

# **Housing Element Fair Share and Growth Share Plan**

**For The**

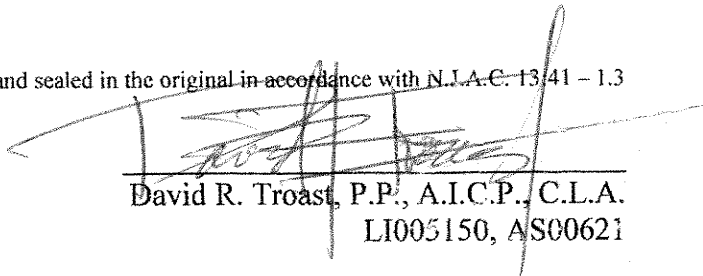
**Borough of Branchville**  
Sussex County, New Jersey

April 20, 2007  
Adopted June 13, 2007

Revised December 3, 2008  
Revised & Re-Adopted December 10, 2008

Prepared By: David R. Troast, L.L.C.  
Hawthorne, NJ

This report has been signed and sealed in the original in accordance with N.J.A.C. 13:41 - 1.3

  
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# **Branchville Borough**

**Sussex County, New Jersey**

## **Housing Plan, Fair Share Plan and Growth Share Plan**

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Prepared for the Branchville Borough Council and Planning Board  
Prepared by David R. Troast, L.L.C.  
In Association with Harold E. Pellow and Associates  
David Manhardt, GIS and Data Consultant

## **Housing Element**

### **1.01 Purpose**

The purpose of the Fair Share Plan and Housing Element of the Master Plan is to provide realistic opportunities to address the housing needs of the citizens of Branchville Borough within all income levels. Various housing options shall be integrated into the existing land use pattern to preserve, enhance and protect the community character and natural resources of the Borough. The Plan shall meet the intent of the Fair Housing Act, The New Jersey State Development and Redevelopment Plan, Council on Affordable Housing (COAH) Rules and the Mount Laurel court decisions. The Borough of Branchville will petition for substantive certification with COAH as a part of the planning process to meet the mandated housing obligation.

The Fair Housing Act requires municipalities in the state to include an adopted Housing Element in all Master Plans. The principal purpose of the Housing Element is to provide for methods of achieving the goal of access to affordable housing to meet the municipality's housing obligation. Very Low-income households are defined as those with a family income of less than 30 percent of the median household income, adjusted for household size of the housing region. Low-income households are defined as those with an income no greater than 50 percent of the median household income adjusted for household size of the housing region in which the municipality is based. Moderate-income households are those with incomes no greater than 80 percent of the median household income, adjusted for household size of the housing region.

Branchville Borough is located in the northern part of Sussex County in the Northeast Housing Region (Region 1), which consists of Bergen, Hudson, Passaic, and Sussex counties. The median household income in the region for a family of four in 2008 is \$77,072.

The Municipal Land Use Law and the COAH regulations require that the Housing Element include the following:

### **“5:97-2.3 Content of a Housing Element**

#### **5:97-2.3 Content of a Housing Element**

(a) The Housing Element submitted to the Council shall include:

1. The minimum requirements prescribed by N.J.S.A 52:27D-310;
2. The household projection for the municipality as provided in chapter Appendix F;
3. The employment projection for the municipality as provided in Appendix F;
4. The municipality's prior round obligation (from chapter Appendix C);
5. The municipality's rehabilitation share (from chapter Appendix B); and
6. The projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

- (b) Supporting information to be submitted with the Housing Element shall include:
  - 1. A copy of the most recently adopted municipal zoning ordinance; and
  - 2. A copy of the most up-to date tax maps of the municipality, electronic if available, with legible dimensions.
- (c) The municipality shall submit any other documentation necessary to facilitate the review of the municipal Housing Element as requested by the Council.
- (d) As an alternate to the household and employment projections required by (a)2 and 3 above, a municipality may rely upon its own household and employment growth projections, provided the total growth share resulting from the municipal household and employment growth projections exceeds the total growth share resulting from the household and employment growth projections provided in Appendix F.
  - 1. The alternate projection of the municipality's probable future construction of housing for 15 years covering the period January 1, 2004 through December 31, 2018 shall consider the following minimum information for residential development:
    - i. Certificates of occupancy issued since January 1, 2004;
    - ii. Pending, approved and anticipated applications for development; and
    - iii. Historical trends of at least the past 10 years, which includes certificates of occupancy issued.
  - 2. The alternate projection of the probable future jobs based on the use Groups outlined in chapter Appendix D for 15 years covering the period January 1, 2004 through December 31, 2018 for the municipality shall consider the following minimum information for non-residential development:
    - i. Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
    - ii. Square footage of pending, approved and anticipated applications for development;
    - iii. Historical trends, of, at least, the past 10 years, which shall include the square footage authorized by certificates of occupancy issued; and
    - iv. Demolition permits issued and projected.

#### 5:97-3.2 Content of a Fair Share Plan

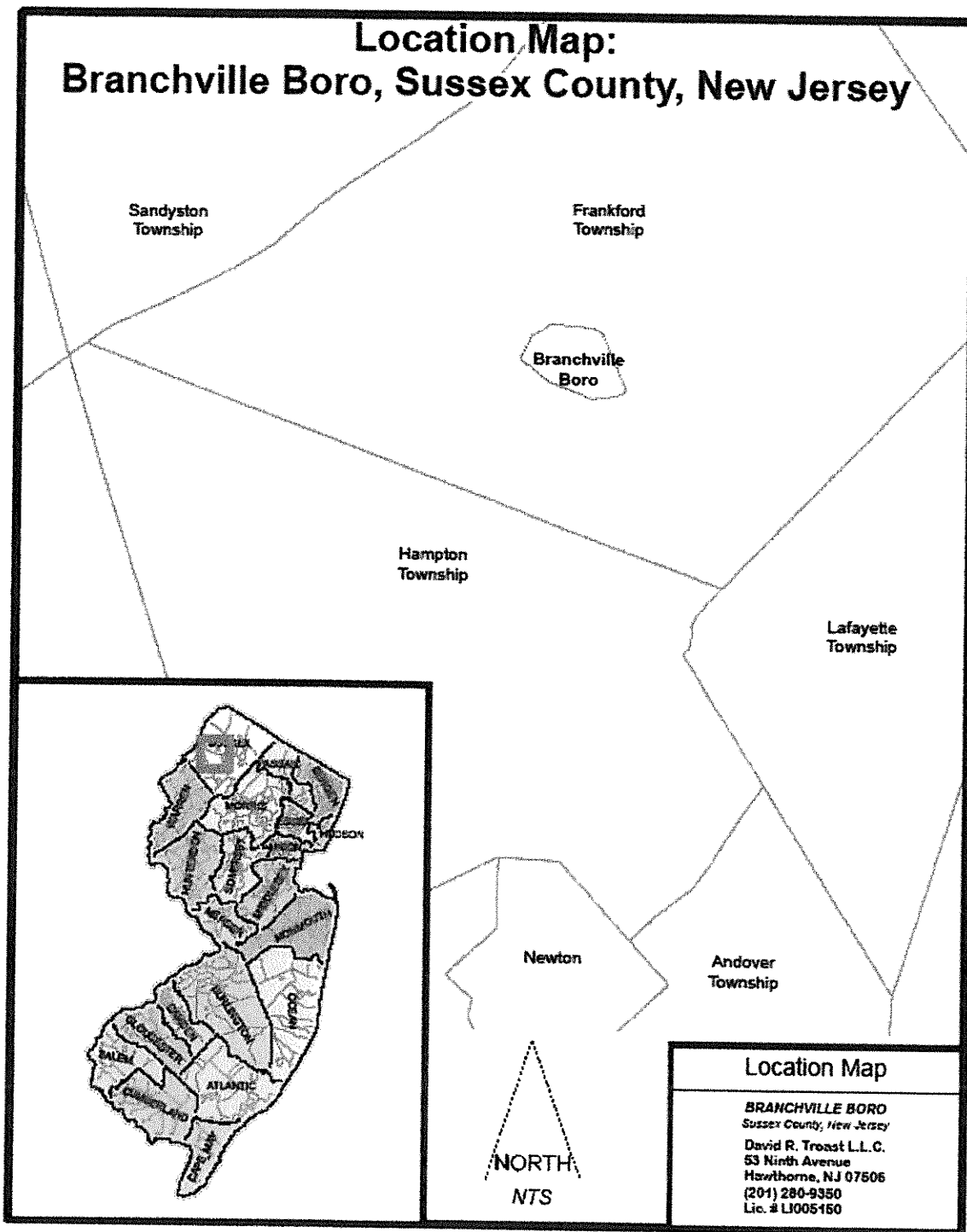
- (a) A Fair Share Plan describes the completed or proposed mechanisms and funding sources, if applicable, that will be utilized to specifically address a municipality's rehabilitation share, prior round obligation, and growth share obligation. The Fair Share Plan shall be in a form provided by the Council and include at least the following:
  - 1. Descriptions of any credits intended to address any portion of the Fair Share obligation, which shall include all information and documentation

- required by N.J.A.C. 5:97-4 for each type of credit;
2. Descriptions of any adjustments to any portion of the fair share obligation, which shall include all information and documentation required by N.J.A.C. 5:97-5 for each adjustment sought;
  3. Descriptions of any mechanisms intended to address the prior round obligation, the rehabilitation share, and the growth share obligation;
  4. An implementation schedule that sets forth a detailed timetable that Demonstrates a “realistic opportunity” as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6, based on the following:
    - i. Documentation for mechanisms to address the prior round obligation, the rehabilitation share, and the growth share obligation up to the first plan review pursuant to N.J.A.C. 5:96-10 shall be submitted at the time of petition;
    - ii. Documentation for zoning for inclusionary development, an accessory apartment program, or a market to affordable program shall be submitted at the time of petition and implemented within 45 days of substantive certification;
    - iii. Documentation for the extension of expiring controls shall be submitted at the time of petition and implemented in accordance with an implementation schedule pursuant to (a)4iv below; and
    - iv. Documentation for all mechanisms not included in (a)4i through iii above shall be submitted according to an implementation schedule, but no later than two years prior to scheduled implementation of the mechanism, and shall consider the economic viability of the mechanisms and the actual growth share obligation that has or will occur as calculated pursuant to N.J.A.C. 5:97-2.5. Pursuant to N.J.A.C. 5:97-2.5(d), the municipality shall comply with the plan evaluation requirements and shall be subject to the enforcement remedies of N.J.A.C 5:96-10.4. 5.
  5. Notwithstanding (a)4iv above, a municipality with insufficient vacant land that has been granted or is seeking a vacant land adjustment pursuant to N.J.A.C. 5:97-5.1 or a household and employment growth projection adjustment pursuant to N.J.A.C. 5:97-5.6 shall submit all information and documentation required by N.J.A.C. 5:97-6 at the time of petition, unless it meets the requirements of (a)5i and ii below, in which case it shall submit the required information and documentation in accordance with an implementation schedule, but no later than two years prior to scheduled implementation of the mechanism, and shall consider the economic viability of the mechanisms and the actual growth share obligation that has or will occur as calculated pursuant to N.J.A.C. 5:97-2.5. Pursuant to N.J.A.C. 5:97-2.5(d), the municipality shall comply with the plan evaluation requirements and shall be subject to the enforcement remedies of N.J.A.C 5:96-10.4.

- i. The municipality demonstrates that the mechanism(s) does not rely upon the availability of vacant land (that is, redevelopment);
    - or ii. The municipality takes appropriate measures to reserve scarce resources that may be essential to implement the mechanisms that rely on the availability of vacant land to address the growth share obligation.
  - 6. Draft and/or adopted ordinances necessary for the implementation of the mechanisms designed to satisfy the fair share obligation;
  - 7. A demonstration that existing zoning or planned changes in zoning provide adequate capacity to accommodate any proposed inclusionary developments pursuant to N.J.A.C. 5:97-6.4;
  - 8. A demonstration of existing or planned water and sewer capacity sufficient to accommodate all proposed mechanisms; and
  - 9. A spending plan pursuant to N.J.A.C. 5:97-8.10, if the municipality maintains or intends to establish an affordable housing trust fund pursuant to N.J.A.C. 5:97-8.
- (b) The Fair Share Plan shall also include any other documentation pertaining to the review of the municipal Fair Share Plan as required by this chapter and N.J.A.C. 5:96 or requested by the Council.

Source: COAH

# Location Map: Branchville Boro, Sussex County, New Jersey



### **1.02 Introduction:**

Branchville Borough is a rural Sussex County village center in northwest New Jersey. The Borough is classified as Rural Planning Area PA4 and Rural/Environmentally Sensitive Planning Area PA4B in the New Jersey State Development and Redevelopment Plan. Future housing obligations for new construction (inclusionary housing projects) should be planned in “Centers”. Branchville is a rural Designated Center under the State Plan with limited on site wastewater treatment, planned public sewer and public water for potable water supply. The Borough is essentially at build out and the Master Plan does not recommend redevelopment of the historic village. There are opportunities to promote affordable housing within the existing older housing stock with accessory apartments. The total population is 845 with 394 male and 451 female residents. There are 383 housing units with 92.7% being occupied based on the 2000 US Census. The existing housing stock built prior to 1980 is 356 units or 93%.

### **1.03 Municipal Objectives:**

1. Preserve the Borough’s natural resources and ecological balance within the context of permitting appropriate development based on sound planning and engineering principles.
2. Maintain Branchville’s rural village character
3. Provide for variety of housing opportunities for all income levels at appropriate locations in conjunction with public transportation and infrastructure.
4. Provide densities or forms of housing development consistent with the State Plan by examining the impacts on the natural environment.
5. Provide housing opportunities for the senior community.

### **1.03 Existing Housing Status:**

COAH has divided the State into Housing Regions for the 1987-2018 cycle . Sussex County is part of Region One, which includes Passaic, Bergen and Hudson Counties.

#### **1.03-1 Fair Share Obligation Round One and Two:**

The New Jersey Council on Affordable housing (COAH) was established and given the responsibility for implementing the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

COAH has assigned Branchville Borough an adjusted prior round obligation of 13 units and 0 rehabilitation units, as shown in Appendix C and B of the COAH Round Three Rules. This cumulative obligation represents the Borough’s total affordable housing obligation through the year 1999. The use of COAH methodology to determine each municipality’s fair share obligation has been encouraged in order to provide

uniformity throughout the State in addressing the State's low and moderate income housing need.

Branchville Borough is required to document or zone for 13 new housing units with a maximum of 25 % of the affordable housing units as Age Restricted or Senior Units for a total of 3.25 or say 3 units. The rental requirement is a minimum of 25% of the new affordable units constructed for a total of 3.25 or say 3 rental units.

### **1.03-2 Third Round Obligation**

The Council on Affordable Housing released the methodology for the third round rules in August of 2003 with an effective date of January 1, 2004. The new proposed rules, amendments and court decisions cover the period from 1999 to 2018. The assigned obligation for rounds one and two remain and must be accomplished to receive certification. The third round obligation for each municipality is determined with two components.

- “ 1. Growth Share – the number of units that must be built based on a town's actual growth , allowing municipalities a much greater level of self determination;
- 2. Rehabilitation share – the number of substandard units a town must rehabilitate as identified by COAH.”

Source: COAH

The Growth Share calculation is based on the following formula.

- “1. For every 4 residential units receiving a certificate of occupancy in a municipality from 2004 to 2018, one affordable unit must be provided.
- 2. For every 16 jobs created in the municipality, the municipality incurs an obligation of one affordable housing unit.”

Source: COAH

Branchville Borough is a mature rural village with the majority of growth occurring prior to 1939 and a notable increase after World War Two. The information pertaining to the existing housing in a community is an important part of the Housing Element and provides the foundation in developing strategies to meet the Goals and Objectives of the Master Plan and Housing Element/Fair Share Plan to determine the appropriate location, type and density of future housing. The existing village character and the natural carrying capacity of the land should not be negatively impacted or exceeded.

### **1.04 Affordable Housing Inventory:**

The Borough over the years has provided opportunities for affordable housing. **Table One** indicates the “Constructed or Approved Units/Credits” as proposed by Branchville Borough.

**Table One**

Requesting COAH Credit Approval:

Type/Location	Block	Lot	Year	# of Bedrooms/Units	Rental Bonus (25% of 13)
SCARC Group Home	202	3	1984	5	0

**Possible Credits/ New Construction Credits = 5**

**1.05 Housing Condition:**

The condition of the housing in Branchville Borough is documented in the 2000 Census. The Census provides different levels of information concerning housing quality and condition in terms of surrogates. The housing surrogates for Branchville Borough are indicated in Table Three. This approach does not determine any given housing unit to be deficient; however, it does provide for a percentage of the homes that are deficient based on Census statistics. The 2000 Census documented 383 housing units with 70.2% of the units, single family. The Median Value of the housing units as determined by the Census is \$149,600.

The following is a description of the housing deficient surrogates;

1. Plumbing Facilities: Inadequate plumbing facilities are indicated by the lack or incomplete plumbing.
2. Kitchen Facilities: Kitchen facilities are considered inadequate if the kitchen is shared or there is an absence of a sink with piped water, stove or refrigerator.
3. Persons per Room: Census has determined that 1.01 or more persons per room is an index of overcrowding.
4. Units lacking telephone service.

**Table Three**  
Housing Deficiency Surrogates

Surrogate	Total Housing Units	Percentage	# of Deficient Units
Lacking Plumbing	383	0.00%	00
Lacking Complete Kitchen	383	0.00%	00
Persons per Room/1.01 or More	383	0.00%	00
No telephone service	383	2.61%	10

Source: 2000 Census

The Housing Deficiencies Surrogates occur in the lack of telephone service in the existing housing stock of the Borough. The Round #3 Rehabilitation is zero, which is consistent with this statistic.

**1.06 Selected Housing Characteristics: Census 2000:** This section further defines the Housing stock in Branchville.

<b>Total housing units</b>	<b>383</b>	<b>100.0</b>
<b>UNITS IN STRUCTURE</b>		
1-unit, detached	269	70.2
1-unit, attached	3	0.8
2 units	52	13.6
3 or 4 units	25	6.5
5 to 9 units	28	7.3
10 to 19 units	6	1.6
20 or more units	0	0.0
Mobile home	0	0.0
Boat, RV, van, etc.	0	0.0
<b>YEAR STRUCTURE BUILT</b>		
1999 to March 2000	0	0.0
1995 to 1998	0	0.0
1990 to 1994	2	0.5
1980 to 1989	25	6.5
1970 to 1979	8	2.1
1960 to 1969	33	8.6
1940 to 1959	108	28.2
1939 or earlier	207	54.0
<b>ROOMS</b>		
1 room	4	1.0
2 rooms	5	1.3
3 rooms	33	8.6
4 rooms	60	15.7
5 rooms	64	16.7
6 rooms	84	21.9
7 rooms	68	17.8
8 rooms	31	8.1
9 or more rooms	34	8.9
Median (rooms)	5.8	(X)
<b>Occupied Housing Units</b>	<b>355</b>	<b>100.0</b>
<b>YEAR HOUSEHOLDER MOVED INTO UNIT</b>		
1999 to March 2000	51	14.4
1995 to 1998	79	22.3
1990 to 1994	24	6.8
1980 to 1989	66	18.6
1970 to 1979	45	12.7
1969 or earlier	90	25.4
<b>VEHICLES AVAILABLE</b>		
None	26	7.3
1	148	41.7
2	132	37.2

3 or more	49	13.8
<b>HOUSE HEATING FUEL</b>		
Utility gas	0	0.0
Bottled, tank, or LP gas	24	6.8
Electricity	43	12.1
Fuel oil, kerosene, etc.	288	81.1
Coal or coke	0	0.0
Wood	0	0.0
Solar energy	0	0.0
Other fuel	0	0.0
No fuel used	0	0.0
<b>SELECTED CHARACTERISTICS</b>		
Lacking complete plumbing facilities	0	0.0
Lacking complete kitchen facilities	0	0.0
No telephone service	10	2.8
<b>OCCUPANTS PER ROOM</b>		
<b>Occupied housing units</b>	<b>355</b>	<b>100.0</b>
1.00 or less	355	100.0
1.01 to 1.50	0	0.0
1.51 or more	0	0.0
<b>Specified owner-occupied units</b>	<b>214</b>	<b>100.0</b>
<b>VALUE</b>		
Less than \$50,000	0	0.0
\$50,000 to \$99,999	9	4.2
\$100,000 to \$149,999	99	46.3
\$150,000 to \$199,999	79	36.9
\$200,000 to \$299,999	24	11.2
\$300,000 to \$499,999	3	1.4
\$500,000 to \$999,999	0	0.0
\$1,000,000 or more	0	0.0
Median (dollars)	149,600	(X)
<b>MORTGAGE STATUS AND SELECTED MONTHLY OWNER COSTS</b>		
With a mortgage	115	53.7
Less than \$300	0	0.0
\$300 to \$499	2	0.9
\$500 to \$699	7	3.3
\$700 to \$999	32	15.0
\$1,000 to \$1,499	47	22.0
\$1,500 to \$1,999	19	8.9
\$2,000 or more	8	3.7
Median (dollars)	1,129	(X)
Not mortgaged	99	46.3
Median (dollars)	424	(X)
<b>SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN 1999</b>		
Less than 15 percent	92	43.0
15 to 19 percent	24	11.2
20 to 24 percent	24	11.2
25 to 29 percent	26	12.1
30 to 34 percent	9	4.2
35 percent or more	36	16.8
Not computed	3	1.4
<b>Specified renter-occupied units</b>	<b>120</b>	<b>100.0</b>

<b>GROSS RENT</b>		
Less than \$200	0	0.0
\$200 to \$299	0	0.0
\$300 to \$499	9	7.5
\$500 to \$749	63	52.5
\$750 to \$999	30	25.0
\$1,000 to \$1,499	12	10.0
\$1,500 or more	0	0.0
No cash rent	6	5.0
Median (dollars)	671	(X)

<b>GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN 1999</b>		
Less than 15 percent	10	8.3
15 to 19 percent	20	16.7
20 to 24 percent	15	12.5
25 to 29 percent	13	10.8
30 to 34 percent	11	9.2
35 percent or more	45	37.5
Not computed	6	5.0

Subject	Number	Percent
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(X) Not applicable.

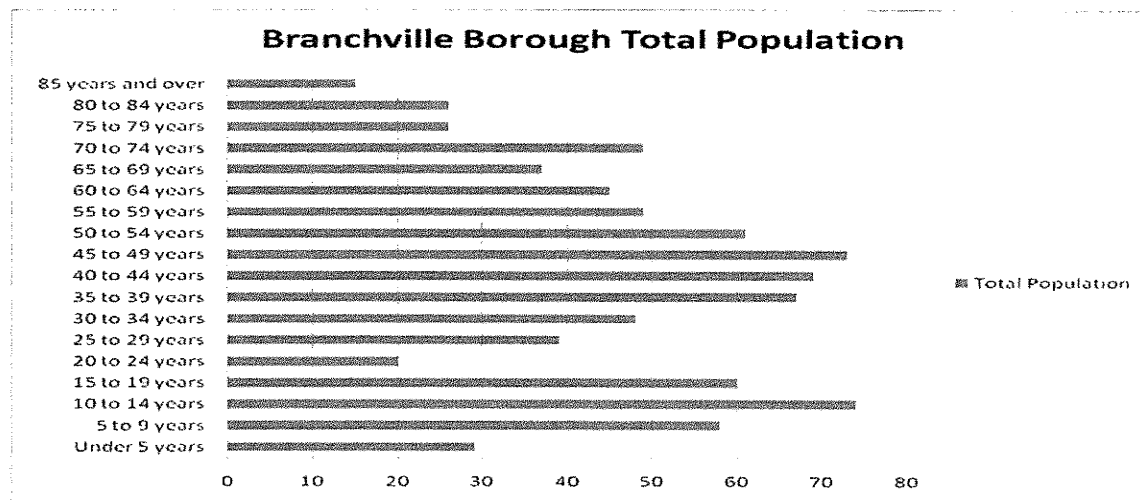
Source: U.S. Census Bureau, Census 2000 Summary File 3, Matrices H1, H7, H20, H23, H24, H30, H34, H38, H40, H43, H44, H48, H51, H62, H63, H69, H74, H76, H90, H91, and H94

### 1.07 Demographic Characteristics:

The purpose of this section of the Housing Plan is to document and analyze demographic data with existing housing trends.

The 2000 population of Branchville is 845 based on US Census. The population estimate based on the NJTPA/MPO data is 877 for 2005.

The 2000 Census shows the majority of the population's ancestral roots are European. The Italian, German, English, Dutch and Irish having higher totals in the community. The New York Metropolitan cultural influence will continue to diversify the population of Branchville Borough.



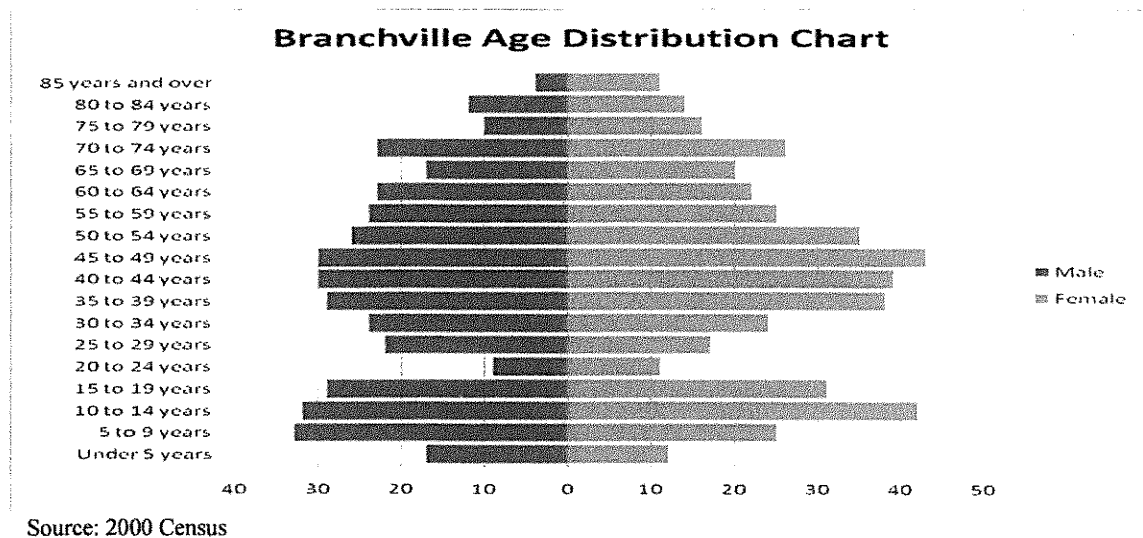
### **1.08 Population Composition By Age:**

The Population Composition by age for Branchville Borough is based on the 2000 Census data. In evaluating the information, current trends need to be factored in such as the baby boom, baby bust and baby boom echo generations. There has been an increase of retired persons relocating to the South Eastern and South Western United States. This information is useful in evaluating capital improvements and public investment as to schools and public facilities.

The data and current trends show increases in the population in the 0 - 19 and 35 to 54 age categories. The general population is aging in place and living longer because of the quality of health care and medical technology advances. These trends indicate the housing needs of families with children and adults over the age of 70.

<b>Age Category</b>	<b>Male</b>		<b>Female</b>		<b>Total</b>	
Under 5 years	17	2.01%	12	1.42%	29	3.43%
5 to 9 years	33	3.91%	25	2.96%	58	6.86%
10 to 14 years	32	3.79%	42	4.97%	74	8.76%
15 to 19 years	29	3.43%	31	3.67%	60	7.10%
20 to 24 years	9	1.07%	11	1.30%	20	2.37%
25 to 29 years	22	2.60%	17	2.01%	39	4.62%
30 to 34 years	24	2.84%	24	2.84%	48	5.68%
35 to 39 years	29	3.43%	38	4.50%	67	7.93%
40 to 44 years	30	3.55%	39	4.62%	69	8.17%
45 to 49 years	30	3.55%	43	5.09%	73	8.64%
50 to 54 years	26	3.08%	35	4.14%	61	7.22%
55 to 59 years	24	2.84%	25	2.96%	49	5.80%
60 to 64 years	23	2.72%	22	2.60%	45	5.33%
65 to 69 years	17	2.01%	20	2.37%	37	4.38%
70 to 74 years	23	2.72%	26	3.08%	49	5.80%
75 to 79 years	10	1.18%	16	1.89%	26	3.08%
80 to 84 years	12	1.42%	14	1.66%	26	3.08%
85 years and over	4	0.47%	11	1.30%	15	1.78%
<b>TOTALS</b>	<b>394</b>	<b>46.63%</b>	<b>451</b>	<b>53.37%</b>	<b>845</b>	<b>100.00%</b>

Median Age 41.7years



### **1.09 Household Size:**

The household size calculation is taken from the 2000 Census. The US Census defines a household as one or more persons, whether related or not, living together in one dwelling unit. The average number of persons per household in Branchville Borough as per the 2000 Census is 2.37 persons. The average household size can be further defined by examining the owner occupied versus renter occupied. The average Branchville Borough household size for owner occupied units is 2.59 and 1.97 for renter occupied units. The average family size 3.03 persons.

The number of households as documented in the 2000 Census is 383 housing units with 6 vacant units equaling 377 occupied housing units. The dominant housing unit type is single family with the Housing Tenure of owner occupied housing units being 229 and renter occupied units equaling 125.

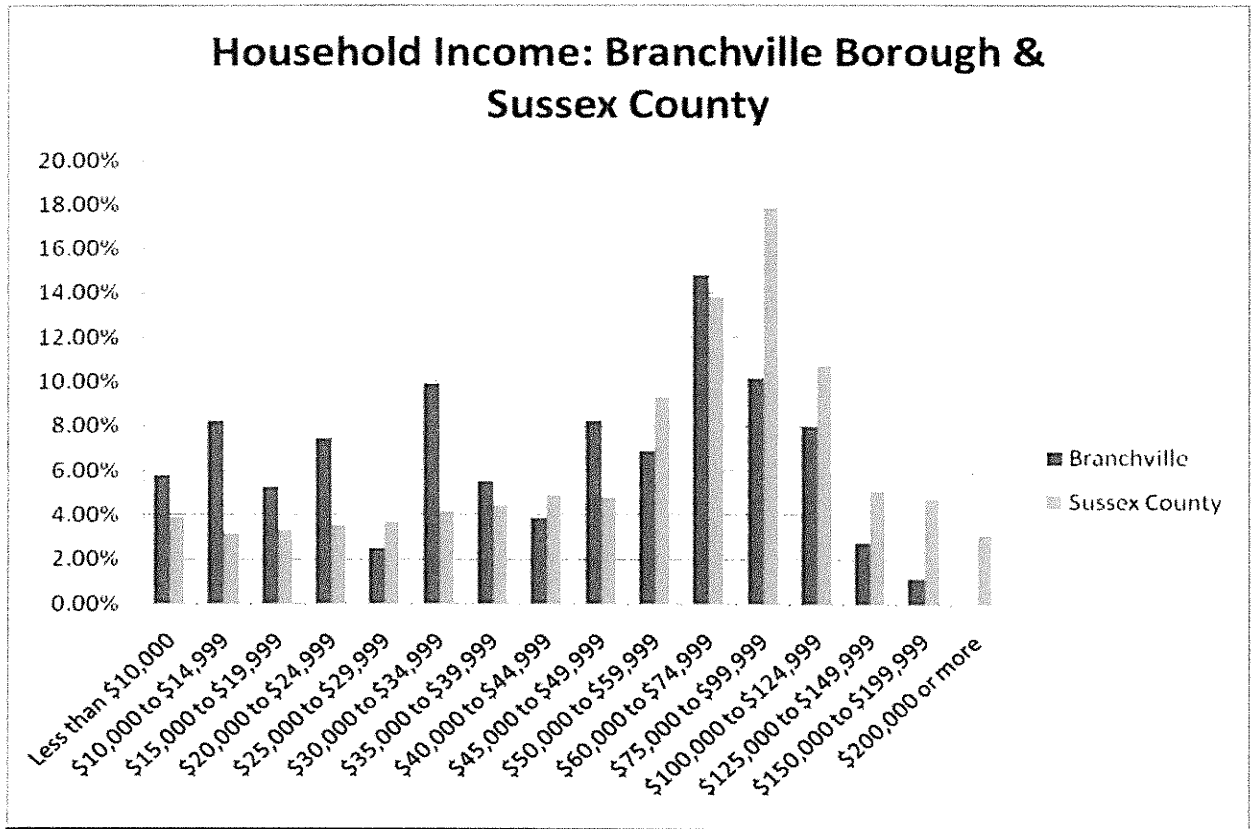
### **1.10 Household Income:**

The distribution of household income as documented in the 2000 Census is shown in **Table Five**. The Sussex County data establishes a benchmark to compare Branchville Borough to the region. 56 percent Branchville's households have an income less than \$50,000 with the County at 36 percent. Households earning less than \$15,000 total 14% compared to 7% in the County. There are 1.1 percent of the households that earn \$150,000 or more compared to 7.8 percent for all of Sussex County. The data indicates a mix of income levels, higher in the low income and mid-income categories and lower in the highest income categories when compared to the Sussex County. The household income data for Branchville should be considered with the waiver request to remove the requirement to provide 13% of the projected growth for very low income.

**Table/Chart Five**

HOUSEHOLD INCOME TABLE:

Household Income	Branchville Borough		Sussex County	
	Households	Percentage	Households	Percentage
Less than \$10,000	21	5.75%	1967	3.87%
\$10,000 to \$14,999	30	8.22%	1589	3.13%
\$15,000 to \$19,999	19	5.21%	1666	3.28%
\$20,000 to \$24,999	27	7.40%	1784	3.51%
\$25,000 to \$29,999	9	2.47%	1861	3.66%
\$30,000 to \$34,999	36	9.86%	2095	4.12%
\$35,000 to \$39,999	20	5.48%	2219	4.37%
\$40,000 to \$44,999	14	3.84%	2462	4.85%
\$45,000 to \$49,999	30	8.22%	2407	4.74%
\$50,000 to \$59,999	25	6.85%	4722	9.30%
\$60,000 to \$74,999	54	14.79%	7012	13.81%
\$75,000 to \$99,999	37	10.14%	9053	17.82%
\$100,000 to \$124,999	29	7.95%	5448	10.73%
\$125,000 to \$149,999	10	2.74%	2566	5.05%
\$150,000 to \$199,999	4	1.10%	2375	4.68%
\$200,000 or more	0	0.00%	1563	3.08%
	365	100.00%	50789	100.00%



Source: US Census 2000

**The median household income is \$45,855.**

#### **1.11 Employment Characteristics:**

Sussex County is predominately a bedroom community for businesses along the Interstate 80 & 287 corridor and New York City with over 60% of the residents commuting out of the County. The Branchville Land Use Plan is consistent with the New Jersey State Development and Redevelopment Plan. The recent environmental legislation has significantly reduced the future growth potential in the Borough. **Table Six** provides the employment data from the 2000 Census for the residents of Branchville. Table Seven provides the employment data for businesses in Branchville.

**Table/Chart Six**

**WORKERS BY INDUSTRY:**

<b>Industry</b>	<b>Sussex County</b>	<b>Branchville Borough</b>
<b>Total:</b>	<b>73,913</b>	<b>416</b>
Agriculture, forestry, fishing and hunting, and mining	631	0
Construction	6,118	30
Manufacturing	9,840	30
Wholesale trade	3,094	5
Retail trade	9,682	58
Transportation and warehousing, and utilities	4,077	40
Information	2,865	10
Finance, insurance, real estate and rental and leasing	5,543	34
Professional, scientific, management, administrative, and waste management services	7,600	41
Educational, health and social services	13,819	90
Arts, entertainment, recreation, accommodation and food services	4,298	21
Other services (except public administration)	2,984	26
Public administration	3,362	31

**Workers by Industry**



- Agriculture, forestry, fishing and hunting, and mining
- Construction
- Manufacturing
- Wholesale trade
- Retail trade
- Information
- Finance, insurance, real estate and rental and leasing
- Professional, scientific, management, administrative, and waste management services
- Other services (except public administration)

Source: 2000 Census

## Table Seven

Jobs and Industry within Branchville:

<b>2003 Branchville Borough Employment by Industry</b>		
Industry (NAICS based)	Average Annual Establishments	Average Monthly Jobs
Agriculture, forestry, fishing and hunting	.	.
Construction	27	85
Manufacturing	.	.
Wholesale trade	7	52
Retail trade	23	143
Transportation and warehousing	.	.
Finance and insurance	.	.
Real estate and rental and leasing	.	.
Professional and technical services	6	30
Management of companies and enterprises	.	.
Administrative and waste services	9	32
Educational services	.	.
Health care and social assistance	8	81
Arts, entertainment, and recreation	.	.
Accommodation and food services	13	74
Other services, except public administration	7	17
PRIVATE SECTOR MUNICIPALITY TOTAL	119	1,632
FEDERAL GOVT MUNICIPALITY TOTAL	1	9
LOCAL GOVT MUNICIPALITY TOTAL	1	14

*5-14 before bid for corner from.*

Source: COAH, NJ Department of Labor

**Please Note:** Branchville Borough is home to several insurance companies, which employ over 900 people. The Jobs and Industry Table Seven, Finance and Insurance category does not reflect this information.

## **1.12 Branchville Borough Growth Share Obligation Projection:**

### **1.12-1 Residential Growth Share Projection: Source COAH**

#### **Ten-year Historic Trend of Certificates of Occupancy and Demolition Permits**

	96	97	98	99	00	01	02	03	04	05	06
<b>COs Issued</b>	0	0	0	0	0	0	1	0	0	1	0
<b>Demolitions</b>	0	0	0	0	0	0	0	0	0	1	0
<b>Net</b>	0	0	0	0	0	0	1	0	0	0	0

#### **HOUSING UNIT BY MUNICIPALITY: 2002, 2004, 2018**

effective October 20, 2008

Municipality	COAH Region	County	Units in 2004	Units Allocated 2018	Net Changes 2004 - 2018
BRANCHVILLE BOROUGH	1	SUSSEX	378	400	22

### **1.12-2 Projecting The Non-residential Growth Share Obligation:**

Source COAH

#### **Ten-Year Historic Trend of Certificates of Occupancy And Demolition Permits by Square Feet**

	Square Feet per Year								
<b>CO's Issued</b>	96	97	98	99	00	01	02	03	<b>Total</b>
<b>B-Office</b>	0	0	0	0	0	0	0	0	0
<b>M-Retail</b>	0	0	0	0	0	0	0	0	0
<b>S-Warehouse</b>	0	0	0	0	0	0	0	0	0
<b>A-2 Restaurant</b>	0	0	0	0	0	0	0	0	0
<b>A-3</b>	0	0	0	0	0	0	0	0	0
<b>Industrial</b>	0	0	0	0	0	0	0	0	0
<b>Hotel</b>	650	0	0	0	0	0	0	0	650
<b>Education</b>	0	0	0	0	0	0	0	0	0
<b>Demolition Permits</b>									0

Commercial Development for 2004, 2005 and 2006 in all categories was zero.

**EMPLOYMENT BY MUNICIPALITY: 2002, 2004, 2018**

effective October 20, 2008

Municipality	COAH Region	County	Employment in 2004	Employment Allocated 2018	Net Change 2004 - 2018
BRANCHVILLE BOROUGH	1	SUSSEX	1,716	1,846	130

**1.12-3 Growth Share Projection Calculation: Source COAH**

**TOTAL PROJECTED GROWTH SHARE**

effective October 20, 2008

Municipality	COAH Region	County	Housing 2004 - 2018	Projected Residential Growth Share	Employment 2004 - 2018	Projected Nonresidential Growth Share	TOTAL Projected Growth Share
BRANCHVILLE BOROUGH	1	SUSSEX	22	4.4	130	8.13	13

**1.13 Branchville Borough's Projected Affordable Housing Obligation:**

Rounds #1 and #2 Obligation	13.00 Affordable Housing Units
Rehabilitation Obligation	0
Adjusted Residential Growth Share Obligation	4.40 Affordable Housing Units
22 units divided by 5	
Non-residential Growth Share Obligation	<u>8.18 Affordable Housing Units</u>
130 jobs divided by 16	
Projected Total Obligation	25.58 Affordable Housing Units

**1.14 Branchville Borough's Actual Growth: 2004 to June 2008**

**1.14-1 Actual Residential Growth: 2004 to June 2008**

Actual Residential Growth: Branchville Borough (Source NJDCA)

Year or Partial Year	1&2 Family	Multifamily	Mixed Use	Sub Total
2004	0	0	0	0
2005	1	0	0	1
2006	1	0	0	1
2007	1	0	0	1
2008 Jan. to June	0	0	0	0
Total				3

3 housing units divided by 4 = .75 affordable housing units

**1.14-2 Actual Non-Residential Growth: 2004 to June 2008**

Actual Non-residential Growth

Year	Type	Square Ft	Jobs per 1,000 SF	# of Jobs	Affordable Units
2005	Office	1,180	2.8	3.3	0.21

**1.15 Branchville Borough's Actual Current Affordable Housing Obligation:**

Round #1 and #2 Obligation	13.00 Affordable Housing Units
Actual Residential Obligation (January 2004 – June 2008)	0.75 Affordable Housing Units
Actual Non-residential Growth (January 2004 – June 2008)	<u>0.21</u> Affordable Housing Units
<b>Actual Current Obligation (1987 – June 2008)</b>	<b>13.96 Affordable Housing Units</b>

### **1.16 Zoning Analysis:**

The Planning Board has completed a Master Plan Reexamination Report, which recommends evaluating the reduction of residential densities based on environmental constraints and eliminating or modifying the commercial zoning along State Highway 206, which will reduce the projected Growth Share obligation. These recommendations are consistent with the State Planning Commission Plan Implementation Agenda for Branchville. Utilizing existing structures to meet the municipal obligation through existing COAH housing options and new innovative approaches to zoning will encourage the production of affordable housing. Infrastructure improvements including a public waste water system has been approved by NJDEP with funding pending.

### **1.16 Conclusion:**

Branchville Borough is an established existing rural village with extremely limited growth potential. The affordable housing obligation for Round One and Round Two can be accomplished within the context of the existing Master Plan and the Zoning Ordinance. The Round #3 Projected Growth Obligation can be accomplished through zoning modifications and the Developer Fee Ordinance.

# David R. Troast, L.L.C.

Consulting Professional Planner & Landscape Architect  
NJ-LI005150, NJ-AS00621

Telephone (201) 280-9350

53 Ninth Avenue  
Hawthorne, NJ 07506-1749

## **Branchville Borough**

### **Fair Share and Growth Share Compliance Plan**

Sussex County, New Jersey

April 20, 2007  
Revised December 3, 2008  
Revised and Adopted December 10, 2008

Prepared for the Borough Branchville Council and Planning Board  
Prepared by David R. Troast, P.P., A.I.C.P., C.L.A.  
David Manhardt, GIS and Data Consultant

## **2.00 Fair Share and Compliance Plan Purpose:**

The purpose of the Fair Share and Compliance Plan is to address Branchville Borough's 1987-2018 fair share affordable housing obligation. The obligation includes the projected and actual residential and non-residential growth share need from the Adopted Branchville Borough Housing Plan. Ordinances will be included as appropriate to insure compliance with the calculated affordable housing obligation.

**Branchville Borough submitted a compliant Housing Plan and Fair Share Plan to COAH on 8/30/07. The Compliance Plan included a signed Regional Contribution Agreement (RCA) with the City of Garfield. The RCA provision in the plan provided the key mechanism to meet the Borough's affordable housing obligation. On July 17, 2008 A-500 was passed and signed by the Governor, which eliminated the RCA mechanism. This unfortunate event has placed Branchville at a disadvantage to meet their mandated affordable housing obligation.**

The Fair Share and Growth Share Plan will describe specific projects, programs, strategies and funding sources to meet the affordable housing obligation, while complying with N.J.A.C. 5:97.

### **2.01 Rehabilitation Component:**

The Rehabilitation Component establishes a program to address a municipality's substandard housing units occupied by low and moderate-income households. The methodology is provided N.J.A.C. 5:94 Appendix A and the calculated share in Appendix C. **Branchville Borough calculated share is zero.** Under the previous rules, Branchville Borough did have a rehabilitation obligation of 10 units. This obligation was reduced to zero based on the 2000 Census and other demographic data. This report recognizes the increasing cost and shortage of existing housing in New Jersey and the conclusion that the market economy eliminated the substandard housing units.

### **2.02 Municipal Zoning Options:**

This section provides a brief description of the options available under N.J.A.C. 5:97 for a municipality in addressing their mandated affordable housing obligation. This section is not all-inclusive and the statute should be referenced for additional information.

#### **Zoning for Inclusionary Development and Mixed Use Development:**

5:97-6.4 Zoning for inclusionary development:

- a. Affordable housing units proposed through inclusionary development shall be provided through zoning for development that includes a financial incentive to produce the affordable housing, including but not limited to increased densities and reduced costs to the developer. Inclusionary zoning may apply to all or some zones or sites within the municipality. Financial incentives may provide for a range of opportunities to induce affordable housing production at varying levels provided the compensatory benefits minimally meet the criteria set forth in this section.

Redevelopment for inclusionary Development:

5:97-6.6 Redevelopment

- a. New Jersey's Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1 et seq., may be used to create affordable housing units.

Municipally Sponsored Construction and Reconstruction 100 percent affordable:

5:97-6.7 Municipally sponsored and 100 percent affordable developments

- (a) Municipally sponsored and 100 percent affordable developments include, but are not limited to:
  1. Developments in which all units are available to low- and moderate-income households;
  2. Units created through a municipal partnership with a non-profit or Other affordable housing provider; and
  3. Developments for which the municipality serves as the primary sponsor.

Accessory Apartments:

5:97-6.8 Accessory apartment program

- (a) An accessory apartment program shall be established by ordinance to permit Accessory apartments, provided the units are affordable to low- and moderate-income households. Subject to the provisions of (b)2, accessory apartment programs may be designed to produce only low-income units, only moderate-income units or both low- and moderate-income units.

Market to Affordable:

5:97-6.9 Market to affordable program

- (a) A market to affordable program shall include units purchased or subsidized through a written agreement with the property owner and sold or rented to low- and moderate income households. Subject to the provisions of (b)3, market to affordable programs may be designed to produce only low-income units, only moderate-income units or both low- and moderate-income units.

Supportive and special needs housing:

5:97-6.10 Supportive and special needs housing

- (a) Supportive and special needs housing includes, but is not limited to: residential health care facilities as licensed and/or regulated by DCA or the New Jersey Department of Health and Senior Services if the facility is located with, and operated by, a licensed health care facility; group homes for people with developmental disabilities and mental illness as licensed and/or regulated

by the New Jersey Department of Human Services; permanent supportive housing; and supportive shared living housing. Long term health care facilities including nursing homes, and Class A, B, C, D, and E boarding homes do not qualify as supportive and special needs housing.

Assisted living residence:

5:97-6.11 Assisted living residence

- (a) An assisted living residence is a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available. All or a designated number of apartments in the facility shall be restricted to low- and moderate-income households.

Affordable housing partnership program:

5:97-6.13 Affordable housing partnership program

- (a) An affordable housing partnership is a voluntary agreement by which two or more municipalities cooperate to build low- and moderate-income housing units.
- (b) The following provisions shall apply to affordable housing partnership programs:
  - 1. The municipalities shall be located within the same housing region.
  - 2. Partnering municipalities may propose and shall meet the requirements of any affordable housing mechanism outlined in this subchapter, except for N.J.A.C. 5:97-6.2, 6.3 and 6.12.
  - 3. The municipalities shall set forth the number of credits each municipality will be allotted. No credit shall be given to more than one municipality for the same unit.
  - 4. Each municipality shall contribute resources, including, but not limited to, funding, sewer, water, and land.
  - 5. Units constructed in another municipality shall fall within the maximum number of units permitted to be provided through an RCA, consistent with the provisions of N.J.A.C. 5:97-3.

Extension of expiring controls:

5:97-6.14 Extension of expiring controls

- (a) A municipality may address a portion of its growth share obligation through the extension of affordability controls in accordance with N.J.A.C. 5:97-9 and UHAC, subject to the following:
  - 1. The unit meets the criteria for prior-cycle or post-1986 credits set forth in N.J.A.C. 5:97-4.2 or 4.3;
  - 2. The affordability controls for the unit are scheduled to expire during the 1999 through 2018 period;

3. The municipality shall obtain a continuing certificate of occupancy or a certified statement from the municipal building inspector stating that the restricted unit meets all code standards; and
4. If a unit requires repair and/or rehabilitation work in order to receive a continuing certificate of occupancy or certified statement from the municipal building inspector, the municipality shall fund and complete the work. A municipality may utilize its affordable housing trust fund to purchase the unit and/or complete the necessary repair and/or rehabilitation work.

Other innovative approaches:

5:97-6.15 Other innovative approaches

- (a) A municipality may propose innovative programs or mechanisms, or any combination of mechanisms included in this subchapter, for the creation of affordable housing, provided that the following performance standards can be achieved and clearly demonstrated:
  1. The units shall comply with N.J.A.C. 5:97-9 and UHAC;
  2. All sites to be developed with new units shall meet the site suitability criteria set forth in N.J.A.C. 5:97-3.13;
  3. Rehabilitated and converted units shall meet all local building codes;
  4. The municipality shall demonstrate source(s) of funding; and
  5. Units shall not be restricted to youth under 18 years of age.

2.03 Municipal Options for Branchville Borough:

Branchville Borough will adopt the appropriate Ordinances to implement the Municipal Options selected in the Compliance Plan.

2.03-1 Inclusionary Option: Ordinance:

Branchville as part of this submission submits for approval an overlay Ordinance that permits the conversion of existing single family residential homes into two family homes with one unit deed restricted. The 40% density incentive along with other incentives have been included to be consistent with 5:97-6.4. The proposed ordinance is included in the Appendix.

2.03-2 Developer Fee Ordinance:

The COAH approved Developer Fee Ordinance is included in the Appendix. The purpose of this ordinance is to provide a threshold for residential development under four units and 2.5% for commercial development consistent with the legislation.

### 2.03-3 Accessory Apartment:

Branchville proposes an Accessory Apartment overlay ordinance to satisfy the actual and projected affordable housing need within existing residential dwellings in compliance with the requirements of statutory law and COAH's revised Round #3 Rules as amended from time to time. Notwithstanding any provision or standard in the Zoning Ordinance, an affordable accessory apartment may be located within a detached single – family dwelling, as an addition to the existing dwelling, above a garage or other suitable structure on the property meeting the bulk standards of the zone except for lot area.

### 2.03-1 3 Accessory Apartment Justification:

Branchville Borough is an older stable rural village with strong community and family ties where people live the majority of their lives. The following characteristics provide a clear justification older moderate income community, which would benefit from the affordable accessory apartment program. The Housing Characteristics Section 1.06, page nine of the Housing Plan provides the documentation of the age of the housing stock. The homes are a range of sizes on smaller lots with 82% constructed or 315 houses before 1959. The Branchville residents have a median age of 41.7 with 24% of the population over 60 years of age. The ordinance standards will provide an incentive of a decrease in the lot size requirements of the zone if septic or sewer and water are available and acceptable to the Sussex County Health Department.

### 2.03-4 Supportive Housing:

The Borough will enter into an agreement as required with a non-profit organization for the construction or purchase of a house to accommodate future growth share obligations.

### 2.04 Compliance Plan Summary:

The Branchville Borough Compliance Plan provides a range of affordable housing alternatives consistent with the COAH Rules, the New Jersey State Development and Redevelopment Plan and the Sussex County Strategic Growth Plan. The Developer Fee Ordinance and Growth Share Ordinances will provide Housing Trust Funds to meet the projected Growth Share Obligation.

### 2.04-1 Proposed Plan:

### Affordable Units

### **Rounds #1 & #2 & Actual Obligation**

Pre-Approved Housing Credits (Table 2)	5 units/credits rental
Accessory Apartment	<u>6 units (3-rental bonus)</u>
<b>Total</b>	<b>14 units</b>

**Additional Round #3 Obligation** as required by two-family overlay zone and future supportive housing project dependent on growth and Development fees. See Appendix for proposed ordinance modification.

**The Compliance Plan for Rounds #1 & #2 meets the rental requirement of 25% with three credits. (rounded up from the 3.25 requirement)**

**2.04-2 Implementation Schedule:**

The Borough Council will commit to the reasonable expectation of providing funds and resources to implement the Housing Plan over the Statutory Period of ten years. The Borough Council anticipates providing money from the Municipal General Fund to supplement the Housing Trust Fund to create a minimum one Affordable Accessory Apartment unit for the next five years (\$25,000/year). Refer to the Spending plan in the Appendix. Municipal bonding may be required to meet the housing obligation as planned. A qualified Housing Consultant will be hired to administer the COAH approved programs.

**2.05 Waivers:**

The Borough of Branchville requests the following waivers from N.J.A.C. 5:97 with Amendments through October 20, 2008 titled COAH Three Round Substantive Rules:

**2.05-1 Requirement for 13% of Growth Share for very low income:**

Branchville has limited opportunities for new growth and revenue from the Development Fee Ordinance, but is committed to comply with the Round #1, Round #2 and actual growth through an Affordable Accessory Apartment Program fund by the municipality's general fund. The tax burden to comply with this new requirement is unfair and contrary to the intent of the Fair housing Act. The Council on Affordable Housing and COAH Staff should recognize that 56% of the household incomes in Branchville are less than \$50,000 as per the 2000 Census.

**2.05-2 Inclusionary Affordable Accessory Apartment Option: 5:97-6.4(J)**

The Borough requests a waiver from the requirement to provide specific details on potential Affordable Accessory Apartment locations. The proposed ordinance is an overlay ordinance with incentives to encourage the creation of affordable housing in existing housing stock. Any homeowner desiring to receive approval must comply with all local, county and applicable state codes prior to construction and be included as compliant affordable unit.

#### 2.05-3 General Waiver:

Branchville Borough requests any additional waivers that may be required after a review of COAH Staff and the Council on Affordable Housing.

#### 2.06 Conclusion:

The Branchville Borough Housing and Fair Share Plan provides for realistic opportunities to address and meet the affordable housing goals and objectives of the Master Plan by providing alternative housing and programs consistent with the Municipal Land Use Law, COAH Rules and the NJ State Development and Redevelopment Plan.

Branchville Borough is pleased to submit the Housing Plan and Fair Share Plan to the Council on Affordable Housing for Substantive Certification approval.

# **Appendix**

**COAH 2008 Regional Income Limits**

**COAH Work A**

**Approved Developer Fee Ordinance**

**Draft Affordable Accessory Apartment Ordinance**

**Draft Affordable Housing Ordinance**

**Draft Affirmative Fair Share Marketing Plan**

**Spending Plan**

**Resolutions**

**COAH Application and Forms**

**Master Plan and Reexamination Report  
(Previously supplied to COAH)**

**Build-out Map  
(Previously supplied to COAH)**

**Tax Maps  
(Previously supplied to COAH)**

# **COAH 2008 Regional Income Limits**

**COUNCIL ON AFFORDABLE HOUSING (COAH)  
2008 REGIONAL INCOME LIMITS**

		1 Person	*1.5 Person	2 Person	*3 Person	4 Person	*4.5 Person	5 Person	6 Person	7 Person	8 Person	Max. Increase** Rents/Sales	Regional Asset Limit***
<b>Region 1</b> Bergen, Hudson, Passaic and Sussex	Median	\$53,950	\$57,804	\$61,658	\$69,365	\$77,072	\$80,155	\$83,238	\$89,404	\$95,569	\$101,735		
	Moderate	\$43,160	\$46,243	\$49,326	\$55,492	\$61,658	\$64,124	\$66,590	\$71,523	\$76,455	\$81,388		
	Low	\$26,975	\$28,902	\$30,829	\$34,682	\$38,536	\$40,077	\$41,619	\$44,702	\$47,785	\$50,868		\$149,034
	Very Low	\$16,185	\$17,341	\$18,497	\$20,809	\$23,122	\$24,046	\$24,971	\$26,821	\$28,671	\$30,521		
<b>Region 2</b> Essex, Morris, Union and Warren	Median	\$58,640	\$62,828	\$67,017	\$75,394	\$83,771	\$87,122	\$90,473	\$97,174	\$103,876	\$110,578		
	Moderate	\$46,912	\$50,263	\$53,613	\$60,315	\$67,017	\$69,697	\$72,378	\$77,739	\$83,101	\$88,462		
	Low	\$29,320	\$31,414	\$33,508	\$37,697	\$41,886	\$43,561	\$45,236	\$48,587	\$51,938	\$55,289		\$160,715
	Very Low	\$17,592	\$18,848	\$20,105	\$22,618	\$25,131	\$26,137	\$27,142	\$29,152	\$31,163	\$33,173		
<b>Region 3</b> Hunterdon, Middlesex and Somerset	Median	\$67,690	\$72,525	\$77,360	\$87,030	\$96,700	\$100,568	\$104,436	\$112,172	\$119,908	\$127,644		
	Moderate	\$54,152	\$58,020	\$61,888	\$69,624	\$77,360	\$80,454	\$83,549	\$89,738	\$95,926	\$102,115		
	Low	\$33,845	\$36,263	\$38,680	\$43,515	\$48,350	\$50,284	\$52,218	\$56,086	\$59,954	\$63,822		\$184,132
	Very Low	\$20,307	\$21,758	\$23,208	\$26,109	\$29,010	\$30,170	\$31,331	\$33,652	\$35,972	\$38,293		
<b>Region 4</b> Mercer, Monmouth and Ocean	Median	\$59,196	\$63,425	\$67,653	\$76,109	\$84,566	\$87,949	\$91,331	\$98,097	\$104,862	\$111,627		
	Moderate	\$47,357	\$50,740	\$54,122	\$60,888	\$67,653	\$70,359	\$73,065	\$78,477	\$83,889	\$89,302		
	Low	\$29,598	\$31,712	\$33,826	\$38,055	\$42,283	\$43,974	\$45,666	\$49,048	\$52,431	\$55,814		\$159,071
	Very Low	\$17,759	\$19,027	\$20,296	\$22,833	\$25,370	\$26,385	\$27,399	\$29,429	\$31,459	\$33,488		
<b>Region 5</b> Burlington, Camden and Gloucester	Median	\$52,010	\$55,725	\$59,440	\$66,870	\$74,300	\$77,272	\$80,244	\$86,188	\$92,132	\$98,076		
	Moderate	\$41,608	\$44,580	\$47,552	\$53,496	\$59,440	\$61,818	\$64,195	\$68,950	\$73,706	\$78,461		
	Low	\$26,005	\$27,863	\$29,720	\$33,435	\$37,150	\$38,636	\$40,122	\$43,094	\$46,066	\$49,038		\$137,599
	Very Low	\$15,603	\$16,718	\$17,832	\$20,061	\$22,290	\$23,182	\$24,073	\$25,856	\$27,640	\$29,423		
<b>Region 6</b> Atlantic, Cape May, Cumberland and Salem	Median	\$45,355	\$48,595	\$51,834	\$58,314	\$64,793	\$67,385	\$69,976	\$75,160	\$80,343	\$85,527		
	Moderate	\$36,284	\$38,876	\$41,468	\$46,651	\$51,834	\$53,908	\$55,981	\$60,128	\$64,275	\$68,421		
	Low	\$22,678	\$24,297	\$25,917	\$29,157	\$32,397	\$33,692	\$34,988	\$37,580	\$40,172	\$42,763		\$121,348
	Very Low	\$13,607	\$14,578	\$15,550	\$17,494	\$19,438	\$20,215	\$20,993	\$22,548	\$24,103	\$25,658		

\*These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.6(b) and N.J.A.C. 5:80-26.12(a).

\*\*This column is used for calculating the pricing for resale and rent increases for units as per N.J.A.C. 5:94-7.2(b)(2). Affordable prices and rents may be raised a maximum of 3.0 percent, based on the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI), United States, All Urban Consumers Housing. However, low income tax credit developments may increase based on the low income tax credit regulations.

\*\*\*The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)(3).

(Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent or less of median income.)

# **COAH Work Book A**

**Workbook A: Growth Share Determination Using Published Data**  
(Using Appendix F(2), *Allocating Growth To Municipalities*)

**COAH Growth Projections**  
**Must be used in all submissions**

**Municipality Name:** Branchville Borough

Enter the COAH generated growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated. Use these figures in the Application for Substantive Certification.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2) *	22	130
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	<a href="#">Click Here to enter Prior Round Exclusions</a>	
built or projected to be built post 1/1/04	0	
Inclusionary Development	0	
Supportive/Special Needs Housing	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
3 Subtract the following Non-Residential Exclusions (5:97-2.4(b))		
Affordable units	0	
Associated Jobs		0
4 Net Growth Projection	22	130
5 Projected Growth Share (Conversion to Affordable Units Dividing Households by 5 and Jobs by 16)	4.40 Affordable Units	8.13 Affordable Units
6 Total Projected Growth Share Obligation		13 Affordable Units

\* For residential growth, see Appendix F(2), Figure A.1, Housing Units by Municipality. For non-residential growth, see Appendix F(2), Figure A.2, Employment by Municipality.

# **Approved Developer Fee Ordinance**



**State of New Jersey**  
COUNCIL ON AFFORDABLE HOUSING  
101 SOUTH BROAD STREET  
PO Box 813  
TRENTON NJ 08625-0813  
(609) 292-3000  
FAX: (609) 633-6056  
coahmail@dca.state.nj.us

JON S. CORZINE  
*Governor*

JOSEPH V. DORIA, JR.  
*Commissioner*

LUCY I. VANDENBERG  
*Executive Director*

November 17, 2008

The Honorable Gerald W Van Gorden  
Borough of Branchville  
PO Box 840  
Branchville, NJ 07826

RE: Development Fee Ordinance  
Borough of Branchville, Sussex County

Dear Mayor Van Gorden:

The Council on Affordable Housing (COAH) is in receipt of your development fee ordinance.

Enclosed please find a copy of a COAH report and resolution approving Borough of Branchville's development fee ordinance with revisions. The Borough must file the revised ordinance with COAH within seven days of adoption. In addition, your municipality may not expend any funds until a spending plan has been approved by COAH.

Kindly call Daniel Burton at (609) 984-3410 if you have any questions.

Sincerely,

*Lucy I. Vandenberg*

Lucy Vandenberg  
Executive Director

Enc.

cc: attached service list  
Sean Thompson, Supervising Planner  
Ramond Joseph, COAH Planner  
Larissa DeGraw, COAH



# **Affordable Accessory Apartment Ordinance**

**AN ORDINANCE TO AMEND CHAPTER 123 OF THE  
CODE OF THE BOROUGH OF BRANCHVILLE BEING  
THE ZONING CHAPTER, IN ORDER TO DESIGNATE  
ACCESSORY APARTMENTS AS A PERMITTED  
ACCESSORY USE IN ALL RESIDENTIAL ZONE  
DISTRICTS.**

**BE IT ORDAINED** by the Borough Council of the Borough of Branchville, County of Sussex and State of New Jersey that Chapter 123 of the Code of the Borough of Branchville being known as the Zoning chapter shall be and hereby is amended to add the following new section in Article IV:

**SECTION 1.** Section 123 is hereby amended to add the following new section:

123-9B(5). **Accessory Apartments for the Purpose of Providing Affordable Housing**

1. **Definition** - Accessory apartment means a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building.

2. **Purpose.**

This ordinance permits accessory apartments in all residential zone districts for the purpose of satisfying the affordable housing need within the Borough of Branchville.

(a) All accessory apartments shall comply with the following conditions:

(b) The application submitted to the Construction Office must include the following:

- i. Accessory apartments are permitted by the Zoning Ordinance in the residential zoning districts, provided the units are affordable to low and moderate income households. Accessory apartments may be developed as low income or moderate income units (accessory apartments may be limited to only low or only moderate income units as determined in the Fair Share Plan).

- ii. Accessory apartments shall comply with all applicable statutes and regulations of the State of New Jersey in addition to all building codes.
- iii. At the time of initial occupancy of the unit and for at least 30 years thereafter, the accessory apartment shall be rented only to a household which is either a low or moderate income household.
- iv. Rents of accessory apartments shall be affordable to low or moderate income households as per COAH and UHAC regulations.
- v. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the accessory apartment is located running with the land and limiting its subsequent rental or sale of the unit and the accessory apartment.
- vi. The appropriate utility authority must certify that there is water and sewer infrastructure with sufficient capacity to serve the proposed accessory apartment. Where the proposed location is served by an individual well and/or septic system, the additional capacity necessitated by the new unit must meet the appropriate NJDEP standards.
- vii. The Branchville Borough accessory apartment program shall not restrict the number of bedrooms in any accessory apartment.
- viii. No accessory apartment program created as a result of this article or these regulations shall exceed the gross floor area of the existing principal dwelling on the lot unless approved by the Board.
- ix. Branchville Borough will provide a subsidy of \$20,000 per unit up to three for each moderate income accessory apartment and \$25,000 per unit up to three for each low income accessory apartment for a total of six units.
- x. An incentive is provided with a decrease in minimum lot area requirements of the zone district by 40% if required sewage treatment and/or proper individual septic system is available complying with the code requirements of the Borough of Branchville, the Sussex County Health Department and the NJDEP.
- xi. There shall be a minimum of one parking space on the lot for the owner and one parking space for the tenant or occupant of the accessory apartment.

- xii. There shall be no more than one accessory apartment per lot.
  - xiii. The dwelling shall maintain the appearance of a single-family residential dwelling to the greatest extent practicable.
2. The maximum number of subsidized accessory apartments shall be equal to six to address the current actual fair share obligation. Incentives under 123-9 B (5) 2 b. ix shall encourage additional accessory apartments consist with NJAC 5:97-6.4 Zoning for inclusionary development or as amended from time to time.
3. Property owners wishing to apply to create an accessory apartment shall submit to the administrative entity:
- i. A sketch of floor plan(s) showing the location, size and relationship of both the accessory apartment and the primary dwelling within the building or in another structure;
  - ii. Rough elevations showing the modifications of any exterior building façade to which changes are proposed; and
  - iii. A site development sketch showing the location of the existing dwelling and other existing buildings, all property lines; proposed addition, if any, along with the minimum building setback lines; the required parking spaces for both dwelling units; and any man-made conditions which might affect construction.
4. Branchville Borough shall designate an administrative entity to administer the accessory apartment program that shall have the following responsibilities.
- i. The Administrative Agent shall administer the accessory apartment program, including advertising, income qualifying prospective renters, setting rents and annual rent increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the affordable accessory apartment program in accordance with the UHAC
  - ii. The administrative entity shall only deny an application for an accessory apartment if the project is not in conformance with COAH's requirements and/or the provisions of this section/article. All denials shall be in writing with the reasons clearly stated.
  - iii. In accordance with COAH requirements, Branchville Borough shall

provide at least \$25,000 per unit to subsidize the creation of a minimum of three low income accessory apartments and \$20,000 to subsidize the location of a minimum of three moderate income accessory apartments. Subsidy may be used to fund actual construction costs and/or to provide compensation for reduced rental rates. Prior to the release of funds, the property owner must enter into a written agreement with the Borough of Branchville to insure compliance with ordinance and COAH rules and regulations. He shall also tender an executed deed or declaration of covenants and restrictions applying to the property upon which the accessory apartment is located running with the land restricting the occupancy of the unit to a low or moderate income household.

5. Accessory Apartment Schedule.

The Accessory Apartment ordinance will be effective at the time COAH grants substantive certification to the Borough consistent with the COAH approved spending plan and upon final passage and publication as provided by law.

**SECTION 2.**

**Severability**: The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall not be affected thereby.

**SECTION 3**

**Repealer**. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the

passage thereof and file a copy of the ordinance as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

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Kathryn L. Leissler, Borough Clerk  
Borough of Branchville

**NOTIC OF PENDING ORDINANCE**

**TAKE NOTICE** that the above entitled ordinance that the above entitled ordinance was introduced at a regular meeting of the Mayor and Council of the Borough of Branchville, County of Sussex and State of New Jersey held on \_\_\_\_\_ and will be considered for final passage after public hearing at a regular meeting of the Mayor and Borough Council to be held on \_\_\_\_\_, at 7:30 p.m. in the Firehouse, Branchville, New Jersey. During the preceding week, copies of the ordinance will be made available at the Branchville Borough Clerk = s Office in the Municipal Building, 5 Main Street, Branchville, N.J. to members of the general public.

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Kathryn L. Leissler, Borough Clerk  
Borough of Branchville

**Draft**  
**Affordable Housing Ordinance**

## **BOROUGH OF BRANCHVILLE**

### **AN ORDINANCE ADDING A NEW SECTION TO THE BRANCHVILLE CODE CHAPTER 123 ZONING TITLED "AFFORDABLE HOUSING PROVISIONS" TO FACILITATE THE COUNCIL ON AFFORDABLE HOUSING REVISED COAH RULES ORDINANCE # \_\_\_\_\_ - 2009**

**WHEREAS**, the New Jersey Council on Affordable Housing adopted Third Round Regulations in December of 2004 with amendments through October 20, 2008, which added a requirement for municipalities to comply with "Actual and Projected Growth Share". To address the Growth Share component of the COAH's Third Round Regulations, the Branchville Borough Council desires to adopt this Ordinance, which provides incentives to promote affordable housing opportunities consistent with the COAH regulations within the Borough;

**BE IT ORDAINED** by the Borough Council of the Borough of Branchville, County of Sussex, and State of New Jersey as follows:

#### **Section One: Affordable Housing Provisions.**

1. This paragraph of the Borough of Branchville Zoning Code sets forth regulations regarding low and moderate income housing units in the Borough of Branchville that are consistent with the provisions of N.J.A.C. 5:97et.seq. amended through October 20, 2008. These rules are pursuant to the Fair Housing Act of 1985 and the Borough of Branchville's constitutional obligation to provide for its fair share of low and moderate-income housing.
  - a) Branchville Borough's new construction or inclusionary component will be divided equally between low and moderate income households as per N.J.A.C. 5:97et. seq..
  - b) Except for COAH exempt options and inclusionary developments constructed pursuant to low income tax credit regulations:
    - 1) At least half (1/2) of all units within each inclusionary development will be affordable to low income households; and
    - 2) At least half (1/2) of all rental units will be affordable to all low income households; and
    - 3) At least half (1/3) of all units in each bedroom distribution pursuant to N.J.A.C. 5:97et. seq. will be affordable to low income households.
  - c) Inclusionary developments that are not restricted to senior citizens and not exempt from the requirements will be structured in conjunction with realistic market demands so that:

- 1) The combination of efficiency and one (1) bedroom units is at least ten (10%) percent and no greater than twenty (20%) percent of the total low and moderate income units; and
  - 2) At least thirty (30%) percent of all low and moderate income units are two (2) bedroom units; and
  - 3) At least twenty (20%) percent of all low and moderate income units are three (3) bedroom units; and
  - 4) Low and moderate income units restricted to senior citizens may utilize a modified bedroom distribution. At a minimum, the number of bedrooms will equal the number of senior citizen low and moderate income units within the inclusionary development.
- d) In conjunction with realistic market information, the following criteria will be used in determining maximum rents and sale prices:
- 1) Efficiency units will be affordable to one (1) person households; and
  - 2) One (1) bedroom units will be affordable to 1.5 person households; and
  - 3) Two (2) bedroom units will be affordable to three (3) person households; and
  - 4) Three (3) bedroom units will be affordable to 4.5 person households; and
  - 5) Median income by household size will be established by a regional weighted average of the uncapped Section 8 income limits published by HUD as per N.J.A.C. 5:97et.seq.; and
  - 6) The maximum average rent and price of low and moderate income units within each inclusionary development will be affordable to households earning fifty-seven and one-half (57.5%) percent of median income; and
  - 7) Moderate income sales units will be available at one price and low income sales units will be available one price; and
  - 8) For both owner-occupied and rental units, the low and moderate income units will utilize the same heating source as market units within an inclusionary development; and
  - 9) Low income units will be reserved for households with a gross household income less than or equal to fifty (50%) percent of the median income approved by COAH; moderate income units will be reserved for households with a gross household income less than eighty (80%) percent of the median income approved by COAH as per N.J.A.C. 5:97et.seq.; and

e) For rental units, developers and/or municipal sponsors may:

- 1) Establish one (1) rent for a low income unit and one (1) for a moderate income unit for each bedroom distribution unless exempt under a specific COAH approved option; and
- 2) Gross rents, including an allowance for tenant-paid utilities, will be established so as not to exceed thirty (30%) percent of the gross monthly income of the appropriate household size as per N.J.A.C. 5:97et.seq or as approved/modified by COAH Rules. The tenant-paid utility allowance will be consistent with the utility allowance approved by HUD for use in New Jersey.

f) For sale units:

- 1) The initial price of a low and moderate income owner-occupied single family housing unit will be established so that after a down payment of five (5%) percent, the monthly principal, interest, homeowner and private mortgage insurances, property taxes (based on the restricted value of the low and moderate income unit) and condominium or homeowner fee do not exceed twenty-eight (28%) percent of the eligible gross monthly income or as approved by COAH Rules; and
  - 2) Master deeds of inclusionary developments will regulate condominium or homeowner association fees or special assessments of low and moderate income purchasers at sixty (60%) percentage. Once established within the master deed, the sixty (60%) percentage will not be amended without prior approval from COAH; and
  - 3) The Borough of Branchville will follow the general provisions concerning uniform deed restriction lien and enforcement through certificates of occupancy or reoccupancy on sale units as per N.J.A.C. 5:97et.seq.; and
  - 4) Branchville Borough will require a certificate of reoccupancy for any occupancy of a low or moderate income sales unit resulting from a resale as per N.J.A.C. 5:97et.seq.; and
  - 5) Municipal, State, nonprofit and seller options regarding sale will be consistent with N.J.A.C. 5:97et.seq. Municipal rejection of repayment options for sale units will be consistent with N.J.A.C. 5:97et.seq.; and
  - 6) Eligible capital improvements prior to the expiration of controls on sale units will be consistent with N.J.A.C. 5:97et.seq.; and
- g) In zoning for inclusionary developments the following is required unless otherwise exempt under COAH Rules:
- 1) Low and moderate income units will be built in accordance with N.J.A.C. 5:93-5.6(d):

*Minimum % of low/Moderate  
Income Units Completed*

*% of Market Housing  
Units Completed*

0	25
10	25 + unit
50	50
75	75
100	<u>90</u>
	100

- 2) A design of inclusionary developments that integrates low and moderate income units with market units is encouraged as per N.J.A.C. 5:93-5.6(e).
- h) A development fee ordinance was approved by COAH and adopted by Branchville Borough on October 15, 2008.
  - i) To provide assurance that low and moderate income units are created with controls on affordability over time and that low and moderate income household occupancy these units, the Borough of Branchville will designate the Branchville Housing Liaison with the responsibility of ensuring the affordability of sales and rental units over time. The Branchville Housing Officer will be responsible for those activities detailed in N.J.A.C. 5:97et.seq. or as assigned to the Housing Administrator.
  - j) Section 14(b) of the Fair Housing Act N.J.S.A. 52:27D-301 et seq. incorporates the need to eliminate unnecessary cost generating features from Branchville Borough's land use ordinances. Accordingly, Branchville Borough will eliminate development standards that are not essential to protect the public welfare and to expedite or fast track municipal approvals/denials on inclusionary development applications. Branchville Borough will adhere to the components of N.J.A.C. 5:97et.seq.
  - k) The Borough of Branchville has a projected fair share of obligation of 26 for new construction. This paragraph r. will apply to all developments that contain proposed low and moderate income units that are listed below and any future developments that may occur.

### **Accessory Apartment Program**

- 1) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of sex, age or

number of children, to housing units which are being marketed by a developer/sponsor, municipality and/or designated administrative agency of affordable housing. The plan will address the requirements of N.J.A.C. 5:97et. seq.. In addition, the plan prohibits discrimination in the sale, rental, financing or services related to housing on the basis of race, color, sex, religion, handicap, age, familial status/size or national origin. The Borough of Branchville is in the housing region consisting of the Sussex, Bergen, Hudson, and Passaic Counties.

2) The affirmative marketing program is a continuing program and will meet the following requirements:

- i. All newspaper articles, announcements and requests for applications for low and moderate income units will appear in the following newspapers/publications:
  - Star Ledger
  - Sunday Herald
  - New Jersey Herald
- ii. The primary marketing will take the form of at least one (1) press release sent to the above publications and a paid display advertisement in each of the above newspapers. Additional advertising and publicity will be on an "as needed" basis.

The advertisement will include:

- A. The street address;
  - B. Directions to housing units;
  - C. Number of bedrooms per unit;
  - D. Range of selling prices/rents;
  - E. The size of units;
  - F. Household income limits;
  - G. The location of applications;
  - H. The telephone number and office hours for obtaining information and requesting applications.
- iii. Applications must be mailed to prospective applicants upon request.
  - iv. Public service announcements may be made through the use of the following radio and/or cable television stations broadcasting throughout the

region: TKR Cable TV Channel 3, Public Bulletin Board, and Service Electric Cable TV Channel 8, Public Bulletin Board.

- v. Announcements, requests for applicants and newspaper articles may be placed in the following neighborhood-oriented weekly newspapers, religious publications and organizational newsletters with Sussex Counties, as needed:

If applicable, the following regional radio and/or cable television station(s) will be used:

WSUS Radio  
WNNJ Radio  
SECTV, Inc, Channel 8

- vi. The following is the location of applications, brochure(s), sign(s), and/or poster(s) used as part of the affirmative marketing program including specific employment centers within the region:

Branchville Borough Municipal Building  
Sussex County Administrative Building  
Bergen County Administrative Building  
Passaic County Administrative Building  
Hudson County Administrative Building

- vii. Applications will be mailed to prospective applicants upon request.
- viii. Additionally, applications will be sent to the chief administrative employees of each of the following agencies in the counties of Sussex, Bergen, Hudson, and Passaic:

Sussex County Office on Aging

- ix. The following is a description of the random selection method that will be used to select occupant of low and moderate income housing: Occupants of low and moderate income housing shall be selected on a random basis which selection shall be administered by the administrative agencies listed below.

- x. The Borough of Branchville is ultimately responsible for administering the affirmative marketing program. The Borough of Branchville has delegated this responsibility to the Branchville Housing Liaison and Administrative Agent. The Branchville Administrative will income qualify low and moderate income households; place income eligible households in low and moderate income units upon initial occupancy; provide for the initial occupancy of low and moderate income units with income qualified households; continue to qualify households for reoccupancy of units as they become vacant during the period of affordability controls; assist with advertising and outreach to low and moderate income households if in contract; and enforce the terms of the deed restriction mortgage loan as per N.J.A.C. 5:97et.seq.. The Administrative Agent will provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualifications, responsibilities of homeownership, rental lease requirements and landlord/tenant law. The following service providers have agreed to perform the above services:

**To be named**

- xi. Households who live or work in the COAH-established housing region of Sussex, Bergen, Hudson, and Passaic Counties may be given preference for sales and rental units constructed within that housing region. Applicants living outside the housing region will have an equal opportunity for units after regional applicants have been initially serviced. The Borough of Branchville intends to comply with N.J.A.C. 5:97et.seq.
- xii. Developers of low and moderate-income housing units shall assist in the marketing of the affordable units in their respective development if so designated by the Borough of Branchville.
- xiii. The marketing program will commence at least one hundred twenty (120) days before the issuance of either temporary or permanent certificates of occupancy. The marketing program will continue until all low and moderate income housing units are

initially occupied and for as long as affordable units are deed restricted and occupancy or reoccupancy of units continues to be necessary.

- xiv. The Branchville Housing Liaison will comply with monitoring and reporting requirements as per N.J.A.C. 5:97et.seq.

**Section 2:** Codification: The Affordable Accessory Apartment Ordinance may be renumbered based on ordinance re-codification.

**Section 3:** Severability: All ordinances or parts of ordinances inconsistent with any prst of this ordinance are hereby repealed to the extent that they are in such conflict or inconsistent. If any section, paragraph, subparagraph, sentence, clause or phase of this ordinance shall be held to be invalid by any court, such decision shall not invalidate any remaining portion of the ordinance.

**Section 4:** The Borough Clerk is directed to give notice at least ten days prior to the hearing on the adoption of this ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this ordinance, after public hearing, the Borough Clerk is further directed to publish notice of the passage and to file a copy of this ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

**Section 5:** This ordinance shall take effect after publication and passage according to law.

\_\_\_\_\_  
Municipal Clerk

### **NOTICE OF PENDING ORDINANCE**

TAKE NOTICE that the above entitled ordinance was introduced at a regular meeting of the Mayor and Borough Committee of the Borough of Branchville, County of Sussex, New Jersey, held on \_\_\_\_\_, and will be considered for final passage after public hearing at a regular meeting of the Mayor and Borough Committee to be held on at 7:30 p.m. in the \_\_\_\_\_, Branchville, New Jersey. During the preceding week, copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

\_\_\_\_\_  
Municipal Clerk

**Draft**  
**Affirmative Fair Housing Marketing Plan**

# AFFIRMATIVE FAIR HOUSING MARKETING PLAN

## For Affordable Housing in **(REGION 1)**

### I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number To be appointed by Branchville and approved by COAH		1b. Development or Program Name, Address Affordable Accessory Apartments	
1c. Number of Affordable Units: 15  Number of Rental Units: 15  Number of For-Sale Units: 0	1d. Price or Rental Range From As per COAH Rules  To		1e. State and Federal Funding Sources (if any)
1f. <input type="checkbox"/> Age Restricted  <input checked="" type="checkbox"/> Non-Age Restricted		1g. Approximate Starting Dates  Advertising: Fall 2009      Occupancy: Winter 2009	
1h. County <b>Bergen, Hudson, Passaic, Sussex</b>		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number  To be determined			
1k. Application Fees (if any): To be determined			

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

### II. RANDOM SELECTION

2. Describe the random selection process that will be used once applications are received.  As per COAH Rules
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### III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

☐ White (non-Hispanic)   
 ☒ Black (non-Hispanic)   
 ☒ Hispanic   
 ☐ American Indian or Alaskan Native  
☒ Asian or Pacific Islander   
 ☐ Other group:

3b. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
<b>TARGETS ENTIRE COAH REGION 1</b>			
Daily Newspaper			
<input checked="" type="checkbox"/>		Star-Ledger	Northern and Central New Jersey
<b>TARGETS PARTIAL COAH REGION 1</b>			
Daily Newspaper			
<input type="checkbox"/>		Record, The	Bergen
<input type="checkbox"/>		Jersey Journal	Hudson
<input type="checkbox"/>		Herald News	Passaic
<input checked="" type="checkbox"/>		New Jersey Herald	Sussex
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
<b>TARGETS ENTIRE COAH REGION 1</b>			
<input type="checkbox"/>		2 WCBS-TV Cbs Broadcasting Inc.	NYC Metropolitan Area
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co. (General Electric)	NYC Metropolitan Area
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	NYC Metropolitan Area
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	NYC Metropolitan Area
<input type="checkbox"/>		11 WPIX Wpix, Inc. (Tribune)	NYC Metropolitan Area
<input type="checkbox"/>		13 Wpix, Inc. (Tribune) Educational Broadcasting Corporation	NYC Metropolitan Area
<input type="checkbox"/>		25 WNYE-TV New York City Dept. Of Info Technology & Telecommunications	NYC Metropolitan Area
<input type="checkbox"/>		31 WPXN-TV Paxson Communications License Company, Llc	NYC Metropolitan Area

<input type="checkbox"/>		41 WXTV Wxtv License Partnership, G.p. (Univision Communications Inc.)	NYC Metropolitan Area, Spanish-language
<input type="checkbox"/>		47 WNJU NBC Telemundo License Co. (General Electric)	NYC Metropolitan Area, Spanish-language
<input type="checkbox"/>		50 WNJN New Jersey Public Broadcasting Authority	New Jersey
<input type="checkbox"/>		62 WRNN-TV Wrnn License Company, Llc	Hudson Valley
<input type="checkbox"/>		63 WMBC-TV Mountain Broadcasting Corporation	Northern New Jersey, Various ethnic
<input type="checkbox"/>		66 WFME-TV Family Stations Of New Jersey, Inc.	Northern New Jersey, Christian
<input type="checkbox"/>		68 WFUT-TV Univision New York Llc	NYC Metropolitan Area, Spanish-language

#### TARGETS PARTIAL COAH REGION 1

<input type="checkbox"/>		8 WTNH Wtnh Broadcasting, Inc. (LIN TV Corp.)	Bergen
<input type="checkbox"/>		49 WEDW Connecticut Public Broadcasting, Inc.	Bergen
<input type="checkbox"/>		17 WEBR-CA K Licensee, Inc.	Bergen, Hudson (Christian)
<input type="checkbox"/>		26 WNXV-LP Island Broadcasting Company	Bergen, Hudson
<input type="checkbox"/>		32 WXNY-LP Island Broadcasting Company	Bergen, Hudson
<input type="checkbox"/>		35 WNYX-LP Island Broadcasting Company	Bergen, Hudson
<input type="checkbox"/>		39 WNYN-LP Island Broadcasting Company	Bergen, Hudson (Spanish)
<input type="checkbox"/>		21 WLIW Educational Broadcasting Corporation	Bergen, Hudson, Passaic
<input type="checkbox"/>		60 W60AI Ventana Television, Inc.	Bergen, Hudson, Passaic
<input type="checkbox"/>		6 WNYZ-LP Island Broadcasting Co.	Bergen, Sussex
<input type="checkbox"/>		22 WMBQ-CA Renard Communications Corp.	Hudson
<input type="checkbox"/>		34 WPXO-LP Paxson Communications License Company, Llc	Hudson
<input type="checkbox"/>		42 WKOB-LP Nave Communications, Llc	Hudson (Christian)
<input type="checkbox"/>		3 WBQM-LP Renard Communications Corp.	Hudson, Sussex
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	Hudson, Sussex
<input type="checkbox"/>		28 WBRE-TV Nexstar Broadcasting, Inc.	Passaic, Sussex
<input type="checkbox"/>		36 W36AZ New Jersey Public Broadcasting	Passaic, Sussex

		Authority	
<input type="checkbox"/>		16 WNEP-TV New York Times Co.	Sussex
<input type="checkbox"/>		22 WYOU Nexstar Broadcasting, Inc.	Sussex
<input type="checkbox"/>		23 W23AZ Centenary College	Sussex
<input type="checkbox"/>		38 WSWB Mystic Television of Scranton Llc	Sussex
<input type="checkbox"/>		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Sussex
<input type="checkbox"/>		44 WVIA-TV Ne Pa Ed Tv Association	Sussex
<input type="checkbox"/>		49 W49BE New Jersey Public Broadcasting Authority	Sussex
<input type="checkbox"/>		56 WOLF-TV Wolf License Corp	Sussex
<input type="checkbox"/>		60 WBPH-TV Sonshine Family Television Corp	Sussex
<input type="checkbox"/>		64 WQPX Paxson Communications License Company, Llc (Ion Media Networks)	Sussex
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Sussex

	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA
<b>TARGETS PARTIAL COAH REGION I</b>			
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Bergen
<input type="checkbox"/>		Comcast of the Meadowlands	Partial Bergen
<input type="checkbox"/>		Cablevision of New Jersey, Oakland, Ramapo, and Rockland	Partial Bergen
<input type="checkbox"/>		US Cable of Paramus-Hillsdale	Partial Bergen
<input type="checkbox"/>		Cablevision of NJ (Bayonne System), Hudson	Partial Hudson
<input type="checkbox"/>		Comcast of Jersey City, Meadowlands, NJ (Union System)	Partial Hudson
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Hudson
<input type="checkbox"/>		Cablevision of Oakland, Paterson	Partial Passaic
<input type="checkbox"/>		Hometown Online	Partial Passaic
<input type="checkbox"/>		Cable Vision of Morris, Warwick	Partial Sussex
<input type="checkbox"/>		Hometown Online	Partial Sussex

<input checked="" type="checkbox"/>		Service Electric Broadband Cable	Partial Sussex
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Bergen
<input type="checkbox"/>		Comcast of the Meadowlands	Partial Bergen
<input type="checkbox"/>		Cablevision of New Jersey, Oakland, Ramapo, and Rockland	Partial Bergen
<input type="checkbox"/>		US Cable of Paramus-Hillsdale	Partial Bergen
<input type="checkbox"/>		Cablevision of NJ (Bayonne System), Hudson	Partial Hudson
<input type="checkbox"/>		Comcast of Jersey City, Meadowlands, NJ (Union System)	Partial Hudson
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Hudson
<input type="checkbox"/>		Cablevision of Oakland, Paterson	Partial Passaic
<input type="checkbox"/>		Hometown Online	Partial Passaic
<input type="checkbox"/>		Cable Vision of Morris, Warwick	Partial Sussex
<input type="checkbox"/>		Hometown Online	Partial Sussex
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Sussex
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Bergen
<input type="checkbox"/>		Comcast of the Meadowlands	Partial Bergen
<input type="checkbox"/>		Cablevision of New Jersey, Oakland, Ramapo, and Rockland	Partial Bergen
<input type="checkbox"/>		US Cable of Paramus-Hillsdale	Partial Bergen
<input type="checkbox"/>		Cablevision of NJ (Bayonne System), Hudson	Partial Hudson
<input type="checkbox"/>		Comcast of Jersey City, Meadowlands, NJ (Union System)	Partial Hudson
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Hudson
<input type="checkbox"/>		Cablevision of Oakland, Paterson	Partial Passaic
<input type="checkbox"/>		Hometown Online	Partial Passaic
<input type="checkbox"/>		Cable Vision of Morris, Warwick	Partial Sussex
<input type="checkbox"/>		Hometown Online	Partial Sussex
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Sussex

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
<b>TARGETS ENTIRE COAH REGION 1</b>			
AM			
<input type="checkbox"/>		WFAN 660	
<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WABC 770	
<input type="checkbox"/>		WCBS 880	
<input type="checkbox"/>		WBBR 1130	
FM			
<input type="checkbox"/>		WFNY-FM 92.3	
<input type="checkbox"/>		WPAT-FM 93.1	Spanish
<input type="checkbox"/>		WNYC-FM 93.9	
<input type="checkbox"/>		WFME 94.7	Christian
<input type="checkbox"/>		WPLJ 95.5	
<input type="checkbox"/>		WQXR-FM 96.3	
<input type="checkbox"/>		WQHT 97.1	
<input type="checkbox"/>		WSKQ-FM 97.9	Spanish
<input type="checkbox"/>		WAWZ 99.1	Christian
<input type="checkbox"/>		WBAI 99.5	
<input type="checkbox"/>		WHTZ 100.3	
<input type="checkbox"/>		WHUD 100.7	
<input type="checkbox"/>		WCBS-FM 101.1	
<input type="checkbox"/>		WQCD 101.9	
<input type="checkbox"/>		WNEW 102.7	
<input type="checkbox"/>		WKTU 103.5	
<input type="checkbox"/>		WAXQ 104.3	
<input type="checkbox"/>		WWPR-FM 105.1	
<input type="checkbox"/>		WLTW 106.7	
<input type="checkbox"/>		WBLS 107.5	

TARGETS PARTIAL COAH REGION 1			
AM			
<input type="checkbox"/>		WEEB 1230	Bergen
<input type="checkbox"/>		WKDM 1380	Bergen, Hudson (Chinese/ Mandarin)
<input type="checkbox"/>		WMCA 570	Bergen, Hudson, Passaic (Christian)
<input type="checkbox"/>		WNYC 820	Bergen, Hudson, Passaic
<input type="checkbox"/>		WRKL 910	Bergen, Hudson, Passaic (Polish)
<input type="checkbox"/>		WPAT 930	Bergen, Hudson, Passaic (Caribbean, Mexican, Mandarin)
<input type="checkbox"/>		WWDJ 970	Bergen, Hudson, Passaic (Christian)
<input type="checkbox"/>		WINS 1010	Bergen, Hudson, Passaic
<input type="checkbox"/>		WEPN 1050	Bergen, Hudson, Passaic
<input type="checkbox"/>		WVNJ 1160	Bergen, Hudson, Passaic
<input type="checkbox"/>		WLIB 1190	Bergen, Hudson, Passaic (Christian)
<input type="checkbox"/>		WADO 1280	Bergen, Hudson, Passaic (Spanish)
<input type="checkbox"/>		WWRV 1330	Bergen, Hudson, Passaic (Spanish)
<input type="checkbox"/>		WNSW 1430	Bergen, Hudson, Passaic (Portuguese)
<input type="checkbox"/>		WZRC 1480	Bergen, Hudson, Passaic (Chinese/Cantonese)
<input type="checkbox"/>		WQEW 1560	Bergen, Hudson, Passaic
<input type="checkbox"/>		WWRL 1600	Bergen, Hudson, Passaic
<input type="checkbox"/>		WWRU 1660	Bergen, Hudson, Passaic (Korean)
<input type="checkbox"/>		WMTR 1250	Passaic
<input type="checkbox"/>		WGHT 1500	Passaic
<input type="checkbox"/>		WNNJ 1360	Sussex
FM			
<input type="checkbox"/>		WSOU 89.5	Bergen, Hudson
<input type="checkbox"/>		WCAA 105.9	Bergen, Hudson (Latino)
<input type="checkbox"/>		WBGO 88.3	Bergen, Hudson, Passaic
<input type="checkbox"/>		WFDU 89.1	Bergen, Hudson, Passaic
<input type="checkbox"/>		WKCR-FM 89.9	Bergen, Hudson, Passaic
<input type="checkbox"/>		WNYU-FM 89.1	Bergen, Hudson, Passaic
<input type="checkbox"/>		WFUV 90.7	Bergen, Hudson, Passaic

<input type="checkbox"/>		WFMU 91.1	Bergen, Hudson, Passaic
<input type="checkbox"/>		WNYE 91.5	Bergen, Hudson, Passaic
<input type="checkbox"/>		WRKS 98.7	Bergen, Hudson, Sussex
<input type="checkbox"/>		WRTN 93.5	Bergen, Hudson, Sussex
<input type="checkbox"/>		WHCR-FM 90.3	Bergen, Passaic
<input type="checkbox"/>		WPSC-FM 88.7	Passaic
<input type="checkbox"/>		WRHV 88.7	Passaic
<input type="checkbox"/>		WNJP 88.5	Sussex
<input type="checkbox"/>		WNTI 91.9	Sussex
<input type="checkbox"/>		WCTO 96.1	Sussex
<input type="checkbox"/>		WSUS 102.3	Sussex
<input type="checkbox"/>		WNNJ-FM 103.7	Sussex
<input type="checkbox"/>		WDHA -FM 105.5	Sussex
<input type="checkbox"/>		WHCY 106.3	Sussex
<input type="checkbox"/>		WWYY 107.1	Sussex

3c. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters)  
(Check all that applies)

	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
<b>TARGETS ENTIRE COAH REGION 1</b>			
Bi-weekly			
<input type="checkbox"/>	Al Manassah		Arab-American
Monthly			
<input type="checkbox"/>	Sino Monthly	North Jersey/NYC area	Chinese-American
<b>TARGETS PARTIAL COAH REGION 1</b>			
Daily			
<input type="checkbox"/>	24 Horas	Bergen, Essex, Hudson, Middlesex, Passaic, Union Counties	Portuguese-Language
Weekly			
<input type="checkbox"/>	Arab Voice Newspaper	North Jersey/NYC area	Arab-American
<input type="checkbox"/>	La Voz	Hudson, Union, Middlesex Counties	Cuban community
<input type="checkbox"/>	Italian Tribune	North Jersey/NYC area	Italian community

<input type="checkbox"/>		Jewish Standard	Bergen, Passaic, Hudson Counties	Jewish community
<input type="checkbox"/>		El Especialito	Union City	Spanish-Language
<input type="checkbox"/>		El Nuevo	Hudson County	Spanish-Language
<input type="checkbox"/>		La Tribuna Hispana	Basking Ridge, Bound Brook, Clifton, East Rutherford, Elizabeth, Fort Lee, Greebrook, Linden, Lyndenhurst, Newark, North Plainfield, Orange, Passaic, Paterson, Plainfield, Roselle, Scotch Plains, Union, Union City, West NY	Spanish-Language
<input type="checkbox"/>		Su Guia	Bergen and Passaic	Spanish-Language
<input type="checkbox"/>		Banda Oriental Latinoamérica	North Jersey/NYC area	South American community
<input type="checkbox"/>		Ukranian Weekly	New Jersey	Ukranian community

3d. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)

DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION
<b>Hudson County</b>		
<input type="checkbox"/>	United Parcel Service Inc. NY Corp	492 County Ave, Secaucus
<input type="checkbox"/>	USPS	80 County Road, Jersey City
<input type="checkbox"/>	Liz Claiborne Inc	1 Claiborne Ave, North Bergen
<input type="checkbox"/>	Credit Suisse First Boston LLC	1 Pershing Plz Jersey City
<input type="checkbox"/>	HealthCare Staffing and Consult	26 Journal Square, Jersey City
<input type="checkbox"/>	Ritter Sysco Food Service	20 Theodore Conrad Dr. Jersey City
<input type="checkbox"/>	Jersey City Medical Center Inc.	50 Grand St, Secaucus
<input type="checkbox"/>	Marsh USA Inc.	121 River St, Hoboken
<input type="checkbox"/>	National Retail Systems Inc.	2820 16th St North Bergen
<input type="checkbox"/>	Community Corrections Corp	Lincoln Hwy Kearny
<input type="checkbox"/>	Marine Personnel & Provisioning Inc.	1200 Harbor Blvd Weehawken
<input type="checkbox"/>	Port Authority of NY and NJ	241 Erie St. Jersey City and 120 Academy St. Jersey City
<input type="checkbox"/>	Christ Hospital Health Service	176 Palisade Ave, Jersey City
<input type="checkbox"/>	Bayonne Hospital	29th Street and Ave E, Bayonne

<input type="checkbox"/>		Salson Logistics Inc.	2100 88th St.and 7373 West Side Ave, North Bergen, NJ
<input type="checkbox"/>		National Financial Service	1000 Plaza, Jersey City
<input type="checkbox"/>		Fleet NJ Company Development Corp.	10 Exchange Place, Jersey City
<input type="checkbox"/>		Maidenform Inc	154 Ave E, Bayonne
<input type="checkbox"/>		Lord Abbett & Company	90 Hudson City, Jersey City
<input type="checkbox"/>		Liberty Health Plan Inc.	50 Baldwin Ave Jersey City
<input type="checkbox"/>		Port Imperial Ferry Corp.	Pershing Rd Secaucus
<input type="checkbox"/>		Hudson News	1305 Paterson Plank Rd, North Bergen
<input type="checkbox"/>		Palisades General Hospital	7600 River Rd North Bergen, NJ
<input type="checkbox"/>		Equiserve Inc.	525 Washington Blvd Jersey city
<input type="checkbox"/>		Ciricorp Data Systems Incorporated	1919 Park Ave Secaucus
<input type="checkbox"/>		Meadowlands Hospital Medical Center	Meadowlands Pkwy Secaucus
<input type="checkbox"/>		Retailers & Manufacturers Dist Marking Serv.	50 Metro Way Secaucus
<input type="checkbox"/>		Dynamic Delivery Corp	125 Pennsylvania Ave Kearny, NJ
<input type="checkbox"/>		Bowne Business Communications Inc.	215 County Ave Secaucus
<input type="checkbox"/>		North Hudson Community Action Corp.	5301 Broadway West New York 07093
<input type="checkbox"/>		Goya Foods Inc.	100 Seaview Dr. Secaucus
<input type="checkbox"/>		Cristi Cleaning Service	204 Paterson Plank Rd Union, NJ

**Bergen County**

<input type="checkbox"/>		Hackensack University Medical Center	30 Prospect Ave, Hackensack, NJ 07601
<input type="checkbox"/>		Professional Employer Group Service	2050 Center Ave Ste 336 Fort Lee
<input type="checkbox"/>		County of Bergen, NJ	1 Bergen County Plaza Hackensack, NJ 07601
<input type="checkbox"/>		Society of the Valley Hospital	223 N Van Dien Ave Ridgewood
<input type="checkbox"/>		NJ Sports & Expo Authority	50 State Highway 120 East Rutherford
<input type="checkbox"/>		Merck-Medco Managed Care LLC	100 Parsons Pond Dr. Franklin Lakes 07417
<input type="checkbox"/>		Quest Diagnostics Incorporated	1 Malcolm Ave Teterboro ,NJ 07608
<input type="checkbox"/>		AT&T	15 E Midland Ave Paramus
<input type="checkbox"/>		Englewood Hospital and Medical Center	350 Engle St. Englewood
<input type="checkbox"/>		Aramark Svcs Management of NJ Inc	50 Route 120 East Rutherford
<input type="checkbox"/>		Holy Name Hospital	718 Teaneck Road Teaneck

<input type="checkbox"/>		Doherty Enterprises Inc	7 Pearl Ct Allendale
<input type="checkbox"/>		Bergen Regional Medical Center	230 East Ridgewood Ave Paramus
<input type="checkbox"/>		Inserra supermarkets, Inc.	20 Ridge Rd Mahwah
<input type="checkbox"/>		Howmedica Osteonics Corp	59 Route 17 Allendale
<input type="checkbox"/>		Becton Dickinson & Company Corp	1 Becton Dr. Franklin Lakes
<input type="checkbox"/>		Pearson Education, Inc.	1 Lake St. Upper Saddle River
<b>Passaic County</b>			
<input type="checkbox"/>		D&E Pharmaceutical Co.	206 Macoprin Rd Bloomingdale, NJ 07403
<input type="checkbox"/>		Acme Markets	467 AllWood Rd Clifton, NJ 07012
<input type="checkbox"/>		St. Mary's Hospital	350 Boulevard Passaic, NJ 07055
<input type="checkbox"/>		Merry Maids	14 Riverside Square Mall, Bloomingdale, NJ 07403
<input type="checkbox"/>		Health Center at Bloomingdale	255 Union Ave Bloomingdale, NJ 07403
<input type="checkbox"/>		Sommers Plastic Product Co. Inc.	31 Styertowne Rd Clifton, NJ 07012
<input type="checkbox"/>		St. Joseph's Hospital	703 Main St. Paterson, NJ 07503
<input type="checkbox"/>		BAE Systems	164 Totowa Rd, Wayne, NJ 07470
<input type="checkbox"/>		Drake Bakeries Inc	75 Demarest Dr, Wayne, NJ 07470
<input type="checkbox"/>		Toys R Us National Headquarters	1 Geoffrey Way, Wayne, NJ 07470
<input type="checkbox"/>		GAF Materials Corporation	1361 Alps Rd, Wayne, NJ 07470
<input type="checkbox"/>		Valley National Bank Headquarters	1455 Valley Road Wayne, New Jersey 07470
<b>Sussex County</b>			
<input type="checkbox"/>		Selective Insurance	40 Wantage Ave, Branchville, NJ
<input type="checkbox"/>		Andover Subacute and Rehab Center	99 Mulford Rd Bldg 2, Andover, NJ
<input type="checkbox"/>		Mountain Creek Resorts	200 State Rt 94, Vernon, NJ
<input type="checkbox"/>		County of Sussex	One Spring Street, Newton, NJ 07860
<input type="checkbox"/>		Newton Memorial Hospital Inc.	175 High St, Newton, NJ
<input type="checkbox"/>		Vernon Township Board of Education	539 State Rt 515, Vernon, NJ
<input type="checkbox"/>		F.O. Phoenix (Econo-Pak)	1 Wiebel Plz, Sussex, NJ
<input type="checkbox"/>		Hopatcong Board of Education	2 Windsor Ave, Hopatcong, NJ
<input type="checkbox"/>		Saint Clare's Hospital	20 Walnut St, Sussex, NJ

<input type="checkbox"/>		Ames Rubber Corp	19 Ames Blvd, Hamburg, NJ
3e. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)			
Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach

#### IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:											
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)											
	<table border="1"> <thead> <tr> <th>BUILDING</th> <th>LOCATION</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> Sussex County Main Library</td> <td>125 Morris Turnpike, Newton, NJ 07860</td> </tr> <tr> <td><input checked="" type="checkbox"/> Hudson County Administration Building</td> <td>595 Newark Avenue, Jersey City, NJ 07306</td> </tr> <tr> <td><input checked="" type="checkbox"/> Passaic County Administration Building</td> <td>401 Grand Street, Paterson, NJ 07505 (973) 225-3632</td> </tr> <tr> <td><input checked="" type="checkbox"/> Bergen County Administration Building</td> <td>One Bergen County Plaza, Hackensack, NJ 07601 (201) 336-6000</td> </tr> </tbody> </table>	BUILDING	LOCATION	<input checked="" type="checkbox"/> Sussex County Main Library	125 Morris Turnpike, Newton, NJ 07860	<input checked="" type="checkbox"/> Hudson County Administration Building	595 Newark Avenue, Jersey City, NJ 07306	<input checked="" type="checkbox"/> Passaic County Administration Building	401 Grand Street, Paterson, NJ 07505 (973) 225-3632	<input checked="" type="checkbox"/> Bergen County Administration Building	One Bergen County Plaza, Hackensack, NJ 07601 (201) 336-6000
BUILDING	LOCATION										
<input checked="" type="checkbox"/> Sussex County Main Library	125 Morris Turnpike, Newton, NJ 07860										
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<input checked="" type="checkbox"/> Passaic County Administration Building	401 Grand Street, Paterson, NJ 07505 (973) 225-3632										
<input checked="" type="checkbox"/> Bergen County Administration Building	One Bergen County Plaza, Hackensack, NJ 07601 (201) 336-6000										
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)											
4c. Sales/Rental Office for units (if applicable)											

#### V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's COAH substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI funding).	
Name (Type or Print) _____	
Title/Municipality _____	
Signature _____	Date _____

# Spending Plan

**BRANCHVILLE PLANNING  
& ZONING BOARD OF ADJUSTMENT**

**P.O. Box 840  
Branchville, New Jersey 07826**

**Mary Whitesell, Secretary**

**Phone 973-383-8843 Days  
Fax 973-383-7890**

November 25, 2008

TO: David Troast

**Non-Residential Approvals**

Block 604, Lot 2 – 13 Newton LLC – for Mini-Mart and Gas Station  
Consisting of 2500 Sq. Ft. Bldg. with Office and Storage – 8 Fuel Pumps  
Approved 9/13/07 and Memorialized 10/10/07 – no permits issued – still working  
With the County for access approval – should begin in the spring

Block 202, Lot 13 – Franklin Mutual Insurance Company – Alteration to existing building, removing older  
part of building and replacing on same footprint – Approved 10/8/08 and Memorialized 11/12/08  
Renovation to being in Spring after heating season is over. 10,000 ✓

**Subdivisions - 2006 & 2007**

Block 204, Lot 22 – Estate of Robert Rost – Original house was subdivided out- Remainder lot has access  
to another lot in Frankford Twp. With the same owner.

Block 602, Lot 7 – Joseph Urban – Subdivided the House, Garage, Shed and Coop out – leaving a  
remainder Lot without a dwelling

Block 601, Lot 12 – Stanley Van den Heuvel – Subdivided lot which had both residential and commercial  
and buildings on both lots

Block 506, Lot 1 & 2 – Okeson – Both Lots have buildings on – house had extra land added to it.

Block 401, Lot 5 – Hemschof – Created one new lot and gave neighbor a strip of land 10 Ft. so she could  
have access to the rear of her lot – original house is still there – new lot does not have a dwelling on

If you want more information please call, I'm at home most of the weekend – 973-948-6060. We need to  
have this completed so that the Plan can be delivered to the County and Frankford Twp. On Monday !!!  
Be sure Bob Morgenstern gets a copy.

# **Spending Plan**

## **The Borough of Branchville**

### **Sussex County, New Jersey**

#### **INTRODUCTION:**

Branchville Borough of Sussex County has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH on November 12, 2008 and adopted by the municipality on October 8, 2008. The ordinance establishes the Borough of Branchville affordable housing trust fund for which this spending plan is prepared.

As of July 17, 2008, Branchville Borough has collected \$ 0.00, expended \$0.00, resulting in a balance of \$0.00. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in *[insert name of bank]* for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

#### **1. REVENUES FOR CERTIFICATION PERIOD**

To calculate a projection of revenue anticipated during the period of third round substantive certification, Branchville Borough considered the following:

##### **(a) Development fees:**

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;

2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
  3. Future development that is likely to occur based on historical rates of development.
- (b) Payment in lieu (PIL):  
Actual and committed payments in lieu (PIL) of construction from developers as follows: *None*
- (c) Other funding sources:  
Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, proceeds from the sale of affordable units and Municipal Funds as required. **Municipal General Fund or Bonding**
- (d) Projected interest:  
Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate available. 4%

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2008 THROUGH 2018											
	7/18/08 Through 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development fees:	\$0.00	\$0.00	30,000	4,200	34,200							\$68,400
1. Approved Development												
a. Subdivision Approvals see appendix: two (2) new lots \$4,200 each												
b. Non residential development:												
Bl. 604, Lot 2 – Mini-Mart and Service Station 2,500 SF \$30,000												
Bl. 202, Lot 18 Franklin Mutual Insurance-10,000 SF \$30,000												
			\$30000	4,200	\$34200							



## 2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Branchville Borough:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Branchville Borough's development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

The distribution of Branchville Borough's affordable housing trust funds will be approved by the Mayor and Council by resolution and in accordance with the Housing and Fair Share Plan, COAH Rules and regulations.

## 3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

Branchville Borough will dedicate \$ 0.00 to rehabilitation or new construction programs (see detailed descriptions in Fair Share Plan) as follows:

**Rehabilitation program:** \$ 0.00

**New construction project(s):** \$115,000 for 5 accessory apartments.

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

**Branchville Borough is seeking a waiver from this requirement: The rational basis for the Waiver Request from the Affordability Assistance requirement is that Branchville Borough's Median Income is \$45,855 with 56% of the households earning less than \$50,000 a year. The Borough is committed to bonding for six affordable accessory apartments.**

Projected minimum affordability assistance requirement:

Actual development fees through 7/17/2008		\$0.00
Actual interest earned through 7/17/2008	+	\$0.00
Development fees projected* 2008-2018	+	\$68,400
Interest projected* 2008-2018	+	\$3,000
Less housing activity expenditures through 6/2/2008	-	\$0.00
<b>Total</b>	=	<b>71,400.00</b>

30 percent requirement	x 0.30 =	\$21,240.00
Less Affordability assistance expenditures through 12/31/2004	-	\$0.00
<b>PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2005 through 12/31/2018</b>	=	\$21,240.00
<b>PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018</b>	÷ 3 =	\$0.00

\* Note: The 2008 portion of this projection reflects 2008 subsequent to July 17 as the remainder of 2008 is included in the actual figure reported above.

Branchville Borough will dedicate \$0.00 from the affordable housing trust fund to render units more affordable, including \$0.00 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

**(c) Administrative Expenses (N.J.A.C. 5:97-8.9)**

Branchville Borough projects that \$14,280 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

1. Attorney and Professional Planners fees to prepare and monitor and amend program as required.
2. Municipal Housing Liaison Costs.
3. Housing Administration Costs.

#### **4. EXPENDITURE SCHEDULE**

Branchville Borough intends to use affordable housing trust fund revenues for the creation of housing units. Where applicable, the creation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

**PROJECTED EXPENDITURE SCHEDULE**  
**2009 -2018**

PROJECTED EXPENDITURE SCHEDULE 2009 -2018													
Program <i>[Individually list programs and projects e.g. Rehab, Accessory Apartments, for- sale and rental municipally sponsored, etc].</i>	Number of Units Projected	Funds Expended and/or Dedicated	7/18/ 08 – 12/31 /08	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Accessory Apartments	6			20,000	25,000	20,000	25,000	20,000	25,000				
											</		

## **5. EXCESS OR SHORTFALL OF FUNDS**

Pursuant to the Housing Element and Fair Share Plan, the governing body of Branchville has adopted a resolution agreeing to fund any shortfall of funds required for implementing 6 Accessory Apartments. In the event that a shortfall of anticipated revenues occurs, Branchville Borough will provide money from the General Fund of the Municipality or Bond. A copy of the adopted resolution is attached.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used to promote more Accessory Apartments or supportive housing project.

## **6. BARRIER FREE ESCROW**

Collection and distribution of barrier free funds shall be consistent with Branchville's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

## **SUMMARY**

Branchville Borough intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated December 10, 2008

Branchville Borough has a balance of \$0.00 as of July 17, 2008 and anticipates an additional \$71,400 (and \$69,840 General Fund) in revenues before the expiration of substantive certification for a total of \$161,240 with \$135,000 towards the Affordable Accessory Apartment Program. A wavier is sought from the affordability assistance requirement to render units more affordable if development funds are not collected, and \$5,000 for administrative costs. Any shortfall of funds will be offset by the General Fund or bond. The municipality will dedicate any excess funds toward more accessory apartments or a supportive housing project.

<b>SPENDING PLAN SUMMARY</b>		
Balance as of July 17, 2008		\$0.00
<b>PROJECTED REVENUE July 18, 2008-2018</b>		
Development fees	+	\$68,400
Payments in lieu of construction	+	\$0.00
Other funds	+	\$89,840
Interest	+	\$3,000
<b>TOTAL REVENUE = \$161,240</b>		
<b>EXPENDITURES</b>		
Funds used for Rehabilitation	-	\$0.00
Funds used for New Construction		
1. Accessory Apartment Program six(6)	-	\$135,000
2.	-	\$
3.	-	\$
4.	-	\$
5.	-	\$
6.	-	\$
7.	-	\$
8.	-	\$
9.	-	\$
10.	-	\$
Affordability Assistance	-	\$21,240
Administration	-	\$5,000
Excess Funds for Additional Housing Activity	=	\$
1. Accessory Apartments	-	\$
2. Supportive Housing	-	\$
3.	-	\$
<b>TOTAL PROJECTED EXPENDITURES = \$161,240</b>		
<b>REMAINING BALANCE = \$0.00</b>		

# **Resolutions**

**BOROUGH OF BRANCHVILLE RESOLUTION # 18-08**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
BRANCHVILLE, SUSSEX COUNTY, NEW JERSEY**

WHEREAS, the Planning Board of the Borough of Branchville, Sussex County, New Jersey, adopted the Housing Element of the Master Plan on December 10, 2008; and

WHEREAS, a true copy of the Resolution of the Planning Board adopting the Housing Element is attached pursuant to NJAC 5:96-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 10, 2008; and

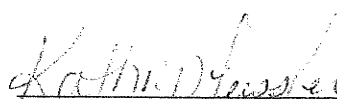
WHEREAS, a true copy of the Resolution of the Planning board adopting the Fair Share Plan is attached pursuant to NJAC 5:96-2.2(a)2.

NOW THEREFORE BE IT RESOLVED, that the governing body of the Borough of Branchville, Sussex County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Borough of Branchville Planning Board; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Branchville, pursuant to the provisions of NJSA 52:27D-301, et seq. and NJAC 5:96-3.2(a), submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED, that a list of names and addressed for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

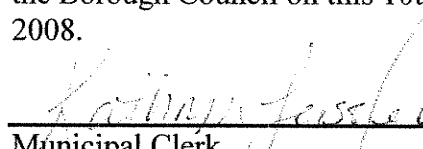
BE IT FURTHER RESOLVED, that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to NJAC 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this Resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Borough of Branchville Municipal Clerk's office located at 5 Main Street, during the hours of 9:00 a.m. to 1:00 p.m. on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to NJAC 5:96-3.5.

  
KATHRYN LEISLER, Municipal Clerk

Dated: 12-10-08

# CERTIFICATION

I, Kathryn Leissler, Municipal Clerk of the Borough of Branchville, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 10th day of December, 2008.

  
\_\_\_\_\_  
Municipal Clerk

**Governing Body Resolution Requesting Review and  
Approval of a Municipal Affordable Housing Trust  
Fund Spending Plan**

**WHEREAS**, the Governing Body of the Borough of Branchville petitioned the Council on Affordable Housing (COAH) for substantive certification on December 10, 2008; and

**WHEREAS**, Branchville Borough received approval from COAH on 10/31/2008 of its development fee ordinance; and

**WHEREAS**, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units;

**WHEREAS**, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

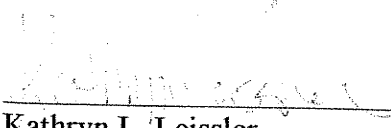
**WHEREAS**, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;

7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;
9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;
10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

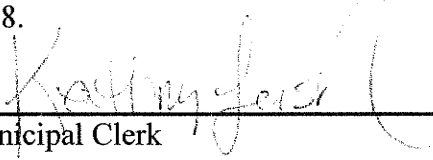
**WHEREAS**, Borough of Branchville has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

**NOW THEREFORE BE IT RESOLVED** that the Governing Body of Borough of Branchville, County of Sussex requests that COAH review and approve the Borough of Branchville's spending plan.

  
Kathryn L. Leissler  
Municipal Clerk

CERTIFICATION

I, Kathryn Leissler, Municipal Clerk of the Borough of Branchville, County of Sussex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 10th day of December, 2008.

  
\_\_\_\_\_  
Municipal Clerk

**BRANCHVILLE BOROUGH PLANNING/  
ZONING BOARD OF ADJUSTMENT**

**RESOLUTION ADOPTING AMENDMENT TO THE MASTER PLAN TO  
AMEND THE HOUSING ELEMENT AND FAIR SHARE PLAN  
ADOPTED DECEMBER 10<sup>th</sup>, 2008.**

**WHEREAS**, the Planning/Zoning Board of Adjustment of the Borough of Branchville, County of Sussex, State of New Jersey, adopted its current Master Plan pursuant to N.J.S.A. 40:55D-28 1999 with amendments 2003 and 2006.

**WHEREAS**, the Master Plan includes a Housing Element, pursuant to N.J.S.A. 40:55D-28(b)(3), which has been revised to address the Borough's affordable housing obligation under Round Three of the regulations of the New Jersey Council on Affordable Housing; and

**WHEREAS**, N.J.A.C. 5:97-2.1(a) requires the adoption of the Housing element by the Planning/Zoning Board of Adjustment and endorsement by the Governing body; and

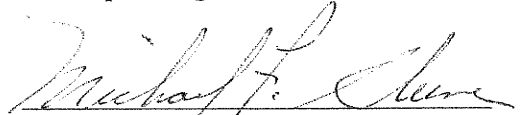
**WHEREAS**, N.J.A.C. 5:97-3.1(a) requires the preparation of a Fair Share Plan in accordance with the Housing Element of the Master Plan; and

**WHEREAS**, N.J.A.C. 5:97-3.1(b) requires the adoption of the fair Share Plan by the Planning/ Zoning Board of Adjustment and endorsement of the Governing Body; and

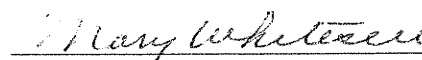
**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning/Zoning Board of Adjustment of the Borough of Branchville held a public hearing on the Housing Element and Fair Share Plan on December 10, 2008; and

**WHEREAS**, the Planning/Zoning Board of Adjustment has determined that the Housing Element and Fair Share Plan are consistent with the goals and objectives of the Borough of Branchville's Master Plan and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning/Zoning Board of Adjustment of the Borough of Branchville, County of Sussex, State of New Jersey, that the Planning/Zoning Board of Adjustment hereby adopts the Housing Element and Fair Share Plan dated December 10, 2008, with a proviso that the COAH Spending and Marketing Plans would be subsequently reviewed.

  
Michael Clune, Chairman  
Planning/Zoning Board of Adjustment

The undersigned secretary certifies this is a true copy of the resolution adopted by this Board on December 10, 2008.

  
Mary Whitesell, Secretary  
Planning/Zoning Board of Adjustment

## **NOTICE**

### **BRANCHVILLE BOROUGH PLANNING ZONING BOARD OF ADJUSTMENT**

**TAKE NOTICE** that on Wednesday, December 10<sup>th</sup>, 2008, at 6:00 p.m. the Branchville Borough Planning/Zoning Board of Adjustment will hold a public hearing on an amendment to the Master Plan amending the Housing Element and Fair Share Plan. The hearing will be held at the Branchville Borough Fire House, One Railroad Avenue, Branchville, New Jersey. The Branchville Borough Housing Element and Fair Share Plan will be available for inspection from 9:00 a.m. to 1:00 p.m. at the Branchville Municipal Office, 5 Main Street, Branchville, New Jersey between the hours of 9:00 a.m. and 1:00 p.m. at the office of the Borough Clerk. The public is invited to attend and participate in the hearing

Published by order of the Branchville Borough Planning/Zoning Board of Adjustment.

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Mary Whitesell, Secretary

**BOROUGH OF BRANCHVILLE  
NOTICE OF AMENDMENTS TO THE MASTER PLAN  
HOUSING PLAN AND FAIR SHARE PLAN  
AND  
ENDORSEMENT FOR SUBSTANTIVE CERTIFICATION**

**PLEASE TAKE NOTICE:**

**NOTICE** is hereby given that the Borough Council of the Borough of Branchville will hold a joint meeting with the Borough Planning/Zoning Board for the purpose of conducting a public hearing to discuss and to take action as follows:

pursuant to N.J.S.A. 40:55D-13, the Planning/Zoning Board to consider and adopt revisions and amendments to the Master Plan's Housing Element and Fair Share Plan; and

the Borough Council, upon the Planning/Zoning Board's taking action on the Master Plan, to endorse the amended Housing Element and Fair Share Plan and authorize its re-submission to COAH as part of its Petition for Substantive Certification.

This hearing shall take place at the Branchville Borough Fire House, One railroad Ave., Branchville, New Jersey, on Wednesday, December 10, 2008, beginning at 6:00 p.m. Documents are on file in the Municipal Building and may be inspected between the hours of 9:00 a.m. and 1:00 p.m., Monday through Friday.

This notice is given as required by the Open Public Meetings Act and the Municipal land Use Law and you may appear at the time of the hearing in order to testify or provide additional information you believe may be of benefit to the Borough as it considers the Master Plan amendments.

Kathryn L. Leissler, Municipal Clerk  
Borough of Branchville  
5 Main Street  
Branchville, NJ 07826

# **COAH Application and Forms**



STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
COUNCIL ON AFFORDABLE HOUSING  
PETITION APPLICATION



This application is a guideline for creating a Housing Element and Fair Share Plan. A completed version of this application must be submitted as part of your petition for substantive certification to COAH. This application will be used by COAH staff to expedite review of your petition. This application can serve as your municipality's Fair Share Plan. A brief narrative component of the Fair Share Plan should be included with this application and can serve primarily to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would include a description of any waivers being requested.

This form reflects COAH's newly adopted procedural and substantive rules and the amendments to those rules adopted on September 22, 2008. Footnotes and links to some helpful data sources may be found at the end of each section. To use this document electronically, use the TAB KEY to navigate from field to field. Enter data or use the Right Mouse Button to check boxes.

MUNICIPALITY	Branchville	COUNTY	Sussex
COAH REGION	<u>1</u>	PLANNING AREA(S)	Designated Center
SPECIAL RESOURCE AREA(S)	<u>One</u>		
PREPARER NAME	David R. Troast, Pp, Aicp	TITLE	<u>Consulting Planner</u>
EMAIL	Dtroast@Optonline.Net	PHONE NO.	201 280-9350
ADDRESS	53 Ninth Avenue Hawthorne Nj	FAX NO.	973 423-2301
MUNICIPAL HOUSING LIAISON	Wesley Powers	TITLE	MHL
EMAIL	Powerw@Njtown.Net	PHONE NO.	973 948-4626
ADDRESS	Po Box 840 Branchville, Nj <u>07826</u>	FAX NO.	973 948-0899

Enter the date(s) that COAH granted Substantive Certification or that the Court granted a Judgment of Compliance (JOC) on the Housing Element and Fair Share Plan.

History of Approvals	COAH	JOC	N/A
First Round	_____	_____	<input checked="" type="checkbox"/>
Second Round	_____	_____	<input checked="" type="checkbox"/>
Extended Second Round	_____	_____	<input checked="" type="checkbox"/>

Does the Petition include any requests for a waiver from COAH Rules? ☒ Yes ☐ No  
If Yes, Please note rule section from which waiver is sought and describe further in a narrative section: See Narrative

# **FILING/PETITION DOCUMENTS (N.J.A.C. 5:96-2.2/3.2 & N.J.A.C. 5:97-2.3/3.2)**

All of the following documents must be submitted in order for your petition to be considered complete. Some documents may be on file with COAH. Please denote by marking the appropriate box if a document is attached to the Housing Element and Fair Share Plan or if you are using a document on file with COAH from your previous third round submittal to support this petition. Shaded areas signify items that must be submitted anew.

Included	On File	Required Documentation/Information
<input checked="" type="checkbox"/>		Certified Planning Board Resolution adopting or amending the Housing Element & Fair Share Plan
<input checked="" type="checkbox"/>		Certified Governing Body Resolution endorsing an adopted Housing Element & Fair Share Plan and either (check appropriate box): <input checked="" type="checkbox"/> Petitioning <input type="checkbox"/> Filing <input type="checkbox"/> Re-petitioning <input type="checkbox"/> Amending Certified Plan
<input checked="" type="checkbox"/>		Service List (in the new format required by COAH)
<input checked="" type="checkbox"/>		Adopted Housing Element & Fair Share Plan narrative (including draft and/or adopted ordinances necessary to implement the Plan)
<input checked="" type="checkbox"/> <input type="checkbox"/> N/A		If applicable, Implementation Schedule(s) with detailed timetable for the creation of units and for the submittal of all information and documentation required by N.J.A.C. 5:97-3.2(a)4
<input type="checkbox"/> <input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	If applicable, Litigation Docket No., OAL Docket No., Settlement Agreement and Judgment of Compliance or Court Master's Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Municipal Master Plan (most recently adopted; if less than three years old, the immediately preceding, adopted Master Plan)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Municipal Zoning Ordinance (most recently adopted) <sup>1</sup> Date of Last Amendment: _____ Date of Submission to COAH: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Municipal Tax Maps (most up-to-date, electronic if available) Date of Last Revision: _____ Date of Submission to COAH: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other documentation pertaining to the review of the adopted Housing Element & Fair Share Plan(list):

## **FOR OFFICE USE ONLY**

Date Received \_\_\_\_\_ Affidavit of Public Notice \_\_\_\_\_ Date Deemed \_\_\_\_\_  
Complete/Incomplete \_\_\_\_\_ Reviewer's Initials \_\_\_\_\_

<sup>1</sup> Pursuant to N.J.S.A. N.J.S.A. 52:27D-307, as amended by PL 2008 c.46, any residential development resulting from a zoning change made to a previously non-residentially-zoned property, where the change in zoning precedes or follows the application for residential development by no more than 24 months, shall require that a percentage be reserved for occupancy by low or moderate income households.

## HOUSING ELEMENT

(N.J.A.C. 5:97-2 & N.J.S.A. 40:55D-1 et seq.)

The following issues and items must be addressed in the Housing Element for completeness review. Where applicable, provide the page number(s) on which each issue and/or item is addressed within the narrative Housing Element.

1. The plan includes an inventory of the municipality's housing stock by<sup>1</sup>:

- ☒ Age;
- ☒ Condition;
- ☒ Purchase or rental value;
- ☒ Occupancy characteristics; and
- ☒ Housing type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated

☒ Yes, Page Number: 9    ☐ No (incomplete)

2. The plan provides an analysis of the municipality's demographic characteristics, including, but not necessarily limited to<sup>2</sup>:

- ☒ Population trends
- ☒ Household size and type
- ☒ Age characteristics
- ☒ Income level
- ☒ Employment status of **residents**

☒ Yes, Page Number: 11    ☐ No (incomplete)

3. The plan provides an analysis of existing and future employment characteristics of the **municipality**, including but not limited to<sup>3</sup>:

- ☒ Most recently available in-place employment by industry sectors and number of persons employed;
- ☒ Most recently available employment trends; and
- ☒ Employment outlook

☒ Yes, Page Number: 15    ☐ No (incomplete)

4. The plan includes a determination of the municipality's present and prospective fair share for low and moderate income housing and an analysis of how existing or proposed changes in zoning will provide adequate capacity to accommodate residential and non-residential growth projections. AND

The analysis covers the following:

- ☒ The availability of existing and planned infrastructure;
- ☒ The anticipated demand for the types of uses permitted by zoning based on present and anticipated future demographic characteristics of the municipality;
- ☒ Anticipated land use patterns;
- ☒ Municipal economic development policies;
- ☒ Constraints on development including State and Federal regulations, land ownership patterns, presence of incompatible land uses or sites needing remediation and environmental constraints; and
- ☒ Existing or planned measures to address these constraints.

☒ Yes, Page Number: 6      ☐ No (incomplete)

5. The plan includes a consideration of lands that are most appropriate for construction of 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 lands of developers who have expressed a commitment to provide low and moderate income housing.

☒ Yes, Page Number: 21      ☐ No (incomplete)

6. The plan relies on household and employment projections for the municipality as provided in Appendix F of COAH's rules (if yes check the yes box below and check no in lines 6a-8).

☒ Yes, Page Number: 18      ☐ No (go to 6a)

- 6a. The Plan relies on higher household and employment projections for the municipality as permitted under N.J.A.C. 5:97-2.3(d) (optional - see Fair Share Plan section starting on page 7 of this application).

☐ Yes (go to 7 and 8)      ☒ No (go to 6b)

- 6b. The Plan relies on a request for a downward adjustment to household and employment projections for the municipality as provided in N.J.A.C. 5:97-5.6 (optional - see Fair Share Plan section starting on page 7 of this application).

☐ Yes, Page Number: \_\_\_\_\_      ☒ No

7. If the municipality anticipates higher household projections than provided by COAH in Appendix F, the plan projects the municipality's probable future construction of housing for fifteen years covering the period January 1, 2004 through December 31, 2018 using the following minimum information for residential development:

- ☐ Number of units for which certificates of occupancy were issued since January 1, 2004;
- ☐ Pending, approved and anticipated applications for development;
- ☐ Historical trends, of at least the past 10 years, which includes certificates of occupancy issued; and
- ☐ The worksheet for determining a higher residential growth projection provided by COAH. (Worksheets are available at [www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html](http://www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html))

☐ Yes, Page Number: \_\_\_\_\_

☐ No (incomplete)

☒ Not applicable (municipality accepts COAH's projections)

8. If the municipality anticipates higher employment projections than provided by COAH in Appendix F, the plan projects the probable future jobs based on the use groups outlined in Appendix D for fifteen years covering the period January 1, 2004 through December 31, 2018 for the municipality using the following minimum information for non-residential development:

- ☐ Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
- ☐ Square footage of pending, approved and anticipated applications for development;
- ☐ Historical trends, of at least the past 10 years, which shall include square footage authorized by certificates of occupancy issued;
- ☐ Demolition permits issued and projected for previously occupied non-residential space; and
- ☐ The worksheet for determining a higher non-residential growth projection provided by COAH.

☐ Yes, Page Number: \_\_\_\_\_

☐ No (incomplete)

☒ Not applicable (municipality accepts COAH's projections)

9. The plan addresses the municipality's :

- ☒ Rehabilitation share (from Appendix B);
- ☒ Prior round obligation (from Appendix C); and
- ☒ Projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

☒ Yes, Page Number: 26      ☐ No (incomplete)

10. If applicable, the plan includes status of the municipality's application for plan endorsement from the State Planning Commission.

☒ Yes, Page Number: 6      ☐ No (incomplete)      ☐ Not Applicable

Petition date: 2009 Endorsement date: \_\_\_\_\_

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<sup>1</sup> Information available through the U.S. Census Bureau at  
[http://factfinder.census.gov/servlet/ACSSAFFHousing?\\_sse=on&\\_submenuId=housing\\_0](http://factfinder.census.gov/servlet/ACSSAFFHousing?_sse=on&_submenuId=housing_0)

<sup>2</sup> Information available through the U.S. Census Bureau at <http://factfinder.census.gov/home/saff/main.html>.

<sup>3</sup> Information available through the New Jersey Department of labor at  
<http://www.wnjp.in.net/OneStopCareerCenter/LaborMarketInformation/lmi14/index.html>



## FAIR SHARE PLAN (N.J.A.C. 5:97-3)

Please provide a summary of the Fair Share Plan by filling out all requested information. Enter N/A where the information requested does not apply to the municipality. A fully completed application may serve as the actual Fair Share Plan. A brief narrative should be attached to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would fully describe, under a separate heading, any waivers that are being requested.

### Determining the 1987-2018 Fair Share Obligation

The following tables will assist you in determining your overall 1987-2018 fair share obligation. For each cycle of the affordable housing need and rehabilitation share, please use the “need” column to enter the number of units addressed in the municipal petition. Where the municipality has received and/or is proposing any adjustments to its rehabilitation share, prior round and/or growth share obligation, use the footnotes providing rule references and follow the procedures for determining the municipal need and/or for calculating any adjustments applicable to the municipality. Enter the affordable housing need as provided by COAH or that results from the adjustment under the “Need” column.

Line		<u>Need</u>
1	<input type="radio"/> Rehabilitation Share (From N.J.A.C. 5:97 Appendix B) <b>OR</b>	<u>0</u>
2	<input type="radio"/> Optional Municipally Determined Rehabilitation Share (If a municipally determined rehabilitation share is being used, attach the survey results as an exhibit to this application and indicate that it is attached as Exhibit _____.)	<u>          </u>
		<u>Need</u>
3	<input type="radio"/> Prior Round (1987-1999) Affordable Housing Obligation (From N.J.A.C. 5:97 Appendix C)	<u>13</u>
	<input type="radio"/> Prior Round Adjustments:	
	<input type="radio"/> 20% Cap Adjustment	<u>0</u>
	<input type="radio"/> 1000 Unit Cap Adjustment	<u>0</u>
4	Total Prior Round Adjustments	<u>0</u>
5	<b>Adjusted Prior Round Obligation:</b> (Number in Appendix C <b>minus</b> Total Prior Round Adjustment(s))	<u>13</u>
	<input type="radio"/> Prior Round Vacant Land Adjustment (Unmet Need)	<u>0</u>
6	Realistic Development Potential(RDP) <sup>1</sup>	<u>0</u>

<sup>1</sup> RDP = Adjusted Prior Round Obligation minus Vacant Land Adjustment

## Determining the Growth Share Obligation

All municipalities must complete the "COAH projections" table below. Only municipalities that anticipate higher projections or that are seeking a growth projection adjustment based on a demonstration that insufficient land capacity exists to accommodate COAH projections need complete the corresponding additional table. COAH has published three workbooks in Excel format to assist with preparing this analysis. All municipalities must complete Workbook A. Workbook B must be used when the municipality anticipates that its growth through 2018 is likely to exceed the growth through 2018 that has been projected by COAH and the municipality wants to plan accordingly. Workbook C must be used by municipalities seeking a downward adjustment to the COAH-generated growth projections based on an analysis of municipal land capacity. Workbooks may be found at the following web location:

[www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html](http://www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html).

The applicable workbook has been completed and is attach to this application as Exhibit Appen.

### Line      ○ *Required 2004-2018 COAH Projections and Resulting Projected Growth Share*

Household Growth (From Appendix F)	<u>22</u>	Employment Growth (From Appendix F)	<u>130</u>
Household Growth After Exclusions (From Workbook A)	<u>22</u>	Employment Growth After Exclusions (From Workbook A)	<u>130</u>
Residential Obligation (From Workbook A)	<u>4.40</u>	Non-Residential Obligation (From Workbook A)	<u>8.13</u>
7	Total 2004-2018 Growth Share Obligation		<u>12.58</u>

### ○ *Optional 2004-2018 Municipal Projections Resulting in Higher Projected Growth Share*

Household Growth After Exclusions (From Workbook B)	_____	Employment Growth After Exclusions (From Workbook B)	_____
Residential Obligation (From Workbook B)	_____	Non-Residential Obligation (From Workbook B)	_____
8	Total 2004-2018 Projected Growth Share Obligation		_____

### ○ *Optional Municipal Adjustment to 2004-2018 Projections and Resulting Lower Projected Growth Share*

Household Growth After Exclusions (From Workbook C)	_____	Employment Growth After Exclusions (From Workbook C)	_____
Residential Obligation (From Workbook C)	_____	Non-Residential Obligation (From Workbook C)	_____
9	Total 2004-2018 Growth Share Obligation		_____

10      **Total Fair Share Obligation** (Line 1 or 2 + Line 5 or 6 + Line 7, 8 or 9)      26.00

## Summary of Plan for Total 1987-2018 Fair Share Obligation

(For each mechanism, provide a description in the Fair Share Plan narrative. In the table below, specify the number of completed or proposed units associated with each mechanism.)

	<u>Completed</u>	<u>Proposed</u>	<u>Total</u>
<b>Rehabilitation Share</b>			<u>0</u>
<i>Less: Rehabilitation Credits</i>	<u>0</u>		<u>0</u>
Rehab Program(s)		<u>0</u>	<u>0</u>
<b>Remaining Rehabilitation Share</b>			<u>0</u>
<b>Prior Round (1987-1999 New Construction) Obligation</b>			<u>13</u>
<i>Less: Vacant Land Adjustment (If Applicable)</i>			
<i>(Enter unmet need as the adjustment amount. Unmet need = Prior round obligation minus RDP):</i>			<u>0</u>
Unmet Need			<u>0</u>
RDP	<u>0</u>	<u>0</u>	<u>0</u>
<b>Mechanisms addressing Prior Round</b>			
Prior Cycle Credits (1980 to 1986)		<u>5</u>	<u>5</u>
Credits without Controls	<u>0</u>	<u>0</u>	<u>0</u>
Inclusionary Development/Redevelopment	<u>0</u>	<u>0</u>	<u>0</u>
100% Affordable Units	<u>0</u>	<u>0</u>	<u>0</u>
Accessory Apartments	<u>0</u>	<u>5</u>	<u>5</u>
Market-to-Affordable	<u>0</u>	<u>0</u>	<u>0</u>
Supportive & Special Needs	<u>0</u>	<u>0</u>	<u>0</u>
Assisted Living	<u>0</u>	<u>0</u>	<u>0</u>
RCA Units previously approved	<u>0</u>	<u>0</u>	<u>0</u>
Other	<u>0</u>	<u>0</u>	<u>0</u>
Prior Round Bonuses	<u>0</u>	<u>3</u>	<u>3</u>
<b>Remaining Prior Round Obligation</b>	<u>0</u>	<u>0</u>	<u>0</u>
<b>Third Round Projected Growth Share Obligation</b>			<u>13</u>
<i>Less: Mechanisms addressing Growth Share</i>			
Inclusionary Zoning	<u>0</u>	<u>9</u>	<u>9</u>
Redevelopment	<u>0</u>	<u>0</u>	<u>0</u>
100% Affordable Development	<u>0</u>	<u>0</u>	<u>0</u>
Accessory Apartments	<u>0</u>	<u>1</u>	<u>1</u>
Market-to-Affordable Units	<u>0</u>	<u>0</u>	<u>0</u>
Supportive & Special Need Units	<u>0</u>	<u>0</u>	<u>0</u>
Assisted Living: post-1986 Units	<u>0</u>	<u>0</u>	<u>0</u>
Other Credits	<u>0</u>	<u>0</u>	<u>0</u>
Compliance Bonuses	<u>0</u>	<u>0</u>	<u>0</u>
Smart Growth Bonuses	<u>0</u>	<u>0</u>	<u>0</u>
Redevelopment Bonuses	<u>0</u>	<u>0</u>	<u>0</u>
Rental Bonuses	<u>0</u>	<u>3</u>	<u>3</u>
<b>Growth Share Total</b>	<u>0</u>	<u>13</u>	<u>13</u>
<b>Remaining (Obligation) or Surplus</b>	<u>0</u>	<u>0</u>	<u>0</u>

## PARAMETERS<sup>1</sup>

<b><u>Prior Round 1987-1999</u></b>			
RCA Maximum	N/A	RCAs Included	N/A
Age-Restricted Maximum	3	Age-Restricted Units Included	0
Rental Minimum	3.25	Rental Units Included	13

<b><u>Growth Share 1999-2018</u></b>			
Age-Restricted Maximum	3	Age-Restricted Units Included	0
Rental Minimum	3	Rental Units Included	10
Family Minimum	7	Family Units Included	10
Very Low-Income Minimum <sup>2</sup>	2	Very Low-Income Units Included	Wavier

<sup>1</sup> Pursuant to the procedures in N.J.A.C. 5:97-3.10-3.12

<sup>2</sup> Pursuant to N.J.S.A. 52:27D-329.1, adopted on July 17, 2008, at least 13 percent of the housing units made available for occupancy by low-income and moderate income households must be reserved for occupancy by very low income households.

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## Summary of Built and Proposed Affordable Housing

Provide the information requested regarding the proposed program(s), project(s) and/or unit(s) in the Fair Share Plan. Use a separate line to specify any bonus associated with any program, project and/or unit in the Plan. As part of completeness review, all monitoring forms must be up-to-date (i.e. 2007 monitoring must have been submitted previously or included with this application) and all proposed options for addressing the affordable housing obligation must be accompanied by the applicable checklist(s) (found as appendices to this application). Enter whether a project is proposed or completed and attach the appropriate form or checklist for each mechanism as appendices to the plan. Please note that bonuses requested for the prior round must have been occupied after December 15, 1986 and after June 6, 1999 for the third round.

Please make sure that a corresponding mechanism checklist is submitted for each mechanism being employed to achieve compliance. Separate checklists for each mechanism are available on the COAH website at [www.nj.gov/dca/affiliates/coah/resources/checklists.html](http://www.nj.gov/dca/affiliates/coah/resources/checklists.html).

**Table 1. Projects and/or units addressing the Rehabilitation Share**

Project/Program Name	Proposed (use Checklists) or Completed( use <u>Rehabilitation Unit Survey Form</u> )	Rental, Owner Occupied or Both	Checklist or Form Appendix Location <sup>1</sup>
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

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<sup>1</sup> If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit Rehabilitation Unit Survey Forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

**Table 2. Programs, Projects and/or units addressing the Prior Round.**

Project/Program Name	Mechanism or Bonus Type	Proposed (use checklists) or Completed (use Project/Unit Program Information Forms)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Number Addressing Rental Obligation)	Number Subject to Age- Restricted Cap	Checklist or Form Appendix Location <sup>1</sup>
1. Scarce Bl. 202, Lot 3 (On File)	Alternative Living	Completed	5	5	0	0
2. Accessory Apartment (On File)	Accessory Apartment	Proposed	5	5	0	0
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
<b>Subtotal from any additional pages used</b>						
<b>Total units (proposed and completed)</b>				10		
Total rental				10		
Total age-restricted				0		
Total very-low				0		
Total bonuses				3		
<b>Please add additional sheets as necessary.</b>						

<sup>1</sup> If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

**Table 3. Programs, Projects and/or Units Addressing the Third Round.**

Project Name	Mechanism or Bonus Type	Proposed (use checklist(s) or Completed (use Project/Unit Program Information Form) <u>Proposed</u> <u>Proposed</u>	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Units Addressing Rental Obligation	Units Addressing Family Obligation	Units Subject to Age- restricted Cap	Checklist or Form Appendix Location <sup>1</sup>
16. Accessory Apartment (On File)	Accessory Apartment	<u>Proposed</u>	1	1	1	0	0
17. Accessory Apart. Inclusion(On File)	Growth Share Zoning	<u>Proposed</u>	9	9	9	0	0
18.							
19.							
20.							
21.							
22.							
23.							
24.							
25.							
26.							
27.							
28.							
29.							
30.							
Subtotal from any additional pages used			0	Total units (proposed and completed)		13	
Total family units			13	Total rental units		13	
Total age-restricted units			0	Total family rental units		13	
Total Supportive/Special Needs units			0	Total very-low units		0	
Total Special Needs bedrooms			0	Total bonuses		3	
Please add additional sheets as necessary.							

<sup>1</sup> If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

Please answer the following questions necessary for completeness review regarding the municipality's draft and/or adopted implementing ordinances.

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**AFFORDABLE HOUSING TRUST FUND (N.J.A.C. 5:97-8)**

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1. Does the municipality have an affordable housing trust fund account? (Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a fully executed escrow agreement will forfeit the ability to retain development fees.)

☒ Yes, Bank Name Lakeland

(Choose account type) ☒ Separate interest-bearing account

☐ State of New Jersey cash management fund

☐ No (Skip to the Affordable Housing Ordinance section)

2. Has an escrow agreement been executed? ☐ Yes ☒ No

(If no, petition is incomplete. Submit an executed escrow agreement.)

3. Is all trust fund monitoring up-to-date as of December 31, 2007? ☐ Yes ☒ No  
(If no, petition is incomplete. Submit an updated trust fund monitoring report.)

**DEVELOPMENT FEE ORDINANCES (N.J.A.C. 5:97-8.3)**

1. Does the Fair Share Plan include a proposed or adopted development fee ordinance? (Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a development fee ordinance will forfeit the ability to retain non-residential development fees)

☒ Yes,

☒ Adopted OR ☐ Proposed

☐ No Skip to the next category; Payments-in-Lieu

2. If adopted, specify date of COAH/Court approval here: October 31, 2008

- Have there been any amendments to the ordinance since COAH or the Court approved the ordinance?

☐ Yes, Ordinance Number. \_\_\_\_\_ Adopted on<sup>1</sup> \_\_\_\_\_

☒ No (Skip to the next category; Payments-in-Lieu)

- If yes, is the amended ordinance included with your petition?

☐ Yes

☐ No, (Petition is incomplete. Submit ordinance with governing body resolution requesting COAH approval of amended ordinance)

3. Does the ordinance follow the ordinance model **updated September 2008** and available at [www.nj.gov/dca/affiliates/coah/resources/planresources.html](http://www.nj.gov/dca/affiliates/coah/resources/planresources.html)? If yes, skip to question 5.

☒ Yes ☐ No

4. If the answer to 3. above is no, indicate that the necessary items below are addressed before submitting the Development Fee ordinance to COAH:

**Information and Documentation**

The ordinance imposes a residential development fee of \_\_\_\_% and a Non-residential fee of 2.5 %

- ☐ A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
- ☐ A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e)
- ☐ A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d)
- ☐ A description of collection procedures per N.J.A.C. 5:97-8.3(f)
- ☐ A description of development fee appeals per N.J.A.C. 5:97-8.3(g)
- ☐ A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h)
- ☐ If part of a court settlement, submit court ordered judgment of compliance, implementation ordinances, information regarding period of time encompassed by the judgment of compliance and a request for review by the court

5. Does the ordinance include an affordability assistance provision per N.J.A.C. 5:97-8.8 (**Note: must be at least 30 percent of all development fees plus interest**)?

☒ Yes (Specify actual or anticipated amount) \$21400

☐ No **Submit an amended ordinance with provisions for affordability assistance along with a governing body resolution requesting COAH approval of the amended ordinance.)**

- If yes, what kind of assistance is offered?

Future/Sewer/Hookup

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- Has an affordability assistance program manual been submitted? ☐ Yes ☒ No

<sup>1</sup> Any amendment to a previously approved and adopted development fee ordinance must be submitted to COAH along with a resolution requesting COAH's review and approval of the amendment prior to the adoption of said amendment by the municipality.

PAYMENTS-IN-LIEU OF CONSTRUCTING AFFORDABLE UNITS ON  
SITE (N.J.A.C. 5:97-8.4)

1. Does the Fair Share Plan include an inclusionary zoning ordinance that provides for payments-in-lieu as an option to the on-site construction of affordable housing?  
☐ Yes ☒ No (Skip to the next category; Barrier Free Escrow)
2. Does the plan identify an alternate site and/or project for the payment-in-lieu funds? (Optional)  
☐ Yes (attach applicable checklist)  
☐ No (identify possible mechanisms on which payment in lieu will be expended in narrative section of plan.)
3. Does the ordinance include minimum criteria to be met before the payments-in-lieu becomes an available option for developers? (Optional)  
☐ Yes (indicate ordinance section) \_\_\_\_\_  
☐ No

BARRIER FREE ESCROW/OTHER FUNDS (N.J.A.C. 5:97-8.5/8.6)

1. Has the municipality collected or does it anticipate collecting fees to adapt affordable unit entrances to be accessible in accordance with the Barrier Free Subcode, N.J.A.C. 5:23-7?  
☒ Yes ☐ No
2. Does the municipality anticipate collecting any other funds for affordable housing activities?  
☒ Yes (specify funding source and amount) Municipal General Fund or Bond  
☐ No

### SPENDING PLANS (N.J.A.C. 5:97-8.10)

1. Does the petition include a Spending Plan? (Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a Spending Plan will forfeit the ability to retain development fees.)  
☒ Yes      ☐ No
2. Does the Spending Plan follow the Spending Plan model **updated October 2008** and available at [www.nj.gov/dca/affiliates/coah/resources/planresources.html](http://www.nj.gov/dca/affiliates/coah/resources/planresources.html)? If yes, skip to next section - Affordable Housing Ordinance.  
☒ Yes      ☐ No
3. If the answer to 1. above is no, indicate that the necessary items below are addressed before submitting the spending plan to COAH:

#### Information and Documentation

- ☐ A projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historical development activity;
- ☐ A projection of revenues anticipated from other sources (specify source(s) and amount(s));
- ☐ A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
- ☐ A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7;
- ☐ A schedule for the expenditure of all affordable housing trust funds;
- ☐ A schedule for the creation or rehabilitation of housing units;
- ☐ If the municipality envisions being responsible for public sector or non-profit construction of housing, a detailed pro-forma statement of the anticipated costs and revenues associated with the development, consistent with standards required by HMFA or the DCA Division of Housing in its review of funding applications;
- ☐ If the municipality maintains an existing affordable housing trust fund, a plan to spend the remaining balance as of the date of its third round petition within four years of the date of petition;
- ☐ The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan;
- ☐ A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and
- ☐ If not part of the petition, a resolution of the governing body requesting COAH review and approval of spending plan or an amendment to an approved spending plan.

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**AFFORDABLE HOUSING ORDINANCE (N.J.A.C. 5:80-26.1 *et seq.*)**

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1. Does the Fair Share Plan include an Affordable Housing Ordinance?  
☒ Yes      ☐ No
2. Does the ordinance follow the ordinance model available at [www.nj.gov/dca/affiliates/coah/resources/planresources.html](http://www.nj.gov/dca/affiliates/coah/resources/planresources.html)?      ☒ Yes      ☐ No
3. If the answer to 1. or 2. above is no, indicate that the required items below are addressed before submitting to COAH. If the required items are addressed in ordinances other than an Affordable Housing Ordinance, please explain in a narrative section of the Fair Share Plan.

**Required Information and Documentation**

- ☐ Affordability controls
- ☐ Bedroom distribution
- ☐ Low/moderate-income split and bedroom distribution
- ☐ Accessible townhouse units
- ☐ Sale and rental pricing
- ☐ Municipal Housing Liaison
- ☐ Administrative Agent
- ☐ Reference to the Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

**AFFORDABLE HOUSING ADMINISTRATION (As Applicable)**

Items that must be submitted with the petition:

- ☒ Governing body resolution designating a municipal housing liaison (COAH must approve)

Items that must be submitted prior to COAH's grant of Substantive Certification:

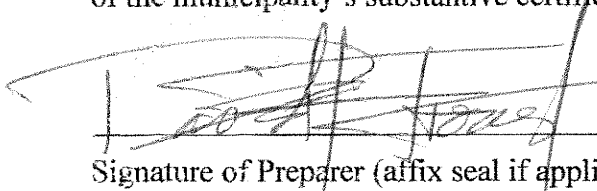
- ☐ Operating manual for rehabilitation program
- ☒ Operating manual for affordability assistance
- ☒ Operating manual for an Accessory Apartment program
- ☐ Operating manual for a Market-to-Affordable program
- ☒ COAH approved administrative agent if municipal wide

Items that must be submitted prior to any time prior to marketing completed units:

- ☒ COAH approved administrative agent(s) is project specific
- ☐ Operating manual for sale units
- ☒ Operating manual for rental units
- ☒ Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

## CERTIFICATION

I, David R. Harts, have prepared this petition application for substantive certification on behalf of Branchville Borough, NJ. I certify that the information submitted in this petition is complete, true and accurate to the best of my knowledge. I understand that knowingly falsifying the information contained herein may result in the denial and/or revocation of the municipality's substantive certification.

  
Signature of Preparer (affix seal if applicable)

12/15/08  
Date

Consulting Planner  
Title

N.J.S.A. 2C:21-3, which applies to the certifications, declares it to be a disorderly person offense to knowingly make a false statement or give false information as part of a public record.

## **Narrative Section**

### 2.05 Waivers:

The Borough of Branchville requests the following waivers from N.J.A.C. 5:97 with Amendments through October 20, 2008 titled COAH Three Round Substantive Rules:

#### 2.05-1 Requirement for 13% of Growth Share for very low income:

Branchville has limited opportunities for new growth and revenue from the Development Fee Ordinance, but is committed to comply with the Round #1, Round #2 and actual growth through an Affordable Accessory Apartment Program fund by the municipality's general fund. The tax burden to comply with this new requirement is unfair and contrary to the intent of the Fair housing Act. The Council on Affordable Housing and COAH Staff should recognize that 56% of the household incomes in Branchville are less than \$50,000 as per the 2000 Census.

#### 2.05-2 Inclusionary Affordable Accessory Apartment Option: 5:97-6.4(J)

The Borough requests a waiver from the requirement to provide specific details on potential Affordable Accessory Apartment locations. The proposed ordinance is an overlay ordinance with incentives to encourage the creation of affordable housing in existing housing stock. Any homeowner desiring to receive approval must comply with all local, county and applicable state codes prior to being permitted to construction and be included as compliant affordable unit.

2.05-3 General Wavier:

Branchville Borough requests any additional waivers that may be required after a review of  
COAH Staff and the Council on Affordable Housing.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Forms

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**SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)**  
(Submit separate checklist for each site or project)

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**General Description**

Municipality/County: Branchville Borough, Sussex County

Project or Program Name: SCARC

Date facility will be constructed or placed into service: 4/06/84

Type of facility: Group Home

For group homes, residential health care facilities and supportive shared housing:

Affordable bedrooms proposed: 5 Age-restricted affordable bedrooms: \_\_\_\_\_

For permanent supportive housing:

Affordable units proposed: \_\_\_\_\_ Age-restricted affordable units: \_\_\_\_\_

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: \_\_\_\_\_

Rental bonuses as per N.J.A.C. 5:97-3.6(a): \_\_\_\_\_

Very low income bonuses as per N.J.A.C. 5:97-3.7<sup>1</sup>: \_\_\_\_\_

Compliance bonuses as per N.J.A.C. 5:97-3.17: \_\_\_\_\_

Date development approvals granted: 4/6/1984

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**Information and Documentation Required with Petition or in Accordance with an**

**Implementation Schedule**

**Is the municipality providing an implementation schedule for this project/program.**

☐ Yes. Skip to and complete implementation schedule found at the end of this checklist.  
NOTE: The remainder of this checklist must be submitted in accordance with the  
implementations schedule.

☒ No. Continue with this checklist.

- ☐ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)
- ☐ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

**A general description of the site, including:**

- ☒ Name and address of owner
- ☒ Name and address of developer
- ☒ Subject property street location
- ☒ Subject property block(s) and lot(s)
- ☐ Subject property total acreage
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Description of previous zoning
- ☐ Current zoning and date current zoning was adopted
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

**A description of the suitability of the site, including:**

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

**A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:**

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site

- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ Pro-forma statement for the project
- ☐ RFP or Developer's Agreement
- ☐ Construction schedule and timetable for each step in the development process
- ☐ Documentation of funding sources
- ☐ Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall

**Information and Documentation Required Prior to Marketing the Completed Units or Facility**

- ☐ For units not exempt from UHAC, an affirmative marketing plan in accordance with N.J.A.C. 5:97-6.10(c)
- ☒ If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency (including validation of the number of bedrooms or units in which low- or moderate-income occupants reside)

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**SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)**

**IMPLEMENTATION SCHEDULE**

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The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

**PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW**

**(A) Development schedule, including, but not limited to, the following:**

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Acquisition			
RFP Process			

Developer Selection			
Executed Agreement with provider, sponsor or developer			
Development Approvals			
Contractor Selection			
Building Permits			
Construction			
Occupancy			

### Supportive/Special Needs Narrative Section

Existing operating facility since April 6, 1984

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<sup>1</sup> Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

## Council on Affordable Housing (COAH)

## Alternative Living Arrangement Survey

Municipality: Branchville County: Surrex  
 Sponsor: SCARC, Inc. Developer: \_\_\_\_\_  
 Block: 202 Lot: 3 Street Address: 7 Maple Ave Branchville  
 Facility Name: \_\_\_\_\_

## Type of Facility:

- ☒ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☐ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS)
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs or NJ Dept. of Human Services)
- ☐ Congregate living arrangement
- ☐ Other - Please Specify: \_\_\_\_\_

Sources of funding submitted to the project (check all that apply):

- ☐ Capital funding from State - Amount \$ \_\_\_\_\_
- ☐ Balanced Housing - Amount \$ \_\_\_\_\_
- ☐ HUD - Amount \$ \_\_\_\_\_
- ☐ Federal Home Loan Bank - Amount \$ \_\_\_\_\_
- ☐ Partners Home Administration - Amount \$ \_\_\_\_\_
- ☐ Development fees - Amount \$ \_\_\_\_\_
- ☐ Bank financing - Amount \$ \_\_\_\_\_
- ☐ Other - Please specify: \_\_\_\_\_

☐ Please provide a pro forma for proposed projects# of total residents 5# of low-income residents 5

# of moderate income residents \_\_\_\_\_

# of market residents \_\_\_\_\_

Resident(s) qualify as low or moderate income?

☒ Yes ☐ No

Length of Control: \_\_\_\_\_ Year

Effective Date of Control: 4/6/84Expiration Date of Control: 4/6/11

Average Length of Stay: \_\_\_\_\_ months (occupational facilities only)

☐ COAH

Indicate licensing agency:

☒ DDD ☐ DMHS ☐ DHS ☐ DCAInitial License Date: 4/1/84Current License Date: 1/21/2007

The following verification is attached:

- ☐ Copy of deed restriction (20-year minimum, HUD, FHA, FELD, BIP deed restriction, etc.)
- ☐ Copy of Capital Application Funding Unit (CAFU) Letter (20-year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☒ Yes ☐ NoAge-restricted? ☐ Yes ☒ NoPopulation Served (describe): Developmentally DisabledAccessible (in accordance with NJ Barrier Free Standards)? ☒ Yes ☐ No

Alternative Marketing Strategy (check all that apply):

☒ DDD/DMHS/DHS/DCA wait list☐ Other (please specify): \_\_\_\_\_

## CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by: Richard C. Lecher  
Project AdministratorDate: 6/4/07Certified by: \_\_\_\_\_  
Municipal Housing Liaison

Date: \_\_\_\_\_

Richard C. Lecher, Ph.D.  
 Chief Executive Officer  
 SCARC, Inc.  
 11 US Route 206, Suite 100  
 Augusta, NJ 07822

Current  
License



License Number GH135

*State of New Jersey*  
**DEPARTMENT OF HUMAN SERVICES**  
**GROUP HOME**  
**LICENSE**

This is to certify that 7 MAPLE AVENUE

P.O. BOX 2038

BRANCHVILLE, NJ 07826

Operated by **ARC-SUSSEX COUNTY**

Having met the requirements of the New Jersey Statute,  
 P.L. 1977, c. 449,  
 and the regulations of this Department, is hereby licensed as a

<b>GROUP HOME</b>	for	6	individuals
(type of residence)			(number)
<b>1/31/2007</b>	effective to	<b>1/31/2008</b>	
(date issued)		(expiration date)	

Jennifer Valez, Acting Commissioner, Department of Human Services

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## ACCESSORY APARTMENTS (N.J.A.C. 5:97-6.8)

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### General Description

Municipality/County: Branchville Borough, Sussex County

Affordable Units Proposed: 6

Family: 6

Low-Income: 3

Moderate-Income: 3

Age-Restricted: 0

Low-Income: 0

Moderate-Income: 0

Average expenditure:

For each low-income unit: \$ 25,000

For each moderate-income unit: \$ 20,000

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### Information and Documentation Required with Petition

- ☒ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)
- ☒ Draft or adopted accessory apartment ordinance
- ☒ Documentation of funding sources
- ☒ Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall
- ☒ Demonstration that the housing stock lends itself to accessory apartments
- ☒ Demonstration that there is water and sewer infrastructure with sufficient capacity to serve the proposed accessory apartments (indicate below type of infrastructure)
  - ☒ Public water and sewer system; OR
  - ☒ If served by individual well and/or septic system, the municipality must show that the well and/or septic system meet the appropriate NJDEP standards and have sufficient capacity for additional unit

### **Information and Documentation Required Prior to Substantive Certification**

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual
- ☐ Affirmative Marketing Plan in accordance with UHAC

### **Accessory Apartment Narrative Section**

#### 2.03-3 Accessory Apartment:

Branchville proposes an Accessory Apartment overlay ordinance to satisfy the actual and projected affordable housing need within existing residential dwellings in compliance with the requirements of statutory law and COAH's revised Round #3 Rules as amended from time to time. Notwithstanding any provision or standard in the Zoning Ordinance, an affordable accessory apartment may be located within a detached single –family dwelling, as an addition to the existing dwelling, above a garage or other suitable structure on the property meeting the bulk standards of the zone except for lot area.

#### 2.03-1 3 Accessory Apartment Justification:

Branchville Borough is an older stable rural village with strong community and family ties where people live the majority of their lives. The following characteristics provide a clear justification older moderate income community, which would benefit from the affordable accessory apartment program. The Housing Characteristics Section 1.06, page nine of the Housing Plan provides the documentation of the age of the housing stock. The homes are a range of sizes on smaller lots with 82% constructed or 315 houses before 1959. The Branchville residents have a median age of 41.7 with 24% of the population over 60 years of age. The ordinance standards will provide an incentive of a decrease in the lot size requirements of the zone if septic or sewer and water are available and acceptable the Sussex County Health Department.

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## ZONING FOR INCLUSIONARY DEVELOPMENT (N.J.A.C. 5:97-6.4)

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(Submit separate checklist for each site or zone)

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### General Description

Municipality/County: Branchville Borough, Sussex County

Project Name/Zoning Designation: Affordable Accessory Apartment Overlay Ordinance

Block(s) and Lot(s): N/A

Total acreage: N/A

Proposed density (units/gross acre): 1/9,000 SF

Affordable Units Proposed: 9

Family: 9

Sale: 0

Rental: 9

Very low-income units: 0

Sale: 0

Rental: 0

Age-Restricted: 0

Sale: 0

Rental: 0

Market-Rate Units Anticipated: 0

Non-Residential Development Anticipated (in square feet), if applicable: 0

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☒ No

### Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: \_\_\_\_\_

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 3

Very low income bonuses as per N.J.A.C. 5:97-3.7<sup>1</sup>: \_\_\_\_\_

Smart growth bonuses as per N.J.A.C. 5:97-3.18: \_\_\_\_\_

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: \_\_\_\_\_

Compliance bonuses as per N.J.A.C. 5:97-3.17: \_\_\_\_\_

Date inclusionary zoning adopted: Proposed Date development approvals granted: \_\_\_\_\_

### **Information and Documentation Required with Petition**

- ☒ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, check here ☐ in lieu of submitting forms.)
- ☒ Draft or adopted zoning or land use ordinance, which includes the affordable housing requirement and minimum presumptive density for the site/zone.
- ☐ Copies of all decisions made on applications for affordable housing development subsequent to adoption of the current zoning

**If payments in lieu of on-site construction of the affordable units is an option, submit:**

- ☐ Proposed or adopted ordinance establishing the amount of the payments
- ☐ Spending plan

**A general description of the site or zone, including:**

- ☐ Name and address of owner
- ☐ Name and address of developer(s)
- ☐ Subject property street location
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Previous zoning designation and date previous zoning was adopted
- ☐ Current zoning and date current zoning was adopted
- ☐ Description of any changes to bulk standards intended to accommodate the proposed densities
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

**A description of the suitability of the site, including:**

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☒ Planning Area and/or Special Resource Area designation(s) i.e., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☒ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

**A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:**

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas

- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site
- ☐ Based on the above, a quantification of buildable and non-buildable acreage

**Agreements with developers or approvals for development of specific property, which shall include:**

- ☐ Number, tenure and type of units
- ☐ Compliance with N.J.A.C. 5:97-9 and UHAC
- ☐ Progress points at which the developer shall coordinate with the Municipal Housing Liaison

**Information and Documentation Required Prior to Marketing the Completed Units**

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual
- ☐ An affirmative marketing plan in accordance with UHAC

## **Zoning Narrative Section**

**2.03-1 Inclusionary Option: Ordinance:**

Branchville as part of this submission submits for approval an overlay Ordinance that permits the conversion of existing single family residential homes into two family homes with one unit deed restricted. The 40% density incentive along with other incentives have been included to be consistent with 5:97-6.4. The proposed ordinance is included in the Appendix.

**2.03-3 Accessory Apartment:**

Branchville proposes an Accessory Apartment overlay ordinance to satisfy the

actual and projected affordable housing need within existing residential dwellings in compliance with  
the requirements of statutory law and COAH's revised Round #3 Rules as amended from time to time.  
Notwithstanding any provision or standard in the Zoning Ordinance, an affordable accessory apartment  
may be located within a detached single –family dwelling, as an addition to the existing dwelling,  
above a garage or other suitable structure on the property meeting the bulk standards of the zone  
except \_\_\_\_\_ for \_\_\_\_\_ lot  
area \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<sup>1</sup> Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

## PROJECT / PROGRAM INFORMATION FORM

Changes to the highlighted areas are to be made directly into the CTM system. Fields highlighted in grey will be added to the CTM screen in January. All other changes must be made on the form and submitted to COAH.

### PART A – PROJECT HEADER

Municipality: Branchville Borough County: Sussex County

Project or Program Name: Accessory Apartment Program

Project Status (circle current status and enter date of action for that status)

Status Date

Proposed/Zoned

*Pending*

12/10/2008

Preliminary Approval

Final Approval

Affordable Units under Construction

Completed (all affordable certificates of occupancy (C.O.) issued)

Deleted from Plan

(date approved by COAH) \_\_\_\_\_ )

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility

Alternative Living Arrangement

Accessory Apartment

Market to Affordable

Credits without Controls

ECHO

100 Percent Affordable

Inclusionary

Rehabilitation

Redevelopment

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site

Units constructed off-site

Combination

Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless

Residential Health Care Facility

Congregate Living Facility

Group Home

Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

Permanent Supportive Housing (unit credit)

Supportive Shared Living Housing (bedroom credit)

**PART B – PROJECT DETAIL (Complete all applicable sections)**

COAH Rules that apply to project: Round 1 Round 2 Round 3

Project Address: \_\_\_\_\_

Project Block/Lot/Qualifier (list all) \_\_\_\_\_

Project Acreage: \_\_\_\_\_ Density: 40% Set Aside: \_\_\_\_\_

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed Private Developer

Project Sponsor name: \_\_\_\_\_

Project Developer name: \_\_\_\_\_

Planning Area (circle all that apply)

1 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type

Prior-cycle (1980 – 1986) Post-1986 completed Proposed/Zoned Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) New (includes reconstruction and conversions) Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted Pending yes no Round waiver was granted R1 R2 R3

Type of Waiver Accessory Apartment as an Inclusionary Innovative Option

Number of market units proposed 0 Number of market units completed \_\_\_\_\_

Number of market units with certificates of occupancy issued after 1/1/2004 \_\_\_\_\_

Number of affordable units under construction \_\_\_\_\_

Condo Fee percentage (if applicable) \_\_\_\_\_

Affordability Average Percentage <sup>1</sup> \_\_\_\_\_

<sup>1</sup> "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

**For Contributory or Combination Sites**

Total payment in lieu of building affordable units on site \_\_\_\_\_

Number of affordable units created with payment \_\_\_\_\_

**Municipal or RCA funds committed to project** \_\_\_\_\_

**Municipal or RCA funds expended** \_\_\_\_\_

**Funding Sources (circle all that apply)**

County HOME   County Rehab Funds   CDBG   Federal Home Loan Bank   HODAG   HUD   HUD 202  
HUD 236   HUD 811   HUD HOPE VI   HUD HOME   McKinney Funds   Fannie Mae Multi-Family  
UDAG   UHORP   USDA-FHA Rural Development   USDA-FHA - Section 515   Development Fees  
Municipal Bond   Municipal Funds   Payment in Lieu   Private Financing   RCA   Capital Funding  
Balanced Housing   Balanced Housing – Home Express   DCA – Low Income House Tax Credit   NPP  
DCA Shelter Support Services   DDD   DHSS   DHHS   HMFA Low Income House Tax Credit  
HMFA   HMFA HOME   MONI   Section 8   Small Cities   Other Housing Trust Fund

**Effective date of affordability controls** \_\_\_\_\_

**Length of Affordability Controls (in years)** 30   or Perpetual

**Administrative Agent**                      To be named

**For Redevelopment Projects**

Does this project require deed restricted units to be removed?                      Yes                      No

If Yes

# of deed restricted units removed \_\_\_\_\_

# of moderate income units removed \_\_\_\_\_

# of low income units                      removed \_\_\_\_\_

# of very low income units removed \_\_\_\_\_

# of rental units removed \_\_\_\_\_

# of for-sale units removed \_\_\_\_\_

# of one-bedroom units removed \_\_\_\_\_

# of two-bedroom units removed \_\_\_\_\_

# of three-bedroom units removed \_\_\_\_\_

## PART C – COUNTS

### Affordable Unit Counts

Total non-age-restricted +6    Sales \_\_\_\_\_ Rentals 6    Total age-restricted \_\_\_\_\_ Sales \_\_\_\_\_ Rentals \_\_\_\_\_

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

<u>Low Income</u>	<u>Non-age restricted</u>	<u>Age-restricted</u>
30% of median income <sup>2</sup>	_____	_____
35% of median income <sup>3</sup>	_____	_____
50% of median income	+3	_____
<u>Moderate Income</u>		
80% of median income	+3	_____

Note: 30% = less than or equal to 30 percent of median income  
 35% = greater than 30 percent and less than or equal to 35 percent of median income  
 50% = greater than 35 percent and less than or equal to 50 percent of median income  
 80% = greater than 50 percent and less than 80 percent of median income

### Bedroom Distribution of Affordable Units

Sale units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____
Rental units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____

### Completed Units

Number of affordable units completed in this project 0

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0

<sup>2</sup> Pursuant to N.J.A.C. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

<sup>3</sup> Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income



# MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7



A municipality that petitions the Council on Affordable Housing (COAH) for substantive certification or is otherwise participating in COAH's substantive certification process must include an updated service list in order for COAH to review its submittal. At the time it files or petitions for substantive certification a municipality must provide COAH with a Service List which includes the following information (Please print clearly):

1. Current names and addresses of owners of sites included in previously certified or court settled plans that were zoned for low- and moderate-income housing and/or were to pay a negotiated fee(s). Owners of sites that have been completely developed may be excluded;

PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	

PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	

PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	

PROJECT NAME		BLOCK	
		LOT	
PROPERTY OWNER		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	



**MUNICIPALITY, COUNTY**  
**SERVICE LIST**  
N.J.A.C. 5:96-3.7



<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	



**MUNICIPALITY, COUNTY**  
**SERVICE LIST**  
N.J.A.C. 5:96-3.7



2. The names and addresses of owners of all new or additional sites included in the Fair Share Plan;

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	

<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	



**MUNICIPALITY, COUNTY**  
**SERVICE LIST**  
N.J.A.C. 5:96-3.7



<b>PROJECT NAME</b>		<b>BLOCK</b>	
		<b>LOT</b>	
<b>PROPERTY OWNER</b>		<b>TITLE</b>	
<b>EMAIL</b>		<b>PHONE NO.</b>	
<b>ADDRESS</b>		<b>FAX NO.</b>	



3. Except for Mayors, Clerks, Municipal Attorneys and Municipal Housing Liaisons, which are automatically added to every Service List by COAH, the names and addresses of all municipal employees or designees that the municipality would like notified of all correspondence relating to the filing or petition;



# MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7



4. The names and addresses of relevant County, Regional and/or State entities; AND

NAME	<u>Eric K. Snyder</u>	TITLE	<u>Planning Director</u>
EMAIL	<u>esnyder@sussex.nj.us</u>	PHONE NO.	<u>973-579-0500</u>
ADDRESS	<u>1 Spring St. PO B 709</u>	FAX NO.	<u>973-579-0513</u>
	<u>Newton, NJ 07860</u>		

NAME	<u>Christine Danis</u>	TITLE	<u>Reg. Planner</u>
EMAIL	<u>highlands@highlands.state.nj.us</u>	PHONE NO.	<u>908-879-6737</u>
ADDRESS	<u>100 N. Road Rt. 513</u>	FAX NO.	<u>908-879-4205</u>
	<u>Chester, NJ 07930-2322</u>		

NAME	<u>Karl Hartkopf</u>	TITLE	<u>Smart Growth</u>
EMAIL	<u>khartkopf@dca.state.nj.us</u>	PHONE NO.	<u>609-292-3155</u>
ADDRESS	<u>101 S. Broad St. PO B 204</u>	FAX NO.	<u>609-292-3292</u>
	<u>Trenton, NJ 08625</u>		

NAME	<u>Louanne Cular</u>	TITLE	<u>Clerk</u>
EMAIL	<u>clerk@frankfordtpw-nj.com</u>	PHONE NO.	<u>973-948-5566</u>
ADDRESS	<u>161 US Hwy. 206</u>	FAX NO.	<u>973-948-2612</u>
	<u>Augusta, NJ 07822</u>		

NAME		TITLE	
EMAIL		PHONE NO.	
ADDRESS		FAX NO.	



5. Names of known interested party(ies).

## NOTICE OF PETITION FOR SUBSTANTIVE CERTIFICATION

NOTICE is hereby given that Borough of Branchville, Sussex County, New Jersey, has petitioned the New Jersey Council on Affordable Housing for Substantive Certification of its Housing Element and Fair Share Plan pursuant to NJSA 52:27D-301, et seq., NJAC 5:96 and NJAC 5:97. A copy of the adopted Housing Element and Fair Share Plan and supporting documentation is available for public inspection at the office of the Municipal Clerk, Municipal Building, located at 5 Main Street, during the hours of 9:00 a.m. to 1:00 p.m. Comments or objections to said petition for Substantive Certification shall be filed with the New Jersey Council on Affordable Housing, 101 South Broad Street, PO Box 813, Trenton, New Jersey 08625-0813 and with the Municipal Clerk by \_\_\_\_\_ which is within 45 days of publication of this notice.

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KATHRYN LEISSLER, Municipal Clerk