

U.L. v. Carteret (assuming)

Jan 7, 1987

S. Brunswick

Letter to Alan w/ copy of letter dated Nov. 2
1986 from Opalski to S. Brunswick

Pgs. 3

Notes: RULS-ML-5260

LAC00587L

THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS
Campus at Newark

School of Law-Newark • Constitutional Litigation Clinic
S.I. Newhouse Center For Law and Justice
15 Washington Street • Newark • New Jersey 07102-3192 • 201/648-5687

January 7, 1987

Dear Alan:

Enclosed please find a copy of the letter dated November 21, 1986 from Doug Opalski to South Brunswick.

I spoke with Bill Saley, from the covered employment section of the State Data Center. He said that he would send 1984 and 1985 figures for covered employment, broken down by municipality, to you directly.

Please let me know if you need anything else.

Sincerely,



cc/John

Mr. Alan Mallach
15 Pine Drive
Roosevelt, NJ 08555

CA000587L

NEW JERSEY COUNCIL ON AFFORDABLE HOUSING

Arthur Kondrup, Chairman
(609) 984-1699

November 21, 1986

Mr. Robert G. Hall
Director of Planning and Development
Township of South Brunswick
Municipal Building
Monmouth Junction, NJ 08852

RECEIVED
NOV 24 1986

SOUTH BRUNSWICK TOWNSHIP
PLANNING DEPARTMENT

RE: Draft Housing Element and Fair Share Plan
Township of South Brunswick, Middlesex County

Dear Mr. Hall:

This office received the draft Housing Element and Fair Share Plan, submitted on behalf of South Brunswick Township, on November 4, 1986. The draft Housing Element generally complies with requirements of the Council's Substantive Rule (N.J.A.C. 5:92-1 et seq.).

At this point in the review process, this office has not performed any field visits; nor are we in a position to comment on the densities of the proposed inclusionary development projects. However, we do have the following comments for your consideration:

1. The final Housing Element must include a rehabilitation component. The Council would prefer that South Brunswick rehabilitate its indigenous need since such rehabilitation gets to the source of that component of South Brunswick's precREDITED need. We believe that deficient housing stock should be rehabilitated because, at present, the Council plans to determine 1993 present need in the same manner it calculated 1987 present need. Unless the Township addresses its indigenous need between 1987 and 1993, it is likely to be responsible for the same deficient low and moderate income units all over again. Please refer to the rehabilitation article in the enclosed August, 1986 newsletter for details on the Council's expectations for a municipal rehabilitation program.
2. It appears that South Brunswick is claiming credit for 94 low and moderate income units. If the Township has not already done so, please obtain the appropriate documentation forms from staff so the Council will be in a position to determine if these are eligible credits.
3. The proposed rezoning for sites # 1, 2 and 4 must be included in the final Fair Share Plan. The Fair Share Plan should be in a form that "may readily be converted into an ordinance".

Mr. Robert G. Hall
November 21, 1986
Page 2

4. The plan proposes a Housing Trust Fund. As you are aware, the legitimacy of mandatory contributions is being litigated. As an alternative, the Council suggests that South Brunswick consider funding a trust fund with voluntary developer contributions in exchange for density bonuses on developable tracts of land. Included in any trust fund recommendation should be an analysis of the revenues such an approach would raise vs. the estimated costs of rehabilitation or new construction. Such an analysis should be based on municipal development trends and the amount of developable land within the municipality.

5. The sites which are prioritized must be documented in the final Housing Element in accordance with N.J.A.C. 5:92-9. The site should be available, suitable, developable and approvable as defined in N.J.A.C. 5:92-1.3.

6. Attached is a fact sheet regarding Regional Contribution Agreements. Because RCAs are not executed until after the granting of Substantive Certification, your Housing Element must contain an alternative plan if you are proposing to enter into a RCA.

7. As your fair share obligation exceeds 125, a rental component must be included in your Housing Element.

8. The Council has promulgated supplemental rules in the October 20, 1986 New Jersey Register. You would be well advised to begin incorporating these rules into your final Housing Element and Fair Share Plan.

9. Detailed information is necessary to determine the stages of "approved projects". Please provide documentation as to construction, occupancy and affordability controls.

I hope that these comments will be of assistance to you in developing your formal Housing Element and Fair Share Plan. The comments and observations contained herein, do not necessarily address all of the concerns of the Council in this preliminary review process. If you have further questions, please contact Joanna Harkins, Principal Planner for your region.

Sincerely,

Douglas V. Opalski

Douglas V. Opalski, Executive Director
Council on Affordable Housing

cc: Mayor of South Brunswick
Planning Board Secretary
Shirley Bishop, Chief Housing Specialist, COAH

d#0066c