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ML Morris Cnty Fair Housing Council

Randolph proposed settlement in
Morris Cnty Exclusionary Zoning
Litigation w/ Randolph Twp

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State of New Jersey

DEPARTMENT OF THE PUBLIC ADVOCATE
DIVISION OF PUBLIC INTEREST ADVOCACY

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July 20, 1984

To: Commissioner Joseph H. Rodriguez
From: Stephen Eisdorfer, P.I.A.-V-
Re: Proposed Settlement in the Morris County
Exclusionary Zoning Litigation with
Randolph Township

Randolph Township has proposed the following conceptual settlement to us in the Morris County Fair Housing case.

1. Randolph's total low and moderate income housing obligation to 1990 is 634 units. This represents approximately three-fourths (72%) of the obligation called for in the testimony of the court-appointed expert using the Urban League methodology.

2. This obligation would be met through a combination of devices.

a. The town would buy 20 acres of surplus land from the State at a price substantially below market and sell it at cost to a developer who would be permitted to construct single family homes at a density of 8/acre using modular (prefab) construction, of which at least 70 would have to be sold and affordable to moderate income families.

b. The town would also zone 2 adjacent parcels, totalling 40 acres for single family homes using modular construction at 8/acre, of which 30% would have to be sold to moderate income families. This would produce another 96 moderate income units.

c. The Township would rezone four other sites, totaling approximately 135 acres, for multifamily housing at densities of 10/acre of which 22%, or approximately 295 units, which would be marketed to and affordable to low and moderate income families - 50% low, 50% moderate.

d. Randolph will receive credit for 132 units of public low income housing now under construction.

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e. Randolph will receive credit for 30 summer bungalows which have been legally converted to year-round dwellings since 1980 and are affordable to low income households. (The total is higher but not all such units can be assumed to actually be occupied by low income families, so we are giving credit for only two-thirds of the total).

f. Randolph will receive credit for 15 formerly sub-standard units owned and occupied by low and moderate income households which have been rehabilitated with public funds since 1980.

A written agreement embodying this settlement has not yet been drafted in full. Randolph is seeking to enter into a stipulation as to this conceptual agreement, which will permit them to be severed from the ongoing trial, with final agreement to be signed no later than September 1, 1984. We have entered into a similar stipulation with Mt. Olive,

Our clients have considered and approved this proposal with certain conditions. The most important of these are that the municipality document and the willingness of the property owners whose land is to be rezoned to be developed and our expert inspect all the sites and verify that they are developable at the proposed densities. I expect that these conditions will be satisfied by close of business Friday.

I will submit this settlement for your review when an agreement is worked out. I recommend that we enter into a stipulation now and permit the town to be severed.

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