

# Plans, Master Plans and Amendments

## Report to the Board April 11 12, 2018 through May 10, 2018

<b>Municipality</b>	<b>Morris Township</b>
<b>Document</b>	Housing Element and Fair Share Plan
<b>Public Hearing</b>	May 7, 2018
<b>Summary</b>	Housing Element and Fair Share Plan adopted pursuant to a Settlement Agreement with the Fair Share Housing Center

- The 2018 Housing Element and Fair Share Plan was adopted pursuant to a Settlement Agreement with the Fair Share Housing Center (FSHC). In July 2015, Morris Township filed a Declaratory Judgement action pursuant to the Supreme Court’s established transitional process and in April 2016, adopted an updated Housing Element and Fair Share Plan addressing its Third Round obligation. In October 2017, at the conclusion of the declaratory judgment negotiation process overseen by a special master, the Township and FSHC memorialized the terms of an agreement. Pursuant to that agreement, the Township prepared the 2018 Housing Element and Fair Share Plan, which addresses the Township’s cumulative fair share obligation for the period from 1987 to 2025. The obligations are identified as follows:
  - Present Need Obligation (Rehabilitation Share): 24 units
  - Prior Round Obligation: 293 units.
  - Third Round Prospective Need: 767 units
- The Township will address its Present Need through participation in the Morris County Community Development Program. In the event that funds from this program are deficient, the Township reports that it has sufficient funds in its Affordable Housing Trust Fund to cover any shortfall.
- The Township will address its Prior Round obligation through a combination of Prior Cycle credits, 100 percent affordable projects, inclusionary projects, alternative living/supportive and special needs housing, as well as rental bonuses. The projects are all complete, and include rental and for-sale units, family and age-restricted units.
- A Prospective Need of 767 units was identified as per the settlement agreement; however, the municipality undertook a vacant land adjustment which indicates that it has a realistic development potential (RDP) of 400 units. The RDP will be satisfied through surplus credits from the Prior Round, 100 percent affordable housing projects and inclusionary housing projects. Some of these projects are complete, some are under construction and others are in the planning stage.
- The RDP of 400 units, subtracted from the Third Round obligation of 767 units, results in an unmet need of 367 units. Morris Township will address this unmet need through overlay zones and a mandatory set-aside ordinance.

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<b>Municipality</b>	<b>Boonton Township</b>
<b>Document</b>	Housing Element and Fair Share Plan Amendment
<b>Public Hearing</b>	May 7, 2018
<b>Summary</b>	Housing Element and Fair Share Plan Amendment adopted pursuant to a Settlement Agreement with the Fair Share Housing Center

- The Boonton Township Housing Element and Fair Share Plan was adopted pursuant to a Settlement Agreement with the Fair Share Housing Center reached in November 2017. A Fairness Hearing was held on January 31, 2018, at which the Township’s adopted Housing Element and Fair Share Plan of March 2016 was deemed to be compliant, subject to adoption of an amended Housing Element and Fair Share Plan. The current 2018 Housing Element and Fair Share Plan was prepared to provide the changes required pursuant to the January court order. The underlying March 2016 Housing Element and Fair Share Plan continues to apply where not in conflict with the 2018 Housing Element and Fair Share Plan Amendment.
- This Housing Element and Fair Share Plan Amendment, combined with the underlying 2016 Housing Element and Fair Share Plan, address the Township’s fair share obligation as follows:
  - Present Need Obligation (Rehabilitation Share): 24 units
  - Prior Round Obligation: 20 units.
  - Third Round Prospective Need: 119 units
- The Township proposes to address its Present Need through participation in the Morris County Community Development Program. To the extent that the Township raises funds through its housing trust fund and development fee ordinance, the Township will also provide additional funding. The Township’s Spending Plan provides potential funding for up to 16 rehabilitation units. A minimum of eight additional units will be rehabilitated through the Morris County program.
- The Township reports that it has met its Prior Round obligation through units completed in association with the Brae Lock and Victoria Mews (Assisted Living) projects.
- Regarding the 119 unit Third Round Prospective Need, due to lack of sufficient water and sewer to support new inclusionary housing development, the Township received a 87-unit durational adjustment from the court. Therefore, 87 units of the total obligation will be deferred until adequate water and sewer capacity is made available. The Township agrees to reserve water and sewer capacity, when it becomes available, for low and moderate income housing. The remaining 32 units of the total 119 Third Round Prospective Need are addressed via a combination of existing affordable for-sale family and age-restricted rental units, inclusionary zoning permitting age-restricted housing and a proposed 100% affordable family rental housing development.

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## Report to the Board April 11 12, 2018 through May 10, 2018

<b>Municipality</b>	<b>Township of Boonton</b>
<b>Document</b>	Master Plan Reexamination Report and Amendment to the Land Use Plan Element of the Master Plan
<b>Public Hearing</b>	May 7, 2018
<b>Summary</b>	Reexamination Report as mandated by the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-89 and Land Use Plan Amendment

- The last reexamination of the Boonton Township Master Plan was adopted in August 2007, which incorporated the goals and objectives of the 2001 Master Plan. The Township notes that since then, changes have been made addressing the need for a 6-acre low density zone, acknowledging environmental constraints, the Highlands area and existing development patterns.
- The Township also adopted a Housing Element and Fair Share Plan in 2016. In November of 2017, the Township entered into a settlement agreement with the Fair share Housing Center concerning proposed amendments to the 2016 Housing Element and Fair Share Plan. The court held a Fairness Hearing in January 2018 on the proposed plan amendments and settlement agreement and determined those to be in compliance with the Mount Laurel doctrine.
- Significant changes noted in the Reexamination Report include the adoption of the Highlands Regional Master Plan and the implementation of conformance with the Regional Master Plan through adoption of appropriate documents relative to the Highlands Preservation Area. The Township also notes changes in affordable housing procedures and the steps it has taken to obtain a final judgement of compliance and repose from the courts.
- The specific changes recommended to the Master Plan and development regulations include the proposed adoption of an amendment to the Housing Element and Fair Share Plan. Additionally, an Amendment to the Land Use Element is recommended that incorporates the new affordable housing zone proposed in the Housing Element and Fair Share Plan. Ordinances consistent with the Housing Element and Fair Share Plan and Land Use Plan Amendment are also proposed.
- The Amendment to the Land Use Plan Element includes a new affordable housing zone and related standards to implement the adopted Housing Element and Fair Share Plan Amendment. The Land Use Plan Amendment would establish the “Oak Road Affordable Housing Zone,” to provide a 100 percent affordable housing development on municipally-owned property located at Block 40501, Lot 1.03, which is approximately 37 acres. The site is proposed to include 60 affordable rental units.
- The Township is currently in the process of seeking a Wastewater Management Plan Amendment and will adopt appropriate zoning when the site is included in the sewer service area.