

RESOLUTION

**TOWNSHIP OF HOWELL PLANNING BOARD
RESOLUTION OF MEMORIALIZATION
MONMOUTH COUNTY, NEW JERSEY
AMENDMENT TO FAIR SHARE AND HOUSING
ELEMENT OF THE MUNICIPAL MASTER PLAN
FOR RE-PETITION TO COAH FOR SUBSTANTIVE CERTIFICATION**

Approved: January 23, 2003
Memorialized: January 30, 2003

**MATTER OF AMENDED FAIR SHARE PLAN AND
HOUSING ELEMENT OF THE MUNICIPAL MASTER
PLAN PREPARED FOR SUBMISSION FOR RE-PETITION
FOR SUBSTANTIVE CERTIFICATION**

WHEREAS, the Planning Board of the Township of Howell (hereinafter referred to as the "Board"), Monmouth County, New Jersey did on January 2, 2003, adopt an amended Fair Share Plan and Housing Element of the Municipal Master Plan pursuant to N.J.S.A. 40:55D-28(b)(3) prepared by Sheehan Consulting, dated December 2002, to be considered by the Township Council in its Re-Petition for Substantive Certification to the Council on Affordable Housing (hereinafter referred to as "COAH"); and

WHEREAS, such decision was memorialized in a January 16, 2003 Resolution; and

WHEREAS, pursuant to N.J.S.A. 40:55D-28(b)(3) a housing element is an essential part of said Master Plan; and

WHEREAS, said Resolution directed the Planning Board Planner to immediately cooperate with the COAH Planner appointed by the Township Council to explore the possibility of removing Site 7 from the plan; and

WHEREAS, the Township Council declined to endorse said amendment for use in its Re-Petition for Substantive Certification due to its inclusion of Site 7 for future credits; and

WHEREAS, in a January 8, 2003 Resolution, COAH issued an administrative order directing Howell Township to amend its housing element and fair share plan and re-petition pursuant to N.J.A.C. 5:91-3 by January 31, 2003 with a plan that can be certified; and

WHEREAS, a new Amended Housing Element and Fair Share Plan dated January 23, 2003 was prepared by Joseph J. Layton, NJPP and John A. Madden, NJPP of Maser Consulting, P.A., completely removing Site 7 due to its undevelopability; and

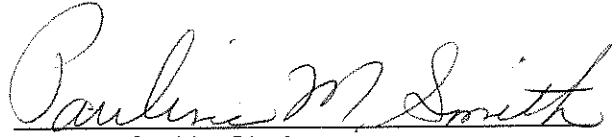
WHEREAS, the Board held a public hearing on January 23, 2003, which was properly noticed pursuant to N.J.S.A. 40:55D-13, wherein public comment was heard and Joseph J. Layton provided testimony regarding the preparation of the plan; and

WHEREAS, counsel for the proposed developer of Site 7 was afforded an opportunity to cross-examine Mr. Layton; and

WHEREAS, for the reasons expressed in the amended plan as well as the testimony of Joseph Layton, the Board has determined that the Amended Fair Share Plan and Housing Element are consistent with the goals and objectives of the Howell 1994 and 2002 Master Plan update and that adoption of the amended plan and implementation of same is in the public interest and protects public health and safety and promotes the general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Howell, Monmouth County, State of New Jersey, as follows:

The Board hereby adopts the Amended Housing Element and Fair Share Plan for submission to COAH as part of the Township's Re-Petition for Substantive Certification.


Pauline Smith, Chairwoman
Howell Township Planning Board

ON MOTION OF: Mr. Tobasco

SECONDED BY: Mr. Frese

ROLL CALL:

YES: Messers. Frese, Howell, Konopka, Marciniak, Tobasco, Trethewey,
Geib, Ms. Thoens and Mrs. Smith

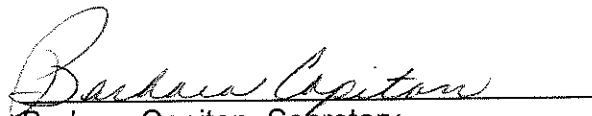
NO:

ABSTAINED:

ABSENT:

DATED: January 30, 2003

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Howell Township Planning Board, Monmouth County, New Jersey at a public meeting held on January 30, 2003.


Barbara Capitan, Secretary
Howell Township Planning Board

TOWNSHIP OF HOWELL

MONMOUTH COUNTY, NEW JERSEY

**AMENDED
HOUSING ELEMENT**

**AND
FAIR SHARE PLAN**

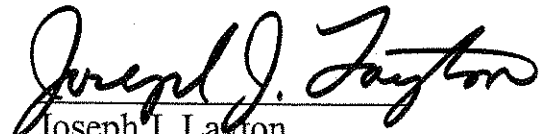
Prepared For Submission To:

New Jersey Council on Affordable Housing

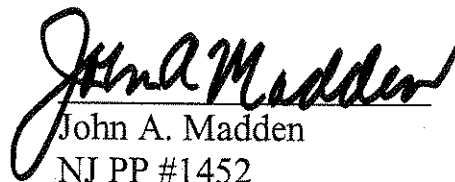
Prepared By:

Maser Consulting P.A.

Adopted: January 23, 2003



Joseph J. Layton
NJ PP # 1443



John A. Madden
NJ PP #1452

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AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN

I. INTRODUCTION

Howell Township received substantive certification from the Council on Affordable Housing (COAH) on October 30, 1989. The Township has a fair share obligation of 837 units for the 1987-1993 period. To meet this obligation, the certified Housing Element & Fair Share Plan included a 221-unit accessory apartment program. The accessory apartment program did not realize and the Township proposed an amendment to its fair share plan to address the shortfall. The request to amend the fair share plan was withdrawn and in its stead, the Township, pursuant to the direction of COAH, submitted a Housing Element & Fair Share Plan to address the twelve (12) year (1987-1999) cumulative need of 1,109 units.

On February 23, 1995, Howell Township adopted a Housing Element & Fair Share Plan, dated February 1995 to address the twelve (12) year cumulative need. The Township petitioned for substantive certification on February 27, 1995 and on March 3, 1995 filed the plan with COAH.

A report on the plan dated June 2, 1995, was prepared by COAH staff, which noted deficiencies in the plan. In addition, one objection was filed during the 45-day objector period. A mediation session was held and the issues were resolved as reported in the COAH Mediation Report, dated December 6, 1995.

On December 7, 1995, Howell Township adopted a new Housing Element that addressed the comments of the COAH June 2, 1995 letter. The Township adopted a revised Fair Share Plan by resolution dated December 18, 1995. Howell Township re-petitioned COAH for substantive certification, which required another 45-day objector period. Mediation was required as a result.

On July 15, 1996, Howell Township adopted a resolution that authorized the filing of an amendment to the November 1995 Housing Element & Fair Share Plan as the result of the completed mediations. The Howell Township Planning Board adopted the revised plan, dated November 1997, on December 18, 1997 and the Township published notice in The Asbury Park Press on December 5, 1997.

The November 1997 Plan received conditional substantive certification. The Township complied with the conditions of the conditional certification and received substantive certification on October 7, 1998.

This Amended Housing Element and Fair share Plan shall constitute the Township's revised Housing Element and Fair Share Plan.

The Township has submitted documentation in the 2000 annual COAH Monitoring Report to receive credit for 122 units rehabilitated pursuant to the rehabilitation component of the certified Housing Element and Fair Share Plan.

Pursuant to a letter dated September 29, 2000 from Mary Beth Lonergan, COAH Supervising Planner, the Township of Howell is eligible for thirty-three (33) credits without controls units. The 33 credits without controls have been designated as prior cycle credits. The determination by COAH as to the eligible additional 33 credits without controls units required an amendment to the Township's Housing Element & Fair share Plan. Additionally, the certified Housing Element and Fair Share Plan included ten (10) write down/buy down units. The September 29, 2000 letter from COAH stated that if there has been no progress to date on the write down/buy down program, that it must be eliminated from the housing element. The write down/buy down program had not commenced as of September 29, 2000, and the Township of Howell has agreed to eliminate this element of the Housing Element and Fair Share Plan.

II. REQUIRED CONTENTS OF A HOUSING ELEMENT

Per the Municipal Land Use Law at N.J.S.A. 40:55D-28b(3), N.J.S.A. 52:27D-310 sets forth the mandatory contents of a municipal housing element, which "shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low and moderate-income housing..." The housing element shall contain at least:

1. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristic and type, including number of units affordable to low and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory, the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record card;
2. A projection of the municipality's housing stock, including the probable future construction of low and moderate-income housing, for the next six years, taking into account, but not necessarily limited to construction permits issued, approvals of applications for development and the probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to household size, income level and age;
4. Analysis of the existing and probable future employment characteristics of the municipality;

5. A determination of the municipality's present and prospective fair share for low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate-income housing, including a consideration of land of developers who have expressed a commitment to provide low and moderate income housing;
6. A map of all sites designated by the municipality for the production of low and moderate income housing and a listing of each site that includes its owner, acreage, lot and block;
7. The location and capacities of existing and proposed water and sewer lines and facilities relevant to the designated sites;
8. Copies of necessary DEP applications for sewer service and water quality management plans;
9. A copy of the most recently adopted municipal master plan and, where required, the immediately preceding, adopted master plan;
10. For each designated site, a copy of the New Jersey Freshwater Wetlands maps where available. When such maps are not available, municipalities must provide appropriate copies of the National Wetlands Inventory maps provided by the U.S. Fish and Wildlife Service;
11. A copy of appropriate United States Geological Survey Topographical Quadrangles for designated sites and
12. Any other documentation pertaining to the review of the municipal housing element as may be required by COAH.

Note: This document is an Amended Housing Element and Fair Share Plan which is supplemental to the November 1997 Amended Housing Element and Fair Share Plan. Required support documents were previously submitted for COAH certification. This Amended Housing Element and Fair Share Plan includes updated demographic information, where available.

The Township has proposed to eliminate a ten (10) unit write down/buy down component, include thirty-three (33) credits without controls units, and increase their regional contribution agreement with Freehold Borough.

III. AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN

1. Analysis of the Municipal Housing Stock

The housing stock in Howell Township is predominately single-family detached housing. In 1990 there were a total of 13,563 housing units. Of these, 10,372 (76.5 percent) were single-family detached homes. In addition, 1,683 units (12.4 percent) of the housing stock were single-family attached units. The remainder of the dwelling units in 1990 were comprised of 712 (5%) multi-family dwelling units (two or more units), 681 (5%) mobile homes and 115 (0.8%) dwellings that were termed "other."

New Jersey Department of Labor statistics indicate that from 1990 through 1999 there were 3,399 authorized residential units and 49 demolitions, for a net increase of 3,350 housing units, bringing the total number of dwellings to 16,913.

The housing stock in Howell Township is relatively young. The 1990 U.S. Census indicated that there were 6,112 dwelling units constructed after 1980; this represented 45% of the total housing stock. The 3,399 units authorized between 1990 and 1999 increased the total number of dwellings constructed after 1980 to 9,511 units (56.23 percent). The total number of dwelling units built before 1940 represented 7.4% of the 1990 housing stock.

With regard to the value of housing, in 1990 the median housing value in Howell Township was \$158,300. The median value of housing in Howell Township was lower than that of Monmouth County (\$180,400), and the State's 1990 median housing value of \$162,300. For rental units (with no meals included), the median rent was \$650.

A total of 12,777 (94.2%) housing units in the Township were identified by the 1990 U.S. Census as being occupied year round. Of the housing units occupied year round, 11,358 units were owner occupied (88.9 %) and 1,419 units were renter occupied (11.1%).

The 1990 Census of Population and Housing identified the following substandard housing in the Township of Howell. Of the 13,563 housing units in the 1990 U.S. Census, 79 units lacked a complete kitchen and 98 units were identified as having substandard plumbing.

Table I. Housing Stock Inventory

A. Age

Year Structure Built	Units	Percent
1989 to March 1990	405	3.0
1980 to 1988	3,730	27.5
1940 to 1979	8,421	62.1
1939 or earlier	1,007	7.4
Total	13,563	100.0

(Source: 1990 Census of Population and Housing, Summary Population and Housing Characteristics.)

B. Dollar Value of Units in 1990 Census

Specified Owner-Occupied Housing	Units	Percent
Less than \$74,000	455	4.7
\$75,000 to 99,999	658	6.8
\$100,000 to \$149,999	2,972	30.5
\$150,000 to \$199,999	4,054	41.6
\$200,000 to \$299,999	1,352	13.9
\$300,000 or more	253	2.5
Total	9,744	100.0

Median Value = \$158,300

(Source: 1990 Census of Population and Housing, Summary Social, Economic and Housing Characteristics.)

C. Gross Rent of Units Included in 1990 Census

Specified Renter-Occupied Housing Units	Units	Percent
Less than \$399	289	22.3
\$400 to 499	138	10.6
\$500 to \$599	123	9.5
\$600 to \$699	90	6.9
\$700 to \$999	474	36.6
\$1,000 or more	78	6.0
No cash rent	105	8.1
Total	1,297	100.0

Median Gross Rent = \$650

(Source: 1990 Census of Population and Housing, Summary Social, Economic and Housing Characteristics.)

D. Occupancy Characteristics of Units in 1990 Census

Tenure	Units	Percent of Total
Owner-Occupied	11,358	83.74
Renter-Occupied	1,419	10.45
Vacant	786	5.80
Total	13,563	100.0

(Source: 1990 Census of Population and Housing, Summary Social, Economic and Housing Characteristics.)

E. Type of Unit

	Units	Percent of Total
1, detached	10,372	76.5
1, attached	1,683	12.4
Multi family (2 or more units)	712	5.3
Mobile home, trailer	681	5.0
Other	115	0.8
Total	13,653	100.0

(Source: 1990 Census of Population and Housing Summary Social, Economic and Housing Characteristics.)

F. Housing Condition

Units Included in the 1990 Census

More than 1.01 persons per room	4
Lack of exclusive plumbing	98
Lack of complete kitchen	79

(Source: 1990 Census on Housing)

G. Estimate of Substandard Housing

	Units	% of Total Units	% of Occupied Units
Actual Deteriorated Units	177	1.3	1.4
Deteriorated Units Occupied by Low Or Moderate Income Households	160	1.2	1.3

Source: NJCOAH, Municipal Number Summary, 1987-1999 Low- and Moderate-Income Housing Need Estimates by County, February 3, 1993.)

2. Projection of Housing Stock for the Next Six Years

Based on New Jersey Department of Labor statistics, the average annual increase in new residential units was 335 (from 1991- 1999). There was a net increase of 3,350 housing units (3,399 authorized units minus 49 demolitions, divided by ten (10) years, yields an average of a net increase of 335 units per year). This average annual net increase in housing units is greater than the average number of annual residential building permits of 245 units calculated in 1995 Housing Element.

The 1995 Master Plan for the Township of Howell indicated that based on approved projects and build-out of vacant and undeveloped land, approximately 4,553 dwellings units could be built in the Township at maximum build-out.

In addition to new construction, NJCOAH projects that over the period of substantive certification 27 dwelling units, available to low and moderate-income families will be created as a result of filtering conversions of commercial, industrial or residential structures into new affordable housing units).

3. Demographic Characteristics

From 1980 to 1990, the population of Howell Township increased from 25,065 to 38,987 (55.5 percent). As indicated previously, the Township's housing stock experienced a growth in housing stock of 335 new units per year from 1990 to 1999. This would result in an estimated addition of 1,021.75 new persons annually (based on the Township's Census average of 3.05 persons per unit). In 1990 there were 2,125 (5.45 percent) persons over the age of 65. The median age in 1990 in the Township of Howell was 32.3, which was lower than the Monmouth County median age of 35 years.

4. Employment Analysis

The 1990 U.S. Census identified 19,112 employed residents of the Township of Howell. More than one-third (35.4%) of residents were employed in technical sales and administrative support occupations, followed by managerial and professional occupation (29.9%); operators, fabricators and laborers (12.2%); precision production and craft occupations (11.5%); service occupations (9.8%); and agriculture, forestry and fishing (1.2%). The New Jersey Department of Labor reported an unemployment rate of 7.9% for Howell, which was higher than the Monmouth County rate of 7.6% for that year (Source: 1995 Howell Township Housing Element).

Table II. Occupational Information – Howell Township

Occupation	Number of Residents		Percent Employed
	Employed	Residents	
Technical sales, administrative support	6,768		35.4%
Managerial and professional occupations	5,722		29.9%
Operators, fabricators and laborers	2,333		12.2%
Precision production, craft and repair	2,194		11.5%
Service occupations	1,869		9.8%
Agriculture, forestry and fishing	226		1.2%
Total	19,112		100.0%

(Source: 1990 U.S. census)

The 1990 U.S. Census reported that the 1989 median household income in Howell Township was \$47,912, compared to a median household income of \$45,912 for Monmouth County and \$40,927 for the State. The median family income in Howell in 1989 was \$51,998 and the 1990 Census reported that 3.7 percent of persons and 2.6 percent of families in the Township were below poverty level in 1989.

5. Present and Prospective Housing Needs

NJCOAH has estimated the cumulative pre-credited regional affordable housing need to be 1,109 units for Howell to meet its regional low and moderate-income housing obligation. There is an indigenous need of 160 units, minus 6 units of spontaneous rehabilitation, for a pre-credited indigenous need of 154 units and an inclusionary need of 955 units (1,109 pre-credited-154 indigenous need).

Table III. Township of Howell Round II Fair Share Housing Obligation

Indigenous Need	160
Plus: Reallocated Present Need	45
Present Need (1993)	205
Plus: Prospective Need (1993-1999)	491
Total Need (1993-1999)	696 units
Plus: Prior Cycle Prospective Need (1987-1993)	427
Plus: Demolitions	24
Less: Filtering	(27)
Less: Conversions	(5)
Less: Spontaneous Rehabilitation	(6)
Total Adj. Prior Cycle Prospective Need	413 units
Total Pre-Credited Calculated Need	1,109 units
<i>Rehabilitation Component</i>	
<i>(Indigenous need 160 units – spontaneous rehabs 6 units)</i>	154
<i>Inclusionary Component</i>	955

Table IV. Reductions, Credits and Rental Bonuses

Pre-Credited Need	1,109 units	
Projects	Affordable Units	Rental Bonus Credits
• Credit without controls	33	
• Safe Havens Group Home	9	
• Dev. Services of NJ Group Homes	4	
• Easter Seals/PASS Group Home (B 26/L7.03)	6	6
• Easter Seals/PASS (Site #1)	6	6
• Friendship Gardens (age-restricted)	99	12
• Country Side Place (non-age restricted)	180	180
• Strickland Road Senior Project (age-restricted)	85	
	Subtotals	204
	Total	626
• Completed Rehabilitation Credits		15
	Total credits	641
Cumulative 12-year obligation		
Indigenous Need (Rehab Component)		139
<i>Prospective Need (New Units)</i>		
• Belmar RCA (existing)		86
• Freehold Borough RCA (existing)		184
• Freehold/Belmar RCA Increments		60
Prospective Need (New Units)	Subtotal	330 units
	Total	1,1110 units

Note: Pursuant to NJAC 5:93-5.14, age restricted housing is credited by the following formula: .25 (municipal pre-credited need – rehabilitation component – prior cycle credits – proposed RCA's). The Township of Howell received a waiver to permit a modification to the age restricted formula so as not to have the rehabilitation component subtracted from the formula. The waiver granted permits Howell Township to age restrict up to 184 units [$.25(1,109-0-46-330) = 184$] of the application of this formula.

Pursuant to NJAC 5:93-5.15, rental bonus credits will be granted for rental units that are constructed to conform to the standards of a minimum 10-year affordability control; age restricted rentals shall be included in the 25% age restricted limit and unit distribution for non-age restricted rentals. The formula for rental bonus credits is: [.25 (pre-credited need- prior cycle credits- rehabilitation component)]. The number of rental bonus credits previously permitted was based on 236 units. The inclusion of 33 prior cycle credits through the credits without controls program results in a rental bonus based on 227 units.

The prospective need is a projection of low and moderate-income housing needs based on development and growth, which is reasonably likely to occur in a region or municipality. The Township's prospective need (1993-1999) is 491 units.

In order to determine the Township of Howell's affordable housing needs, pursuant to COAH rules, the effects that market action, prior cycle prospective need, and reductions and credits have on total need must be considered. The Prior Cycle Prospective Need as a recalculation of the 1987-1993 prospective needs based upon more accurate data contained in the 1990 U.S. Census of Population. The Prior Cycle Prospective Need for the Township is 427 units.

Market action includes demolitions, "filtering", conversions and rehabilitation. Based on historical data, COAH projected that 24 demolitions of units would occur during 1993-1999 adding to the need for affordable housing. The remaining three market factors reduce the need for affordable housing. Filtering is the transfer of older units formerly occupied by the higher income sector of the housing market to the low and moderate-income segment. COAH anticipated 27 units would be filtered from 1993 to 1999.

Conversion is the creation of new affordable units from existing residential structures. COAH predicted 5 conversions would take place between 1993 to 1999.

The final calculated pre-credited affordable housing need for the Township of Howell for "Round Two" is 1,109 units. This number is based on the present and prospective need, the prior cycle need, anticipated demolitions, filtering, conversions and spontaneous rehabilitation as calculated by COAH.

There are methods, set forth by COAH, to reduce the need for COAH credited affordable housing units. These methods include receiving one-for-one credit for low and moderate-income housing constructed since April 1, 1990; one-for-one credit for the rehabilitation of housing units occupied by low- and moderate-income families; rental bonus credits for units that are rented to low and moderate-income families that have an affordability restriction in place.

6. Fair Share Component

The Township's Calculated Need for new construction is as follows:

New Construction = Pre-Credited Need (1,109 units) - Indigenous Need (154 units) = 955 units

The Township of Howell has proposed to satisfy its twelve (12) year fair share obligation of 955 units through a variety of measures, which are permitted pursuant to COAH regulations.

The Township of Howell received substantive certification of a Housing Element and Fair Share Plan on October 7, 1998 and now proposes to amend that certified plan to eliminate a ten (10) unit write down/buy down component and eliminate Site 7 and include approval for thirty-three (33) credits without controls units and an increase in the RCA's with Freehold Borough and Belmar Borough to 330 units.

A. Previously Approved Components and Prior Credits

The Township received credit for the new construction of 13 units of affordable housing that were completed for two (2) group homes that were constructed between April 1, 1980 and July 17, 1987. A four bedroom group home located on Block 50, Lot 40, owned by Development Services of New Jersey, a private nonprofit corporation and a nine bedroom group home located on Block 198, Lot 4 is owned by Safe Havens, Inc., a nonprofit corporation. Documentation for these units was previously submitted to COAH and the credits are described in detail in a COAH Report prepared by Sean Thompson, COAH Planner, dated October 26, 1994.

Two group homes, each with six bedrooms, received credit for twelve (12) credits. The homes, located on Block 26, Lot 7.03 and Block 84.08, Lot 74.01, were sponsored by Easter Seals in a joint venture with the Permanence and Advocacy Support System. Detailed descriptions of these units were provided in the October 26, 1994 COAH report.

Friendship Gardens senior rental development provided a reduction of 99 age-restricted units. Documentation for this project was previously submitted to COAH as part of the original Housing Element and Fair Share Plan.

The Township received credit for 180 completed units of affordable, non-age-restricted rental housing at the Countryside Place (Site #5) development located on Block 138, Lot 42. Documentation for this project was previously submitted.

The Township received credit for 85 age-restricted units as part of the Strickland Road Senior Project (Site #11). The Presbyterian Homes of Jersey Foundation, Inc constructed this project.

The Township, pursuant to a letter from Mary Beth Lonergan, PP, COAH Supervising Planner, received a reduction for 33 units of credits without controls as prior cycle credits.

The prior Certified Housing Element included a reduction for 79 units as part of the approved and unbuilt Weiner Homes "Wyndham at Howell" (Site #7). This site is located on Block 25, Lots 41 and 25.04. The current landowner of Site #7, which now includes Block 25, Lots 21.01, 24.04, and 41, is S.I. Bank and Trust.

Site 7 has been determined to be an unacceptable site for inclusionary housing and has been eliminated from the Howell Township Housing Element and Fair Share Plan. The development of Site 7 as a high density housing project is contrary to the State's recently adopted Smart Growth policies, contrary to COAH regulations requiring inclusionary development in Planning Area 5 (PA-5) to be in a designated center and contrary to the basic land use plan policies of Howell Township, as particularly delineated below. Furthermore, Site 7 is a significantly environmentally constrained property, which makes it an inappropriate site for the most intensive residential development permitted in Howell Township.

The State Development and Redevelopment Plan was revised and adopted in March 2001. This plan, strengthened by the Governor's recently adopted Smart Growth policies aimed at preventing sprawl-inducing growth in suburban New Jersey, has caused a rethinking in Howell Township of the potential adverse impact intensive development of Site 7 would have on the land use plans of the State, County and Howell Township aimed at containing the encroachment of sprawl development beyond the immediate Route 9 corridor.

The State Plan's State Resource Planning and Management Map for Monmouth County indicates that the bulk of Site 7 and most of the developable area of this environmentally constrained site is located in Planning Area 5 (PA-5). This same State Plan map shows the smallest development area of Site 7 fronting on Route 9 as part of Planning Area 2. The State Plan policy is to discourage both the extension of sprawl inducing infrastructure in PA-5 and the intrusion of intensive development, which is incompatible with PA-5's primary intention of preserving farmland and environmentally sensitive areas, unless it is sited in a designated center.

COAH regulations also require that inclusionary developments in PA-5 be located in a designated center. Site 7 is not in or near a designated center. Site 7 is an isolated property zoned for high-density residential use, which has none of the necessary attributes of a center.

Site 7 intrudes deeply into the agricultural very low-density areas of southern Howell Township and as such is contrary to the land use goals of the Howell Township Master Plan. The primary land use goal in Howell Township is "the protection of the Township's remaining rural areas from suburban sprawl". Site 7, if developed as a high density multi-family project, would be contrary to the following policies cited below which are intended to implement this goal:

1. Concentrate development in existing population centers.
2. Develop clearly defined community development boundaries around existing population centers.
3. Provide abrupt changes in densities across community development boundaries. For example, in a population center where the density is on the order of three units per acre, the adjacent area across the community development boundary should be developed at a maximum density of one unit per two acres.
4. Minimize the extent of new residential development outside of existing centers by establishing a one-acre minimum lot size for new residential development outside of existing centers.
5. Locate community facilities in or immediately adjacent to population centers to provide for efficiency in the delivery of facilities and services.

Site 7 as a high-density residential project, be it for an inclusionary or non-inclusionary development, conflicts with policies aimed at restraining the spread of sprawl development into the remaining rural areas of Howell Township.

Site 7 also conflicts with Goal 2 of the Howell Township Land Use Plan Element, which states, "Protect the rural character of the areas outside centers." Of particular note are the following policies, cited below, that are intended to implement this land use goal which Site 7, as a high-density residential development, conflicts with.

1. Require development outside of centers to be very low density.
5. Avoid extension of sanitary sewer lines to serve areas that are environmentally sensitive or designated for very low-density residential development.
8. Minimize municipal costs associated with sprawl.

Development of this isolated site for high density residential use and the extension of infrastructure through agricultural and low density residential zones to service Site 7 would be contrary to policies aimed at protecting Howell Township's rural character outside centers.

Previous Site # 4 Oak Hill Mobile Home Park, which was included in the prior Housing Element and Fair Share Plan, was denied credit from COAH. As stated in a letter dated March 17, 1997 from Jane Wheatly, Program Director of the Affordable Housing Management Services (AHMS), "It continues to be AHMS' opinion that these vehicles and the pads on which they rest are not legally restricted to meet even minimal affordability control requirements and are completely dependent on voluntary compliance which is not readily forthcoming." In the April 15, 1998

COAH report prepared by Mary Beth Lonergan, COAH Planner, it was determined that the 35 units at Oak Hill Mobile Home Park were not eligible for COAH credit due to the lack of a deed restriction. Based on this determination, the 35 units at the Oak Hill Mobile Home Park have been removed from the Howell Township Housing Element and Fair Share Plan. The Township, however, does reserve its right to credit these units against the Township's obligation when the requisite documentation is produced.

Reduction for retroactive rental bonus credits pursuant to N.J.A.C. 5:93-5.15. The Township is eligible for rental bonuses for units which do not exceed its rental obligation of 227 units [$.25(1109-46-0-0-154) = 227$ units]. The number of rental bonus credits was reduced by the receipt of the 33 credits without controls prior cycle credits. The result was a decrease in the number of rental bonus units from 236 to 227.

Table V. Calculation of Rental Bonus Credits, Based on Amended Plan

Block/Lot or Site #	Name of Project /Owner	Affordable Units	Rental Bonuses
198/4	Safe Havens Group Home	9	0
50/40	Dev. Services of NJ Group Home	4	0
26/7.03	Easter Seals PASS Group Home	6	6
Site #1	Easter Seals PASS Group Home	6	6
Site # 5	Countryside Place	180	180
79/25.03	Friendship Gardens (age restricted)	99 (35 units are eligible to be applied toward rental bonus credits at .33 rental bonus credits per unit)	12
Site # 11	Strickland Road Senior Project	85	0
TOTAL		389	204

B. Contributory Projects

The November 1997 Amended Housing Element and Fair Share Plan identified the following contributory projects that had been previously identified and had supporting documentation forwarded to COAH.

(1) Columbia Land Partnership, Columbia Pines (Site #9)

This 35-acre site is located at the southwest corner of the intersection of Lakewood-Allenwood Road and Newton's Corner Road in the Ramtown section of the Township.

On March 20, 1989, the Township of Howell and Columbia Land Partnership entered into a "Stipulation Resolving Objections and Developers Agreement." The terms of the agreement required a contribution of \$8,000 per unit for any unit(s) constructed in excess of the former permitted zoning.

The 1997 Amended Housing Element and Fair Share Plan stated that the terms of the aforementioned agreement amounted to 69 bonus units for a total contribution of \$552,000 to the Howell Township Housing Fund by Columbia Land Partnership. The contribution is to be made at a rate of \$4,000 per unit for each building permit issued over 34 and another \$4,000 per bonus unit at the time of issuance of a certificate of occupancy.

(2) Gikas, Country Squire/CJS Investments (Site # 6)

Site #6 is a townhouse project that received preliminary and final approval for up to 100 units, from the Howell Township Planning Board on August 16, 1990. This project included a provision for an \$8,000 per unit contribution to the Howell Township Housing Trust Fund in lieu of construction of affordable units on site. The Howell Township Planning Board granted preliminary and final major site plan approval for this site on July 6, 2000 to an applicant by the name of CJS Investments. The July 6, 2000 approval permits the applicant to construct up to 98 townhouses. The prior approval and April 17, 1989 "Stipulation Resolving Objections and Developer's Agreement" were made part of the record in the July 6, 2000 case. The Howell Township Planning Board, on March 6, 1998, adopted a resolution that clarified that the required developer's contribution regarding the property would be \$8,000 per housing unit built, now resulting in an anticipated contribution of \$784,000. The project is now under construction.

(3) Weiner Homes/Shwahla (Site # 3)

This site contains 95 acres located on Fort Plains Road in the northwestern quadrant of the Township. On May 30, 1989, Weiner Homes and the Township of Howell entered into a "Stipulation Resolving Objections and Developer's Agreement." The agreement requires a contribution of \$8,000 per unit for 183 units that exceeded the allowable unit yield under the

former zoning of the site. A total contribution of \$1,464,000 to the Howell Township Housing Trust Fund is required. The Howell Township Planning Board granted preliminary and major subdivision approval project on June 22, 1989. The preliminary subdivision approval received an extension from the Planning Board on July 9, 1992.

(4) Hovbilt (Site #1)

The Hovbilt site was included in the Township's prior Housing Element and Fair Share Plan. The Plan included the Hovbilt site as an inclusionary project with a total of 372 units, to include a twenty percent (20%) set aside, which included 75 age restricted units. The 1997 Amended Housing Element and Fair Share Plan indicated that the Hovbilt site was no longer required and revised zoning was negotiated. The developer and Township agreed to 208 market rate units and a minimum contribution of one-quarter of one percent to be provided to the Township. The 1997 plan noted that the Township had considered acquisition of the site.

C. Regional Contribution Agreements

Pursuant to N.J.A.C. 5:93-6.1, a municipality may transfer up to fifty percent (50%) housing obligation to a receiving municipality. The Township of Howell intends to transfer 86 units to the Borough of Belmar and 244 units to the Borough of Freehold. Both municipalities are located in Monmouth County, which is within Howell Township's housing region.

(1) Borough of Belmar RCA

The Borough of Belmar and Howell Township entered into a Regional Contribution Agreement to transfer 86 units of Howell Township's obligation to the Borough of Belmar. A scattered site rehabilitation program will result within the Borough of Belmar. The terms of the Agreement provide that a minimum of fifty percent (50%) of the rehabilitated units are to be occupied by low-income households. Howell Township will provide \$20,000 per unit to the Borough of Belmar for each unit transferred. The Regional Contribution Agreement and Project Plan developed by the Borough of Belmar was submitted to and approved by the New Jersey Housing Mortgage Finance Agency. The Township of Howell has initiated payments to the Borough of Belmar for this RCA.

(2) Borough of Freehold RCA

Howell Township and Freehold Borough entered into a Regional Contribution Agreement that called for the transfer of up to 184 units of the Howell Township obligation to the Borough of Freehold for a scattered site rehabilitation program. The Township of Howell

agreed to provide \$20,000 per unit transferred and a minimum of fifty percent (50%) of the units transferred are to be occupied by low-income households.

It was noted in the Howell Township Compliance Report, dated April 15, 1998 that Howell Township reserved the right to pursue a credits without controls program, pursuant to N.J.A.C. 5:93-3.2(b). The number of RCA units transferred to the Borough of Freehold is proposed to be increased from the approved number of 184 units to include up to an additional 60 units.

A meeting was held on July 19, 1999, with representatives from Howell Township, Freehold Borough, and COAH. At this meeting, the minimum number of RCA units to be transferred was increased to 138.

The Township of Howell did institute a credits without controls program and received 33 units, which are considered prior cycle credits.

The 33 credits without controls and the deletion of COAH Site #7, which eliminated the number of credits from that site, will require that the Township of Howell transfer additional units to the Borough of Freehold for the scattered site rehabilitation program. Funding for the units will remain as previously approved, supplemented by usage of funds from the Howell Township Affordable Housing Trust Fund and by Township bonding as may be necessary.

D. Age Restricted Housing

The Township of Howell received a waiver to permit a modification to the age restricted formula. Pursuant to N.J.A.C. 5:93-5.14, age restricted housing is credited by the following formula: .25 (municipal pre-credited need – rehabilitation component - prior cycle credits – proposed RCA's. The waiver granted to the Township modified the formula so as not to have the rehabilitation component subtracted from the formula. The waiver granted permits Howell Township to age restrict up to 184 units [$.25(1,109-0-46-330) = 184$].

The 1995 Housing Element and Fair Share Plan, amended November 1997, certified on October 7, 1998, included 184 age-restricted units. The Township therefore is not eligible for credits for additional age restricted units..

Meridian Quality Care received funding for their project through the New Jersey Housing and Mortgage Finance Agency (HMFA). There are eighteen (18) efficiency units and four (4) one (1) bedroom units that are reserved for low-income residents. All twenty-two (22) units are deed restricted and the HMFA will be monitoring them for compliance. However, as per the above, these units are not eligible for credit.

The following documents are included as Appendix A to support the credits for Meridian Quality Care:

1. Rental price information for the twenty-two (22) units.
2. Gross monthly income of residents in the units (or certification that residents meet COAH eligibility guidelines) and indication of any units occupied by residents that participate in the Medicaid Waiver program. The documents provided indicated, that as required by COAH, at least half of the affordable units must be affordable to low income households (below 50% of median income), or all of the units may be affordable to a household at 60% of median income.
3. Proof that rents are affordable so as not to exceed 30 percent of gross monthly income, including an allowance for utilities.
4. A copy of the 30-year deed restriction on the property.
5. Copies of marketing brochures, etc.
6. A copy of the agreement with HMFA for administration and monitoring of the low and moderate-income units.
7. A copy of the Certificate of Occupancy for the facility.

7. Indigenous Need

The Township's Indigenous Need (the rehabilitation component), based on the Certified Housing Element and Fair Share Plan, is calculated as follows:

Indigenous Need = 160 units - 6 units spontaneous rehabilitation = 154 units - 15 prior cycle credits = 139 rehabilitation units required over the period of substantive certification.

The housing policy recommended for the Township of Howell to meet its low- and moderate-income housing needs is to continue to rehabilitate deteriorated housing stock through the rehabilitation methodology that is currently in place in the Township. There is a need to rehabilitate 139 dwelling units (154-15 prior cycle rehabilitation credits) occupied by low and moderate-income households (Indigenous Need). The municipality has implemented a rehabilitation program funded by developer fees. Residents are also able to utilize the Monmouth County Community Development Block Grant Program. The Township has submitted the requisite monitoring reports to provide information to COAH on units rehabilitated that are eligible to receive COAH credit.

The Township's rehabilitation program is marketed through the periodic distribution of informational flyers and television announcements. The Monmouth County rehabilitation program is marketed through the use of brochures. It is anticipated that the Monmouth County CDBG program will continue under this administrative set-up for the next six years, barring termination of the HUD CDBG Program by Congress.

It is expected that the continuation of these programs will satisfy the Township's obligation to rehabilitate 139 units (154 units - 15 units rehabilitated for COAH credit, pursuant to 1997 Housing Element and Fair Share Plan) during the period of substantive certification.

Rehabilitation Schedule

Depending upon the demand of homeowners and landlords for the program, the Township proposed to undertake the following rehabilitation schedule, as included in the spending plan approved September 2, 1998, which was based on the certified Housing and Fair Share Plan:

Year	Number of Units to be Rehabilitated
1998	23
1999	23
2000	23
2001	23
Total	92

This amended housing element corrects this schedule to reflect the required 139 units to be as follows:

Year	Number of Units to be Rehabilitated
1998	23
1999	23
2000	23
2001	23
2002	23
2003	24
Total	139

Funding of the Rehabilitation Program

Based on COAH rules, the Township shall continue to provide \$10,000 per unit for the rehabilitation program that will have an estimated total program cost of \$1,390,000 (139 units x \$10,000/unit).

The Township proposes to continue to fund the local housing rehabilitation program through the Developers Fee fund and use of the Monmouth County Community Development Block Grant Program.

To date, approximately 122 of the 139 required rehabs have been documented as completed or in process.

Marketing Plan.

The Township rehabilitation program is marketed through the use of brochures, informational flyers and television announcements.

IV. ANALYSIS OF REALISTIC OPPORTUNITY FOR AFFORDABLE HOUSING

Satisfaction of the Township's Fair Share Obligation shall be accomplished through continued implementation of the rehabilitation program established and administered by the Borough and utilization of the Monmouth County rehabilitation program and the transfer of 86 RCA units to the Borough of Belmar and 244 RCA units to Freehold Borough. COAH has determined the Township's pre-credited indigenous need to be 154 units, through crediting reductions for past affordable housing accomplishments and the Township's affordable housing activities from 1993-1999. The calculated need is reduced by 15 units of rehabilitation.

There is every reason to expect that the need to rehabilitate 139 units will be accomplished during the period of certification. The Township has continued rehabilitation efforts since certification on October 7, 1998 and has submitted the requisite monitoring reports documenting 122 rehabs either completed or underway.

The Township has initiated RCA payments with the Borough of Belmar and the Borough of Freehold and intends to increase the number of RCA units by 60 units.

The following chart summarizes the Township of Howell's Realistic Opportunity for Affordable Housing:

COAH PRE-CALCULATED NEED		1,109 units
*Reductions/Credits: 1990-2000		
Credits	422	
Rental Bonus Credits	204	
Rehabs Completed	15	
SUBTOTAL	662	641 units
*Inclusionary Components		
Belmar RCA	86	
Freehold Borough RCA	184	
Freehold RCA Increments	60	
SUBTOTAL	330	330 units
Indigenous (Rehab) Component	139	139 units
TOTAL		1,110 units

APPENDIX A

Documentation to support the credits for Meridian Quality Care have not been included at this time since the Township already is seeking 184 credits (the maximum number permitted) for age restricted housing, without the inclusion of Meridian Quality Care.