

BULS-AD-1984-215

7-12-84

Memo from Coppola re: proposed ordinance amendment.

2 pgs.

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July 12, 1984

TO: Bedminster Township
FROM: Richard Thomas Coppola, P. P.
SUBJECT: **^t. Laurel U¹¹ Prbpdscd Cfrdnance Amendments

Kenneth E. Meiser, of the Public Advocate's Office, telephoned me to suggest certain minor modifications to the proposed Ordinance provisions which are contained within my report entitled "Bedminster Township: Meeting Its, "Mt. laurel II" Housing Obligations*^{1^} dated June 4934. The basis for the suggested modifications include both comments from Alan Maliach, consultant to the Public Advocate's Office, and addressments by Judge Skillman incorporated within his Settlement Orders issued Friday, July 6, 1984, regarding certain municipalities, in Morris County. My review of the suggested modifications indicates that they are not contrary to the intentions of the currently drafted Ordinance provisions. The specific suggested modifications are as follows:

1. Change proposed Sections 13-601.1ffu3.ano* 13-60L,2h.4 (page 2) to read:

3. Verification of conceptual approval of the project by any State or Federal agency which finances or assists the financing or operation of such housing; except that if approval of the project by the subject State or federal agency requires prior approval by the Township, then the Township may approve the site plan conditioned upon approval of the project by the appropriate State or Federal agency.

4. A bona fide non-profit or limited sponsor shall have been established and approved by the subsidizing governmental authority to develop the project; except that if the subsidizing governmental authority requires prior approval by the Township then the Township may approve the site plan conditioned upon the establishment of a bona fide sponsor approved by the subsidizing governmental authority.

2. Change the last sentence of proposed Sections 13-606.3i.1. and 13.606.31.2 (page 5) to read:

11. . . Moreover, not less than twenty percent (20%) of the units shall have three (3) bedrooms, and at least one-third (1/3) of these three (3) bedroom units shall be set aside for occupancy by low income households."

3. Change the last five lines of proposed subsection 13-606.3.i.3. (page 5) to read:

" . . . to provide only rental or only sale units; provided, however, that if only sale units are proposed, the applicant shall propose a program for eliminating the necessity of down-payments on up to twenty-five percent (25%) of the affordable units.

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4. Add a new amendment to change Section 13-805.3.h. to read;
- h. In the case of "MF", "PRD" and "PUD" developments only, final approval shall not be granted for any section of the development unless the following phasing plan for the construction and occupancy of required 'low' and 'moderate'¹ income units to market dwelling units has been adhered to (see Subsection 13-606.3.i.):
1. The developer may construct and occupy up to twenty-five percent (25%) of the total number of market units within the development prior to constructing any 'low' or 'moderate' income units.
 2. The developer may thereafter construct and occupy an additional twenty-five percent (25%) of the market units within the development, provided that at least twenty-five percent (25%) of the 'low' and 'moderate' income units have been constructed and have received certificates of occupancy.
 3. The developer may thereafter construct and occupy an additional twenty-five percent (25%) of the market units within the development, provided that an additional fifty percent (50%) of the 'low' and 'moderate' income units have been constructed and have received certificates of occupancy.
 4. The developer may thereafter construct and occupy the remaining twenty-five percent (25%) of the market units within the development, provided that the remaining twenty-five percent (25%) of the 'low' and 'moderate' income units are under construction and, provided further, that an equal percentage of 'low' and 'moderate' income units versus market units shall have received certificates of occupancy at any time.