board December 4, 2008.

The Township of Princeton has a balance of $521,457.58 as of July 17, 2008 and anticipates an additional $2,298,798.00 in revenues before the expiration of substantive certification for a total of $2,820,255.58. From the Affordable Housing Trust Fund, the municipality will dedicate $1,725,600.12 for Griggs Farm debt service, $364,736.25 for other programs designed to render units more affordable; and $529,919.31 for administrative costs. Any shortfall of funds will be offset by general revenues or bonding, as necessary, or the Township may elect to modify the Fair Share Plan to avoid the necessity of bonding. The municipality will dedicate any excess funds towards the purchase of residences to establish group homes and/or administration of its affordable housing programs, affordability assistance programs, funding for additional housing rehabilitation or to buy down additional low-income rental units to a very low-income level.[1]

[1] Affordable Housing Trust Fund figures and all projections are subject to verification and correction.

PRINCETON TWP. SPENDING PLAN SUMMARY	
	$
Balance as of July 17, 2008	521,457.58
PROJECTED REVENUE July 18, 2008-2018	
Development Fees	2,085,118.28
Payments in lieu of construction	190,284.00
Other Funds	0.00
Interest	23,395.72
TOTAL REVENUE	2,820,255.58
EXPENDITURES	
Funds used for Rehabilitation	0.00
Funds used for New Construction	
Griggs Farm Debt Service	1,725,600.02
Affordability Assistance	364,736.25
Administration	529,919.31
Excess Funds for Additional Housing Activity	200,000.00
Group Homes	200,000.00
TOTAL PROJECTED EXPENDITURES	2,820,255.58
REMAINING BALANCE	0.00

TOWNSHIP OF PRINCETON
COUNTY OF MERCER, STATE OF NEW JERSEY

RESOLUTION
TO SATISFY COAH CHECKLIST ITEM *N.J.A.C.* 5:96-3.2

WHEREAS, the Township Committee of the Township of Princeton pursuant to *N.J.A.C.* 5:96-2.1 has endorsed a Housing Element and Fair Share Plan setting forth the Township's commitment to Affordable Housing 2008 - 2018; and

WHEREAS, pursuant to *N.J.A.C.* 5:96-3.1 said Township Committee is also petitioning the New Jersey Council on Affordable Housing ("COAH") for Substantive Certification of its Affordable Housing Plan; and

WHEREAS, the Township's Fair Share Plan contains municipal sponsored affordable housing developments pursuant to *N.J.A.C.* 5:97-6.7 and other compliance techniques for which the Township Committee is confident adequate and stable funding will be available from the collection of affordable housing development fees and/or Federal, State or County funding sources; and

WHEREAS, the provisions of the New Jersey Fair Housing Act of 1985, *N.J.S.A.* 52:27D-311(d) specifically provides that nothing in said Act shall require a municipality to raise or expend municipal revenues in order to provide low- and moderate-income housing; and

WHEREAS, COAH requires documentation to be submitted with the Township's Fair Share Plan to indicate the availability of funding for its Affordable Housing initiatives.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Princeton, County of Mercer, State of New Jersey, as follows:

1. The Princeton Township Committee determined that there is adequate and stable funding for all of the affordable housing compliance mechanisms set forth in the endorsed Housing Element and Fair Share Plan.

2. In the event that adequate and stable funding in the form of affordable housing development fees, Federal, State and County grants, etc.. are not sufficient as the Township's Fair Plan is implemented 2008 - 2018, said Township, in the discretion of the governing body then representing the Township, may determine to provide for an alternate source of affordable housing funding such as municipal bonding or elect to modify and change its Fair Share Plan to address its remaining affordable housing obligation in lieu of municipal bonding.

CERTIFICATION

I, Linda S. McDermott, Clerk of the Township of Princeton, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Princeton Township Committee at its regular meeting held on the 15th day of December, 2008.

Linda S. McDermott

Linda S. McDermott, Clerk
Township of Princeton

V:\USERS\Edwin\PRTWP\Affordable Housing\2008 Resolutions\Township Committee (Satisfy COAH Checklist Item N.J.A.C. 5:96-3.2) 121108.wpd

APPENDIX J

PROPOSED REHABILITATION PROGRAM AND DOCUMENTATION OF EXISTING REHABILITATION CREDITS

REHABILITATION PROGRAM (N.J.A.C. 5:97-6.2)

General Description

Municipality/County: PRINCETON TWP., MERCER

Program Name: LOCAL

Number of proposed units to be rehabilitated: 47

Information and Documentation Required with Petition

- [x] Determination of Rehabilitation Share
- [x] Accept number in N.J.A.C. 5:97 – Appendix B; **OR**
- [ ] Exterior Housing Survey conducted by the municipality
- [x] Information regarding the rehabilitation program on forms provided by the Council. (If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.) SEE APPENDIX J
- [x] Documentation demonstrating the source(s) of funding MUNICIPAL APPROPRIATION BY AGREEMENT WITH PCH
- [x] Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall SEE APPENDIX I.
- [x] Schedule illustrating how the rehabilitation share will be addressed within the period of substantive certification WITHIN FIRST FIVE YEARS (COMPLETED)

Information and Documentation Required Prior to Substantive Certification

- [x] N.A. Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18 PRINCETON TWP. AFF. HSG. COORDINATOR - QUALIFIED
- [x] Draft or adopted rehabilitation operating manual that includes a description of the program procedures and administration including a copy of sample deed restriction and/or lien.
- [x] Affirmative Marketing Plan for the re-rental of rehabilitated rental units, in accordance with UHAC SEE APPENDIX G, FSP

Rehabilitation Narrative Section

Princeton Twp. has committed to funding a 47 unit rehabilitation program at Princeton Community Village – existing older 100% affordable housing development. Please see text of Fair Share Plan for description of program.

CREDITING DOCUMENTATION FOR PAST REHABILITATION ACTIVITY

Unit Information - Rehabilitation

Municipality Name: Township of Princeton **County:** Mercer

Muni Code:

Project / Program:

COAH Project Number (COAH use)

1. The following units have been rehabilitated through the

Total administrative costs for rehabilitation between 4/1/00 and 6/30/07:

	2						3	4	5	6	7	8	9	10	11	12	13	14	15	16
Address	Unit / Apt Number	block	block suffix	lot	lot suffix	qualifer	rental / for-sale	income level	final inspection date	funds expended on hard costs	development fees expended	funds recaptured	major system repaired (pick only one)	was unit below code and raised to code?	effective date of affordability controls	perpetual lien	length of affordability controls	date affordability controls removed	reason for removal of controls	creditworthy (COAH USE)
							(select one)	(select one)	(mm/dd/yyyy)	($)		($)	(select from list)	(y/n)	(mm/dd/yyyy)	(y)	(years)	(mm/dd/yyyy)	(pick reason)	(y/n)
54 Cuyler Road	54	5409		13			For Sale	Low	10/4/2001	3556.00			Roof	Yes			6			
466 Mount Lucas Road	466	4201		11			For Sale	Low	11/1/2001	18125.00		22706.85	Sanitary/Septic/Sewer Hookup	Yes			6	6/2/2006	Repayment	
448 Walnut Avenue	448	5409		8			For Sale	Mod	5/1/2002	29318.00		33934.22	Sanitary/Septic/Sewer Hookup	Yes	4/25/2002		6	1/12/2006	Repayment	
159 Snowden Lane	159	7505		11			For Sale	Mod	12/20/2002	18293.00			Sanitary/Septic/Sewer Hookup	Yes			6			
135 Griggs Drive	135	802		1513			For Sale	Mod	10/1/2002	1248.57		1266.57	Sanitary/Septic/Sewer Hookup	Yes			6	11/15/2004	Repayment	
4197 Providence Line Road	4197	9002		2			For Sale	Mod	10/17/2003	23555.00			Heating	Yes			6			
350 Franklin Avenue	350	7309		27			For Sale	Low	6/11/2003	37240.00			Roof	Yes			6			
32 Gallup Road	32	9501		4			For Sale	Mod	2/25/2004	10755.00		12856.00	Heating	Yes	12/19/2003		6			
478 Ewing Street	478	7201		6			For Sale	Mod	6/29/2005	14449.88			Sanitary/Septic/Sewer Hookup	Yes	6/28/2005		6	10/31/2008	Repayment	
301 Snowden Lane	301	5705		6			For Sale	Low	10/1/2003	450.00			Sanitary/Septic/Sewer Hookup	Yes			6			
22 Leigh Avenue	22	6907		11			For Sale	Mod	9/13/2005	21090.00		22440.28	Sanitary/Septic/Sewer Hookup	Yes	12/6/2004		6	6/30/2006	Repayment	
249 Mount Lucas Road	249	5408		13			For Sale	Mod	11/30/2005	38686.00		17729.50	Sanitary/Septic/Sewer Hookup	Yes	6/28/2005		6	2/22/2008	Repayment	
110 Crooked Tree Lane	110	1402		1			For Sale	Mod	1/28/2005	15912.90		17432.50	Sanitary/Septic/Sewer Hookup	Yes	12/8/2004		6	5/7/2007	Repayment	
9 Russell Road	9	9303		9			For Sale	Low	2/11/2006	26405.00		27003.61	Heating	Yes	6/28/2005		6	2/27/2006	Repayment	
505 Ewing Street	505	5410		2			For Sale	Mod	8/23/2005	11703.70		12148.39	Sanitary/Septic/Sewer Hookup	Yes	11/22/2004		6	5/31/2006	Repayment	
596 Ewing Street	596	5408		22			For Sale	Mod	8/22/2005	27925.00			Sanitary/Septic/Sewer Hookup	Yes	6/28/2005		6			

Verification by Municipal Housing Liaison that all households are income eligible, that appropriate affordability controls are in place and that rental prices conform to COAH regulations.

Municipal Housing Liaison

Date (mm/dd/yyyy)

Verification by Building Code Official that units were below code and raised to code per the NJ State Housing Code or the Rehabilitation Subcode and that the work involved major systems.

Date (mm/dd/yyyy)

Updated 07-06-07

GRIGGS FARM REPAIRS

2000-2001: Griggs affordable-owned units that had floor repairs done due to Gyp Crete failure. Thus, fire and noise codes were violated. These were not part of our rehab plan and have never been reported nor has COAH credit been applied for, though the Twnship paid for these repairs. These were not loans or grants. The funds were used to pay for removal of carpet, padding, and disposal of same, if needed, removal of original GypCrete, and pouring new GypCrete, new carpet padding and relaying of original carpet, carpet cleaning, painting and moving homeowners out and back in. These are hard costs only. No soft costs have been calculated.

Completed in 2000:	Bl/lot	Hard Costs
30 Billie Ellis Lane	802/1.0122 c030	8,938.00
32 BE	802/1.0124 c032	6,792.00
35 BE	802/1.0133 c035	6,986.00
36 BE	802/1.0134 c036	9,350.00
37 BE	802/1.0115 c037	9,808.00
41 BE	802/1.0125 c041	8,639.00
138 Griggs	802/1.1522 c138	11,428.00
141 Griggs	802/1.1531 c141	8,495.00
143 Griggs	802/1.1533 c143	9,105.00
144 Griggs	802/1.1534 c144	9,978.00
		$89,519.00
Completed in 2001:		
26 Billie Ellis Lane	802/1.0112 c026	7,172.00
28 BE	802/1.0114 c028	8,366.50
34 BE	802/1.0132 c034	7,766.50
39 BE	802/1.0117 c039	7,672.00
44 BE	802/1.0128 c044	9,519.00
46 BE	802/1.0136 c046	8,703.00
137 Griggs Dr	802/1.1521 c137	9,519.00
		$58,718.00

AGREEMENT

THIS AGREEMENT, entered into this 4th day of December, 1995, by and between the TOWNSHIP OF PRINCETON, acting as a Redevelopment Agency pursuant to N.J.S.A. 40A:12A-8, et seq., 369 Witherspoon Street, Princeton, New Jersey, 08540 (hereinafter referred to as "TOWNSHIP") and LEWIS BARBER CONSTRUCTION CO., 413 Ewing Street, Princeton, New Jersey, 08540 (hereinafter referred to as "BARBER") (Federal I.D. No.).

WITNESSETH:

WHEREAS, the Township of Princeton, acting as a Redevelopment Agency pursuant to N.J.S.A. 40A:12-8, et seq., is the successor developer of the Griggs Farm development; and

WHEREAS, as the successor developer, the TOWNSHIP is required to perform certain warranty and repair work to the improvements constructed within said development; and

WHEREAS, pursuant to N.J.S.A. 40A:11-2, et seq., the TOWNSHIP has adopted a resolution authorizing the award of a contract to BARBER to undertake and complete said work.

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth hereinbelow, the parties AGREE as follows:

1. The TOWNSHIP hereby retains BARBER to undertake and complete certain warranty and repair work within the Griggs Farm development. Said work shall be specifically identified by the TOWNSHIP's representative within the development, John Gloss, and a recommendation to undertake and complete said work shall be prepared by Mr. Gloss and submitted to the Township Attorney. The

Township Attorney shall thereafter review said proposal and make a recommendation with regard to same to the Township Administrator. The Township Administrator may then authorize the specific repair work as may be necessary in consultation, if necessary, with the Princeton Township Construction Official.

2. Said work shall include the repairs, where necessary, to the existing balcony deck flashing at a cost of $160.00 per balcony unit.

3. Said work shall also include repairs to existing unit bay windows at a cost of $140.00 per unit.

4. Said work shall also involve repairs to the floor underlayment in various units identified by the TOWNSHIP needing said repairs. The floor underlayment work shall include the following:

A. Secure permits from the Princeton Township Building Department.

B. Remove carpeting, vinyl flooring, interior doors, base kitchen cabinets, countertops, appliances, toilet and vanity. Store on site. Protect walls and trim from damage with plastic sheets.

C. Inspect the plywood to determine if it is structurally intact. Building inspector for Princeton Township to inspect plywood underlayment prior to pouring cementitious overlay. If any area is questionable, the contractor will glue and nail down ½" CDX plywood over the entire floor that is to receive the

cementitious overlayment. Cost of plywood installed is $1.40 per square foot and is not included in the base cost below. If the ½ inch plywood is used, this may require the doors to be trimmed for an additional nominal charge.

D. Furnish and install Gyp-Crete 2000 floor underlayment over Gyp-Crete floor primer at a thickness of 3/4 of an inch. Material shall be installed in accordance with manufacturers specifications as outlined in the systems catalog.

E. Drying time is 5 to 7 days before carpets and vinyl can be installed.

F. Reinstall carpeting, interior doors, base kitchen cabinets, counter tops, appliances, toilet and vanity. All plumbing work by licensed plumber. New vinyl flooring to be provided and installed at an allowance of $25.00 per square yard.

G. No painting work is included in estimate.

H. Contractor to provide the manufacturers warranty given on the Gyp-Crete floors by American Gypsum Floor Co. to the Township of Princeton.

I. Repair deck flashing as per previous deck repair specifications ($160.00).

As the unit floor underlayment work is undertaken, the exact square footage in the given unit shall be verified through Mr. Gloss to the TOWNSHIP. Said work shall be billed by BARBER at a per square foot cost of $6.15 plus a $475.00 charge from Gyp-Crete for providing their representative to oversee the work.

5. After a specific warranty or repair project has been completed, BARBER shall notify Mr. Gloss, who, in turn, shall review and approve a payment voucher for said work. Said payment voucher shall then be submitted to the Township Administrator through the Township Attorney for payment once audited and found correct.

6. All warranty and repair work heretofore authorized and completed by BARBER is hereby accepted and approved, and all invoices associated with same shall be processed and paid by the Township Treasurer.

7. The TOWNSHIP hereby specifically authorizes the floor underlayment work to continue with the next unit, Unit 139, scheduled for repair. The total cost of this project shall be $5,455.00.

8. The parties hereto incorporate by reference the attached affirmative action/non-discrimination addendum.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, the day and date first written above.

ATTESTED:

TOWNSHIP OF PRINCETON

Patricia C. Shuss

Patricia C. Shuss, Clerk

By: Michele L. Tuck, Mayor

WITNESS:

LEWIS BARBER CONSTRUCTION CO.

By: Lewis Barber, President

WASHINGTON OAKS REPAIRS

State of New Jersey
COUNCIL ON AFFORDABLE HOUSING
101 SOUTH BROAD STREET
PO BOX 813
TRENTON NJ 08625-0813
(609) 292-3000
FAX: (609) 633-6056
coahmail@dca.state.nj.us

JON S. CORZINE
Governor

JOSEPH V. DORIA, JR.
Commissioner

LUCY VOORHOEVE
Executive Director

June 11, 2008

Allison S. Zangrilli, Esq.
Mason, Griffin & Pierson
101 Poor Farm Road
P.O. Box 391
Princeton, NJ 08542

RE: MOTION FOR WAIVER PURSUANT TO N.J.A.C. 5:95-14.1
PRINCETON TOWNSHIP/MERCER COUNTY
COAH DOCKET #08-2005

Dear Ms. Zangrilli:

Enclosed is a Resolution, approved by COAH on June 11, 2008, granting Princeton Township, Mercer County a waiver from N.J.A.C. 5:97-8.1(d). As a condition of this approval, Princeton shall include the Washington Oaks development in its revised third round Fair Share Plan and spending plan, to be completed within the period required following the effective date of COAH's revised third round rules.

If you have any questions, please contact Alice D'Arcy at (609) 984-2252.

Sincerely,

Renee Reiss
Council Secretary

enclosure
c: attached service list
Alice D'Arcy, COAH

RESOLUTION GRANTING PRINCETON TOWNSHIP, MERCER COUNTY, A WAIVER FROM N.J.A.C. 5:97-8.1(d) COAH 08-2005

WHEREAS, on October 10, 1996, Princeton Township, Mercer County, received second round certification of a Housing Element and Fair Share Plan from COAH; and

WHEREAS, on December 20, 2005, Princeton Township petitioned COAH with its third round Housing Element/Fair Share Plan; and

WHEREAS, both petitions included spending plans; and

WHEREAS, through the Princeton Township Housing Board, the Township was subsequently made aware of urgent roof repairs/replacement necessary at the Washington Oaks of Princeton Community, a 108-unit housing development containing 60 affordable units; and

WHEREAS, the Township Housing Board determined that such repairs/replacement on the three buildings containing the 60 affordable units would cost $150,000 and that the Washington Oaks Association had only $80,000 in its Community Association's Reserve and Repair Account; and

WHEREAS, the Township Housing Board determined that an assessment of $787.00 per unit would be necessary to cover the difference between the available monies and the cost of the repairs, and found this special assessment as imposing a significant financial hardship on the residents of the affordable units and so recommended that the Township loan the Community Association $70,000 to cover the cost of the roof repairs, said loan being for a five-year term at an annual interest rate of three percent; and

WHEREAS, by resolution dated March 24, 2008, the Princeton Township Committee accepted the Board's recommendation and resolved to make the loan to the Community Association, subject to COAH's approval of the loan as affordability assistance and approval by COAH of the appropriate amendments to the Township's Spending Plan and Fair Share Plan; and

WHEREAS, on January 25, 2007, the Appellate Division issued a decision on COAH's third round rules, which decision stayed the grant of substantive certification pending the process of amending COAH's regulations; and

WHEREAS, because Princeton had petitioned for third round certification, COAH determined that the Township could not amend its second round Fair Share Plan and spending plan to incorporate the Washington Oaks project; and

WHEREAS, because of the court's stay on third round petitions, COAH did not have a procedure to entertain an amendment to Princeton's third round petition; and

WHEREAS, on April 21, 2008, Princeton Township submitted a motion pursuant to N.J.A.C. 5:95-12, requesting a waiver of the requirements set forth in N.J.A.C. 5:94-6.1(a) (development fees may be used only for projects in a Fair Share Plan) and N.J.A.C. 5:94-6.2(c) (a municipality must have substantive certification of its Fair Share Plan before spending development fees); and

WHEREAS, Princeton Township's rationale for the waiver was to allow the Township to maintain the quality of its affordable housing units, prevent undue hardship on affordable housing unit owners, serve the intent of the COAH rules to ensure that municipalities provide realistic opportunity for affordable housing and, given the urgency of the project, strict application of the COAH rules would prevent the Township from taking proactive steps toward providing affordability assistance to affordable housing unit owners in need; and

WHEREAS, in a letter dated April 24, 2008, COAH acknowledged the receipt of Princeton's motion and stated that any opposing briefs should be filed with COAH not later than May 13, 2008; and

WHEREAS, no replies in opposition were received by COAH; and

WHEREAS, on May 6, 2008, COAH adopted revised third round rules, effective June 2, 2008, negating the need for a waiver from N.J.A.C. 5:94-6.1(a) and N.J.A.C. 5:94-6.2(c) and instead requiring a waiver from N.J.A.C. 5:97-8.1(d); and

WHEREAS, pursuant to N.J.A.C 5:96-15.2 COAH's review of a waiver shall consider whether the strict application of the rule would create an unnecessary financial, environmental or other hardship, or that such a waiver fosters the production of low- and moderate-income housing, fosters the intent of if not the letter of COAH's rules and whether the Fair Share Plan provides a mix of housing options; and

WHEREAS, Princeton has demonstrated that the proposed use of development fees meets the conditions for the waiver set forth in N.J.A.C. 5:96-15.2 fosters the production of affordable housing; and

WHEREAS, the Township has also committed to include the affordability assistance to the Washington Oaks project in its revised third round Fair Share Plan and spending plan, to be completed within the period required following the effective date of COAH's revised third round rules; and

WHEREAS, COAH staff prepared a report dated May 30, 2008, recommending that the waiver from N.J.A.C. 5:97-8.1(d) be granted.

NOW THEREFORE BE IT RESOLVED that COAH approves the waiver from N.J.A.C. 5:97-8.1(d) which requires a municipality to have a COAH approved spending plan in conformance with N.J.A.C. 5:97-8.10 and N.J.A.C. 5:96-5.3; and

BE IT FURTHER RESOLVED that COAH staff concludes that the waiver permitting the allocation of development fee monies to Washington Oaks fosters the maintenance of affordable housing and fosters the intent if not the letter of COAH's rules; and

BE IT FURTHER RESOLVED that, as a condition of this approval, Princeton shall include the Washington Oaks development in its revised third round Fair Share Plan and spending plan, to be completed within the period required following the effective date of COAH's revised third round rules.

Date: June 11, 2008

Renee Reiss

Renee Reiss, Council Secretary
Council on Affordable Housing

MASON, GRIFFIN & PIERSON
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

MEMORANDUM

To: Princeton Township Committee

From: Edwin W. Schmierer, Esq.

Date: August 27, 2008

Re: **Township of Princeton - The Board of Trustees of Washington Oaks at Princeton Condominium Association, Inc.: Roof Repair Loan**

In order to avoid a special and expensive assessment against the sixty (60) affordable housing owners within the Washington Oaks at Princeton community, their Homeowners Association approached the Princeton Township Housing Board seeking a loan for a portion of the cost of roof repairs. The entire roof repair project is approximately one hundred fifty thousand ($150,000.00) dollars. The Association had available in its Repair & Reserve (R & R) Account approximately eighty thousand ($80,000.00) dollars. The balance was to be raised by a special assessment.

The Princeton Township Housing Board recommends that the Township through its Affordable Housing Trust Account lend to the Association the seventy thousand ($70,000.00) dollars referenced above for roof repair. This loan would be repaid together with interest at three (3%) per annum. During the first year of the loan, interest only would be paid. The balance of interest and principal would then paid during the remaining four (4) years. The Association would pledge future dues as security for the loan repayment. The proposed Agreement for this security is attached.

The possibility of extending this loan was submitted for review and approval to the New Jersey Council on Affordable Housing. I attach hereto the Council's Resolution dated June 11, 2008 endorsing the loan and amending the Township's Spending Plan to reflect the loan. The loan is skued under the COAH Regulations as affordability assistance since is avoids a special assessment which would create a financial burden on the affordable owners.

Funds are available for this purpose in the Princeton Township Affordable Housing Trust Account.

If the Township Committee, therefore, is willing to authorize the loan, I have prepared for your consideration the attached Resolution. We would appreciate very much your considering the Resolution at your meeting on September 8, 2008.

EWS:jv
attachs
cc: James J. Pascale, Administrator (w/attachs)
Linda S. McDermott, Clerk (w/attachs.)
Kathy Monzo, CFO (w/attachs.)
Dee Patberg, Co-Chair, Princeton Township Housing Board (w/attachs.)
David Cornell, Co-Chair, Princeton Township Housing Board (w/attachs.)
Christy Peacock, Affordable Housing Coordinator (w/attachs.)

Record & Return to:
Mason, Griffin & Pierson, P.C.
101 Poor Farm Road
Princeton, NJ 08540

Prepared by:

_____

AGREEMENT

This Agreement is made and dated this ____ day of ____, 2008, by and between

THE TOWNSHIP OF PRINCETON, acting as a Redevelopment Agency pursuant to *N.J.S.A.* 40A:12A-8, having an address at 400 Witherspoon Street, Princeton, New Jersey 08540 (the "Township"), and,

THE BOARD OF TRUSTEES OF THE WASHINGTON OAKS AT PRINCETON CONDOMINIUM ASSOCIATION, INC., having an address at c/o Managing Agent, Signature Property Group, 850-870 US Route 1 North, North Brunswick, New Jersey 08902 (the "Association").

Whereas, Princeton Township administers, through the Princeton Township Housing Board (the "Housing Board"), an Affordable Housing Program in order to provide housing opportunities within Princeton Township to low and moderate income households; and,

Whereas, sixty (60) affordable housing units exist within three (3) buildings in the Washington Oaks at Princeton condominium community; and,

Whereas, the roofs on the three (3) buildings containing the sixty (60) affordable housing units are in immediate and emergent need of repair; and,

Whereas, the said roof repairs would results in the Association levying a special assessment upon owners of the affordable units which would result in a financial hardship to the affordable housing unit owners; and,

Whereas, the Township Committee of the Township of Princeton, accepting a recommendation by the Housing Board, adopted a resolution authorizing a loan to the Association, subject to approval by the New Jersey Council on Affordable Housing ("COAH"), in the amount of Seventy Thousand ($70,000) Dollars (the "Loan) for the purpose of financing the replacement roofs for the three (3) buildings containing the affordable housing units; and,

Whereas, COAH has granted the Township's waiver motion approving the Loan; and,

Whereas, the parties hereto wish to express and confirm the terms of the Loan in this Agreement,

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereto hereby agree as follows:

1. The Township shall loan to the Board of Directors of the Association the sum of Seventy Thousand ($70,000.00) Dollars. The rate of interest shall be 3% per annum. The Loan will be secured by all dues held in accounts of the Washington Oaks at Princeton Condominium Association, Inc. (the "Association") and all future homeowner association dues and fees paid to the Association until repayment of the Loan. Borrower represents and warrants that Borrower has the authority and power to pledge as security for the Loan the aforesaid accounts.

2. The term of the Loan shall be five (5) years from the date of this Agreement. Borrower shallbe permitted to pay interest only on the Loan during the first twelve (12) months of the term of Loan. The Borrower will pay the sum of $14,000 plus interest to the Lender at the end of each year after the first twelve months of the term of this Agreement, but at the end of the fifth year of the term of this Agreement, the Borrower will pay the sum of $28,000 plus interest to the Lender.

3. The Association shall use the Loan only for the purpose of facilitating the roof repairs and related repairs to the buildings containing the affordable housing units located with the Washington Oaks community. The Borrower is hereby required to permit the Lender to review the Borrower's Capital Reserve Funds on a yearly basis during the term of the loan, and Borrowers failure to allow such review or to deposit funds for the purposes expressed herein will constitute a default under the terms of this Agreement. Use of the Loan by the Association for any other purposes shall constitute a default of the terms of this Agreement and the Township shall have all rights and remedies available in law and equity, including the right to accelerate the loan and demand payment in full of the loan amount together with interest and costs of collection, including attorneys fees.

4. The roof repairs shall commence immediately upon disbursement of the Loan to the Association.

5. The Association shall comply with any COAH requirements and/or conditions in relation to the Loan.

Witness/Attest:

THE TOWNSHIP OF PRINCETON, acting as a Redevelopment Agency pursuant to *N.J.S.A.* 40A:12A-8

_____ _____

THE BOARD OF TRUSTEES OF THE WASHINGTON OAKS AT PRINCETON CONDOMINIUM ASSOCIATION, INC.

_____ _____

TOWNSHIP OF PRINCETON
COUNTY OF MERCER, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, the Washington Oaks at Princeton Condominium Association, Inc. has advised the Princeton Township Housing Board that three (3) roofs involving buildings containing the sixty (60) affordable housing units within their community are in need of replacement and repair; and

WHEREAS, in order to avoid a special assessment for this repair work, a loan is being sought from the Princeton Township Affordable Housing Trust Account in the amount of seventy thousand ($70,000.00) dollars; and

WHEREAS, the New Jersey Council on Affordable Housing ("COAH") by Resolution 08-2005 adopted June 11, 2008 endorses the loan as a form of affordability assistance; and

WHEREAS, the Princeton Township Housing Board has reviewed the financial information associated with said Condominium Association and is satisfied that there will be sufficient funds from the R & R portion of future condominium dues to repay this loan over five (5) years, interest only the first year at three (3%) percent interest per annum.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Princeton as follows:

1. The Mayor and Clerk of the Township of Princeton are hereby authorized and directed, acting in their capacity as a redevelopment agency pursuant to *N.J.S.A.* 40A:12A-8 to execute a Security Agreement and to extend the above-referenced seventy thousand ($70,000.00) dollar loan to the Washington Oaks at Princeton Condominium Association, Inc. from the Princeton Township Affordable Housing Trust Account.

2. The Princeton Township Chief Financial Officer is hereby authorized to issue a check in the amount of seventy thousand ($70,000.00) dollars to said Association upon the execution of the Security Agreement which shall be reviewed and approved as to form and content by the Office of the Township Attorney. A copy of said Agreement is on file in the Office of the Township Clerk and may be inspected during regular office hours.

3. A certified true copy of this Resolution shall be furnished upon its adoption to the Princeton Township Housing Board and the Washington Oaks at Princeton Condominium Association.

CERTIFICATION

I, LINDA S. McDERMOTT, Clerk of the Township of Princeton, do hereby certify that the above Resolution was adopted by the Princeton Township Committee at its regular meeting held on the 8th day of September 24, 2008.

Linda S. McDermott, Clerk
Township of Princeton

PRINCETON TOWNSHIP COMMITTEE AGENDA
Monday, September 8, 2008, 7:00 p.m.
Princeton Township Municipal Complex
400 Witherspoon Street

STATEMENT CONCERNING NOTICE OF MEETING

ROLL CALL

MINUTES
July 14 and August 11, 2008

1. **CONSENT AGENDA** – Contains items of a routine nature, which are approved by a single vote.

a. Bills & Claims

b. Maintenance/Performance Guarantees
- Littlebrook Road & Tyson Lane – Marvec Construction – Release of maintenance guaranty
- Reconstruction of Mountain Avenue - Release of performance guaranty contingent upon the receipt of an acceptable two year maintenance guaranty.
- Rosedale Road Pathway Improvements - Release of performance guaranty contingent upon the receipt of an acceptable two year maintenance guaranty.
- Sycamore Road – Release of performance guaranty – no maintenance guaranty required.
- Rose S. Neubert – Princeton Academy of the Sacred Heart – Gymnasium & Fire Pump House, Release of performance guaranty contingent upon the receipt of an acceptable two year maintenance guaranty and completion of punchlist.
- Cindy Stadulius, Business Manager –Princeton Day School – Smoyer Field Renovations Release of maintenance guaranty contingent upon the completion of punchlist items.
- Linda J. Meade, Executive Manager – D&R Greenway, Inc. – The Greenway Center – Site Improvements -Release of maintenance guaranty along with any remaining escrows.
- IAS – Systems Biology Addition – Completion time extension to October 15, 2008.
- James J. Britt, Jr., Esquire – Princeton University – Armory Demolition – Restoration- Administrative Waiver release of performance guaranty. No maintenance guaranty is required for this project.
-Richard Fleck, CFO- The Hun School- Athletics Facilities, Completion time extension to October 15, 2008.
- Alliance Heating & AC – HVAC Eckerd/Rite Aid, Release of performance guaranty. No maintenance guaranty required.

c. Resolution: Cancellation of tax balance

d. Resolution: Authorizing approval of Department of Public Works 4 year contract

e. Music Amplification Requests:
- D.A.R.E. New Jersey, Inc., Annual Gala at Drumthwacket, October 4, 2008, 6:00 p.m. to 11:00 p.m.
- The Auxiliary of the University Medical Center at Princeton, fundraising event, D & R Greenway Land Trust, One Preservation Place, November 8, 2008, 6:00 p.m. to 11:30 p.m.
- Kathleen Reeves, for a wedding at Mountain Lakes, September 20, 2008, 5:00 p.m. to 10:00 p.m.

f. Bid Awards:
- 2008-2009 Maintenance Contract Extension for Municipal Facilities, Eastco Building Services, $145,468.32
- Wilson Road Capital Project
  a. Agreement with Borough of Princeton, Wilson Road Capital Project

g. Resolutions: Accepting Corrective Action Plan
Accepting 2007 Audit

h. Resolution: Designating Additional Bus Stops in Princeton Community Village

i. Resolution: Washington Oaks at Princeton, Roof Repair Loan, $70,000.

j. Resolution: Authorizing Agreement the Historical Society of Princeton concerning the Installation of a Water Main along Quaker Road from Updike Farm to Mercer Road

2. ORDINANCE PUBLIC HEARINGS

– BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF PRINCETON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF $2,249,995 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,332,218 BONDS OR NOTES OF THE TOWNSHIP TOFINANCE PART OF THE COST THEREOF. *

- AN ORDINANCE BY THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY CONCERNING PENALTIES FOR MOTOR VEHICLE AND TRAFFIC VIOLATIONS AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968" *

– AN ORDINANCE CONCERNING CONFIRMATION OF ASSESSMENTS FOR SANITARY SEWER LATERAL REPLACEMENT OR REPAIR AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968" *

- BOND ORDINANCE AUTHORIZING AS A LOCAL IMPROVEMENT THE INSTALLATION AND/OR REPAIR AND REPLACEMENT OF SIDEWALKS ALONG THE WESTERLY SIDE OF EWING STREET BETWEEN VALLEY ROAD AND GUYOT AVENUE BY THE TOWNSHIP OF PRINCETON, APPROPRIATING THE SUM OF $17,500.00 THEREFOR, PROVIDING FOR THE FINANCING OF SAID APPROPRIATION BY THE MAKING OF A DOWN PAYMENT AND THE ISSUANCE OF BONDS AND NOTES OF SAID TOWNSHIP, AND FURTHER PROVIDING FOR A SPECIAL ASSESSMENT OF 50% OF THE COST THEREOF. *

3. ORDINANCE INTRODUCTIONS

– AN ORDINANCE BY THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY, CONCERNING FEES FOR THE ISSUANCE OF TEMPORARY CERTIFICATES OF OCCUPANCY AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968"

– AN ORDINANCE BY THE TOWNSHIP OF PRINCETON, COUNTY OF MERCER, STATE OF NEW JERSEY AMENDING LAND DEVELOPMENT APPLICATION, ESCROW AND PERMIT FEES AND AMENDING THE "CODE OF THE TOWNSHIP OF PRINCETON, NEW JERSEY, 1968"

-BOND ORDINANCE BY THE TOWNSHIP OF PRINCETON AUTHORIZING AS A GENERAL IMPROVEMENT THE INSTALLATION OF A WATER MAIN ALONG QUAKER ROAD FROM THE UPDIKE FARM TO MERCER ROAD, APPROPRIATING THE SUM OF $300,000.00 THEREFORE, PROVIDING FOR THE FINANCING OF SAID APPROPRIATION BY THE MAKING OF A DOWN PAYMENT AND THE ISSUANCE OF BONDS AND NOTES OF SAID TOWNSHIP.

4. COMMENTS FROM THE AUDIENCE

5. REPORTS

6. WORK SESSION

- Proposal to install parking meters at several locations in the Township

7. CLOSED SESSION

Litigation/ Potential Litigation/Negotiations

8. ADJOURNMENT

*Previously Distributed

PURCHASE ORDER

THIS P.O. # MUST APPEAR ON ALL VOUCHERS, CORRESPONDENCE INVOICES, SHIPMENTS, ETC. 7901

CHECK DATE

BILL TO

TOWNSHIP OF PRINCETON
Finance and Purchasing Office
400 Witherspoon Street
Princeton, N.J. 08540-3496
(609) 924-9183

DATE: 11/ 6/2007 Requisition # 8063

TAX EXEMPT FEDERAL I.D.# 21-6001037

VENDOR - DO NOT CHARGE SALES TAX

CHECK NO.

VENDOR

6281
WASHINGTON OAKS HOMEOWNERS ASC
ONE SOCIETY WAY
LAWRENCEVILLE NJ 08648
SIGNATURE PROPERTY GROUP

SHIP TO

DEPT: Legal
AFFORDABLE HOUSING
TOWNSHIP OF PRINCETON
369 WITHERSPOON STREET
PRINCETON NJ 08540

SPECIAL INSTRUCTIONS

ACCOUNT NO.	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
4022155000001	1.000		TOWNSHIP OF PRINCETON - WASHINGTON OAKS AT PRINCETON - COLUMN REPLACEMENT PROJECT - SIXTY (60) AFFORDABLE UNITS x $431.66 PER UNIT: $25,899.44	25899.44	25,899.44
			Signed by Dave Cowell 11/13/07		
			Po Total		25,899.44

N.J. BUSINESS REGISTRATION CERTIFICATE REQUIRED FOR PAYMENT

PURCHASE ORDER **TOTAL**

FOR OFFICE USE ONLY

CERTIFICATION OF FUNDS

THIS ORDER NOT VALID UNLESS SIGNED BELOW

PURCHASING CHIEF FINANCIAL OFFICER

DEPARTMENT CERTIFICATION

having knowledge of the facts certify that the materials and supplies have been received or the services endered; said certification being based on signed delivery slips or other reasonable procedures.

DEPARTMENT HEAD DATE

PAYMENT AUTHORIZED

CHIEF FINANCIAL OFFICER

INSTRUCTIONS TO VENDOR

1. All invoices must include Purchase Order Number.
2. Exempt from all Federal Excise Tax. State Sales Tax.
3. Township Federal ID No. is 21-600-1037. Order is exemption Certificate.
4. It is agreed that goods delivered shall comply with Federal, State and Local Laws relative thereto, and that vendor shall defend actions or claims brought and save harmless the buyer or his agent from loss, cost of damage by reason of actual or alleged infringement of letter patent.
5. The Township of Princeton is an equal opportunity employer. All vendors are required to comply with the Affirmative Action requirements of N.J.A.C. 17:27 - 1.1 et. seq. and to furnish the Township with the required Affirmative Action Documentation.
6. The vendor is required to bill on Township Voucher Form. One copy of this purchase order and signed slip must be attached to ITEMIZED BILL and forwarded to Finance Department.

DEPARTMENT COPY

MGL PRINTING SOLUTIO

MASON, GRIFFIN & PIERSON
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

MEMORANDUM

To: Linda S. McDermott, Clerk
Township of Princeton

From: Edwin W. Schmierer, Esq.

Date: November 26, 2007

Re: **Princeton Township Affordable Housing Program: Township of Princeton - Washington Oaks Homeowners Association, Inc. Agreement: Column Replacements**

The Princeton Township Committee, on recommendation from the Princeton Township Housing Board, authorized the expenditure of $25,899.44 from the Princeton Township Affordable Housing Trust Account to repair columns on the affordable buildings within the Washington Oaks at Princeton community.

Christy Peacock is processing a Payment Voucher for the $25,899.44 and will forward the check to Signature Property Group, Managing Agent for Washington Oaks at Princeton. By copy of this memorandum to Christy, I write to advise that the new address for the Managing Agent is:

Ms. Randi DiChiara
Signature Property Group
850-870 U.S. Route 1 North
North Brunswick, NJ 08902

I enclose herewith an original and copy of the Agreement previously authorized by Township Committee for this expenditure. The Agreement has been executed by the Washington Oaks Homeowners Association, Inc.

I would appreciate very much if you would arrange to have Mayor Phyllis L. Marchand execute the Agreement on behalf of the Township. I would further appreciate your witnessing the Mayor's signature and affixing the Township seal. Please retain one (1) copy for your file. Please return the fully-executed copy to me so that I can forward same to the Managing Agent for the Washington Oaks Homeowners Association, Inc. Please send a copy of the fully-executed Agreement to Christy Peacock for her files.

Thanks as always for your help.

EWS:jv
enc.
cc: Christy Peacock, Affordable Housing Coordinator (w/enc.)
V:\Users\Edwin\PRTWP\Affordable Housing\2007 Memos\McDermott (Send Washington Oaks Homeowners Association, Inc. Agreement - Column Repairs for Execution) 112607.wpd

AGREEMENT

This AGREEMENT is made and dated this 6th day of November, 2007, by and between the TOWNSHIP OF PRINCETON, acting as a Redevelopment Agency pursuant to N.J.S.A. 40A:12A-8 *et seq.*, having an address at 400 Witherspoon Street, Princeton, New Jersey 08540 (the "Township"), and THE WASHINGTON OAKS HOMEOWNERS ASSOCIATION, INC. (the "Association"), having an address at c/o Managing Agent, Signature Property Group, ~~One Society Way, Lawrenceville, New Jersey 08648~~ 850-870 U.S. Route 1 North, New Brunswick, New Jersey 08902.

INITIAL

WHEREAS, the Association is established and governed by a certain Declaration of Covenants dated October 9, 1992 and recorded October 14, 1992 in the office of the Mercer County Clerk in Deed Book 2621 at Page 82, together with all Amendments and Supplements thereto (the "Declaration"), and by a certain Master Deed dated December 17, 1992 and recorded December 22, 1992 in the office of the Mercer County Clerk in Deed Book 2643 at Page 109, together with all Amendments and Supplements thereto (the "Master Deed"), and by the By-Laws of the Washington Oaks Homeowners Association, Inc., together with all Amendments and Supplements thereto (the "By-Laws"); and,

WHEREAS, the individual units, common elements, and limited common elements in the Washington Oaks Community (the "Community") are subject to the terms of the Declaration, the Master Deed, the By-Laws, any Rules and Regulations promulgated and adopted by the Association as the same may be amended and supplemented from time to time (the "Association Rules and Regulations"), and the Princeton Township Housing Board Rules and Regulations as the same may be amended and supplemented from time to time (the "Township Rules and Regulations"); and,

WHEREAS, sixty (60) of the units in the Community are deed restricted and designated as "affordable housing units" subject to the Rules and Regulations of the New Jersey Council on Affordable Housing ("COAH") and all laws and regulations governing affordable housing in the State of New Jersey, in addition to the terms of the aforementioned Declaration, Master Deed, By-Laws, Association Rules and Regulations, and Township Rules and Regulations applicable to affordable housing units; and,

WHEREAS, the Association is authorized to levy and collect special assessments on all units within the Community, both affordable units and market rate units, by the terms of the Master Deed, Declaration and By-Laws, for the purposes expressed therein, including but not limited to assessments for repair and replacement of common elements and limited common elements; and,

WHEREAS, certain exterior columns located on the three (3) buildings which house the aforementioned sixty (60) affordable housing units are in need of repair and/or replacement; and,

WHEREAS, the aforementioned columns are designated as "Common Elements" by the Master Deed and Maintenance Responsibility Chart attached thereto, and are therefore the responsibility of the Association; and,

WHEREAS, the Association intends to exercise its authority to levy a special assessment on all owners within the Community, pursuant to the terms of the Master Deed, Declaration and By-Laws for the purpose of repairing and/or replacing the columns on the aforementioned three (3) buildings; and,

WHEREAS, the Township, through the Princeton Township Housing Board (the "Board") administers a housing affordability assistance program, pursuant to the terms of the Township Rules and Regulations; and,

WHEREAS, the Township desires to provide affordability assistance to the affordable unit owners within the Community by paying to the Association the share of the special assessment that would otherwise be due and payable by the owners of the affordable units, provided however, that the owners of the market rate units are required by the Association to pay their proportionate share of the special assessment levied for the purpose of repairing and/or replacing the columns; and,

WHEREAS, the Association has solicited bids for the column project and has awarded the project to JDC, Inc., in accordance with the attached approved proposal (the "Contract"), and the column work is expected to commence in late October or early November of 2007; and,

WHEREAS, the Contract provides for a total cost of Forty-Six Thousand Six Hundred and Nineteen ($46,619.00) Dollars for the column replacement project, comprised of $44,000.00 for labor and materials, $719.00 for permit fees, and $1,900.00 for engineering inspections; and,

WHEREAS, there are one hundred and eight (108) total units in the Community, sixty (60) of which are affordable units and forty-eight (48) of which are market rate units; and,

WHEREAS, the proportionate share of the sixty (60) affordable housing units of the $46,619.00 total special assessment is $25,899.44, and the proportional share of the forty-eight (48) market rate units is $20,719.56,

NOW THEREFORE, in consideration of the mutual covenants expressed herein, the parties hereto hereby agree as follows:

1. The Association will levy a special assessment on all unit owners within the Community, both affordable unit owners and market rate unit owners, for each unit's proportionate share of the total special assessment amount of $46,619.00, as set forth herein, said special assessment to be made in accordance with the provisions of the Master Deed and the Declaration.

2. The Association will provide the Township with proof of notice of the special assessment to all unit owners. The notice to affordable housing unit owners shall state that their share is being paid by the Township pursuant to its affordable housing affordability assistance program.

3. The Association will levy a total assessment of $46,619.00 on all units to cover the cost of the column comprised of: (a) $44,0000 for labor and materials payable to JDC, Inc. for labor and materials in connection with replacement of the columns; (b) $719.00 for permit fees payable to Princeton Township; and (c) $1,900 for engineering inspections payable to FWH Associates, P.A.

4. The Township will pay to the Association the proportionate share of the total assessment levied due from the sixty (60) affordable housing units, which shall be a total of $25,899.44, or $431.66 per unit. The market rate units shall pay to the Association their proportionate share of the total assessment, which shall be a total of $20,719.56, or $431.66 per unit.

5. In the event that any additional unforeseen work in connection with the column repair project should be recommended by the contractor, the Association shall provide the Township with documentation from the contractor specifying the nature, scope and cost of the recommended additional work. Whether or not the Township will pay the proportionate share of the affordable unit owners of such additional amount, shall be within the absolute discretion of the Township. Any proposal for such additional work must be submitted to the Township in writing within thirty (30) days of the date the column work has been completed. The date of completion shall be the date upon which all municipal approvals are granted.

6. All column work, including any additional unforseen work, shall be completed no later than ninety (90) days from the date of commencement of the column work.

7. In the event any market rate unit shall fail to pay the special assessment levied by the Association, the Association shall immediately pursue all rights and remedies against the defaulting unit owner(s) permitted by the terms of the Master Deed, Declaration, By-Laws, other governing documents, and by law.

In WITNESS WHEREOF, this Agreement is signed and dated as of the date first written above.

WITNESS:

The Township of Princeton, acting as a Redevelopment Agency pursuant to N.J.S.A. 40A:12A-8 *et seq.*,

Linda S. McDermott, Clerk

By: Phyllis L. Marchand, Mayor

The Washington Oaks Homeowners Association, Inc.

By:

V:\Users\ALLISON\Municipal\PRTWP\Affordable\OaksContract.wpd

PURCHASE ORDER

THIS P.O. # MUST APPEAR ON ALL VOUCHERS, CORRESPONDENCE INVOICES, SHIPMENTS, ETC. 8398

CHECK DATE

BILL TO

TOWNSHIP OF PRINCETON
Finance and Purchasing Office
400 Witherspoon Street
Princeton, N.J. 08540-3496
(609) 924-9183

DATE: 12/18/2007 Requisition # 8604

TAX EXEMPT FEDERAL I.D.# 21-6001037

VENDOR - DO NOT CHARGE SALES TAX

CHECK NO.

VENDOR

6281
WASHINGTON OAKS HOMEOWNERS ASC
US TR. 1 NORTH
NEW BRUNSWICK NJ 08902
SIGNATURE PROPERTY GROUP

SHIP TO

DEPT: Affordable Housing
AFFORDABLE HOUSING
TOWNSHIP OF PRINCETON
369 WITHERSPOON STREET
PRINCETON NJ 08540

SPECIAL INSTRUCTIONS

ACCOUNT NO.	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
4020120105172	1.000		CHANGE ORDER FOR WASHINGTON OAKS COLUMN REPAIRS	2247.00	2,247.00
			Po Total		2,247.00

N.J. BUSINESS REGISTRATION CERTIFICATE REQUIRED FOR PAYMENT

PURCHASE ORDER **TOTAL**

FOR OFFICE USE ONLY

CERTIFICATION OF FUNDS

THIS ORDER NOT VALID UNLESS SIGNED BELOW

PURCHASING

CHIEF FINANCIAL OFFICER

DEPARTMENT CERTIFICATION

having knowledge of the facts certify that the materials and supplies have been received or the services ndered; said certification being based on signed delivery slips or other reasonable procedures.

DEPARTMENT HEAD

DATE

PAYMENT AUTHORIZED

CHIEF FINANCIAL OFFICER

INSTRUCTIONS TO VENDOR

1. All invoices must include Purchase Order Number.
2. Exempt from all Federal Excise Tax. State Sales Tax.
3. Township Federal ID No. is 21-600-1037. Order is exemption Certificate.
4. It is agreed that goods delivered shall comply with Federal, State and Local Laws relative thereto, and that vendor shall defend actions or claims brought and save harmless the buyer or his agent from loss, cost of damage by reason of actual or alleged infringement of letter patent.
5. The Township of Princeton is an equal opportunity employer. All vendors are required to comply with the Affirmative Action requirements of N.J.A.C. 17:27 - 1.1 et. seq. and to furnish the Township with the required Affirmative Action Documentation.
6. The vendor is required to bill on Township Voucher Form. One copy of this purchase order and signed slip must be attached to ITEMIZED BILL and forwarded to Finance Department.

DEPARTMENT COPY

MGL PRINTING SOLUTION

REQ 8604

WASHINGTON OAKS HOMEOWNERS ASSOCIATION

Managing Agent
Signature Property Group
850-870 US Route 1 North
North Brunswick, NJ 08902
(609) 395-1000
Fax (609) 395-0110

Washington Oaks Homeowner Association
c/o Managing Agent Signature Property Group
850-870 US Route 1 North
North Brunswick, NJ 08902

INVOICE

Date: January 4, 2008
Purchase Order #

Bill To:

Ms. Christy Peacock
Affordable Housing Coordinator
Township of Princeton
339 Witherspoon Street
Princeton, NJ 08540

Description: Column repairs change order at the Oaks section.

Amount Due: $2,247.00

Wednesday, January 02, 2008 1:38:32 PM
Message

REQ
8604

From: <rdichiara@spgroup.biz>

Subject: Washington Oaks - Column Project

To: **Christy Peacock**

Cc: '"francis lynn"' <franlynn36@hotmail.com>

Attachments: Attach0.html

Christy,

As a follow up from last month's e-mail, please advise regarding the Committee's decision regarding reimbursement to the Association for the additional work completed during the column project. Thank you.

Randi DiChiara

Property Manager

Signature Property Group Inc.

609-896-9346 phone

609-896-4942 fax

rdichiara@spgroup.biz

FAITH - DID THIS
P.O. get done
B-4 cut off date?

Signature PROPERTY GROUP

850-870 US Route 1 North
North Brunswick, New Jersey 08902
Tel: 732 390-1100 • 609 395-1000
Fax 609 395-0110 • www.spgroup.biz
Reply to:

TRANSMISSION REQUEST

NUMBER OF PAGES (including cover page) 2

DATE: 1/4/08

SENT TO: Christy Peacock

FAX # 688-2053

FROM: Randi DiChiara

SUBJECT: Washington Oaks - Column Project

OUR TELECOPIER NUMBER: 609 -395-0110

IF YOU HAVE ANY QUESTIONS, PLEASE CALL US AT: 609- 395 -1000
732- 390- 1100

SPECIAL INSTRUCTIONS: I left P.O. blank, please fill in if needed. Thank you.

REHABILITATION PROGRAM MANUAL

HOUSING REHABILITATION PROGRAM

PROCEDURE MANUAL

Princeton Township, Mercer County

CONTENTS OF THIS MANUAL:

An overview of the rehabilitation program.

A summary of the administration of the program.

A description of the program's staff and their responsibilities.

Procedures for marketing the program.

The amount of money available for the loans.

The income qualification criteria to be used.

The procedures for filing applications.

The procedures for review and approval of work.

The length of affordability controls.

A set of the documents to be used in the program.

Fair Housing and Equal Housing Opportunities

It is unlawful to discriminate against any person making application to participate in the rehabilitation program or rent a unit with regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments.

For more information on discrimination or if anyone feels they are a victim of discrimination, please contact the New Jersey Division of Civil Rights at 1-866-405-3050 or http://www.state.nj.us/lps/dcr/index.html.

HOUSING REHABILITATION PROGRAM DESCRIPTION

Princeton Township, Mercer County

INTRODUCTION

This Rehabilitation Program Operating Manual has been prepared to assist in the administration of the Township of Princeton Rehabilitation Program. It will serve as a guide to the Township Rehab Program staff, as well as to homeowner and rental applicants.

This manual describes the basic content and operation of the program, examines program purposes, and provides the guidelines for implementing the program. It has been prepared with a flexible format to allow for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

It also explains the steps in the rehabilitation process. It describes the eligibility requirements for participation in the program, program criteria, funding terms and conditions, cost estimating, contract payments, record keeping and overall program administration.

The following represents the procedures developed to offer an applicant the opportunity to apply to the program.

The New Jersey Fair Housing Act., N.J.S.A. 52:27D-301 *et seq.,* and the regulations of the NJ Council on Affordable Housing (COAH), N.J.A.C. 5:93 *et sec.*, identify a component of low- and moderate-income housing need, termed "indigenous need for each municipality in the state." This component represents the number of deficient or physically substandard housing units within the municipality occupied by low- and moderate-income households.

As of June 1995, COAH allocated fifty (50) units as the indigenous need for Princeton Township. COAH regulations permit municipalities to address the indigenous need through a housing rehabilitation program. Such programs must comply with the standards set by COAH in N.J.A.C. 5:93-5.2. Princeton Township will implement a housing rehabilitation program for up to fifty substandard housing units occupied by low- and moderate-income persons.

Princeton Township will make deferred-payment loans of up to $30,000.00 to low- or moderate-income Township homeowners to make needed repairs on their homes. Eligible rehabilitation activities include repairs for health, safety and for the repair or replacement of major elements and systems, such as roofing, plumbing (including wells), heating, electrical, sanitary plumbing (including septic systems), or structural components. Energy conservation improvements are also eligible if undertaken in conjunction with a major system repair or replacement. Upon completion, rehabilitation shall bring the systems repaired or replaced up to code standard.

The Township will place a lien on the property for the amount of the loan. In addition, the property will be subject to the affordability controls required by COAH. Repayment of the loan will be deferred until the property is sold, refinanced or transferred. Payment may continue to be deferred beyond the sale of the property if the property is sold to another low or moderate-income owner-occupant and the affordability controls are extended for an additional (6) years.

For owner-occupied homes, no interest will be required to be paid on the loan if the income-qualified homeowner either remains in the property or rents to another low or moderate-income occupant for the six (6) years following the signing of the rehabilitation note, mortgage and contract. If the property is sold or otherwise transferred within the above-mentioned six (6) years to a buyer who does not maintain low or moderate-income

occupancy, the loan must be repaid in full at that time and interest shall be paid on the loan. The interest shall be calculated from the time of start of the rehabilitation project to the time of sale. The interest rate shall be set at the thirty (30) year Treasury Bond rate, or the Township rate of bond borrowing in effect at the start of the loan. The recaptured funds will be used to rehabilitate other dwellings.

Rental dwellings are eligible for no-interest deferred payment rehabilitation loans if the owners agree to rent the apartments only to low- or moderate-income households for ten (10) years. If the property is rented to other than low- or moderate-income tenants before the ten year deed restriction expires, interest shall be calculated as stated above.

To satisfy the income-eligibility requirement, the current and future occupants of the rehabilitated dwellings, (homeowners or renters), must have annual incomes at or below COAH's current eligible low- and moderate-income limits for the housing region, based on family size.

Determination of the sales prices and rent levels of low- and moderate-income dwellings must follow COAH's pricing guidelines; i.e., the total monthly cost to a low- or moderate-income homeowner may not exceed twenty-eight percent of gross monthly income. Monthly rents, including utilities, may not exceed thirty-percent of monthly income.

Applicants will receive free technical assistance including loan application guidance, housing inspections, cost estimates, work write-ups, and loan and financial counseling. Applicants are not committed to the rehabilitation work until contracts are signed, which is after all parties have agreed to the contract terms. Although the loan is made to the homeowner, the costs of rehabilitation are paid to the construction contractor(s) by Princeton Township, if the work is satisfactory to the homeowner and the Township.

PURPOSE

The purpose of this program is to help meet Princeton Township's Fair Share housing obligation through provisions designed to facilitate the rehabilitation of up to fifty (50) substandard housing properties occupied by low- or moderate-income eligible Princeton Township households by providing deferred payment loans from the Township.

DEFINITIONS

Definitions pertaining to affordable housing not found below are the same as those that appear in the rules and regulations adopted by the Council on Affordable Housing in N.J.A.C. 5:91-1 *et seq.* or 5:93-2 *et seq.* As used in this plan:

"Applicant" is the person or persons applying for financial assistance for housing rehabilitation in accordance with the provisions of this plan.

"Council on Affordable Housing" is the Council established by the New Jersey Fair Housing Act N.J.S.A. 52:27 D-301 *et seq.*; also known as COAH.

"Rehabilitation Administrator" is the Affordable Housing Coordinator who is designed to perform the duties described in this plan.

"Construction Manager" is a qualified individual hired or contracted by the Township Committee, recommended by the Township Housing Board and appointed by the Rehabilitation Administrator to perform the duties described in this plan.

"Indigenous Need" is substandard housing occupied by low- or moderate-income households within the municipality.

"Low-Income Household" is a household with a gross household income equal to 50 percent or less of the median gross household income for households of the same size

within the housing region in which it is located, as determined by the Council on Affordable Housing in N.J.A.C. 5:93-1 *et seq.* or its subsequent rules and regulations.

"Moderate-Income Household" is a household with gross household income of more than 50 percent but less than 80 percent of the median gross household income for households of the same size within the housing region in which it is located as determined by the Council on Affordable Housing in N.J.A.C. 5:93-1 *et seq.* or its subsequent rules and regulations.

"Rehabilitated Dwelling" is a previously substandard dwelling which has undergone significant rehabilitation to meet municipal or other applicable housing code standards under the aegis of this housing rehabilitation program.

"Substandard Dwelling" is a dwelling with health and/or safety and/or code violations as determined in N.J.S.A. 5:93-5 and this rehabilitation program.

"Utility Allowance" is an allowance for utilities that is consistent with the personal benefit expense allowance for utilities as defined by HUD, or a similar allowance approved by COAH.

FUNDING

1. The Township shall provide sufficient funds to cover the costs of the housing rehabilitation program. The money expended on the housing program shall be exempt from the limitations on final appropriations imposed pursuant to P.L. 1976, c 68 (C40A:4-45.1 *et seq.*).

2. For fiscal years 1996 - 2000, at least the following funds shall be made available from either the Housing Utility Account or the Housing Trust Account for no-interest loans to fund the rehabilitation of up to fifty (50) qualified housing units, in the average amount of $10,000.00 per unit, as follows:

1996	$167,000.00
1997	$ 83,250.00
1998	$ 83,250.00
1999	$ 83,250.00
2000	$ 83,250.00

This money shall be exempt from the limitations on final appropriations imposed pursuant to P.L. 1976, c 68 (C40A: 45.1 *et seq.*).

3. A minimum of $10,000.00 and a maximum of $30,000.00, shall be provided for each unit to be rehabilitated, of which $8,000.00 shall be allocated to the actual capital costs of rehabilitation and up to $2,000.00 may be allocated to administrative costs. The actual capital costs of the improvements to an individual unit may be less that $8,000.00 if, at the end of each two year period, the rehabilitation program as a whole has averaged at least $8,000.00 per unit.
4. If the total amount of money set aside in a given year is not expended as the result of insufficient eligible applications to the program for that year, the unused funds shall be left in the Township's Housing Utility Account or Housing Trust Account, as applicable, and earmarked for the housing rehabilitation program.

ADMINISTRATION

Princeton Township Housing Board

The Princeton Township Housing Board has policy and overall oversight responsibility, both financial and procedural, for the program. It operates in an advisory capacity to the Township Committee and makes recommendations to the Committee when necessary.

Rehabilitation Administrator

The Township employee working in the capacity of the Affordable Housing Coordinator also serves as Rehabilitation Administrator with overall responsibility for the operation of the program, for liaison with the Township attorney and for all non-construction related interactions with homeowners.

Construction Manager

A Rehabilitation Construction Manager who is an approved consultant to Princeton Township will be appointed for each project by the Rehabilitation Administrator. The Manager is responsible for determining the scope of work and specifications for each project and for obtaining bids. He/she is also responsible for all dealings with contractors, for supervision of the work in progress and for certifying its satisfactory completion. In this role, he/she is responsible to the Rehabilitation Administrator and the Housing Board.

Township Attorney

The Township attorney is responsible for preparing the contracts for the projects, for processing the mortgages and for necessary revisions in the mortgages, due to change orders, at the completion of each project.

GENERAL ADMINISTRATION OF THE REHABILITATION PROGRAM

1. Marketing of the Township's housing rehabilitation program is the responsibility of the Rehabilitation Administrator and includes:
    a. Periodic press releases issued to various media to inform the public about the rehabilitation program and to promote interest in the program;
    b. Flyers enclosed with the annual property tax bills and periodic Township newsletters;
    c. Flyers sent to local clergy, libraries, businesses, and activity centers;

d. Known substandard dwellings to be targeted through a direct mail campaign to the owners;

e. Information and application packets prepared and made available for distribution through various media to interested owners upon request and free of charge;

2. Determining the eligibility of each applicant based on the requirements of the program.

3. Maintaining files on each applicant. The files may be used to respond to monitoring requests and to protect the municipality against any charges of irregularity. The files shall include:

a. The name of each applicant.

b. If the applicant is not approved, the reasons for disapproval;

c. If the applicant is approved:

i) Proof of the occupant's eligibility pursuant to N.J.A.C. 5:93-9.1 (b)

ii) The initial inspection report by the construction manager;

iii) Bids submitted by contractors;

iv) The final owner/contractor Township contract;

v) The owner/Township mortgage and mortgage note;

vi) Progress reports and interim inspection records; owner sign-offs;

vii) A copy of the final inspection report;

viii) A copy of the deed to the property;

ix) Certificate of homeowners' insurance;

d. if the applicant is not approved, letter to applicant indication reason(s).

4. Performing all additional responsibilities incorporated in the procedures section of this manual.

GENERAL PROCEDURES FOR APPLICATION AND QUALIFICATION TO THE TOWNSHIP REHABILITATION PROGRAM

1. Staff will develop the necessary application and financial statement forms;

2. Applications will be available at the Township Affordable Housing Office, online at www.princetontwp.org and by mail.

3. Applicants will submit a completed application form to the Rehabilitation Administrator who will be available to assist in the completion of the form.

4. Applicants shall not be required to pay fees for the application or for any of the inspections undertaken in association with the qualification of the dwelling. Any required local building permits or approvals will be included in the construction costs.

5. The Rehabilitation Administrator will review the application for completeness and, if complete, determine whether the applicant is income-eligible. If the dwelling is a rental, the owner must sign a binding contract stating his or her willingness to rent the rehabilitated unit to a qualified low- or moderate-income household for ten years.

PROCEDURES FOR ELIGIBILITY

Only Princeton Township homeowners are eligible for the Rehabilitation Program. Eligibility is further determined by the following criteria:

Property owners of both owner-occupied and renter-occupied units must submit the following documentation:

1. Copy of the deed of the property.
2. Proof that property taxes and water and sewer bill are current.
3. Proof of property insurance, including liability, fire and flood insurance where necessary.

Ineligible Properties

If, after review of the property documentation submitted and the inspection report and/or work write-up an applicant's property is determined to be ineligible, the program staff will send a letter delineating the reasons for the determination of ineligibility. An applicant's property may be determined ineligible for any one of the following reasons:

1. Title search is unfavorable.
2. Property does not need sufficient repairs to meet eligible requirements.
3. Real estate taxes are in arrears.
4. Proof of property insurance not submitted.
5. Property is listed for sale.
6. Property is in foreclosure.
7. Total debt on the property will exceed the value of the property.
8. The municipality may disqualify properties requiring excessive repairs to meet municipal housing standards.

INCOME VERIFICATION

The owner of the dwelling must either live in the dwelling and qualify as a low- or moderate-income household or must agree by written contract to rent the rehabilitated dwelling only to a low- or moderate-income household. Proof of the owner's or renter's qualifications required by the Rehabilitation Administrator will include at least the following:

Every household member 18 years of age or over who lives in the dwelling and receives income shall be required to provide income documentation as applicable and determined by the reviewer for the program. This includes income received by adults on behalf of minor children for their benefit. Household members 18 years of age or over not receiving income must produce documentation of current status.

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

a. Four consecutive pay stubs including overtime, bonuses, or tips dated within 120 days of the application date, or a letter from employer stating present annual income figures as projected annually;

b. Copies of Federal and State income tax returns for the current and each of the preceding two tax years – A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.

c. An appropriate reporting letter or form verifying benefits such as Social Security, unemployment, Welfare, Disability or Pension income (monthly or annually);

d. An appropriate reporting letter or form verifying any other sources of income claimed by the applicant, such as alimony or child support;

e. Reports that verify income from assets to be submitted by banks or other financial institutions meaning 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.

Sources of annual income shall be based on regular income reported to the IRS and which can be utilized for Township mortgage approval. Household annual gross income shall be calculated by averaging and annualizing projecting current gross income over a twelve-month period.

INCOME QUALIFICATION

Income includes, but is not limited to, wages salaries, tips, commissions, alimony, regularly scheduled overtime, pensions, social security, unemployment compensations, AFDC, verified regular child support, disability, net income from business or real estate and income from assets such as savings, CDs, money market, mutual funds, stocks and bonds, and imputed income from non-income producing assets such as equity in real estate.

a. Assets not earning a verifiable income shall have an imputed interest income using a current average annual savings interest rate. Assets not earning income include present real estate equity. Applicants owning real estate must produce documentation of a market value appraisal and outstanding mortgage debt. The difference between the two will be treated as that monetary value of the asset and imputed interest added to income.

b. Income from assets that have delayed earnings, such as IRA's or annuity programs shall not be included in current income until such payments are being received. However, the assets must be reported and verified.

c. 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.

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, relocated assistance benefits, income of live-in attendants, scholarships, student loans, personal property 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.

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. 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 monthly debt whether or not it is being paid regularly.

The current income-eligibility standards are those for Region 4 (Mercer, Monmouth and Ocean counties) as supplied annually by COAH.

Insurance on the property is required. It shall be equal to the assessed value or the purchase price, whichever is higher. Proof of ownership and insurance on the property to be rehabilitated will also be required. This includes, but is not limited to: copies of deeds and proof of homeowner's insurance.

REHABILITATION STANDARDS

The dwelling that is proposed for rehabilitation must be considered substandard in accordance with N.J.A.C. 5:93-5.2(b) which states that a "substandard unit is defined as a unit with health and/or safety and/or code violations that require the repair or replacement of a major system. A major system shall include a roof, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), and/or a load bearing structural system."

The related work may include, but is not limited to the following:

- Interior trim work,
- Interior and/or exterior doors

- Interior and/or exterior hardware
- Window treatment
- Interior stair repair
- Exterior step repair or replacement
- Porch repair
- Wall surface repair
- Painting
- Exterior rain carrying system repair

Ineligible Improvements

Work not eligible for program funding includes but is not limited to luxury improvements (improvements which are strictly cosmetic), additions, conversions (basement, garage, porch, attic, etc.), repairs to structures separate from the living units (detached garage, shed, barn, etc.), furnishings, pools and landscaping. If determined unsafe, stoves may be replaced. The replacement or repair or other applliances is prohibited. Rehabilitation work performed by property owners shall not be funded under this program.

11. The owner of the dwelling to be rehabilitated shall agree, by written contract, to comply with all of the requirements of this housing rehabilitation program and the requirements set forth in the Township's Housing Ordinance.

PROTOCOL

1. When an application for the rehabilitation program is received, the Rehabilitation Administrator conducts the initial interview in the applicant's home, explains the program to the homeowner, discusses what needs to be done and proceeds through the regular qualification process.

2. If the applicant is qualified, the Rehabilitation Administrator refers

the homeowner(s) to the Construction Manager who inspects the house and, in conjunction with the homeowner, determines the scope of work that is consistent with COAH guidelines and the Housing Board Rehabilitation Policies. Upon rehabilitation, repaired or replaced housing deficiencies shall be brought up to code standard. The standard for evaluating rehabilitation activity shall be N.J.A.C. 5:23-2.4. The rehabilitation activity shall not include luxury improvements, the purchase of appliances (with the exception of stoves) or improvements that are strictly cosmetic.

3. The Construction Manager submits the scope of work to the Board. When the Board approves the scope of work it authorizes the Construction Manager to develop detailed specifications and to submit them for review by the Rehabilitation Administrator and then for subsequent bid to at least three contractors.

4. When the bids have been received, the Construction Manager submits them to the Board with recommendations for acceptance.

5. As soon as the Board has accepted a bid recommendation, the Rehabilitation Administrator asks the Township Attorney to draft a contract and mortgage documents, then to schedule a meeting at which the contractor, the homeowner, and the Rehabilitation Administrator sign the contract, and the homeowner signs the mortgage documents. The Construction Manager shall attend the meeting and may issue Notice to Proceed when the contract has been signed.

Note: The Construction Manager's specifications and contractor's bid will be appended to the contract as evidence of what all parties have agreed to.

6. Construction begins. The Board has given the Construction Manager authority to approve change orders up to 10% of the contract without further Board oversight. All change orders must be approved by the contractor, the homeowner and the Construction Manager and submitted to the Rehabilitation Administrator. The

Rehabilitation Administrator will have the homeowners sign the change orders. The Rehabilitation Administrator will keep track of expenses and will alert the Construction Manager when the change order approaches total 10%.

7. Any change orders over and above the 10% limit must also be approved and signed by a Board-authorized representative. Only if the representative is not available and if waiting will delay the work significantly and/or increase costs, the Rehabilitation Administrator or the Board Chair can be approached for approval.

8. During construction, contractor invoices will be submitted periodically to the Rehabilitation Administrator with an indication of the percent of each portion of the schedule of values that has been completed. The Rehabilitation Administrator will process the invoices in accordance with the payment schedule agreed to at contract signing. 10% of the cost of each contract will be withheld pending completion of the work satisfactory to the Construction Manager and the homeowner, and receipt of all appropriate municipal certificates of inspections and approvals. To the extent possible, the timing of invoices should fit with the Township Financial Officer's schedule for submitting bills to Township Committee so that payment to contractors is not unduly delayed.

9. When construction has been completed to the Construction Manager's satisfaction, the Building Department has issued a Certificate of Acceptance and final payment to the contractor has been authorized, the Rehabilitation Administrator will inform the Township Attorney of the total amount of change orders. The Township Attorney will arrange for the homeowner to sign the necessary revisions to the mortgage documents.

APPEALS

Appeals from all decisions of an Administrative Agent shall be made in writing to the Executive Director of the Council on Affordable Housing (COAH), 101 South Broad Street, P.O. Box 813, Trenton, New Jersey 08615. The Executive Director's written decision, which shall be made within 15 days of receipt of an appeal, shall be a final administrative action of COAH.

RENTAL PROCEDURES

Rental units are subject to the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5-80:26.1 et. seq. once the rental units are rehabilitated.

A. Fair Housing and Equal Housing Opportunities

It is unlawful to discriminate against any person making application to participate in the rehabilitation program or rent a unit with regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments.

For more information on discrimination or if anyone feels they are a victim of discrimination, please contact the New Jersey Division on Civil Rights at 1-866-405-3050 or
http://www.state.nj.us/lps/dcr/index.html.

B. Overview of the Affordable Housing Administration Process for Rental Units

- The Municipal Housing Liaison serves as an initial point of contact for unsolicited calls to the municipality about affordable housing and where appropriate directs applicants to an Administrative Agent, who may be a nonprofit agency, State agency or consultant that may administer the rehabilitation program within the municipality.

- The Administrative Agent implements the municipality's Affirmative Marketing Plan.

- The Administrative Agent serves as the initial point of contact for all inquiries generated by the affirmative marketing efforts and sends out pre-applications to interested callers.

- The Administrative Agent pre-qualifies applicants in the applicant pool for income eligibility and sends either a rejection letter to those over income or a preliminary approval letter to those who appear income-eligible.

- When a unit becomes available, the Administrative Agent will interview the applicant households and proceed with the income qualification process.

- The Administrative Agent must notify applicant households in writing of certification or denial within 20 days of the determination.

- Once certified, households are further screened to match household size to bedroom size.

- Certified households that are approved for a rental affordable housing unit will sign Appendix K and any other applicable documents, which are held in the applicant file. Applicants then make an appointment with the leasing agent. Applicant households seeking rental units proceed with a credit check, which is generally conducted by the developer, affordable housing sponsor or landlord. If approved, the applicant will sign the lease, pay the first month's rent and the security deposit and receive the keys.

- The certified household moves in to the affordable rental unit.

C. Roles and Responsibilities

Responsibilities of the Municipal Housing Liaison

The Municipal Housing Liaison is responsible for coordinating all the activities of the municipal government as it relates to the creation and administration of affordable housing units, in conjunction with the Municipal Attorney, where appropriate (see the section **Responsibilities of the Municipal Attorney**). The primary purpose of the Municipal Housing Liaison is to ensure that all affordable housing projects are established and administered according to the Regulations as outlined in an Operating Manual. The duties of the Municipal Housing Liaison include the following duties, and may include the responsibilities for providing administrative services as described in the next Section under, Responsibilities of an Administrative Agent.

Monitor the status of all restricted units in the municipality's Fair Share Plan. Regardless of any arrangements the municipality may have with one or more Administrative Agents, it is the Municipal Housing Liaison's responsibility to know the status of all restricted units in their community.

Serve as the municipality's primary point of contact for all inquiries from the State, Administrative Agents, developers, affordable housing sponsors, owners, property managers, and interested households. The Municipal Housing Liaison serves as the municipality's primary point of contact on affordable housing issues. Interested applicants should be provided with information on the types of affordable units within the municipality and, where applicable, the name of the Administrative Agent that manages the units and the contact information for the Administrative Agent.

Compile, verify and submit annual reporting. Administrative Agents are responsible for collecting much of the data that is ultimately included in an annual COAH monitoring report. However, it is the Municipal Housing Liaison's responsibility to collect and verify this data and consolidate it into the annual report to COAH. Any requests from COAH for additional information or corrections will be directed to the Municipal Housing Liaison.

Provide Administrative Services, unless those services are contracted out. The responsibilities for providing administrative services are described in the next Section under, **Responsibilities of an Administrative Agent**.

Responsibilities of an Administrative Agent

The primary responsibility of an Administrative Agent is to establish and enforce affordability controls and ensure that units in their portfolio are rented to eligible households. Administrative Agents must:

Secure written acknowledgement from all owners that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.

Create and adhere to an Operating Manual. Administrative Agents are required to follow the policies and procedures of an Operating Manual, as applicable to the scope of services they have been contracted to perform.

Implement the municipality's Affirmative Marketing Plan. The Administrative Agent, the developer, affordable housing sponsor or owner could be responsible for implementing the Affirmative Marketing Plan adopted by the municipality. At the first meeting with the Municipal Housing Liaison, Administrative Agent, and the developer, affordable housing sponsor or owner this responsibility should be discussed. Affirmative marketing includes conducting regional outreach and advertising for available affordable units. Advertising costs may also be delegated to the developer, but this must be established by ordinance and a condition of approval of the Planning Board or Zoning Board.

Accept applications from interested households. In response to marketing initiatives or by referral from the Municipal Housing Liaison, interested households will contact the Administrative Agent. The Administrative Agent will supply applicants with applications, provide additional information on available units and accept completed applications.

Conduct random selection of applicants for rental of restricted units. The Administrative Agent is responsible for conducting the random selection in accordance with the Affirmative Marketing Plan and any related local ordinances, and as described in the Operating Manual.

Create and maintain a pool of applicant households. This includes reaching out to households in the applicant pool to determine continued interest and/or changes in household size and income.

Determine eligibility of households. The task of collecting application materials and documentation from applicant households and analyzing it for eligibility is the responsibility of an Administrative Agent. A written determination on a household's eligibility must be provided within twenty (20) days of the Administrative Agent's determination of eligibility or non-eligibility. Whether or not the household is determined to be eligible for a unit, it is an Administrative Agent's responsibility to secure all information provided by the household in individual files and to maintain strict confidentiality of all information regarding that household. An Administrative Agent is required to ensure that all certified applicants execute a certificate acknowledging the

rights and requirements of renting an affordable unit, in the form of Appendix K of UHAC.

Establish and maintain effective communication with property managers and landlords. Property managers and landlords of restricted units should be instructed and regularly reminded that the Administrative Agent is their primary point of contact. The Administrative Agent must immediately inform all property managers and landlords of any changes to the Administrative Agent's contact information or business hours.

Property managers and landlords should be instructed to immediately contact the Administrative Agent:

- Immediately upon learning that an affordable rental unit will be vacated.
- For review and approval of annual rental increases.

Provide annual notification of maximum rents. Each year when COAH releases its low- and moderate-income limits, rental households must be notified of the new maximum rent that may be charged for their unit. The Administrative Agent's contact information must be included on such notification in case the tenant is being overcharged.

Serve as the custodian of all legal documents. An Administrative Agent is responsible for maintaining originals of all legal instruments for the units in their portfolio. Throughout the duration of a control period, an Administrative Agent must maintain a file containing its affordability control documents. This includes, but is not limited to, the recorded Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Repayment Mortgages, Repayment Mortgage Notes, Leases and Appendix K.

Serve as point of contact on all matters relating to affordability controls. It is recommended that the Administrative Agent develop a system to be notified by lenders when a unit is at risk of foreclosure. In the event of a foreclosure, the Administrative Agent should work with the foreclosing institution to ensure that the affordability controls are maintained. The Administrative Agent should seek the counsel of the municipality's attorney on legal matters that threaten the durability of the affordability controls.

Provide annual activity reports to Municipal Housing Liaison for use in the annual COAH monitoring report. An Administrative Agent is responsible for collecting the reporting data on each unit in their portfolio.

Maintain and distribute information on HUD-approved Housing Counseling Programs.

Responsibilities of the Municipal Attorney

The Municipal Attorney assists the municipality with developing, administrating, and enforcing affordability controls, including but not limited to

- Providing all reasonable and necessary assistance in support of the Administrative Agent's efforts to ensure compliance with the housing affordability controls.

Responsibilities of Owners of Rental Units

Open and direct communication between the Owners of rental units, the Municipal Housing Liaison and the Administrative Agent is essential to ongoing administration of affordability controls. Although the Administrative Agent is required to serve as the primary point of contact with households, the Owner must provide the Municipal Housing Liaison and Administrative Agent with information on vacancies. Owners of rental units are also responsible for working with the Administrative Agent to ensure that the Municipal Housing Liaison has all necessary information to complete the annual COAH reporting.

Responsibilities of Landlords and Property Managers

Landlords and property managers must place a notice in all rental properties annually informing residents of the rent increase for the year and the contact information for the Administrative Agent.

D. Affirmative Marketing

Overview of the Requirements of an Affirmative Marketing Plan

All affordable units are required to be affirmatively marketed using [*insert name of municipality*]'s Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children to housing units which are being marketed by an Administrative Agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to target households who are least likely to apply for affordable housing, and to target households throughout the entire housing region in which the units are located.

[*Insert name of municipality*]'s Affirmative Marketing Plan can be found in the Appendix.

Every Affirmative Marketing Plan must include all of the following:

- Publication of at least one advertisement in a newspaper of general circulation within the housing region; and

- Broadcast of at least one advertisement by radio or television throughout the housing region.

At least one additional regional marketing strategy such as a neighborhood newspaper, religious publication, organizational newsletter, advertisement(s) with major employer(s),

or notification through community and regional organizations such as non-profit, religious and civic organizations.

For each affordable housing opportunity within the municipality, the Affirmative Marketing Plan must include the following information:

- The address of the project and development name, if any
- The number of rental units
- The price ranges of the rental units
- The name and contact information of the Municipal Housing Liaison, Administrative Agent, property manager or landlord
- A description of the Random Selection method that will be used to select applicants for affordable housing.
- Disclosure of required application fees, if any.

Advertisements must contain the following information for each affordable housing opportunity:

- The location of and directions to the units
- A range of prices for the housing units
- The bedroom size(s) of the units
- The maximum income permitted to qualify for the housing units
- The locations of applications for the housing units
- The business hours when interested households may obtain an application for a housing unit
- Application fees, if any

Implementation of the Affirmative Marketing Plan

The affirmative marketing process for affordable units shall begin at least four months prior to expected occupancy. In implementing the marketing program, the *[insert municipality or Administrative Agent*] shall undertake all of the strategies outlined in the *[insert name of municipality*]'s Affirmative Marketing Plan. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all the units have been sold. Applications for affordable housing shall be available in several locations in accordance with the Affirmative Marketing Plan. The time period

when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

An applicant pool will be maintained by the *[insert municipality or Administrative Agent]* for re-rentals.

When a re-rental affordable unit becomes available, *[insert municipality or Administrative Agent]* applicants will be selected from the applicant pool and, if necessary, the unit will be affirmatively marketed as described above.

The selection of applicants from the applicant pool is described in more detail in this manual under the section **Random Selection & Applicant Pool(s)**.

E. Random Selection & Applicant Pool(s)

Initial Randomization

Applicants are selected at random before income-eligibility is determined, regardless of household size or desired number of bedrooms. The process is as follows:

After advertising is implemented, applications are accepted for [*insert number of days*] days.

At the end of the period, sealed applications are selected one-by-one through a lottery (unless fewer applications are received than the number of available units, then all eligible households will be placed in a unit).

Households are informed of the date, time and location of the lottery
and invited to attend.

An applicant pool is created by listing applicants in the order selected.

Applications are reviewed for income-eligibility. Ineligible households are informed that they are being removed from the applicant pool or given the opportunity to correct and/or update income and household information.

Eligible households are matched to available units based upon the number of bedrooms needed (and any other special requirements, such as [regional preference or] the need for an accessible unit).

If there are sufficient names remaining in the pool to fill future -rental, the applicant pool shall be closed.

When the applicant pool is close to being depleted, the Administrative Agent will re-open the pool and conduct a new random selection process after fulfilling the affirmative marketing requirements. The new applicant pool will be added to the remaining list of applicants.

Randomization after Certification

Random selection is conducted when a unit is available, and only certified households seeking the type and bedroom size of the available unit are placed in the lottery. The process is as follows:

After advertising is implemented, applications are accepted for [*insert number of days*] days.

All applications are reviewed and households are either certified or informed of non-eligibility. (The certification is valid for 180 days, and may be renewed by updating income-verification information.)

Eligible households are placed in applicant pools based upon the number of bedrooms needed (and any other special requirements, such as *[regional preference or]* the need for an accessible unit)

When a unit is available, only the certified households in need of that type of unit are selected for a lottery.

Households are informed of the date, time, and location of the lottery and invited to attend.

After the lottery is conducted, the first household selected is given *[insert number of days*] days to express interest or disinterest in the unit. (If the first household is not interested in the unit, this process continues until a certified household selects the unit.)

Applications are accepted on an ongoing basis, certified households are added to the pool for the appropriate household income and size categories, and advertising and outreach is ongoing, according to the Affirmative Marketing Plan.

F. Matching Households To Available Units

In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to implement the following policies:

- Provide an occupant for each unit bedroom;
- Provide children of different sex with separate bedrooms;
- Prevent more than two persons from occupying a single bedroom;
- Require that all the bedrooms be used as bedrooms; and
- Require that a couple requesting a two-bedroom unit provide a doctor's note justifying such request.

The Administrative Agent cannot require an applicant household to take an affordable unit with a greater number of bedrooms, as long as overcrowding is not a factor.

A household can be eligible for more than one unit category, and should be placed in the applicant pool for all categories for which it is eligible.

G. Application Fees

The Administrative Agent's fee schedule can be found in the Appendix.

H. Maximum Monthly Payments

The percentage of funds that a household can contribute toward housing expenses is limited. However, an applicant may qualify for an exception based on the household's current housing cost (see below). The Administrative Agent will strive to place an applicant in a unit with a monthly housing cost equal to or less than the applicant's current housing cost.

UHAC states that a certified household is not permitted to lease a restricted rental unit that would require more than 35 percent of the verified household income (40 percent for age-restricted units) to pay rent and utilities. However, at the discretion of the Administrative Agent, this limit may be exceeded if:

- The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent and the proposed rent will reduce the household's housing costs;
- The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;

- The household is currently in substandard or overcrowded living conditions;

- The household documents the existence of assets, with which the household proposes to supplement the rent payments; or

- The household documents proposed third party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the Owner of the unit; and

- The household receives budget counseling.

I. Housing Counseling

The Administrative Agent is responsible for providing housing counseling, or providing referrals for counseling, as a part of the Affirmative Marketing Plan and during the application process. Although housing counseling is recommended, a household is only required to attend counseling if their monthly housing expense exceeds UHAC standards. A HUD-approved housing counseling agency, or a counseling agency approved by the NJ Department of Banking and Insurance, meets UHAC's requirements for an experienced Housing Counseling Agency. If the Administrative Agent is not approved by HUD or by the NJ Department of Banking and Insurance, the Agent will make referrals to one of the HUD-approved housing counseling agencies in New Jersey. This counseling to low- and moderate-income housing applicants will focus on subjects such as budgeting, credit issues, and mortgage qualification, and is free of charge. A list of non-profit counselors approved by HUD and/or the New Jersey Department of Banking and Insurance is included on COAH's website and is available from the Administrative Agent.

J. The Applicant Interview

Ideally, the prospective applicant will be available to meet with the Administrative Agent to review the certification and random selection processes in detail and ask any questions they may have about the project or the process. However, scheduling time off from work may prove burdensome to the applicant. Applicants may also have mobility issues or special needs that also pose an obstacle to an interview. Therefore, the Administrative Agent is prepared to complete the certification process via telephone and mail. If an interview is to be conducted, the Administrative Agent will attempt to achieve the following objectives:

- Confirm and update all information provided on the application.

- Explain program requirements, procedures used to verify information, and penalties for providing false information. Ask the head of household, co-head, spouse and household members over age 18 to sign the Authorization for Release of Information forms and other verification requests.

- Review the applicant's identification and financial information and documentation, ask any questions to clarify information on the application, and obtain any additional information needed to verify the household's income.

- Make sure the applicant has reported all sources for earned and benefit income and assets (including assets disposed of for less than fair market value in the past two years). Require the applicant to give a written certification as to whether any household member did or did not dispose of any assets for less than fair market value during the past two years.

K. PROCEDURE FOR INCOME-ELIGIBILITY CERTIFICATION

1. Complete a Household Eligibility Determination Form

The program staff shall require each member of an applicant household who is 18 years of age or older to provide documentation to verify their income, pursuant to the Uniform Housing Affordability Controls at N.J.A.C. 5:80-16.1 et seq.. Income verification documentation should include, but is not limited to the following for each and every member of a household who is 18 years of age or older:

- Four current consecutive pay stubs [including both the check and the stub], including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.

- Copies of Federal and State income tax returns for each of the preceding three tax years - A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.

- A letter or appropriate reporting form verifying monthly benefits such as

  - Social Security or SSI – Current award letter or computer print out letter

  - Unemployment – verification of Unemployment Benefits

  - Welfare -TANF[1] current award letter

  - Disability - Worker's compensation letter or

  - Pension income (monthly or annually) – a pension letter

- A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support – copy of court order or recent original letters from the court or education scholarship/stipends – current award letter.

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[1] TANF – Temporary Assistance for Needy Families

- Current reports of savings and checking accounts (bank statements and passbooks) and income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks or bonds (In brokerage accounts – most recent statements and/or in certificate form – photocopy of certificates).

- Evidence or reports of income from directly held assets, such as real estate or businesses.

- Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.

- Current reports of assets – Market Value Appraisal or Realtor Comparative Market Analysis and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property attach copies of all leases.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

Income

1. Wages, salaries, tips, commissions

2. Alimony

3. Regularly scheduled overtime

4. Pensions

5. Social security

6. Unemployment compensation (verify the remaining number of weeks they are eligible to receive)

7. TANF

8. Verified regular child support

9. Disability

10. Net income from business or real estate

11. Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds

12. Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as equity in real estate. Rent from real estate is

considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance.

13. Rent from real estate is considered income

14. Any other forms of regular income reported to the Internal Revenue Service

Not Income

1. Rebates or credits received under low-income energy assistance programs

2. Food stamps

3. Payments received for foster care

4. Relocation assistance benefits

5. Income of live-in attendants

6. Scholarships

7. Student loans

8. Personal property such as automobiles

9. Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements

10. Part-time income of dependents enrolled as full-time students

11. Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months.

Student Income

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household reported to the IRS as a dependent who is enrolled in a degree seeking program for 12 or more credit hours per semester; and part-time income is income earned on less than a 35-hour workweek.

Real Estate Asset Limit

Except for federal programs, if an applicant's primary residence, which is to be sold upon purchase of an affordable unit, has no mortgage debt and is valued at or above the regional asset limit as published annually by COAH with COAH's Annual Regional Income Limits Chart, the household must be determined ineligible for certification.

However, if the applicant's existing monthly housing costs including taxes, homeowner insurance, and condominium or homeowner association fees exceed 38 percent of the household's eligible monthly income, the household will be exempt from the asset limit.

An applicant must provide a recent, Market Value Appraisal or Realtor Comparative Market Analysis, on the home they own unless the applicant has mortgage debt on the home or can demonstrate that the existing monthly housing costs exceed 38 percent of the household's eligible monthly income, in which case the applicant is exempt from the asset limit.

Before obtaining a professional appraisal, the applicant should review the property's tax appraisal and the current market value and compare it to the asset limit to avoid any unnecessary expense. For instance, if homes are commonly selling in the applicant's neighborhood for over $250,000, it is unlikely that an appraisal will determine a value below the asset limit. The maximum asset limit for Region 1 in 2006, for example, is $139,396.

Income from Real Estate

If real estate owned by an applicant for affordable housing is a rental property, the rent is considered income. After deduction of any mortgage payments, real estate taxes, property owner insurance and reasonable property management expenses as reported to the Internal Revenue Service, the remaining amount shall be counted as income.

If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Administrative Agent should determine the imputed interest from the value of the property. The Administrative Agent should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Based on current money market rates, interest will be imputed on the determined value of the real estate.

2. **Records Documenting Household Composition and Circumstances**

The following are various records for documenting household information:

- Social Security records or cards. Either individual Social Security card or letter from Social Security Administration
- Adoption papers, or legal documents showing adoption in process
- Income tax return
- Birth Certificate or Passport
- Alien Registration Card

3. Certify the income eligibility of low- and moderate-income households by completing the application form. Provide the household with the original and keep a copy in the project files.

L. Approving or Rejecting a Household

Administrative Agents must notify applicant households of their eligibility within twenty (20) days of the Administrative Agent's determination.

Households with a verified total household income that exceeds 80 percent of the regional income limit for the appropriate family size are ineligible for purchase or rental of restricted units. A letter rejecting the household's application shall be mailed to the household.

Similarly, households with a verified total household income that is within the income limits, but too low to afford any of the units administered by the Administrative Agent shall be sent a letter rejecting the household's application, and/or referring them to housing counseling *[insert if applicable: or the local Affordability Assistance Program]*.

Households with a verified total household income of less than 80 percent shall be issued a letter certifying eligibility. This certification is valid for 180 days. If the Administrative Agent is unable to place the household in a restricted unit at the conclusion of 180 days, an extension may be granted once the household's eligibility is verified.

Once the applicant is certified and matched to an available unit, the Administrative Agent must secure from the applicant a signed and notarized acknowledgement of their requirements and responsibilities in renting a restricted unit. UHAC's Appendix K shall be forwarded to the applicants.

In addition to non-eligibility based on income, the Administrative Agent may deny a certification because of the household's failure or inability to document household composition, income, assets, sufficient funds for down payment, or any other required facts and information. A household may also be denied certification if the Administrative Agent determines that there was a willful or material misstatement of fact made by the applicant.

M. Dismissal of Applications

Applications can be dismissed for the following reasons:

1. The application is not signed or submitted on time.

2. The applicant commits fraud, or the application is not truthful or complete.

3. The applicant cannot or does not provide documentation to verify their income or other required information when due.

4. The household income does not meet the minimum or maximum income requirements for a particular property.

5. The applicant owns assets that exceed the Asset Limit.

6. The applicant fails to respond to any inquiry in a timely manner.

7. The applicant is non-cooperative or abusive with the staff, property manager or landlord.

8. The applicant changes address or other contact information without informing the Administrative Agent in writing.

9. The applicant does not meet the credit standard or other requirement set forth by managers of rental properties.

10. The applicant fails to verify attendance in a credit counseling program when required to do so by the program rules.

11. The applicant does not respond to periodic update inquiry in a timely fashion.

12. The applicant fails to sign the Compliance Certification, Certificate for Applicant, Lease Document, as may be required.

13. The applicant, once approved, fails to sign the lease in a timely manner.

14. Applicants will also be removed from all lists held by the Administrative Agent once they have been approved for an affordable unit. However, these applicants may re-apply for other opportunities in that municipality once they have occupied their unit.

Applicants who are dismissed must re-apply. A minimum time period of six months applies in most situations where the applicant has been withdrawn for fraud, poor credit, uncooperative behavior or other serious matters.

Applicants are not automatically removed from rental lists if they do not respond to a Notice of Availability.

Applications may be held in abeyance for a period not to exceed 60 days if there is an error on the credit report, so that the applicant can correct the error and re-apply. Units will not be held open for that applicant. However, once the credit report is corrected, the applicant will be given a priority for the next opportunity at that property.

N. Appeals

Appeals from all decisions of an Administrative Agent shall be made in writing to the Executive Director of the Council on Affordable Housing (COAH), 101 South Broad Street, P.O. Box 813, Trenton, New Jersey 08615. The Executive Director's written decision, which shall be made within 15 days of receipt of an appeal, shall be a final administrative action of COAH.

O. Determining Affordable Rents

To determine the initial rents the Administrative Agent uses the COAH calculators located at http://www.state.nj.us/dca/coah/administrators/administrators.shtml.

Pricing by Household Size. Initial rents are based on targeted "model" household sizes for each size home as determined by the number of bedrooms. Initial rents must adhere to the following rules. These maximum sales prices and rents are based on COAH's Annual Regional Income Limits Chart at the time of occupancy:

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

Size of Unit	**Household Size Used to Determined Max Rent**
Studio/Efficiency	1
1 Bedroom	1.5
2 Bedrooms	3
3 Bedrooms	4.5
4 Bedrooms	6

The above rules are only to be used for setting initial rents. They are not guidelines for matching household sizes with unit sizes. The pricing of age-restricted units may not exceed affordability based on a two-person household.

Split Between Low- and Moderate-income Rental Units. *At least 50 percent (of the affordable* units within each bedroom distribution (unit size) must be low-income units and at least 10 percent of the affordable units within each bedroom distribution must be affordable to households earning no more than 35 percent of the regional median income. The remainder of the affordable units must be affordable to moderate-income households.

Affordability Average. The average rent for all affordable units cannot exceed 52 percent of the regional median income. At least one rent for each bedroom type must be offered for both low-income and moderate-income units. Calculation of the affordability average is available on COAH's website.

Maximum Rent. The maximum rent of restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of the regional median income.

P. Determining Rent Increases

Annual rent increases are permitted in affordable units. Rent increases are permitted at the anniversary of tenancy according to COAH's Annual Regional Income Limits Chart, available on COAH's website. These increases must be filed with and approved by the

Administrative Agent. Property managers or landlords who have charged less than the permissible increase may use the maximum allowable rent with the next tenant with permission of the Administrative Agent. The maximum allowable rent would be calculated by starting with the rent schedule approved as part of initial lease-up of the development, and calculating the annual COAH-approved increase from the initial lease-up year to the present. Rents may not be increased more than once a year, may not be increased by more than one COAH-approved increment at a time, and may not be increased at the time of new occupancy if this occurs less than one year from the last rental. No additional fees may be added to the approved rent without the express written approval of the Administrative Agent.

Flyer example:

Home Rehabilitation Loan Program for Residents of Princeton Township, NJ

- Princeton Township will make no-interest, deferred-payment loans to Township income-eligible homeowners or homeowners who rent to income-eligible tenants, in order to make needed repairs on their homes.

- If you are a one-person household and your income is below $44,508 you may qualify for this program. Multi-person households may qualify at higher household incomes—up to $83,930 for eight-person families.

- Eligible rehabilitation projects include repairs for health and safety code compliance and major systems, such as roofing, plumbing, heating, electrical and load-bearing structural components.

- Energy conservation improvements are also eligible if made in conjunction with a major system repair or replacement.

- Upon completion of the project, the rehabilitation will bring the repaired or replaced items up to Princeton Township Code standards.

Repayment of the loan will be deferred until the property is sold. The Township will place a lien on the property for the amount of the loan. Even if there is an existing mortgage, homeowners may still qualify for the program.

No interest will be required on the loan if the borrower either remains in the home or sells it to another income-qualified occupant for six years following the beginning of the rehabilitation. Rental dwelling properties are eligible for similar loans if the owner/investors agree to rent the units only to income-qualified households only, at income-determined rents, for ten years.

If a homeowner sells the property within six years, or ten years, in the case of renters, to a buyer who is not income-qualified, the loan must be repaid in full at the time of resale and interest will be charged.

Such interest will be calculated at the Township borrowing rate in effect at the time of the closing of the original Construction loan until the time of resale, or transfer, of the property.

For further information on this program, please call the Princeton Township Affordable Housing Coordinator at (609) 688-2029, fax number (609) 688-2053.

Princeton Township Home Rehabilitation Loan Program
Frequently Asked Questions

Q. What does the program provide?
A. The program provides, to qualified applicants, a no-interest, deferred-payment loan for home repairs.

Q. Who is eligible for the program?
A. Princeton Township residents with income below certain levels. For example, a single-person household with less than a $44,508 annual income is eligible. Multiple-person households may be eligible at higher income levels.

Q. What are the income-eligibility levels?
A. The levels currently are as follows:

Number in household:	One Person	Two person	Three Person	Four person	Five Person	Six person	Seven person	Eight person
Annual Income below:	$44,508	$50,867	$57,225	$63,583	$68,670	$73,757	$78,843	$83,930

Q. I rent out my home. Can I have repairs done on it through this program?
A. Yes. The program also can be applied to rental properties, provided the owners or investors agree to rent only to income-qualified renters at income-determined rents for ten (10) years following the start of the rehabilitation.

Q. A no-interest loan? How does that work?
A. No interest will be charged, provided the borrower lives in the home for six (6) years; or, for rental units, if an income-qualified renter occupies the home, following the start of the repair work.

Q. Do I have to pay anything out of my pocket?
A. No. Once you have been qualified for the program, you will not have to pay anything until the property is resold, or, in some cases, refinanced.

Q. What types of repairs are eligible for rehabilitation?
A. Eligible projects include repairs for health and safety code compliance and for the repair or replacement of a major system. Major systems include roofing, plumbing, heating, electrical and load-bearing structural components. Energy conservation improvements are eligible, if made in conjunction with a major system repair.

Q. What is the maximum I can borrow to pay for repairs?
A. The program will lend, on average, approximately $20,000 for repairs that are deemed necessary.

Q. Who will do the work?
A. The Rehab Construction Manager will be in charge of selecting the best people to

carry out the work based on both cost and quality considerations, as well as seeing to it that the work is properly completed.

Q. Can I recommend a contractor I know to do the work?
A. Yes, provided the contractor is insured, licensed and submits a competitive bid.

Q. What if I have to move before the six years are up? How much interest will I be charged?
A. Interest will be calculated from the start of the rehabilitation to the time of the sale or transfer of the property. The interest rate will be the Township's borrowing rate in effect at the signing of the original loan documents.

Q. What if I die and leave my home to my children? Will they have to pay the loan off immediately?
A. If your children decide not to sell the house and the owner-occupant is not income-eligible and qualified, they will have to repay the loan immediately. The same is true if they sell the house to a person who is not income-eligible, and qualified. If they sell to an income-qualified household at an affordable price, your children would not have to pay off the loan. If they keep the property, but agree to rent only to income-qualified households for 10 more years, at income-determined rents, they would not have to pay off the loan until the property was resold, or, in some cases, refinanced.

Q. Under what circumstances would I have to pay interest on the loan?
A. You would have to pay interest if you sell your home to a non-income-eligible, non-qualified household within six (6) years of the project's beginning; or if you rent out the home to a non-income-eligible, non-qualified tenant.

Q. Who is in charge of the program?
A. The program is run as part of Princeton Township's Affordable Housing program. If you have any questions, please call the Princeton Township Affordable Housing Coordinator at (609) 688-2029.

Princeton Township's Home Rehabilitation Loan Program does not guarantee or represent that every income-eligible applicant will be qualified for the Program. The Township qualification is made on the basis of criteria including, but not limited to: income, debt, credit history, and ownership of property being rehabilitated.

Revised: 11/18/08

APPENDIX K

CREDITING DOCUMENTATION FOR ACORN GLEN, ELM COURT II AND HABITAT FOR HUMANITY

ACORN GLEN

Council on Affordable Housing (COAH)
Assisted Living Residence Survey

Municipality: TOWNSHIP OF PRINCETON

County: MERCER

Sponsor: _____

Developer/ Owner: QUALITY ASSISTED LIVING, INC.

Block: 2802 Lot: 3

Street Address: 775 MT. LUCAS RD PRINCETON, NJ 08540

Facility Name: ACORN GLEN

Type of Facility:

☐ **Assisted Living Residences**

# of apartments in the facility: 100

# of affordable ~~apartments~~ UNITS in the facility: 5

Affordable Studios: 5

Affordable 1 BR Units: 0 / NA

2 Affordable BR Units: 0 / NA

Will two-bedroom units be occupied by unrelated individuals? ___ Yes ✓ No

☐ **Comprehensive Personal Care Home**[1]

Complete for separate apartments:

# of apartments in the facility: _____

# of affordable apartments in the facility: _____

Affordable Studios: _____

Affordable 1 BR Units: _____

Affordable 2 BR Units: _____

Will two-bedroom units be occupied by unrelated individuals? ___ Yes ✓ No

Complete for separate bedrooms:

# of bedrooms in the facility: _____

# of affordable bedrooms in the facility: _____

# of beds in the affordable rooms: _____

Affordability Controls on Facility? ✓ Yes ___ No

Length of Controls: 30 years

Effective Date of Controls: 9/4/00

Expiration Date of Controls: 9/4/2030

☐ CO Date: 9/14/00

Licensed by State Department of Health and Senior Services (DHSS): ✓ Yes ___ No

☐ Initial License Date: 09/ / 00

☐ Current License Date: 9/30/09

☐ Date units to become affordable: / /

State of New Jersey Capital funding? ___ Yes ✓ No

Facility Medicaid approved? ✓ Yes ___ No

Is the facility accessible (in accordance with NJ Barrier Free Subcode)? ✓ Yes ___ No

ADA COMPLIANT

Select One:

☐ 50% of affordable units/beds designated for low-income households OR

☐ All units designated for households at 60% of median income

Are upfront fees charged to residents of affordable units? ___ Yes ✓ No

If yes, provide $_____ Amount Charged and

Identify what charge is for _____

# of individuals receiving Medicaid Waivers: 4

AS 5 MEDICAID OR 5 AFFD WAIVERS MEET THE REQUIREMENT

Affirmative Marketing Strategy (check all that apply):

☐ Affirmative Marketing Strategy: DHSS Medicaid Waiver List

☐ Other (please specify): _____

The following verification is attached:

☐ Memorandum of Understanding between municipality and HMFA

Date Executed: 5/6/02

☐ Copy of Recorded Deed Restriction on Facility

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by: _____ Owner — 12-9-08 Date

Certified by: _____ Municipal Housing Liaison — 12.8.08 Date

[1] Comprehensive Personal Care Homes are Class "C" Boarding Homes and Residential Health Care Facilities that were built before December 20, 1993 when the Assisted Living Regulations were adopted and chose to convert to licensing under assisted living regulations (Subchapter 17 of Chapter N.J.A.C. 8:36, the Assisted Living Standards for Licensure).

Council on Affordable Housing (COAH)
Assisted Living Residence Survey

Municipality: TOWNSHIP OF PRINCETON County: MERCER

Sponsor: _____ Developer/ Owner: _____

Block: _____ Lot: _____ Street Address: _____

Facility Name: ACORN GLEN

Type of Facility:

☑ **Assisted Living Residences**

# of apartments in the facility: 100

☆ # of affordable apartments in the facility: 5

Affordable Studios: 5

Affordable 1 BR Units: 0 N/A

2 Affordable BR Units: 0 N/A

Will two-bedroom units be occupied by unrelated individuals? ___ Yes ✓ No

☐ **Comprehensive Personal Care Home**[1]

Complete for separate apartments:

# of apartments in the facility: _____

# of affordable apartments in the facility: _____

Affordable Studios: _____

Affordable 1 BR Units: _____

Affordable 2 BR Units: _____

Will two-bedroom units be occupied by unrelated individuals? ___ Yes ___ No

Complete for separate bedrooms:

# of bedrooms in the facility: _____

# of affordable bedrooms in the facility: _____

# of beds in the affordable rooms: _____

Affordability Controls on Facility? ✓ Yes ___ No

Length of Controls: 30 years

Effective Date of Controls: 9/14/00

Expiration Date of Controls: 9/14/30

☐ CO Date: 9/14/00

Licensed by State Department of Health and Senior Services (DHSS): ✓ Yes ___ No

☐ Initial License Date: 10/1/00

☐ Current License Date: 9/30/06

☐ Date units to become affordable: __/__/__

State of New Jersey Capital funding? ___ Yes ✓ No

Facility Medicaid approved? ✓ Yes ___ No

Is the facility accessible (in accordance with NJ Barrier Free Subcode)? ✓ Yes ___ No

Select One:

☑ 50% of affordable units/beds designated for low-income households OR

☐ All units designated for households at 60% of median income

Are upfront fees charged to residents of affordable units? ___ Yes ✓ No

# of individuals receiving Medicaid Waivers: 4

☆ 5 MEDICAID WAIVERS OR 5 AFFORDABLE WAIVERS MEET THE REQUIREMENT

Affirmative Marketing Strategy (check all that apply):

☐ Affirmative Marketing Strategy: DHSS Medicaid Waiver List

☐ Other (please specify): _____

The following verification is attached:

☐ Memorandum of Understanding between municipality and HMFA

Date Executed: __/__/__

☐ Copy of Recorded Deed Restriction on Facility

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

☆ Certified by: [signature], Executive Dir. 4/25/06
Owner Date

Certified by: [signature] 5/1/06
Municipal Housing Liaison Date

[1] Comprehensive Personal Care Homes are Class "C" Boarding Homes and Residential Health Care Facilities that were built before December 20, 1993 when the Assisted Living Regulations were adopted and chose to convert to licensing under assisted living regulations (Subchapter 17 of Chapter N.J.A.C. 8:36, the Assisted Living Standards for Licensure).

TOWNSHIP OF PRINCETON
COUNTY OF MERCER, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, Princeton Township (referred to herein as "Princeton") has an Affordable Housing Program and wishes to receive COAH credits for affordable units in assisted living residences toward its affordable housing obligation; and,

WHEREAS, the New Jersey Fair Housing Act subjects affordable housing units to legal controls designed to ensure their continued affordability; and,

WHEREAS, the New Jersey Housing and Mortgage Finance Agency (referred to herein as"HMFA") will administer and monitor the affordability of the assisted living facilities receiving COAH credits pursuant to the terms of the Memorandum of Understanding between Princeton and HMFA, a copy of which is attached hereto; and,

WHEREAS, the Memorandum of Understanding is required in order for HMFA to administer and monitor the affordable housing units in the assisted living residences;

NOW THEREFORE, BE IT RESOLVED by the Princeton Township Housing Board as follows:

1. The Housing Board recommends to the Township Committee that the Mayor execute the Memorandum of Understanding permitting HMFA to serve as administrative agent to monitor the affordability of the assisted living residences receiving COAH credit.
2. A certified true copy of this Resolution shall be furnished by the Board Secretary to the Princeton Township Committee and Ms. Christy Peacock, the Princeton Township Affordable Housing Administrator upon its adoption.

CERTIFICATION

I, FAITH MRAZIK, Secretary of the Princeton Township Housing Board, hereby certify that the foregoing resolution was adopted by the Princeton Township Housing Board at its meeting held on the 23rd day of April, 2002.

Faith A. Mrazik

FAITH MRAZIK, Secretary
Princeton Township Housing Board

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MEMORANDUM OF UNDERSTANDING

Between the NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY and PRINCETON TOWNSHIP, Mercer County
Regarding: COAH Monitoring of Assisted Living Residence Affordable Units

This Memorandum of Understanding (hereinafter "MOU"), between PRINCETON TOWNSHIP (hereinafter "PRINCETON") and the NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY (hereinafter "HMFA"), is effective as of the date recorded on the signature page.

Whereas, PRINCETON wishes to receive COAH credits for affordable units in Assisted Living Residences (hereinafter "ALR"), Comprehensive Personal Care Homes and Assisted Living Programs available for the low- and-moderate income elderly population in the State and,

Whereas, the New Jersey Fair Housing Act permits municipalities to receive substantive certification from COAH that the municipality has established a viable plan to provide its fair share of affordable housing. The Fair Housing Act requires that the affordable housing units in the municipal plan be subject to legal controls to ensure their continued affordability. The responsibility for administering these affordability controls falls initially to the municipality, but the Fair Housing Act permits the HMFA to administer "rent controls in municipalities where no appropriate administrative agency exists."

Whereas, COAH and the HMFA have each promulgated separate sets of regulations governing the administration of affordability controls. The HMFA regulations permit the Agency to administer COAH's regulations when no HMFA financing is involved, if called upon to do so by a municipality. COAH regulations pertaining to affordable rental units require the administrative agent to establish initial rents and allowable rent increases, to certify the income eligibility of tenants, to record a deed restriction on the rental units subjecting them to continuing affordability controls, to perform affirmative marketing, to refer low- and moderate-income families to affordable units and to enforce the terms of the deed restriction. Neither set of regulations precludes the HMFA from undertaking this administrative responsibility.

Whereas, monitoring the affordability of ALR units differs from monitoring conventional rental units, because ALRs charge a monthly fee comprised of both a rental and a service component. In view of the special issues presented by ALRs, on October 6, 1999, the COAH board determined that the HMFA "will serve as the experienced entity to administer and monitor the low and moderate income units in an Assisted Living facility."'

It is, therefore, agreed by PRINCETON and HMFA that:

I. DEFINITIONS

For the purposes of this Agreement, the following terms, when capitalized, shall have the meanings as stated:

ALR means Assisted Living Residence(s), as defined and licensed under Chapter N.J.A.C.

8:36, Standards for Licensure of Assisted Living Residences and Comprehensive Personal Care Homes and Assisted Living Programs.

Annex(es) means the attachment(s) to this MOU containing programmatic. and/or financial information.

Memorandum of Understanding (MOU) means this MOU, the Annex(es), any additional appendices or attachments (including any approved assignments, subcontracts or modifications) and all supporting documents. The MOU constitutes the entire agreement between the parties. Any change or modification to this MOU must be written and approved in writing by PRINCETON and HMFA.

Waiver(s) means the Medicaid waiver issued under section 1915(c) of the Social Security Act.

II. BASIC OBLIGATIONS OF PRINCETON and HMFA

HMFA will make itself available to serve, in a limited capacity, as the administrative agent to monitor the affordability of the ALR receiving COAH credit. Specifically, the Agency would monitor the affordability of the ALR monthly charges and the income eligibility of the residents of the affordable ALR units. In this capacity the Agency would apply ALR guidelines to require that:

(a) the overall fee for rent, meals and basic services be capped at 80% of applicable median income; and

(b) the rental component of the overall fee be capped at 30% of the income for the targeted income selection.

(c) all other aspects of administering affordability controls for ALR units receiving COAH credit would be performed by PRINCETON or another designated administrative agent.

HMFA shall provide the municipality with the form of deed restriction and mortgage lien to be used to comply with N.J.A.C. 5:93-9.2.

HMFA shall establish the initial rents and allowable rent increases for the affordable ALR units, pursuant to the standards set forth in N.J.A.C. 5:93-7.4(0), (b), (c), (d), (f) and (g) and N.J.A.C. 5:93-9.15(b), as interpreted in light of the HMFA underwriting guidelines for ALRs, as such guidelines may be amended from time to time.

The HMFA shall certify the income-eligibility of ALR tenants pursuant to the standards and procedures set forth in N.J.A.C. 5:93-7.4(g); 5:93-9.1(b); and 5:939.16(c), as interpreted in light of the HMFA underwriting guidelines for income eligibility for ALRs, as such income-eligibility guidelines maybe amended from time to time.

The HMFA will monitor the income-restricted ALR units on an annual basis and notify the municipality and COAH of non-compliance.

The HMFA will provide up to 10 hours of training in income qualification procedures to persons designated by the municipality and up to 72 additional hours of support for the first contract year for a one-time fee of $1,750.

The HMFA shall receive $120.00 for each income certification it performs for the ALR where a full scope of work must be performed by its staff; and $ 60.00 for each income certification it performs for the ALR where the scope of work necessary, has been reduced because the individual has been deemed both clinically and financially eligible to receive Medicaid assistance (a.k.a. Medicaid Waiver) by the appropriate State entities.

PRINCETON or its agent shall perform all other monitoring, including (but not limited to):

1. subjecting the ALR to the deed restriction and mortgage lien required by N.J.A.C. 5:93-9.2;

2. performing the affirmative marketing required under N.J.A.C. 5:93-9.1:(0) and 5:93-11.1 et seq.;

3. placing low- and moderate-income tenants in affordable units, as required under N.J.A.C. 5:93-9.1(0); and

4. enforcing the terms of the deed restriction and mortgage lien as required under N.J.A.C. 5:93-9.1(0).

The term of the monitoring agreement shall be five years, renewable for an additional years upon mutual consent. At any time during the term of the agreement either party may terminate this agreement on 30 days notice without penalty, but only with the written consent of COAH.

ATTEST

TOWNSHIP OF PRINCETON

_____

By: _____
PHYLLIS L. MARCHAND, Mayor

NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY

_____

By: _____

AFFORDABLE HOUSING AGREEMENT

THIS AGREEMENT, entered into this 15th day of December, 1997, by and between the TOWNSHIP OF PRINCETON, a municipal corporation of the State of New Jersey, having its principal offices located at 369 Witherspoon Street, Princeton, New Jersey, 08540 (hereinafter referred to as "TOWNSHIP") and QUALITY ASSISTED LIVING, INC., care of Jamieson, Moore, Peskin & Spicer, 300 Alexander Park, CN 5276, Princeton, New Jersey, 08543-5276 (hereinafter referred to as "DEVELOPER").

WITNESSETH:

WHEREAS, the DEVELOPER has received final site plan and conditional use approval from the Regional Planning Board of Princeton to construct a 100-unit assisted living facility on Lot 602, Section 33.20, Princeton Township Tax Map, said approval having been granted on March 20, 1997, and memorialized by Resolution on May 15, 1997 (see File No. PT968003P); and

WHEREAS, as a condition of approval, said Planning Board requires that five percent of the units or five units qualify as affordable units pursuant to the TOWNSHIP's Affordable Housing Ordinance, Section 10B-332, et seq., of the "Code of the Township of Princeton, New Jersey, 1968"; and

WHEREAS, the DEVELOPER wishes to satisfy Conditions 67 and 68 of the Findings as set forth in the Planning Board's Resolution of Memorialization, dated May 15, 1997, by entering into this

Affordable Housing Agreement pursuant to Section 10B-346 of said Code.

NOW, THEREFORE, in consideration of ONE ($1.00) DOLLAR and other good and valuable consideration as set forth herein, the TOWNSHIP and DEVELOPER AGREE, as follows:

1. The DEVELOPER shall set aside five percent of the units to be constructed or five units for individuals who qualify to occupy a lower-income unit as defined by Section 10B-333 of said Code.

2. The DEVELOPER acknowledges that the aforesaid five units are to be considered as a portion of the TOWNSHIP's fair share obligation as defined by the provisions of the New Jersey Fair Housing Act of 1985. Further, the DEVELOPER acknowledges that said TOWNSHIP has had its Affordable Housing Program reviewed and approved pursuant to said Act by the New Jersey Council on Affordable Housing (COAH) with substantive certification having been granted to the Program by COAH in November, 1996. To the degree, therefore, that COAH may require various declarations of covenants, restrictions and other agreements to ensure that the aforementioned units qualify as a portion of the TOWNSHIP's fair share obligation, the DEVELOPER agrees to cooperate in this respect and execute documentation that may be reasonably required by COAH or the TOWNSHIP with regard to these affordable units in a form acceptable to the TOWNSHIP Attorney.

3. The DEVELOPER agrees that it shall submit to the TOWNSHIP's Affordable Housing Coordinator the income-eligibility information provided to the DEVELOPER by those individuals who will occupy the aforementioned five units of affordable housing. The TOWNSHIP's Affordable Housing Coordinator shall review said information and certify to the DEVELOPER that the individuals proposed to occupy these units do qualify as lower-income persons under Section 10B-33 of said Code. After said units are occupied, the DEVELOPER further agrees to submit bi-annual reports to said Affordable Housing Coordinator verifying compliance with the terms and terms and conditions of this Agreement.

4. The TOWNSHIP agrees to waive the requirements of Section 10B-346 and accept this Agreement in lieu of those requirements. Further, this Agreement shall satisfy Conditions 67 and 68 of the aforementioned Planning Board May 15, 1997 Resolution of Memorialization.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, the day and date first written above.

ATTESTED:

Patricia C. Shuss

Patricia C. Shuss, Clerk

TOWNSHIP OF PRINCETON

By: Michele Tuck-Ponder

Michele L. Tuck-Ponder, Mayor

QUALITY ASSISTED LIVING, INC.

By: President Quality Assisted Living, Inc

Township of Princeton

Date Issued 5/18/01
Control #
Permit # 98-1079

CERTIFICATE

IDENTIFICATION

Block 2802 Lot 3
Work Site Location 739 Mt Lucas Rd
Princeton NJ 08540
Owner in Fee/Occupant Quality Assisted Living Inc
Address 17 Flintlock Ct
Bernardsville NJ 07924
Tele. (908) 766-2408
Contractor Quality Assisted Living Inc.
Address same
Tele. ( ) Fax ( )
Lic. No. or Bldrs. Reg. No.
Federal Emp. No. 223429960

Home Warranty No.
Type of Warranty Plan: [ ] State [ ] Private
Use Group I2
Maximum Live Load
Construction Classification 2B
Maximum Occupancy Load
Description of Work/Use:

Medical/Nursing Care Facility

☒ **CERTIFICATE OF OCCUPANCY**

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

☐ **CERTIFICATE OF APPROVAL**

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

☐ **TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE**

If this is a temporary Certificate of Occupancy or Compliance, the following conditions must be met no later than _____, 19____ or the owner will be subject to fine or order to vacate:

☐ **CERTIFICATE OF CLEARANCE — LEAD ABATEMENT 5:17**

This serves notice that based on written certification, lead abatement was performed as per NJAC 5:17, to the following extent:

[ ] Total removal of lead-based paint hazards in scope of work
[ ] Partial or limited time period (_____ years); see file

☐ **CERTIFICATE OF CONTINUED OCCUPANCY**

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

☐ **CERTIFICATE OF COMPLIANCE**

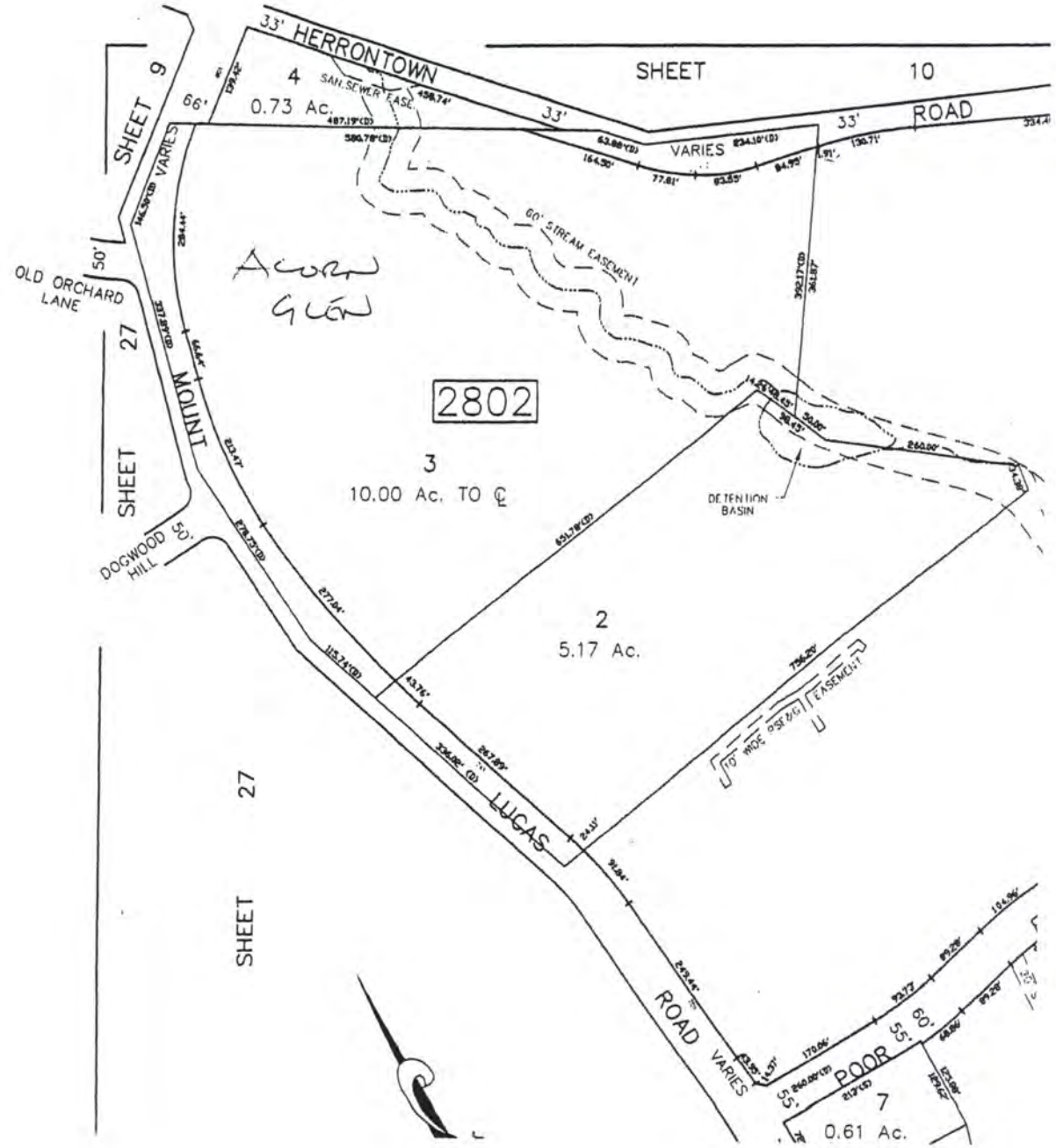
This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until _____.

Fee $ 5,481.00
Paid ☒ Check No. 849
Collected by: rks

CONSTRUCTION OFFICIAL

U.C.C. F260
(rev. 3/96)

1 WHITE — APPLICANT 2 CANARY — OFFICE 3 PINK — TAX ASSESSOR



HERRONTOWN
ROAD
SHEET 10
SHEET 9
SHEET 27
SHEET 27
4
0.73 Ac.
SAN. SEWER EASE.
33'
66'
VARIES
50'
OLD ORCHARD LANE
MOUNT
DOGWOOD HILL
60' STREAM EASEMENT
ACORN GLEN
2802
3
10.00 Ac. TO ℄
DETENTION BASIN
2
5.17 Ac.
10' WIDE PSE&G EASEMENT
LUCAS
ROAD
POOR
7
0.61 Ac.

REGIONAL PLANNING BOARD OF PRINCETON

In the matter of the Application of	)	FINDINGS OF FACT
	)	and
Quality Assisted Living, Inc.	)	CONCLUSIONS OF LAW
	)	
for Site Plan Approval and	)	
	)	
Condition Use Approval with	)	File No. PT968003P
	)	
Related Variances	)	
	)	

1. The property. The property is located on the east side of Mount Lucas Road and contains 11.065 acres. A right-of-way dedication to Princeton Township along the Mount Lucas Road frontage reduces the developable lot to 10.0 acres. The lot is known as Lot 602, in Section 33.20, on the Princeton Township Tax Map. The property is in the OR-1 zoning district.

2. The project. The proposal is to construct a structure containing approximately 76,639 square feet to be used as an assisted living facility. It will be a 100 unit, 120 bed facility. Assisted living facilities are a conditional use in this zoning district.

3. The hearing. The Board initially reviewed the proposal at its meeting on January 23, 1997. As a result of that review, a number of modifications were made to the plan, including: (1) a relocation of the two driveways serving the property; (2) a major revision in the proposed storm water detention plan; (3) the removal of the parking area from the front yard set back; (4) a reduction in the number of parking spaces; (5) the addition of a number of retaining walls; and (6) a modification of the pathway plan and the landscape plan. For a comparison of the original plan with the revised plan, compare Exhibit A-1 with Exhibit A-3. Because of these changes and Board quorum/eligibility issues, a new hearing was commenced at the Board's March 20, 1997 meeting. Proof of notice and publication have been filed with the Board. All interested parties have been given an opportunity to appear and be heard by the Board.

4. Approvals required. The applicant seeks preliminary and final site plan approval, conditional use approval, and bulk variances for side yard setbacks, steep slopes, and size of parking area.

5. The plans. The applicant's plans consist of:
Civil engineering plans prepared by Van Note-Harvey Associates dated September 30, 1996 (CE 1-14), last revised February 19, 1997; (CE-15) dated September 30, 1996 and February 14, 1997; and (CE-16) dated November 18, 1996, being:

CE-1	Key Map
CE-2	Vicinity Plan

CE–3	Layout and Site Plan
CE–4	Grading Plan
CE–5	Drainage and Utility Plan
CE–6	Landscape and Lighting Plan
CE–7	Landscape and Lighting Details
CE–8	Existing Tree Location Plan
CE–9	Soils Map
CE–10	Site Sections
CE–11	Storm Sewer Profiles
CE–12	Construction Details
CE–13	Soil Erosion Sediment Control Plan
CE–14	Soil Erosion Sediment Control Details
CE–15	Outlet Structure and Underground Detention
CE–16	Stream Encroachment Sections and Profile

Architectural plans prepared by Sullivan Associates, Inc., Architects, Planners, Engineers, dated September 30, 1996, last revised November 15, 1996, except sheet A–5 revised on January 15, 1997, being:

A–1	First Floor Plan (Sign Detail)
A–2	Second Floor Plan
A–3	Third Floor Plan
A–4	Roof Plan
A–5	West Elevation
A–6	North, South, and East Elevations

6. Applicant's exhibits and witnesses. During the course of the hearing, the applicant submitted a set of exhibits marked A-1 through A-18. These exhibits are more particularly identified on the List of Exhibit attached to these findings (Attachment A). The board also considered the submitted application and the supporting reports from applicant's consultants. Testimony at the hearing on behalf of the applicant was presented by John F. O'Connor, president of applicant; Andrew Sullivan, project architect; Henry Ney, the applicant's traffic engineer; and Richard Wizeman, the applicant's civil engineer. The applicant was represented at the hearing by Mark Solomon, Esq. of the firm of Jamieson, Moore, Peskin & Spicer.

7. The staff and committee reports. The staff and committee reports prepared by the Board's staff members in response to the submitted plans and reports include reports from Lee Solow, the Board's Planning Director, dated January 9, 1997 and March 13, 1997; reports from Robert V. Kiser, the Township Engineer, dated January 3, 1997 and March 14, 1997; reports from Peter A. Kneski, the Township Zoning Officer, dated January 2, 1997 and March 10, 1997; reports from Theodore Cashel, the Township Fire Official, dated

December 13, 1996 and March 10, 1997; and a memorandum to the Board from the Site Plan Review Advisory Board dated January 23, 1997.

8. The consultant reports. Because of the scope and scale of this project, the Township engaged a number of consultants to review the applicant's submissions. These consultant reports consist of traffic reports from Garmen Associates, dated December 23, 1996, January 13, 1997, and March 3, 1997; an environmental report from Coastal Environmental Services, Inc., dated March 20, 1997; stormwater reports from SWM Consulting, dated December 18, 1996, December 23, 1996, and March 9, 1997; water system reports from Roy F. Weston Associates, dated December 6, 1996 and March 3, 1997; and a landscape report from Melillo & Bauer, dated March 4, 1997.

9. The conditional use provisions. On September 30, 1996, the Township amended its Land Use Code to authorize assisted living residences as a conditional use in a number of the Township's zoning districts, including the OR-1 district. The applicable provisions are set forth in the Township Code §10B-272.40 through 10B-272.44. These provisions are outlined in Mr Kneski's zoning report dated March 10, 1997. The ordinance includes limitations on the number of units and number of beds, a listing of the permitted accessory uses, and bulk regulations. The applicant is required to demonstrate that the facility will be eligible to receive a license from the New Jersey Department of Health. Five percent of the units must qualify as affordable units, and the applicant must submit a document describing its plan for helping people remain in the facility after they have exhausted their own financial resources. The project is to be designed to be integrated with the existing and proposed land uses adjacent to the site. The parking requirement for the facility are stated in the ordinance as a maximum number of spaces — being no more than the number of spaces necessary to meet the needs of the residents, employees, and guests of the facility. By cross-reference to the parking requirements within a cluster development (§10B-291.1), no single parking lot is to contain more than 30 parking spaces. The development is also subject to the provisions of the Township's steep slope ordinance set forth in §10B-254.1 of the Township Land Use Code.

10. Zoning variances required. As originally proposed, the project required eight zoning variances. These variances described in Mr. Kneski's January 2, 1997 report and summarized in paragraph 4.5 of Mr. Solow's January 9, 1997 report. As modified during the review process and before the March 20th hearing, the number of required variances was reduced to three — being: (1) permitting the cooling tower and the dumpster enclosure to be within the required 60 foot south sideyard set back area; (2) allowing the parking area to the south of the building to have 40 spaces which is 10 spaces above the 30 space limitation; and (3) allowing the building and related facility to encroach on approximately 0.43 acres of slopes exceeding 15%.

11. Conditional use approved and zoning variances granted. The Board acted on applicant's conditional use and zoning variance requests as follows:

(a) Conditional use approval. The applicant's proposal meets the definition of assisted living residence as set forth in §10B-241 of the Township Code. The

facility is designed to provide apartment style housing and congregate dining. According to the testimony, it will also provide assisted living services to those residences who are in need of the services. The proposal also meets the definition in §10B-272.40(b) and transportation and other accessory services customarily incidental to assisted living residents will be provided. The testimony confirms that the applicant has received certain State approvals (see Exhibit A-13) and is eligible to receive a license from the New Jersey Department of Health. The testimony further confirms that at least five percent of the assisted living units will quality as affordable units. The applicant has provided a satisfactory plan for how the facility will help people remain there after they have exhausted their own resources (see Attachment B). The provisions of §10B-272.40(e) require the applicant to attempt to achieve the integration of its facility with the existing and proposed land uses adjacent to the site. This issue will be addressed as part of the site plan review standards which encompass this issue. The proposal does not exceed the maximum number of assisted living units, or assisted living beds, described in §10B-272.41, and the accessory uses proposed are within the scope of §10B-272.42. All of the special bulk regulations set forth in §10B-272.43 are satisfied, except for the south side yard setback where the dumpster enclosure and the cooling tower will be located. The staffing information submitted (Exhibit A-11) and the testimony presented about residents and visitors demonstrate that the 48 parking spaces which will be provided are adequate to serve the projected needs and does not exceed the maximum number fixed by the ordinance in §10B-272.44. The parking lot design meets the criteria of §10B-291.1, with the exception of the number of parking spaces. The ordinance fixes a maximum capacity for any one lot of 30 spaces, and 40 are proposed. This is the subject of a separate variance, see below. Based upon the foregoing, the Board finds that the conditions which are fixed by ordinance as conditions to the conditional use, as well as the other standards for granting conditional use, have been satisfied except to the extent that variances and site plan approval are required.

(b) Side yard setback variance. The applicant has proposed to locate its cooling tower, which is 10 to 11 feet high, and its dumpster enclosure area within the southerly sideyard setback area. Since these facilities are classified as structures, the ordinance requires them to be set back 60 feet from the sideyard, but the proposal is to set them back 25. The southerly property line is the line adjacent to the parking area for the Caliper Corporation. During the course of the hearing, the Board determined that additional screen plantings should be installed between the cooling tower, the trash enclosure, and the property line. This may require the installation of a retaining wall which itself will require a variance since it will be even closer to the property line. The applicant testified that there are complying locations on its own site where these facilities could be located, such as within the parking area to the south of the building (see Exhibit A-17). However, the applicant testified that it would be better able to screen these facilities at the proposed location and that the proposed location with suitable screening would result in no adverse impact to the adjacent property owner. The owner of that property received notice of the hearing and did not appear to object. The applicant's position was that locating these facilities further away from its own structure would be better for the assisted living facility, and, since this could be done without detriment to the adjacent property, there was a net benefit from violating the set back area, and this supported the granting of the variance. The Board concurred with this reasoning and voted to grant the required setback

variance, as proposed, and the additional variance which may be necessary to construct a retaining wall between the proposed structures and the property line.

(c) Size of parking lot variance. The applicant's parking lot to the south of the building is sized for 40 cars. The provisions of §10B-291.1 fixes a maximum parking lot size of 30 cars. (This provision, applicable to cluster residential developments, has been incorporated into the assisted living ordinance by reference.) The applicant's original proposal was for a 62 car parking facility with 33 spaces located within the front yard setback area. The applicant has been able to reduce the parking lot to 48 spaces and to remove all of the parking from the front yard setback area. Eight of the spaces are located in front of the building near the front drop off area, and the remaining are in this 40 space lot to the south of the building. The applicant's testimony was that it could redesign the 40-car parking area into two parking areas with neither of them having more than 30 spaces. However, this would require additional disturbance of areas around the proposed parking lot which otherwise would be preserved. Moreover, the intent of the 30 car limit was to avoid the appearance of large, open parking areas — the so called "sea of asphalt" effect. The applicant's proposal meets the Township's design standards for open parking areas in terms of islands, trees, shading, and other landscaping. Given its location which is set back from the street surrounded by trees and other buffering, it does not give the impression of a large, open asphalt area. Since the parking lot arrangement as proposed will produce less disturbance than having two adjacent, but separate parking areas within this area of the site, the Board determined that the benefit from the ordinance deviation outweighed the detriments. Other site plan conditions will also soften the impacts from the parking lot, including the reduction in the size of the light poles and the installation of screen plantings between the parking lot and Mount Lucas Road.

(d) Steep slopes variance. The applicant's lot is subject to a number of constraints (see Exhibit A-15) and is within the portion of the Township known as "the Ridge." Characteristic of this area, the applicant's lot has significant areas with slopes in excess of 15%, as shown on engineering plan CE–9. The primary areas of the site with slopes in excess of 25% is along the stream corridor to the east of the proposed building, and this area will not be impacted. In the area to the north of the building are wetlands. The only feasible place to construct the building and associated parking on this lot is within the southwest portion of the lot. As shown on sheet CE–9, there are areas within this location with slopes in excess of 15%. The applicant's proposal will involve a disturbance of .4 acres having slopes between 15% and 25% and .03 acres having slopes in excess of 25%. The ordinance recognizes that these areas are critical features of the site which should be preserved where practicable. Variance requests are judged on a case by case basis. The evidence presented is that the site cannot be developed for the permitted uses without encroachment onto the steep slopes because of the topographical conditions of the property. The statute allows variances like this to be granted where the strict application of the zoning provisions would result in peculiar and exceptional practical difficulties. Environmental controls, such as steep slopes regulation, must be applied in a sensible manner. Critical areas are to be protected to the extent practicable without resulting in an undue hardship on the landowner. Based on the facts presented in this application, the Board determined that some violation of the steep slope provisions would be necessary for any practicable development of the property. The applicant has located the building and parking areas in the most

developable areas of the tract and has substantially preserved a number of the critical site features, including the wetlands area, steep slopes, and the stream corridor. The Board finds that the amount of steep slopes being impacted is reasonable given the permitted uses in this area and the applicant's specific project, and that the evidence supports the granting of this variance.

12. Site plan review standards. The site plan review standards are set forth in §10B-226 of the Township Code. Satisfaction of these standards is also related to the conditional use design standard requiring the applicant to attempt to achieve the integration of the assisted living residents with the existing and proposed land uses adjacent to the site.

(a) Ecological considerations: Pursuant to Section 10B-226 (a) of the Princeton Township Land Use Code, the development shall result in minimum impairment of the regenerative capacity of aquifers and other groundwater supplies, result in minimum degradation of unique land types and minimal adverse impact upon the critical areas specified in Section 10B-233 (h), conform with existing geologic and topographic features, and cause minimal interference with the natural functioning of plant and animal processes.

The critical ecological areas listed in Section 10B-233 (h) needing additional scrutiny include streams/ floodplains, aquifer recharge and discharge areas, wetlands, slopes greater than 15%, some highly erodible soils, areas of high water table, mature stands of native vegetation, and wildlife habitat.

(1) Aquifer recharge and discharge areas. None of the soils mapped on the site have a high potential for aquifer recharge. No impacts to the discharge area are anticipated.

(2) Blasting. It is anticipated that blasting may be required to achieve the installation of site improvements. The potential for structural and environmental impact to the surrounding properties due to blasting operations, if required, may result in significant adverse impacts. Any blasting activity should be minimized to reduce structural, environmental and noise impacts, and should be replaced by other methods where feasible. The applicant will be required to submit a blasting plan for review and approval by the Township Engineer and Fire Prevention Official, indicating those areas of the site that may require blasting, including protective measures that are to be used to minimize and mitigate environmental, structural and noise impacts.

(3) Streams, floodplains, wetlands. The design of the assisted living facility is sensitive to the presence of the stream corridor which is in the woods to the east of the building. The only encroachment on the 100 year flood plain, on the wetlands transition area, on the Township's stream corridor, and on the DRCC buffer area relate to what has been designated as the Phase II walk extension. (A portion of the Phase I walk will extend into the DRCC buffer area, but it is not anticipated that this mulch path will have any impact on the buffer area.) As a condition of approval, the Phase II walk extension will not be built unless and until the applicant has received state permits.

(4) Slopes greater than fifteen (15%) percent. Under the Township ordinance, slopes in excess of 15% are considered critical areas. Approximately 0.43 acres of area with slopes in excess of 15% will be disturbed by the construction. Of this, a small portion (0.03 acres) will be land with slopes of greater than 25%. The applicant has applied for a variance from the ordinance, and these issues are discussed in paragraph 11 above.

(5) Highly erodible soils and areas of high water tables. None have been identified on this site. Of the areas with a high water table, no development has been proposed.

(6) Mature stands of native vegetation. Approximately nine of the ten acres are wooded. As proposed with two entrance drives, approximately 25% of wooded areas will be removed. The applicant has proposed a grading scheme using retaining walls as a means of returning to the original grade and thus reducing areas of disturbance. As noted under the discussion of the driveway connections, changes have been made to the plan which will remove the northerly entrance way from a prime woodland area. The overall plan for protecting trees through tree wells and retaining walls will be subject to review by the Board's Landscape Subcommittee and by the landscape consultant as a condition of approval.

(7) Wildlife habitat. Impacts to wildlife will be in the form of an overall reduction in the amount of habitat available for habitation and migration in this area. The removal of these mature habitats and exposure of previously interior areas to the edge environment translates into a temporary displacement of edge wildlife species until the plant species characteristic of this ecologic system appear and mature. The overall configuration of the plan will actually cause the edge habitat to increase, and the preservation of the stream corridor will maintain the diversity of habitat on the site.

(b) Landscape: Pursuant to Section 10B-226 (b) of the Princeton Township Land Use Code, the historic and natural character of the landscape shall be preserved, insofar as practical and environmentally desirable, by minimizing tree and soil removal.

The tree inventory indicates that most of the trees in the proposed area of disturbance are native to the region. The inventory shows 332 trees within the area of disturbance of which 264 are slated to be removed. The modification to the detention basin has allowed the treed area to the north of the building to be preserved. The trees within the proposed northern and southern entrance drive area will be saved by the revised single roadway configuration, but trees will be removed at the new entrance area. The overall landscape plans will be modified as a result of conditions being imposed on this application. The modifications includes a shifting to the south of the circular area at the entranceway in order to preserve trees within that area; the single entrance/exit to Mount Lucas Road to save prime wooded areas in the north; the plantings along the southerly property line will be modified; the clearing along the frontage to achieve sight distances will require less tree removal than the earlier plans; additional

retaining walls will be used to minimize grade changes; the number and location of the trees in the parking area have been modified to meet the Township standard; the area of disturbance will be staked in the fields to further minimize tree removal; and other conditions suggested by the consultants have been incorporated as conditions. The plans will be subject to the review and approval of the Board's landscape consultant and the Landscape Subcommittee in consultation with the Township Engineer.

(c) Relation of proposed structures to environment: Pursuant to Section 10B-226 (c) of the Princeton Township Land Use Code, proposed structures are to be related harmoniously to themselves, the terrain, existing buildings, roads and historically significant features, if any.

The applicant proposes to construct a large building. Although the building is less than the permitted floor area, it is still a very large building measuring 76,639 square feet. Some of this bulk is masked by architectural features and by the configuration of the building producing what appears to be two stories in places and three stories in other areas. The number of parking spaces has been reduced from that originally proposed and is significantly less than the parking which would be required for a conforming office building in this OR zoning district. The board will also require the applicant to reduce the size of the light poles in the parking area from 20 feet to 14 feet, and, except for security lighting, the exterior lights will be turned off at 11-11:30 p.m. each night. The retaining walls will be stone faced so as to enhance the public view relative to the site's natural surrounding and the building. Belgian block curbing will be utilized, and several of the other lighting fixtures will be changed to a more residential decorative style. The shoe-box type fixtures will have back lighting shields to contain the lighting within the site. Notwithstanding this, the building will be visible from Mount Lucas Road and from the adjacent residential areas of Dogwood Hill and Old Orchard Lane. The Board has imposed landscape conditions requiring evergreen plantings along the frontage on the top of the slope to increase the buffering. The entrance/exitway has been reduced to a single location and will be designed so as to not allow a direct line of the sight to the building. The use of stone and wood materials as shown in Exhibit A-8a will also produce a less commercial look to this building. The applicant has stated that a reduction in the size of the facility will adversely impact on the amenities provided to the residents. The utilization of interior space is shown on the floor plans (Exhibits A-4, A-6, and A-7). The applicant has also submitted comparative information showing that this not a particularly large assisted living facility and that the size allocated per unit is in line with other recent developments (see Exhibit A-18). The Board acknowledges that the structure will be visible from the nearby residential areas. The Board finds that any development of this property for a permitted use will have similar or worse impacts. The ordinance standard does not require the structure not to be seen, but only that it be designed to fit into the site. The Board finds that the architectural design as well as the circulation plan, the materials to be used, and the landscape buffering will place this building within a harmonious and acceptable natural setting and without undue impact.

(d) Scenic, historical, archaeological and landmark sites: Pursuant to Section 10B-226 (d) of the Princeton Township Land Use Code, scenic, historical, archaeological and

landmark sites and features that are located on or adjacent to the proposed development shall be preserved and protected insofar as practicable.

No scenic, historic, archaeological and landmark sites are located on the site or adjacent to the site. Therefore, there should be no adverse impact under this site plan criteria.

(e) Surface water drainage: Pursuant to Section 10B-227 of the Princeton Township Land Use Code, a proposed development shall be designed as to provide for proper surface water management through a system of controlled drainage.

The proposed system includes a series of inlets, roof drains, storm drain pipes, and underground detention storage systems. For the most part, the inlets will drain into the pipe system which leads to an underground storage box located below the northern parking stalls at the entry-loop and an underground storage area located below the northern portion of the building. From here, it flows through an outlet structure and is piped to the existing stormwater pipeline located in Mount Lucas Road. This is a change from the first submission which had an above ground storm water detention basin to the north of the building. This redesigned system has been reviewed by the Township's storm water consultant. The applicant has agreed to comply with the comments and recommendations made by SWM Consultants in its reports of March 9, 1997 and subject to the approval of the Township Engineer. An issue has also been raised as to the water quality aspect of the proposed basin design. This issue has been reviewed by Coastal Environmental Services, Inc., and its comments and recommendations are set forth in its report of March 20, 1997. The applicant has agreed to comply with those recommendations. The plans to address water quality will also be subject to the approval of the Princeton Township Flood Control Committee and the Township Engineer.

(f) Driveway Connections to public streets: Pursuant to Section 10B-226 (f) of the Princeton Township Land Use Code, all entrance and exit driveways to public streets shall be located with due consideration for traffic flow and so as to afford maximum safety to traffic on the public streets.

The connection to Mount Lucas Road has been one of the major modifications during the course of the review process. Under the first submitted plan, the main accessway was located across from Dogwood Hill, and there was also a secondary accessway to the south. The plan then evolved into one in which the main entrance was moved to an area located midway between Orchard Lane and Dogwood Hill and the southern driveway redesigned as a one-way entrance drive. Based upon the recommendation of the Township's consultant, Garmen Associates, other modifications were also made to the plan. As a result of the review and field examination by the Board's landscape consultant, Melillo & Bauer, it was suggested that a better location for the main entrance area would be south of where the original main drive was located, as shown on Exhibit A-9 and which is described generally as the area that lines up with the westerly projection of the building's wing. A single driveway located in this area will also necessitate the removal of trees, but the trees in this area are not as mature as in the northern location. The amount of clearing to provide the necessary sight lines will result in less overall vegetation removal along this area of Mount Lucas Road. The final design of the driveway at

this location and the modifications to produce the acceptable lines of the sight will be subject to further review by the Board's traffic consultant and the landscape consultant and by the Township Engineer. The Board determined that a single two-way driveway at this location would be safe — taking into consideration the traffic flow on Mount Lucas Road. Mount Lucas Road is a heavily trafficked two-lane road. As noted below, the anticipated traffic effects from this project will be minimal — particularly relative to other permitted uses.

(g) Traffic effects: Pursuant to Section 10B-226 (g) of the Princeton Township Land Use Code, the site development proposal shall minimize adverse traffic effects on the road networks serving the area in question, either those existing or as included in the master plan.

The applicant's traffic report was prepared by Schoor DePalma, and testimony was presented by Mr. Henry Ney. The use will not be a heavy traffic generator. The applicant's submission was reviewed by the Township's traffic consultant, Garmen Associates. At the hearing, the applicant presented testimony as to the number of employees working the various shifts during the day and night and its projection of other traffic, including part time workers. In response to Board questions, the applicant agreed to submit such additional staffing information as it could obtain from the Sunrise facility in Deptford Township. The Princeton Township ordinance requires the applicant to build no more parking spaces than are needed to serve the facility. The testimony is that very few of the people living at the facility will have their own cars and that vans will be available to transport residents as needed. This is required by the Township ordinance and also by the Department of Health. A continuing condition requiring the provision of transportation will also be imposed on the applicant and any successor. The applicant will also be required to present an acceptable plan for handling special event parking to include either arrangements to use the next-door neighbor's parking lot or the provision of valet parking.

(h) Pedestrian and bicycle safety: Pursuant to Section 10B-226 (h) of the Princeton Township Land Use Code, pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation shall be provided on the site and its approaches. The pedestrian circulation plan shall be designed to minimize adverse effects of vehicular traffic upon sidewalks and bicycle paths.

Bicycle paths are not an element of this plan. The applicant has designed a number of five-foot wide concrete pedestrian pathways on the site to link the building's main entrance with the sun garden to the west of the building and to the parking area to the south. There are also walkways which provide access to alternate entrances to the building and to the dumpster enclosure. There is a five-foot wide mulch path located to the east of the building which will provide a short walk into the woods. The Phase II walkway referred to above will be extended further into the woods and over the stream corridor through the adjacent woodlands, subject to the receipt of state permits. The Phase I and Phase II walkway have been designed to have a single stream crossing. Certain modifications to the concrete pathways and the addition of curb cuts to provide for handicap access will be required as conditions of approval. The Board also requires that the grade of the walkways not exceed five percent, and that it be reduced

to not more than two percent where this is possible. The bikeway master plan shows a six-foot wide bike path along Mount Lucas Road. Currently, there is a four-foot wide path along the west side of Mount Lucas Road, but it does not continue to Herrontown Road to the north nor to Ewing Street to the south. Because of the slopes along the frontage of the property, the instillation of a new bike path on the east side of Mount Lucas Road is not desirable. The applicant agreed to make a cash contribution in lieu of the construction of a bike path. The contribution will be measured by the average per foot cost of building a bike path in the Township multiplied by the applicant's frontage. In consultation with a representative of the neighboring homeowner's associations, the Township Engineer will decide how best to use these funds, including the possibility of widening the existing walkway and/or extended it to the north and/or the south.

(i) On-site parking and circulation: Pursuant to Section 10B-226 (i) of the Land Use Code, the location, width and layout of interior drives shall be appropriate for the proposed interior circulation. The location and layout of accessory off-street parking and loading spaces shall provide for efficient circulation and the safety of pedestrians and vehicles.

As noted, the parking is in two separate parking areas, and they are joined by an on-site driveway along the west side of the building extending to the main entrance area. Handicap parking spaces are provided. The on-site circulation may require some slight modification of its alignment with the newly located entrance drive. Subject to the review of the traffic consultant and the Township Engineer, the Board determined that the on-site parking and circulation is adequate to serve the needs of this facility and its residents and visitors.

(j) Utility services: Pursuant to Section 10B-272.26 (b) (iii) of the Land Use Code, the applicant must achieve assurances that the necessary infrastructure and utilities are available from on-site, municipal or private systems including sanitary sewer, potable water and irrigation water. The provision of infrastructure and utilities shall not have a detrimental effect on groundwater or surface water resources.

Wired utilities will be provided underground from existing pole-mounted facilities on Mount Lucas Road. Sanitary sewer lines will hook-up to the existing sanitary sewer line in Mount Lucas Road where it will be connected to the Stony Brook Regional Sewerage Authority via the Northridge Pump Station. Domestic and fire protection water service will be provided by Elizabethtown Water Company, and pipelines will be extended from the waterline in Mount Lucas Road. Fire hydrants will be located as recommended by the Fire Official, and the other recommendation of the Township's Fire Official will be made as conditions of this approval. In addition, to assure that adequate fire flows are available, the applicant will be required to comply with the recommendation in the report from Roy F. Weston, Inc.

(k) Disposal of Wastes: Pursuant to Section 10B-226 (k) of the Princeton Township Land Use Code, there shall be adequate provision for the disposal of all solid, liquid and gaseous wastes and for the avoidance of odors and other air pollutants that may be generated at the site.

Solid waste generated by this facility will be domestic in nature and will not contain medical waste. There will be a six-cubic foot dumpster where trash will be stored. The dumpster is located to the south of the building in a location where a side yard setback variance is required. Pickup of trash will be by private hauler. There will also be a plan to reduce the amount of waste through reuse and recycling. Screening in the area of the dumpster, which is also the location of the cooling tower, will be required.

(l) Noise. Pursuant to Section 10B-226 (l) of the Princeton Township Land Use Code, all applicable federal, state and local regulations dealing with the control of outside noise which is expected to be generated at the site shall be complied with.

The primary noise generation from this facility is expected to be during the construction activities. The applicant will be required to adhere to the Township's noise ordinance relating to construction work, and, in addition to this, the applicant has agreed not to commence construction activity until 8 a.m. when working in areas adjacent to nearby residences.

(m) Advertising features: Pursuant to Section 10B-226 (m) of the Princeton Township Land Use Code, the size, location, height, design, color, texture, lighting and materials of signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures of the surrounding properties.

A single two-sided sign identifying the facility will be placed outside the setback area near the main entrance. Standard on-site traffic control signs will also be placed where appropriate. The name on the sign, which originally was proposed to read "Princeton Oaks Assisted Living Residence," will be changed because of confusion with other developments. The new name will be selected subject to the approval of the Township Engineer and the Fire Official.

(n) Special features: Pursuant to Section 10B-226 (n) of the Princeton Township Land Use Code, outside storage areas, service and machinery installations, service areas, truck loading areas, utility buildings shall be subject to such setbacks,, screen plantings or other screening methods as shall reasonably be required to prevent any adverse effect upon the environment or nearby property.

The special feature includes the dumpster enclosure area and the proposed cooling tower, both within the southerly sideyard setback area. (See paragraph 11 regarding these variances.) The applicant will be required to screen these areas, and this may require the construction of an additional retaining wall closer to the property line.

(o) Waterway corridors: Pursuant to Section 10B-226 (o) of the Princeton Township Land Use Code, site plans shall be designed so as to preserve from disturbance waterway corridors as defined in Section 10B-203.

The only incursion into the stream corridor area is the applicant's Phase II walk. It has been redesigned with a single stream crossing, and construction will be subject to obtaining state permits.

13. Approval with conditions. Based upon the foregoing, the Board voted the grant preliminary and final site plan approval, conditional use approval, and the requested variances subject to the following conditions:

(1) Construction of the Phase II walk extension, which extends into the 100 year flood plane, will be subject to the receipt of state permits.

(2) If blasting is required, it shall be subject to the prior submission of a blasting plan for the review of the Township Engineer and the Fire Prevention Official, and it shall show the areas where blasting may be required and the protective measures to be used to minimize and mitigate environmental, structural, and noise impacts.

(3) The proposed retaining wall shall be extended where needed, to preserve trees and reduce the impact on the buffer area between Mount Lucas Road and the building.

(4) A revised tree plan shall be submitted, accurately and clearly showing the trees to remain and those which are to be removed.

(5) More detailed plans shall be submitted for the sun garden area showing the detailed design; and the sun garden shall be enlarged if the new configuration of the entrance drive allows for this.

(6) As to the front building entrance and the rear terrace area, detailed paving, grading, and planting designs should be submitted and site furnishings should be specified.

(7) The on-site walkways to connect to Mount Lucas Road shall be designed with slopes not to exceed five percent, and any other walkways having a slope in excess of two percent shall be reduced where possible.

(8) The replacement and supplemental plantings shall be of indigenous variety and of appropriate caliper, with larger caliper trees at key locations.

(9) At the dumpster enclosure and cooling tower at the southerly property line, an alternate landscaping plan shall be submitted, including retaining walls, if needed.

(10) The evergreen shrubs to be planted along Mount Lucas Road should be shifted to the top of the slope along the frontage of the building to provide better buffering and understory plantings shall be added.

(11) The landscaping plan shall clearly designate areas to be developed as lawns, meadows, or with mulch or natural leaf litter.

(12) The circle area at the main entrance shall be shifted to the south as necessary to save specimen trees.

(13) The landscape plans should include notes to specify plant quality, height, and habit.

(14) The final landscaping plans shall be corrected so that all specified trees and shrubs are appropriately labeled and recorded on the plant list.

(15) Where replacement trees are being planted, efforts should be made to maximize the number of native shade trees to be planted, but still in keeping with the applicant's original design intent.

(16) In the forty space parking lot, the plan should be revised with trees placed at each of the corners of the northerly row and with the gaps along the northern border be filled in with trees to maximize shading during the summer months.

(17) The following note should be added to the plan:

"All areas where natural vegetation and/or specimen trees are to remain shall be protected by the erection of fencing and no disturbance of natural vegetation shall occur prior to inspection by the Township Engineer and the issuance of written authorization to proceed with construction. These protective measures shall not be altered by or removed without approval by the Township Engineer."

(18) The limits of disturbance of the relocated entrance drive shall be staked in the field and revisions to the grading plan

shall be made as required to save additional specimen trees, subject to the approval of the Township Engineer.

(19) The tree wells around trees shall be of a size and design which maximize the probability of retaining those trees and, where appropriate, the tree wells around several trees shall be incorporated into one tree well for the several trees. The trees wells shall be constructed of dry laid stones, where possible. Reinforced concrete walls shall be constructed where structural support is required.

(20) Retaining walls shall be designed and built where necessary to save additional trees and vegetation.

(21) The landscape plan shall include plans for trimming, pruning, and maintenance of the existing trees to remain.

(22) The applicant shall be required to replace trees, new or existing, which do not survive — to be replaced by the planting of trees of appropriate and reasonable size, subject to the approval of the Landscape Subcommittee and Township Engineer prior to the expiration of maintenance guarantee period.

(23) The overall landscape plan, including any modifications required by conditions (3) to (22) above shall be subject to the review and approval of the Board's Landscape Subcommittee and the Board's landscape consultant.

(24) The plans should be clarified as to whether the retaining walls are to be poured-in-place, reinforced concrete, or precast concrete block, and additional details shall be provided for the non-tiered type of poured-in concrete retaining walls with details as to the footer portion of the walls.

(25) The plan showing the location of all retaining walls shall be subject to the review of the Township Engineer and the Board's Landscape Subcommittee. Modifications during construction due to field conditions may be approved by the Township Engineer.

(26) The stone or other appropriate facing on the retaining walls and the length of walls shall be subject to the review of the Landscape Subcommittee. Modifications during

construction due to field conditions may be approved by the Township Engineer.

(27) The shoe box light fixtures at the entrance area shall be replaced by more decorative traditional fixtures, and there shall be one on either side of the entrance area.

(28) The applicant's storm water management plan shall comply with the comments and recommendations in the SWM Consultant's report dated March 9, 1997, subject to the approval of the Township Engineer.

(29) The applicant's engineer shall certify the structural stability of the detention basin and all other retaining walls following their construction, subject to verification by the Township Engineer. A note to this effect should be placed on the final construction plans.

(30) The applicant shall provide to the Township Engineer and Planning Board Attorney for review and approval, its detention facility maintenance plan in accordance with Section 10B-227 of the Township Land Use Code.

(31) The storm water quality aspects of the proposed basin design shall be subject to the comments and recommendations in the reports from Costal Environmental Services, Inc. dated March 20, 1997.

(32) The underground detention facility will be designed to comply with the Township's water quality requirements by utilization of sand filters for parking lot runoff in lieu of detention time. The detention facility will be designed to be accessable for cleaning.

(33) The water quality aspects of the applicant's storm water management plan shall be subject to the approval of the Township Flood Control Committee.

(34) The facility shall be served by a single, two-way driveway generally in the location shown on sheets A-9. Final design plans shall be submitted showing the clearance for the required sight distances. These plans shall be subject to the review and approval of the Board's traffic consultants, Garmen Associates, and the Township Engineer.

(35) Retaining walls to the north and south of the entrance area, with stone or other appropriate facing, shall be constructed to retain as much of the existing vegetation and trees as is practicable and subject to review by the Landscape Subcommittee.

(36) Once the final designs for the new entrance area is completed, the location of sidewalks along the entrance area shall be designed subject to the approval of the Township Engineer and the Landscape Subcommittee.

(37) A single conforming sign shall be located at this entrance area outside of the sight triangles.

(38) Curb cuts and extensions should be provided at appropriate locations for handicap access.

(39) The width of the two-handicap parking stall shall be designed to conform with ADA standards, and dropped curbs should also be provided at the handicap loading zones.

(40) Guide rail and/or other protective measures should be provided at the island drop-off area where 2:1 slopes are proposed.

(41) In lieu of constructing a sidewalk along the frontage of the property, the applicant shall make a contribution for offsite sidewalks. The amount of the contribution should be the average per foot cost of constructing a sidewalk in the Township multiplied by the applicant's Mount Lucas Road frontage.

(42) The Township Engineer, in consultation with a representative from the neighboring homeowner associations, shall determine how best to utilize the applicant's contribution: to extend the existing four foot sidewalk on the opposite side of Mount Lucas and/or to widen that bike path, subject to the approval of the Board's Landscape Subcommittee.

(43) The applicant shall submit an overflow parking plan for times of peak usage which shall include appropriate arrangements to use the parking lot of the adjacent owner to the south or valet parking which will increase the on-site parking capacity.

(44) The applicant shall comply with the Township's fire flow ordinance and with the recommendations in the report from Roy F. Weston, Inc. dated March 3, 1997.

(45) The applicant shall comply with the recommendations in the Township's Fire Official's report dated March 10, 1997.

(46) The applicant shall make arrangements with the Township to utilize the sewerage pump station for the North Ridge System and to pay the required connection fee.

(47) The applicant shall comply with all the requirements and obtain approval of the New Jersey Department of Environmental Protection, if required.

(48) The applicant shall obtain allocation from the Township and the Princeton Sewer Operating Committee for its sewage which is to be conveyed to the Stony Brook Regional Sewerage Authority facility via the north route pump station.

(49) The applicant's sewer plan proposal and its design shall be subject to the review and approval of the Princeton Sewer Operating Committee.

(50) During construction, the applicant shall comply with the Towship's noise ordinance and, in addition, shall not commence activities until 8 a.m. in areas adjacent to Mount Lucas Road which are proximate to residential development.

(51) The twenty foot light poles shall be reduced to 12 to 14 foot high poles, and the proposed metal halide lighting is approved.

(52) The applicant will attempt to obtain and provide to the Planning Board staffing information relating to the Deptford Township facility operated by Sunrise Corporation.

(53) **The name of the facility will be changed from Princeton Oaks to a name that is not confusing and which is approved by the Fire Official.**

(54) The architectural scheme will be as shown in Exhibit A-8a.

(55) As a condition to the conditional use, the applicant shall be required to provide transportation for its residents, and this arrangement shall be assured in any future sale of the facility.

(56) The facility owner shall be required to maintain in place a plan for assisting residents who run out of funds to be able to remain at the facility; and a copy shall be filed with the planning board.

(57) The dumpster and recycling bin shall be shown and labeled on the plan.

(58) So as to accommodate additional screen plantings between the proposed cooling tower and the adjacent property line, it may be necessary to build a retaining wall closer to the set back line. (The Board granted a variance to allow this retaining wall within the setback area.)

(59) As required by ordinance, the applicant shall post a performance guarantee with the Township for the installation of the required onsite improvements.

(60) The applicant shall obtain approval of the Mercer County Planning Board and the D&R Canal Commission, if required.

(61) The Soil Erosion and Sedimentation Control Plan shall be subject to the review and approval by the Township Engineer.

(62) The applicant shall obtain all appropriate and required wetland approvals.

(63) The final construction plans shall be reviewed and approved by the Township Engineer for compliance with the ENGINEERING STANDARDS, DETAILS & DESIGN CRITERIA of Princeton Township, including but not limited to: location & design of sanitary sewer and storm drainage systems, construction details for improvements to existing and proposed roadways, and all other engineering site improvement items that may be modified or increased.

(64) The applicant shall provide facilities to comply with the Mercer County and Princeton Township recycling requirements.

(65) The applicant shall obtain a New Jersey Stormwater Discharge Permit from the Mercer County Soil Conservation District, if required, pursuant to the recent State Soil Erosion and Sediment Control Act.

(66) The lighting in the main parking area will be turned off at approximately 11:30 p.m., except for necessary security lighting.

(67) The applicant shall comply as determined by the Township Attorney with Section 10B-346 of the Affordable Housing Ordinance, as applicable.

(68) The affordable housing component shall be subject to the approval of the Princeton Township Housing Board, and the applicant shall enter into such agreements as the Housing Board shall require.

(69) All water service extensions, including the size and configuration of piping, and number and location of fire hydrants shall be subject to approval by Elizabethtown Water Company, the Princeton Township Fire Prevention Official, and the Township Engineer.

(70) It is required that all new electric, telephone and other wire-served utilities serving this site be installed underground, including required utility crossings on Mount Lucas Road.

(71) The applicant shall video tape the condition of Mount Lucas and Herrontown Roads prior to construction. Any damage, caused to these roadways due to construction traffic from this site, shall be repaired by the applicant during and after construction in a manner approved by the Township Engineer.

Adopted: 5/15/97

Vote on motion: 3/20/97
FOR: Enslin, Kyle, Marchand, O'Neill, Penick, Reed, Sinding, Tuck-Ponder

AGAINST: None

Vote on findings: 5/15/97
FOR: Enslin, Kyle, Marchand, O'Neill, Penick, Reed, Sinding, Tuck-Ponder
AGAINST: None

I hereby certify that this is a true copy adopting the findings of fact on Quality Assisted Living (aka Acorn Glen).

Ilene Cutroneo 12/15/05

Ilene Cutroneo, Regional Planning Board Secretary

ELM COURT II

PROJECT / PROGRAM INFORMATION FORM

(Complete a separate Project / Program information form for each proposed or completed project or program. For RCAs and Partnership Programs, the sending municipality need only complete Part D. RCA receiving municipalities should submit complete information for all projects and programs receiving RCA funding)

PART A – PROJECT HEADER

Municipality: TOWNSHIP OF PRINCETON County: MERCER

Project or Program Name: HARRIET BRYAN HOUSE (ELM COURT II)

Project Status (circle current status and enter date of action for that status)

	Date of Action
Proposed/Zoned	
Preliminary Approval	
Final Approval	7/15/04
Affordable Units under Construction	TCO 6/8/07
Completed (all affordable certificates of occupancy (C.O.) issued)	8/29/07
Deleted from Plan (date approved by COAH) _____)	

Project / Program Type (circle one)

Assisted Living Facility Alternative Living Arrangement Accessory Apartment

Buy – Down Credits without Controls ECHO Municipally-Sponsored Rental Units[1]

100 Percent Affordable Inclusionary Rehabilitation

If an Inclusionary project, identify type (circle all that apply)

Units constructed on-site Units constructed off-site Combination Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify type (circle one)

Transitional Facility for the Homeless Residential Health Care Facility Congregate Living Facility

Group Home Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

[1] See N.J.A.C. 5:94-4.11

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Round Rules Used: Round 1 Round 2 (Round 3)

Project Address: 310 ELM RD, PRINCETON, NJ 08540

Project Block/Lot/Qualifier (list all) 6501/3.01; PART OF 6501/1; PART OF 1.01, LOT 4 IN PRINCETON BOROUGH

Project Acreage: 7.4 ±

Project Sponsor: (circle one) Municipally Developed (Nonprofit Developed) Private Developer

Project Developer: PRINCETON COMMUNITY HOUSING

Planning Area (circle all that apply)

1 2 3 4 4B 5 5B RSC-3

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type (circle one)

Prior-cycle (1980 – 1986) (Post-1986 completed) Proposed/Zoned Rehabilitation

Credit Sub-Type

(Addressing Unmet Need) Extension of Controls

Construction Type (circle one) New (includes reconstruction and converions) Rehabilitation

Flags (circle all that apply) Conversion Court Project (Density Increase Granted) Mediated Project

Result of Growth Share Ordinance High Poverty Census Tract Off-Site Partnership Project

RCA Receiving Project Reconstruction Part of Redevelopment Plan

Project Waiver granted yes (no) **Round waiver was granted** R1 R2 R3

Type of Waiver _____

Number of market units proposed Ø **Number of market units completed** Ø

Condo Fee percentage (if applicable) _____

Affordability Average Percentage[2] VERY LOW 100%

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

[2] "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

Municipal or RCA funds committed to project $ 90,000.00

Municipal or RCA funds expended $ 90,000.00

Funding Sources (circle all that apply)

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202 HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees Municipal Bond Municipal Funds From Twp & Borough Payment in Lieu Private Financing RCA Capital Funding Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit HMFA HMFA HOME MONI Section 8 Small Cities Other PRAC, MERCER COUNTY HOME PARTNERSHIP

Effective date of affordability controls 6/28/07

Length of Affordability Controls (in years) 50 or Perpetual

Administrative Agent KERRI PHILHOWER

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted ____ Sales ____ Rentals ____ Total age-restricted 55 Sales ____ Rentals ✓

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

Low Income	Non-age restricted	Age-restricted
30% of median income [3]	____	55
35% of median income [4]	____	____
50% of median income	____	____
Moderate Income		
80% of median income	____	____

Note: 30% = less than or equal to 30 percent of median income
35% = greater than 30 percent and less than or equal to 35 percent of median income
50% = greater than 35 percent and less than or equal to 50 percent of median income
80% = greater than 50 percent and less than 80 percent of median income

[3] Pursuant to N.J.AC. 5:94-4.22 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

[4] Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low	____	1 bedroom low	____	2 bedroom low	____	3 bedroom low	____
	efficiency mod	____	1 bedroom mod	____	2 bedroom mod	____	3 bedroom mod	____
Rental units	efficiency low	____	1 bedroom low	55	2 bedroom low	____	3 bedroom low	____
	efficiency mod	____	1 bedroom mod	____	2 bedroom mod	____	3 bedroom mod	____

Completed Units

Number of affordable units completed in this project 55

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls NA

PART D - (completed by Sending Municipality)

For Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____

RCA Receiving Municipality _____ County _____

COAH approval date _____

Number of units transferred _____ Cost per unit _____

Total transfer amount _____ Amount transferred to date _____

For Partnership Program

Sending Municipality _____ County _____

Partnership Receiving Municipality _____ County _____

Name of Project _____

Credits for Sending Municipality _____

Total transfer amount _____ Amount transferred to date _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

_____

_____

_____

_____

MASON, GRIFFIN & PIERSON
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

MEMORANDUM

To: Christie Peacock, Affordable Housing Coordinator
Princeton Township

From: Edwin W. Schmierer, Esq.

Date: June 14, 2007

RE: Township of Princeton: COAH Compliance Reports

As the Township's Affordable Housing/Municipal Liason Coordinator, I understand you are working on providing annual COAH monitoring reports and providing additional information to COAH concerning the Township's 2004-2014 Affordable Housing Program. You have asked me to gather additional information concerning two (2) developments which are a part of the Township's Affordable Housing Program. I write to provide that information:

I. Elm Court II:

This development consists of 55 1-bedroom low income senior rental units. It received its Certificate of Occupancy on or about May 15, 2007. It is now commonly known as, "Harriet Bryan House." Harriet Bryan House is immediately adjacent to Elm Court which opened in 1985. Elm Court is also a rental facility for low and moderate income elderly residents and handicapped persons. Elm Court contains 88 1-bedroom studio units, nine (9) of which are designed for the handicapped.

Harriet Bryan House (Block 6501, Lot ~~3.001~~ 3.01 Princeton Township Tax Map) was constructed under the HUD Section 202 Funding Program. This project received grants totaling $8,830,067.00 from HUD. Harriet Bryan House also has a HUD project rental assistance contract which provides rental subsidies. No individual's rent within the Harriet Bryan House exceeds 30% of his or her adjusted gross income.

The property is located in the Township's Residential Senior Community district (RSC-3). This means that the development is zoned for high density senior housing as constructed. Harriet Bryan House is situated on approximately 7.4 +/- acres of land in the Township. Also consistent with the zoning, the development has been built at a density of six (6) dwelling units per acre since all units are affordable and age restricted to persons 62 years of age or older. Public sewer, water and transportation are available and are utilized on the site. Harriet Bryan

Bryan House is located in the State Development and Re-Development Plan (SDRP) PA2 Suburban Area.

In addition to obtaining the aforementioned HUD funding, the county of Mercer contributed approximately $400,000 through the HOME Program towards the construction of Harriet Bryan House; the Township of Princeton contributed approximately $90,000 towards the development.

HABITAT FOR HUMANITY

PROJECT / PROGRAM INFORMATION FORM

(Complete a separate Project / Program information form for each proposed or completed project or program. For RCAs and Partnership Programs, the sending municipality need only complete Part D. RCA receiving municipalities should submit complete information for all projects and programs receiving RCA funding)

PART A – PROJECT HEADER

Municipality: TOWNSHIP OF PRINCETON County: MERCER

Project or Program Name: HABITAT FOR HUMANITY

Project Status (circle current status and enter date of action for that status)

	Date of Action
Proposed/Zoned	
Preliminary Approval	
Final Approval	
Affordable Units under Construction	4/25/01
Completed (all affordable certificates of occupancy (C.O.) issued)	7/18/03
Deleted from Plan (date approved by COAH) _____)	

Project / Program Type (circle one)

Assisted Living Facility Alternative Living Arrangement Accessory Apartment

Buy – Down Credits without Controls ~~ECHO~~ Municipally-Sponsored Rental Units[1]

100 Percent Affordable Inclusionary GUT Rehabilitation

If an Inclusionary project, identify type (circle all that apply)

Units constructed on-site Units constructed off-site Combination Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify type (circle one)

Transitional Facility for the Homeless Residential Health Care Facility Congregate Living Facility

Group Home Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

[1] See N.J.A.C. 5:94-4.11

Bedroom Distribution of Affordable Units

Sale units	efficiency low	____	1 bedroom low	____	2 bedroom low	____	3 bedroom low	2
	efficiency mod	____	1 bedroom mod	____	2 bedroom mod	____	3 bedroom mod	-
Rental units	efficiency low	____	1 bedroom low	____	2 bedroom low	____	3 bedroom low	____
	efficiency mod	____	1 bedroom mod	____	2 bedroom mod	____	3 bedroom mod	____

Completed Units

Number of affordable units completed in this project 2

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls _____

PART D - (completed by Sending Municipality)

For Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____

RCA Receiving Municipality _____ County _____

COAH approval date _____

Number of units transferred _____ Cost per unit _____

Total transfer amount _____ Amount transferred to date _____

For Partnership Program

Sending Municipality _____ County _____

Partnership Receiving Municipality _____ County _____

Name of Project _____

Credits for Sending Municipality _____

Total transfer amount _____ Amount transferred to date _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

_____

_____

_____

_____

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Round Rules Used: Round 1 Round 2 Round 3

Project Address: 52A & 52B LEIGH AVE, PRINCETON, NJ 08540

Project Block/Lot/Qualifier (list all) 6906/24.01 C01, 6906/24.02 C02

Project Acreage: .07

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed Private Developer

Project Developer: HABITAT FOR HUMANITY

Planning Area (circle all that apply)

1 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type (circle one)

Prior-cycle (1980 – 1986) Post-1986 completed Proposed/Zoned GUT Rehabilitation

Credit Sub-Type

Addressing Unmet Need Extension of Controls

Construction Type (circle one) New (includes reconstruction and converions) GUT Rehabilitation

Flags (circle all that apply) Conversion Court Project Density Increase Granted Mediated Project

Result of Growth Share Ordinance High Poverty Census Tract Off-Site Partnership Project

RCA Receiving Project Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no **Round waiver was granted** R1 R2 R3

Type of Waiver _____

Number of market units proposed Ø **Number of market units completed** Ø

Condo Fee percentage (if applicable) _____

Affordability Average Percentage [2] _____

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

[2] "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

Municipal or RCA funds committed to project $72,500.00

Municipal or RCA funds expended $72,500.00

Funding Sources (circle all that apply)

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202 HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees Municipal Bond Municipal Funds Payment in Lieu Private Financing RCA Capital Funding Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit HMFA HMFA HOME MONI Section 8 Small Cities Other SWEAT EQUITY OF PURCHASERS

Effective date of affordability controls 7/18/03

Length of Affordability Controls (in years) 30 or Perpetual

Administrative Agent ANNA CHRISTY PERRONE

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted 2 Sales ✓ Rentals ____ Total age-restricted ____ Sales ____ Rentals ____

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

Low Income	Non-age restricted	Age-restricted
30% of median income [3]	____	____
35% of median income [4]	____	____
50% of median income	2	____
Moderate Income		
80% of median income	____	____

Note: 30% = less than or equal to 30 percent of median income
35% = greater than 30 percent and less than or equal to 35 percent of median income
50% = greater than 35 percent and less than or equal to 50 percent of median income
80% = greater than 50 percent and less than 80 percent of median income

[3] Pursuant to N.J.A.C. 5:94-4.22 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

[4] Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

TOWNSHIP OF PRINCETON
400 WITHERSPOON ST
PRINCETON NJ 08540
609-921-7078

CERTIFICATE

IDENTIFICATION

Date Issued: 07/18/2003
Control #: 20305
Permit # 20010321

Block: 6906 Lot : 24 Qual:

Work Site : 52 LEIGH AVE
PRINCETON, NJ 08540

Owner in Fee: HABITAT FOR HUMANITY OF TRENTON INC

Address: 601 LEIGH AVE
TRENTON NJ 08638

Telephone: 609 393-8009

Agent/Contractor: SCHULTE RESTORATIONS INC

Address: 14 MERCER ST
HOPEWELL NJ 08525

Telephone:

Lic. No./ Bldrs. Reg.No.: 2859 Federal Emp. No.:

Social Security No.:

Home Warranty No:

Type of Warranty Plan: [ ] State [ ] Private

Use Group: R-3

Maximum Live Load:

Construction Classification: 5B

Maximum Occupancy Load:

Certificate Exp Date:

Description of Work/Use: ALTERATIONS

[ ] **CERTIFICATE OF OCCUPANCY**

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform construction Code and is approved for occupancy.

[X] **CERTIFICATE OF APPROVAL**

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved.If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

[ ] **TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE**

If this is a temporary Certificate of Occupancy or Compliance the following conditions must be met no later than _or the owner will be subject to fine or order to vacate.

[ ] **CERTIFICATE OF CLEARANCE-LEAD ABATEMENT 5:17**

This serves notice that based on written certification, lead abatement was performed as per NJAC 5:17 to the following extent:

[ ] Total removal of lead-based paint hazards in scope of work

[ ] Partial or limited time period(_____ years); see file

[ ] **CERTIFICATE OF CONTINUED OCCUPANCY**

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

[ ] **CERTIFICATE OF COMPLIANCE**

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until

JOHN PETTENATI Construction Official
N.C.C.560 (rev. 3/96)

1 - APPLICANT 2 - OFFICE 3 - TAX ASSESSOR

Fees $ N/A
Paid[_]Check No
Collected by

TOWNSHIP OF PRINCETON
400 WITHERSPOON ST
PRINCETON NJ 08540
609-921-7078

CERTIFICATE

IDENTIFICATION

Date Issued: 07/18/2003
Control #: 20309
Permit # 20010322

Block: 6906 Lot : 24 Qual: _____

Work Site : 52 LEIGH AVE
PRINCETON, NJ 08540

Owner in Fee: HABITAT FOR HUMANITY OF TRENTON INC

Address: 601 LEIGH AVE
TRENTON NJ 08638

Telephone: 609 393-8009

Agent/Contractor: SCHULTE RESTORATIONS INC

Address: 14 MERCER ST
HOPEWELL NJ 08525

Telephone: _____

Lic. No./ Bldrs. Reg.No.: 2859 Federal Emp. No.: _____

Social Security No.: _____

Home Warranty No: _____

Type of Warranty Plan: [ ] State [ ] Private

Use Group: R-3

Maximum Live Load: _____

Construction Classification: 5B

Maximum Occupancy Load: _____

Certificate Exp Date: _____

Description of Work/Use: ALTERATIONS

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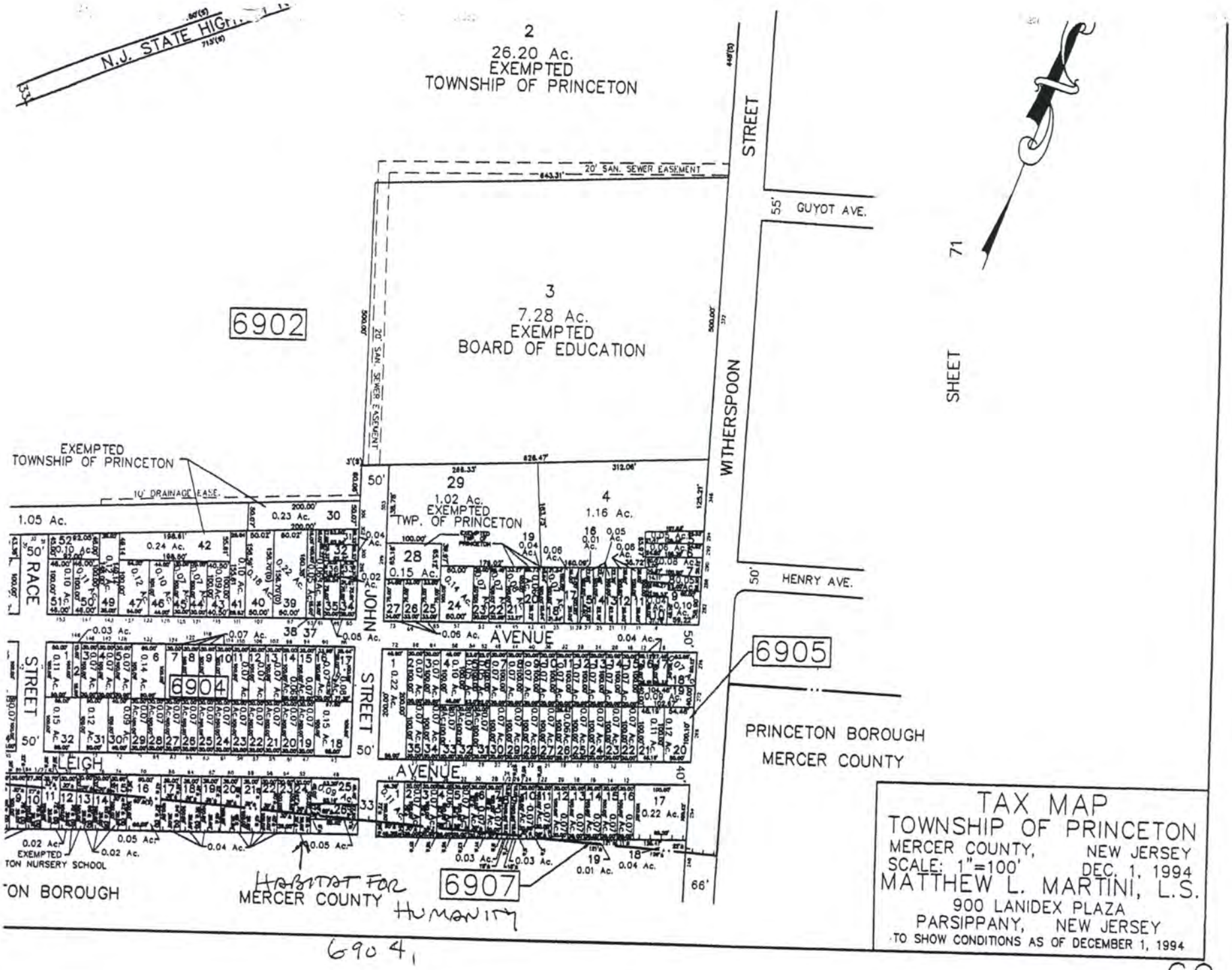
JOHN PETTENATI Construction Official
C.C. 360 (rev. 3/96)

Fees $ N/A
Paid[_]Check No _____
Collected by RS

1 - APPLICANT 2 - OFFICE 3 - TAX ASSESSOR


N.J. STATE HIGH
2
26.20 Ac.
EXEMPTED
TOWNSHIP OF PRINCETON
20' SAN. SEWER EASEMENT
3
7.28 Ac.
EXEMPTED
BOARD OF EDUCATION
6902
WITHERSPOON STREET
GUYOT AVE.
HENRY AVE.
SHEET 71
EXEMPTED
TOWNSHIP OF PRINCETON
10' DRAINAGE EASE.
1.05 Ac.
29
1.02 Ac.
EXEMPTED
TWP. OF PRINCETON
4
1.16 Ac.
28
0.15 Ac.
RACE STREET
JOHN STREET
AVENUE
6904
6905
LEIGH AVENUE
PRINCETON BOROUGH
MERCER COUNTY
EXEMPTED
TON NURSERY SCHOOL
TON BOROUGH
MERCER COUNTY
HABITAT FOR HUMANITY
6907
TAX MAP
TOWNSHIP OF PRINCETON
MERCER COUNTY, NEW JERSEY
SCALE: 1"=100' DEC. 1, 1994
MATTHEW L. MARTINI, L.S.
900 LANIDEX PLAZA
PARSIPPANY, NEW JERSEY
TO SHOW CONDITIONS AS OF DECEMBER 1, 1994

6904,

TOWNSHIP OF PRINCETON
COUNTY OF MERCER, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, at the recommendation of the Princeton Township Housing Board, the Township of Princeton has purchased 52 Leigh Avenue (Block 6906, Lot 24, Princeton Township Tax Map) in order to include said property in the Princeton Township Affordable Housing Program; and

WHEREAS, Habitat for Humanity of Trenton, Inc., a non-profit corporation of the State of New Jersey, has agreed to rehabilitate said property in order to create two single-family dwelling units which would qualify under the terms and conditions of said Affordable Housing Program as low-income housing based upon a family size for three or four-bedroom units; and

WHEREAS, said Township wishes to convey title to said property to Habitat for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Princeton, as follows:

1. The Mayor and Clerk of the Township of Princeton are hereby authorized and directed to enter into a Development Agreement with Habitat for Humanity of Trenton, Inc., in order to convey 52 Leigh Avenue to said Non-Profit for One ($1.00) Dollar and other good and valuable consideration. Said Development Agreement shall further provide that Habitat will rehabilitate said

property in order to create two single-family dwelling units which will be Deed-restricted and qualify as low-income housing as defined by the Princeton Township Affordable Housing Program.

2. The Mayor and Clerk are hereby further authorized to execute any and all necessary closing documents, including, but not limited to, the Deed, Affidavit of Exemption, Affidavit of Title, Corporate Resolution, and HUD-1 Settlement Statement, and such other documents as may be required to convey all right, title and interest to 52 Leigh Avenue, Princeton, New Jersey, to Habitat for Humanity of Trenton, Inc.

3. The Township Attorneys, Mason, Griffin & Pierson, P.C., are hereby specifically authorized to attend the closing of title concerning the above-referenced property and execute any and all necessary closing documents for said purpose.

4. A certified true copy of this Resolution shall be furnished to Habitat for Humanity of Trenton, Inc., 601 North Clinton Avenue, Trenton, New Jersey, 08638, Attention: David Gibbons, Executive Director, upon its execution. A further certified true copy shall be furnished by the aforementioned Township Attorneys to the settlement agent and title insurance company selected by Habitat for Humanity of Trenton, Inc., to review title and close title concerning said property.

CERTIFICATION

I, PATRICIA C. SHUSS, Clerk of the Township of Princeton, hereby certify that the foregoing Resolution was adopted by the Township Committee of the Township of Princeton at its meeting held on the 4th day of October, 1999.

PATRICIA C. SHUSS, Clerk
Township of Princeton

DEVELOPMENT AGREEMENT

THIS AGREEMENT, entered into this 4th day of OCT, 1999, by and between the TOWNSHIP OF PRINCETON, acting as a redevelopment agency pursuant to N.J.S.A. 40A:12A-1 et seq., with its principal offices located at 369 Witherspoon Street, Princeton, New Jersey, 08540 (hereinafter referred to as "PRINCETON") and HABITAT FOR HUMANITY OF TRENTON, INC., a non-profit corporation of the State of New Jersey, having its principal offices located at 601 North Clinton Avenue, Trenton, New Jersey, 08638 (hereinafter referred to as "HABITAT").

WITNESSETH:

WHEREAS, PRINCETON, through the Princeton Township Housing Board, is responsible for overseeing and implementing the Princeton Township Affordable Housing Program; and

WHEREAS, in that context, PRINCETON has acquired title to certain real property commonly known as 52 Leigh Avenue, Township of Princeton, County of Mercer, State of New Jersey which PRINCETON wishes to make part of its Affordable Housing Program; and

WHEREAS, HABITAT wishes to form a housing partnership with PRINCETON for the purpose of providing two affordable housing units on said property.

NOW, THEREFORE, in consideration of ONE ($1.00) DOLLAR and other good and valuable consideration, PRINCETON and HABITAT AGREE, as follows:

1. PRINCETON shall convey all right, title and interest in 52 Leigh Avenue, including all fixtures and personalty left in the property, to HABITAT for $1.00 and HABITAT's agreement that two single-family dwelling units which qualify under the terms and conditions of the Princeton Township Affordable Housing Program as low-income housing based upon family size for three (3) or four (4) bedroom units and subject to the controls on affordability as established by the New Jersey Council on Affordable Housing (COAH) at N.J.A.C. 5:93-9.1, et seq. and the Princeton

Township Affordable Housing Board Rules and Regulations, will be constructed on the property. The units shall be constructed on said property and deed-restricted for affordability for a minimum of 99 years as privately-constructed affordable housing dwelling units in accordance with the Princeton Township Affordable Housing Board Rule Section 5.1.1. A description of the above-referenced property to be conveyed is attached hereto as Exhibit A and made a part hereof. PRINCETON agrees to convey clear and marketable title to said property clear of all liens and encumbrances in the form of a bargain and sale deed with covenants against Grantor's acts.

2. HABITAT shall be responsible for demolishing those parts of the existing single-family dwelling unit on the above-referenced property necessary to make rehabilitation of the said units possible. The cost and expense of such demolition shall be borne solely by HABITAT.

3. The two single-family dwelling units shall be marketed in accordance with the terms and conditions of the COAH affirmative marketing regulations, N.J.A.C. 5:93-11.1, et seq., as interpreted by the Princeton Township Housing Board Rules and Regulations, and HABITAT's selection criteria and guidelines attached as Exhibits B-1, B-2 and B-3, provided that said criteria does not render the unit ineligible as a Princeton Township affordable housing unit as defined in paragraph 1 hereinabove. It is the intention of the parties that both sets of criteria be met.

4. As a part of the construction project, PRINCETON agrees that it shall be responsible for the following costs:

A. The removal of the inoperable tow truck now situated in the front yard of the above-referenced property.

B. Costs for construction permits and other internal fees of the Township.

5. In conjunction with said construction project, HABITAT agrees to:

A. Pay any third party fees for permits such as electrical, plumbing, etc.

B. Comply with all applicable state and local building construction code requirements.

C. Insure that all volunteer workers who drive to the site appropriately disburse their motor vehicles throughout the neighborhood.

6. As a part of the partial demolition of the single-family home currently on the property, PRINCETON would agree:

A. HABITAT may brace the walls of the existing foundation so said foundation can remain intact while demolition is underway.

B. HABITAT may demolish the necessary parts of the existing single-family dwelling unit so as to not disrupt the bracing as aforementioned and the foundation.

7. Following conveyance of the aforementioned property, PRINCETON shall cooperate with HABITAT in having completed and filed with the Princeton Township Tax Assessor an Initial Statement under Title 54 seeking tax-exempt status for the property while owned by HABITAT. Once HABITAT resells said property to income-eligible households, said tax-exempt status, if granted by the Township prior to sale, shall cease.

8. The aforementioned low-income-eligible households shall be determined in accordance with the Princeton Township Affordable Housing Program rules and regulations and the COAH affordability controls as referenced in paragraph 1 hereinabove following an affirmative marketing program as referenced in paragraph 3 hereinabove and shall be sold to individuals qualifying under the COAH 1999 regional income limits as adopted in April, 1999, a copy of which is attached hereto as Exhibit C and made a part hereof.

9. HABITAT agrees that in regard to the low-income, three (3) or four (4) bedroom single-family dwelling units that are to be constructed on the site, it shall use its best efforts to have

at least the units framed, roofed and secured within twelve (12) months of the date the first construction permit is issued for the project by the Township of Princeton. Further, HABITAT agrees that it will use its best efforts to have the units resold in accordance with the HABITAT guidelines for interested families, Exhibit B-3, paragraph IIID and E to income-eligible households as defined hereinabove within twelve months of completion of construction and to have them conveyed to low-income eligible households within twenty-four (24) months from the date said units are conveyed to HABITAT. The conveyance by HABITAT to low-income eligible households will contain an affordable housing deed restriction in a form to be reviewed and approved by PRINCETON, through the Princeton Township Housing Board, and the New Jersey Department of Community Affairs. Said deed restriction shall designate the Princeton Township Housing Board to be the administrative entity which oversees these affordable housing units as required by COAH. This representation shall survive the delivery of the deed.

10. During construction, HABITAT shall maintain general liability, contractors and workers compensation coverage on the property in a minimum amount of $500,000.00.

11. When said two single-family dwelling units are constructed, same shall be conveyed subject to the PRINCETON and COAH deed restrictions referenced hereinabove in accordance with the Guidelines for Interested Families (Exhibit B-3 attached).

12. In the deeds of conveyance by HABITAT to the low-income-eligible households as defined hereinabove, HABITAT shall retain an option to repurchase said units upon the death of the grantees and their children or if the grantees sell or transfer their part of the property or wish to sell their part of the property. If HABITAT elects not to exercise this option within the 60-day time frame provided for in its deed restrictions, then at least 30 days prior to the expiration of the option period, HABITAT shall assign its right to exercise this option to PRINCETON, which shall

have the remaining 30-day time frame within which to exercise the option and acquire title to that portion of the property in accordance with the terms and conditions of the HABITAT deed restrictions in order to maintain these units as a part of its affordable housing inventory. HABITAT agrees that the units to be constructed are to be owner-occupied affordable housing units and not rental units. An additional deed restriction shall be included in the deeds of conveyance from HABITAT to the income-eligible purchasers of the units prohibiting renting the units at a future date.

13. HABITAT agrees during construction to coordinate the volunteer efforts of the volunteers as may be recruited by HABITAT for this project.

14. HABITAT agrees that after all costs associated with the construction of the two (2) above-referenced single-family dwelling units have been paid, that if there is any profit realized on the sale of said unit, HABITAT agrees that said profit shall be utilized for additional construction or rehabilitation efforts as a part of the Princeton Township Affordable Housing Program in the future in accordance with the terms and conditions to be determined between the parties at a future date. For purposes of determining "any profit", the parties recognize that the Township contribution under this agreement represents the purchase price paid for the property on July 23, 1999, $72,500.00, and the soft costs of the project contributed herein, approximately $5,000.00.

15. Each party represents and warrants to the other that it or they have not made any agreement or taken any action which may cause anyone to be entitled to a real estate commission as a result of the conveyance referenced hereinabove.

16. This agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

17. This agreement shall not be recorded in the Office of the Mercer County Clerk.

18. This agreement constitutes and expresses the whole agreement of the parties hereto with reference to the subject property noted hereinabove and all prior promises, undertakings, representations, agreements, understandings and arrangements relative thereto being merged herein.

19. This agreement shall be governed by and constructed in accordance with the Laws of the State of New Jersey.

20. This agreement may be amended and modified only in writing signed by the parties hereto.

21. If any term or provisions of this agreement is deemed invalid or unenforceable, the remainder of this agreement shall be valid and enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, the day and date first written above.

ATTESTED:

PRINCETON TOWNSHIP, acting as a Redevelopment Agency pursuant to N.J.S.A. 40A:12A-1 et seq.

Patricia C. Shuss

Patricia C. Shuss, Clerk

By: Phyllis L. Marchand

Phyllis L. Marchand, Mayor

HABITAT FOR HUMANITY OF TRENTON, INC.

Paula McGuire

By: David H. McAlpin

David McAlpin

V:\USERS\BJM\PRTWP\COAH\REHAB\HABITAT.AGR

HABITAT PRINCETON PROJECT

ISSUES IN THE PARTNER FAMILY SELECTION PROCESS

In order to insure that the housing units to be constructed at 52 Leigh Avenue qualify under the Princeton Township Affordable Housing Program, the selection shall conform to the Township and the Council on Affordable Housing (COAH) Rules and Regulations for Affordable Marketing. These rules are designed to guarantee that all interested families have an equal chance to avail themselves of the opportunity.

To accommodate the Princeton Township Affordable Housing Program requirements and to conform to Habitat for Humanity's Partner Family Selection guidelines, the following sequence of steps shall be followed:

1. Selection will begin with the Waiting List for Affordable Housing which the Township has compiled from a sign-up conducted in 1998-99 for units the Township was developing. This list was developed through all the prescribed advertising and neighborhood notifications of COAH.

2. Notification cards will be sent to all those on the list indicating that two three or four bedroom houses are being developed by Habitat and that ownership would involve 500 hours of "sweat equity" and agreeing to be involved in Habitat for Humanity's Partner Family Program. Interested persons would be asked to respond by a certain date.

3. Once responses are in, the Township will take those respondents with the lowest lottery numbers and ask them to submit current income information to pre-qualify them for participation and distribute to them information about Habitat for Humanity's Partner Family Program, and the Princeton Township Affordable Housing Program.

4. The Township will identify the two families with the lowest lottery number which have 4 to 6 members and meet the income and family size qualifications for the units.

EXHIBIT B-1

5. The Habitat Princeton Project Family Selection Committee would interview the families to determine that they met the Habitat Family Selection Criteria (see attached), were amenable to partnering with Habitat and fully understood the responsibilities of partnership.

6. If the families were judged to be acceptable by the Habitat Family Selection Committee and Board of Trustees, the Township will be notified and the families would be sent the standard Habitat Partner Acceptance packet and enrolled as Habitat Partners.

7. If either of the families were judged not to qualify, before notifying that family of rejection, Habitat will review with the Township the Committee's decision. If the Township concurs that the family is not acceptable, Habitat would then proceed to interview the family with the next lowest lottery number.

8. Should there be no qualified buyers found on the Township's current waiting list, the Township would re-advertise the project according to COAH regulations. At that point new people could submit their names and would receive a lottery number. Once this new pool was established, the process in steps 2-7 would be repeated.

V:\USERS\BJM\PRTWP\COAH\REHAB\HABITAT.B-1

HABITAT FOR HUMANITY
FAMILY SELECTION CRITERIA

Habitat for Humanity International has established basic criteria which should guide the selection of Partner Families:

1. NEED FOR ADEQUATE HOUSING: Since we cannot provide housing for everyone, we wish to identify those families whose present housing is least adequate. Reasons for denial would include:

The family has:

a. Sufficient income to obtain conventional financing for adequate housing.
b. Currently living in adequate housing; adequate housing entails the following:
   1. House is maintained up to building code
   2. House is adequate size for the number of residents
   3. The housing costs less than 33% of family gross income

2. ABILITY TO PAY: Reasons for denial would include:

The family has:

a. Insufficient income
b. Too much debt
c. History of inability to meet financial obligations
d. Inability to make down payment ($500) and pay closing costs.

3. WILLINGNESS TO PARTNER: Habitat partnership involves a process of education (home maintenance, financial counseling, community building), volunteer work (sweat equity), and a willingness to maintain a Habitat home. Reasons for denial would include:

a. Unwillingness of family to commit to completing sweat equity hours in a timely manner;
b. Evidence of failure of family to maintain their present housing;
c. Lack of commitment to being involved in Habitat's educational and community building programs.

EXHIBIT B-2

TOWNSHIP OF PRINCETON - HABITAT FOR HUMANITY (Habitat or HFH)
GUIDELINES FOR INTERESTED FAMILIES

I. Selection Criteria

1. Houses will be built or renovated only for families who do not presently have adequate housing and who do not have the financial means to secure adequate housing through conventional channels.

2. Each head of household who applies must complete the application form and return it to the HABITAT address given at end of application. Applications will not be considered unless fully completed.

3. After an initial screening for eligibility each applicant will be interviewed at least twice, including a visit in his or her home by two interviewers. The applicants will be told how Habitat works and encouraged to volunteer and get involved.

4. After all the home visits are completed, applications will be given a final review by the Family Selection Committee and families who meet the criteria will be recommended to the Board for approval as openings occur.

5. Those applicants who have been approved after the home visit but not selected will be kept on file for future selection when openings occur. Future selection will be determined, in part, by the extent of the family's involvement in the Habitat program.

II. Selection Process

1. In the selection process, only families with a good reputation for honesty will be selected as Partner Families.

2. Families must demonstrate the financial resources to pay the minimum monthly payment on a regular basis.

3. Families chosen for homes must save and pay to Habitat a down payment of five hundred dollars in monthly installments beginning soon after being approved.

4. Habitat Partner Families are expected to demonstrate a willingness to assist in the Habitat program wherever needed, volunteering office help, labor, attendance at meetings, etc.

EXHIBIT B-3

5. Partner families will be expected to devote 500 hours of sweat equity volunteer labor before they receive a Habitat house. No house can be finally committed to any Partner Family until they have completed their 500 house sweat equity commitment.

6. Families will also be expected to demonstrate a long-term commitment to Habitat by continuing to assist the program in providing housing for other families after they have completed their required sweat equity.

III. The Partner Family Agreement:

In the Partner Family (P.F.) Agreement, the family signs agreeing to:

1. contribute sweat equity hours.
2. make monthly payments towards a down payment before moving in.
3. make monthly house payments after moving in.
4. lease the house during a probationary period.
5. buy the house and live in it themselves.
6. participate in Habitat community activities.

A) Sweat Equity:

1. The required number of Sweat Equity (S.E.) hours shall be 500.

For families with two or more capable adult members (18 and older),up to 200 of those hours may be contributed by friends and extended family recruited by the Partner Family (P.F.)

For families with only one capable adult member, up to 350 of these hours may be contributed by friends, extended family and outside groups recruited by P.F. Sponsors may assist P.F. in identifying outside groups to help, but the P.F. must make the contact.

2. P.F.s will be eligible to choose a house upon completion of the equivalent of 150 hours of S.E.

3. Habitat will present and discuss with new P.F.s a list of Potential S.E. Opportunities at the time of selection. A representative of the Family Selection Committee will meet with the P.F. to discuss the options and establish a schedule for S.E. commitments for the first three months. This shall normally include a minimum of 50 hours each month for a family of two or more adults and 25 hours for households of one adult. Outside donated hours may apply. This S.E. schedule shall be signed by the P.F. along with the P.F. agreement. A similar conference will occur toward the end of the three month period to establish a schedule for the next three months, and so on until completion of the S.E. requirement. (Please note when choosing options that of the total 500 required hours a minimum of 75 hours per P.F. adult member must be put in on Habitat construction).

4. Should P.F.s not maintain normal progress (on average 25 hours per month) toward completion of S.E., they will lose their claim on a particular house and may be required to choose a different home. Any exceptions to the minimum hours needed for a particular month must be approved by the Executive Director or the Volunteer Coordinator (393-8009).

5. It shall be the policy of HFH that, barring circumstances beyond the family's control, sweat equity commitments must include attending the full duration of the work day or other function scheduled by/for the P.F. (i.e., If P.F. has committed for Saturday construction they will be on hand from 8:30 a.m. to 4:00 p.m.). Exceptions to working the full day must be approved before that day by the Volunteer Coordinator (Lois Mammel) or the Executive Director (Dave Gibbons) 393-8009. Failure to arrive on time or remain for the full time shall result in the subtraction of the time missed from the hours earned that day.

6. HFH shall determine in advance what work is to be performed by P.F.s at any given time and who will supervise that work. Effort shall be made to insure that P.F.s develop skills that are useful in home construction and maintenance.

7. P.F.s that have been selected for a specific house shall be obligated to perform some work on that house during times that House Sponsors are working. P.F.s shall also be expected to be present during special blitzes, whether or not the blitz involves their house.

8. Monthly reports of S.E. performance shall be sent by the Volunteer Coordinator to the P.F., the P.F. Sponsor or committee representative, the Chair of P.F. Relations Committee and the Chair/Designate of Family Selection Committee.

9. The following options are available for fulfilling the sweat equity requirements for Habitat partners. A minimum of 75 hours per capable adult family member must be put in by the adult on Habitat construction. The minimum age for persons working construction is 16. Additional hours can be put in by the adult on Habitat/East Trenton Center (ETC) activities (such as office work, attending/working on HFH or ETC functions, serving on such committees). For Princeton residents and/or workers, eligible options for Sweat Equity volunteer hours shall include volunteer activities in the Princeton area, not just from Trenton. Volunteer hours with other non-profits must be cleared and approved in advance; however, such activities that are fulfilling other required obligations (such as welfare, community service, etc.) cannot count. All sweat equity must be completed prior to moving in.

HABITAT RELATED ACTIVITIES:

1. Budgeting, maintenance workshops.

2. Habitat/E.T.C. office work, homeowner association meetings, fund raisers, food prep, etc.

3. Work by friends, relatives, co-workers and fellow church members. These must be people recruited by the partner family. Families may not solicit hours at the job site.

4. A partner family's sponsor can contribute no more than 20% of the family's hours.

5. Send thank you cards to sponsors, volunteers.

6. Assist in speaking engagements, volunteer fairs, etc.

OTHER ACTIVITIES (maximum 150 hours per family):

7. Time, approved in advance, worked at other non-profit or civic organizations. Hours must be verified by other agency.

8. GED or college course completed. 5 hours for an A; 4 hours for a B; 3 hours for a C.

9. Semester average grades earned by school aged children. 5 hours for a semester A average; 4 hours for a B average; 3 hours for a C average.

10. Home Depot or other home improvement courses.

B) Down payment: Families chosen for homes must save and pay to Habitat a Down payment of $500. Payments begin as soon as possible after being approved. A Down payment of $500 must be paid before the family can move into the house. The Mortgage Collection Agent takes care of all payments. He is notified once a family becomes a partner and contacts them as to how to make payments.

C) Buying the House:

1. It shall be the policy of HFH Trenton Area to close with Partners at the time of occupancy. Every effort will be made to move toward that goal as quickly as possible.

2. HFH will make a good faith effort to have all zoning/planing/inspection approvals in hand before P.F. occupies house.

3. HFH will require a $500 down payment which must be paid in full before Partner Family occupies a house.

4. HFH will no longer require that P.F.s be represented by a lawyer at closing. We will insist that they meet with a knowledgeable person to review the closing documents ahead of

time. HFH will provide such a person if the P.F. wishes. If the P.F. wishes to have legal representation, the family must cover that cost on their own.

5. HFH will loan the P.F.s the money to cover closing costs (other than legal representation). P.F. will sign a thirty-six month note to cover repayment. Payments will be made at the time of monthly mortgage payments and will be subject to our late payment fees. [Typical monthly fees for appliances and closing costs would run around $60.] In order to reduce the initial outlay by HFH for homeowners insurance, HFH will try to negotiate installment payments with insurance agencies.

6. If HFH does not have all the clearances needed for closing at time of occupancy, it will allow the P.F. to occupy the house and pay a monthly "Use and Occupancy" fee. Forty percent of this fee will be applied toward the cost of the house at the time of closing. At that time HFH will loan the P.F. the closing cost on the same terms as above. HFH will seek to move to closing as quickly as possible.

D) Community Activities: Habitat is committed not only to building houses but also to building communities. From the time a family is approved, they are required to attend Habitat educational and community activities. Even after a family has purchased their home, they are still considered Partners, and are still a very important part of the Habitat program. All families are encouraged to maintain a long-term commitment to participate in Habitat and neighborhood activities. Some of these can include (but are not limited to) participating in neighborhood support groups such as the Partner Association, the Homeowner's Association of North Clinton, and the Community Council.

Habitat Partners, Sponsors and Volunteers together sometimes hold dinner meetings as a time for fellowship and intimate sharing at the East Trenton Center. Often a Partner Family and their respective sponsor will present a topic for discussion at one of the dinners. Habitat also sponsors workshops and activities at the East Trenton Center that will be useful to all Partners.

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