

U.L. v. Carteret
Plainsboro

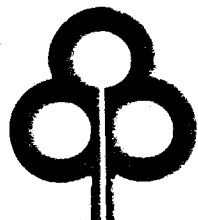
27 June 1986

Annual Report of Plainsboro Twp

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Township of Plainsboro

641 Plainsboro Road, Box 278, Plainsboro, New Jersey 08536-0278 (609) 799-0909

June 27, 1986

Ms. Eunice Owino Hirya, Program Director
Civic League of Greater New Brunswick
47-49 Throop Avenue
New Brunswick, NJ 08900

Dear Ms. Owino Hirya:

Annual Report - Plainsboro Township

This letter constitutes the annual report of Plainsboro Township to the Civic League of Greater New Brunswick per the settlement of the Urban League of Greater New Brunswick et al vs Mayor and Council of the Borough of Carteret et al.

This report is organized in accordance with the order signed by Judge Serpentelli on July 30, 1985.

I Affordable Housing Ordinance

Plainsboro Township adopted an Affordable Housing Ordinance, the form and content of which had been approved by the Civic League prior to its adoption on November 12, 1984. The Affordable Housing Ordinance has been in full force and effect since that date and remains so today. Plainsboro Township has staffed the Affordable Housing Agency with the Township Administrator, acting as Director of the Agency, and clerical staff hired in June 1986.

The first operation of the Affordable Housing Agency was to qualify 13 residents of the Forrestal Village Apartments for protection as low/moderate income households through 1992. These households will be requalified annually.

II Princeton Meadows Rental Housing

In accordance with the settlement, Chapter 101-126 of the Code of the Township was adopted on November 11, 1985 by Ordinance 0-85-23. This provides for the extension of the Planned Community Development Zone for low/moderate income housing. A copy of this ordinance is attached.

An option for the land was entered into by Linpro Company following approval of a letter of agreement between the Linpro Company and the Township. This option expires September 30, 1986.

Plainsboro Township had dedicated the entirety of its Housing and Community Development Revenue Sharing Funds for 1984-1985, for 1985-1986 and for 1986-1987 to the development of this housing. The total amount is over \$82,000. These costs have paid to date for the concept plan and engineering for the project. The Planning Board granted concept approval for this project on January 20, 1986 and application for preliminary and final site plan approval is currently before the Planning Board.

A copy of the ordinance indicating the intent to extend sewers to this property has been previously forwarded to the Civic League. This ordinance is scheduled for adoption July 14, 1986. The sewer extension has not actually taken place yet because of Board of Public Utilities regulations.

The financing for the project has not yet been established because of pending changes in the federal tax law. It will be difficult, if not impossible, to finance this project prior to the tax laws being amended by the Congress. The Township has applied for a grant to the New Jersey Housing and Mortgage Finance Agency for a little bit over a million dollars for this project. We understand that we should know by mid July the status of that grant application.

Based on the above, construction will not occur by August 1, 1986; but it is reasonable to expect that construction will start by the end of 1986.

III Princeton Meadows Sales Housing

Preliminary and final site plan approval for the 284 unit development was granted on February 18, 1985.

The final building permits were issued for the development in November 1985.

Actual construction was held up because of processing an application for sewer installation through the NJDEP. However, construction did start in the spring of 1986 and we are beginning to market the low/moderate income units now for availability in November 1986.

IV Housing Trust Fund

An ordinance adopting the Housing Trust Fund was approved December 30, 1985. To date \$244,370.75 has been collected in the Housing Trust Fund. An additional \$494,370.75 is committed to the Trust Fund because schedules of payment extend for more than one year.

No action on expenditure of these funds has taken place to date because there has been no action on the litigation or legislation to support the concept of a Housing Trust Fund. The Township has supported legislation permitting municipalities to establish Housing Trust Funds.

The Township has requested from the New Jersey Department of Community Affairs approval to expend these funds through a process known as Dedication By Rider. This is important for the municipal budgeting process.

Included in the above sums is a payment of \$300,000 spread over four years which was negotiated by the Township from Princeton Landing. This part of the negotiated settlement allowed them to convert the Forrestal Village Apartments to condominiums.

The Civic League should understand that the interest rates for investments are not what had been anticipated and were in existence at the time of the settlement. We are currently investing at a maximum of 6.5%. Therefore, it is unlikely that the principal in the Trust Fund will subsidize as many housing units as expected as fast as expected; however, the target of 120 units to be subsidized is still realistic.

IV "Builders' Remedy"

The "Builders' Remedy" for any new development with a density of four or more units per acre is included in the Affordable Housing Ordinance.

VI Additional Issues

The Township is requesting, through this report, the following:

1 Agreement on the part of the Civic League that we may grant priority for all affordable housing to:

- a) Current residents of Plainsboro Township,
- b) People who work in Plainsboro Township.

We will send a separate letter outlining, in appropriate language, our proposal.

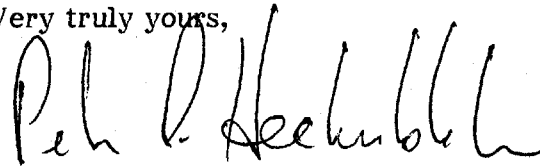
2 Since the Affordable Housing Council's report has become public, we would propose to use the income numbers from the Affordable Housing Council for Middlesex County. Therefore, in determining sales price and rent levels we would propose to use 90% of the Affordable Housing Council's figures for Middlesex County. This

will make our settlement and implementation consistent with other municipalities and consistent with the Township's Affordable Housing Ordinance and previous discussions with the Civic League regarding State or Federal programs.

Although we have not met all of our deadlines I think the Civic League can see that we are making excellent progress on meeting the requirements of the settlement. Where we have difficulties, these difficulties are caused by external events (i.e., proposed changes in federal tax legislation and lack of authorization to expend Housing Trust Fund monies).

I would be happy to discuss this report in more detail with you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Peter I. Hechenbleikner". The signature is written in a cursive style with a large initial "P" and "H".

Peter I. Hechenbleikner,
Township Administrator

jkr

attachment: Ordinance 0-85-23

cc J. Payne
Plainsboro Township Committee
J. Pidgeon
A. Mallach

Township of Plainsboro
County of Middlesex

**ORDINANCE AMENDING CHAPTER 101
OF THE CODE OF THE TOWNSHIP OF PLAINSBORO
TO PROVIDE FOR EXTENSION OF THE PCD ZONE AND
TO PROVIDE CONDITION FOR LOW AND MODERATE INCOME HOUSING**

BE IT ORDAINED, By the Township Committee of the Township of Plainsboro that Chapter 101 of the Code of the Township of Plainsboro - Zoning is amended as follows:

Sec. 1 It is the expressed finding of this ordinance that the extension of the PCD Zone as proposed to provide for low/moderate income housing is in the public interest. It is therefore the finding of this ordinance that the criteria of Chapter 85-57 (1) and (4) of the Code of the Township of Plainsboro are met and no study as to these criteria is required.

Further it is the intent that the development of the extended PCD Zone for low and moderate income housing be compatible and blend with the remainder of the development in the PCD with regard to quality and type of construction, landscaping, and recreational amenities. It is not the intent that the extended PCD necessarily be within the same ownership as the existing PCD Zone or that open space and other aspects of the existing PCD Zone be expanded to provide for the PCD extension.

Sec. 2 The zoning map of the Township is hereby amended to extend the PCD Zone to include Block 10, Lot 12 as noted on the tax map of the Township of Plainsboro subject to the provisions of §101-126 as follows.

Sec. 3 Chapter 101 of the Code of the Township of Plainsboro is amended as follows:

101-126 PCD EXTENSION FOR LOW/MODERATE INCOME HOUSING

When a PCD Zone has been extended for low/moderate income housing the following modifications to §101-121 through §101-125 shall apply.

A. Permitted Uses.

- 1) A mix of housing shall be constructed such that no less than 25% of the units shall be for low income residents as defined by the Township's

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Affordable Housing Ordinance. The remainder of the units shall be for moderate income residents as defined by the Township's Affordable Housing Ordinance.

2) Recreational and cultural facilities including but not limited to club houses, swimming pools, tennis and other courts intended for the use and enjoyment of residents of the expanded PCD.

3) Agricultural uses.

4) Child day care centers or nursery schools.

5) Accessory uses including but not limited to facilities for administration, maintenance and fire prevention and safety.

6) Public utilities as may be required.

7) Single family homes in accordance with the requirements of the R-300 Zone.

B. Residential Density. There shall not be more than 14 dwelling units per gross acre of residential land.

C. Common Open Space. Within the areas that the PCD Zone is extended, efforts will be made to preserve environmental features including treed areas, water courses, wetlands, and similar features. Recreational amenities and open areas shall be provided within the extension adequate to serve the residential units being constructed.

D. Building Coverage. Not more than 25% of the gross land area of the PCD Extension shall be covered by residential buildings.

E. Building Height. The maximum building height shall not exceed two stories for senior citizen housing and three stories or 35 feet for all other housing.

F. Lot Size. The minimum lot size to qualify for PCD Regulations is 25 acres.

G. Lot Width. The minimum lot width for the PCD shall be at least 500 feet on a primary collector street.

G. Maximum Improvement Coverage. The maximum coverage by impervious improvements including roadways, parking lots, and buildings shall be 50% of the gross lot area.

H. Building and Parking Setbacks. The minimum building setback from a major arterial street shall be 100 feet and the minimum parking setback shall be 50 feet; the minimum parking setback from all other property lines shall be 20 feet, and the minimum building setback from all other property lines shall be 50 feet.

I. Parking. The following minimum parking standards shall apply:

1 Bedroom Unit	1.00 spaces/unit
2 Bedroom Unit	2.00 spaces/unit
Senior Citizen Unit	.75 spaces/unit

Sec. 4 Severability. If any section of this ordinance is adjudged invalid by a court of competent jurisdiction, then such adjudication shall be restricted to that section.

Sec. 5 Effective Date. This ordinance shall become effective upon publication and notice as required by law.

Ordinance No.	<u>0-85-23</u>
Introduced	<u>10/14/85</u>
Published	<u>10/24/85</u>
Hearing	<u>11/11/85</u>
Adopted	<u>11/11/85</u>
Published	<u>11/21/85</u>