

Plans, Master Plans and Amendments

Report to the Board November 24th through January 13th 2015

Municipality	Township of Roxbury
Document	Housing Plan Element and Fair Share Plan
Public Hearing	December 2, 2015
Summary	Housing Element and Fair Share Plan prepared using affordable housing obligation established by COAH in N.J.A.C. 5:99 Third Round Rules for the period 2014 to 2014 in response to the NJ Supreme Court decision of March 2015.

- The Housing Element and Fair Share Plan establishes an affordable housing obligation in accordance with methodologies similar to the first and second round in accordance with the Supreme Court’s March 2015 decision directing municipalities to demonstrate to the court computations of housing need and municipal obligations based on those methodologies.
- The calculation of Roxbury’s obligation was taken directly from COAH’s final but un-adopted third round calculations that were proposed in 2014. This calculation includes 358 units plus a 78 rehabilitation component as follows:
 - Prior Round (1987-2014) = 276
 - Third Round (2014 – 2024) = 82
 - Rehabilitation = 78
- The Plan reports the 276 prior round obligation was met with a combination of group homes, age restricted rental, family rental, buy-down units and rental bonus credits. Third round obligation will be met by a combination of age restricted and family rental units, special needs units and rental bonus credits. A 53 unit surplus from age restricted and family rental units is reported which may be applied to any future obligation.
- This Housing Element and Fair Share Plan will be subject to Court review. Roxbury is required to submit this Plan to the court by January 15, 2016. No timeframe has been provided by the courts governing a decision on this or any other affordable housing plans submitted in accordance with the March 2015 court order. It will up to the court as to whether Roxbury’s period of immunity from builders remedy lawsuits will extend beyond the January 15, 2016 date.

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Municipality	Borough of Kinnelon
Document	Housing Element and Fair Share Plan
Public Hearing	December 3, 2015
Summary	Housing Element and Fair Share Plan prepared in response to the NJ Supreme Court mandate of 2015.

- Kinnelon received certification for its First Round Plan in 1988 and its Second Round Plan in 1996. The Borough had produced a third round plan based on COAH rules pertaining to growth share; however, certification was never received. The current draft Housing Element and Fair Share Plan has been developed in response to the NJ Supreme Court ruling of March 15, 2015.
- The current Plan notes that the court has not yet determined a definitive obligation for the municipality, and states that conflicting third round obligations have been estimated based on the analysis by Dr. Robert Burchell on behalf of COAH and by David Kinsey on behalf of the Fair Share Housing Center. The Burchell analysis suggested a Prospective (future) Need obligation for Kinnelon of one unit while the Kinsey analysis identified an obligation of 298 units.
- The Plan states that the Kinsey analysis failed to acknowledge that 97 percent of the Borough is located in the Highlands Preservation Area and that 325 acres are located in the Highlands Planning Area and that Kinnelon is conforming all land in the Borough to the Highlands Regional Master Plan.
- The Plan includes a vacant land adjustment which identifies 55.99 acres of vacant land in the Planning Area of which 7.2 acres are devoid of environmentally sensitive features. Based on this analysis and adjustment, a third round affordable housing obligation of nine units was calculated by the municipality. This Fair Share Plan proposes the use of accessory apartments to meet this obligation.
- The Plan includes a caveat indicating that the courts must make a final determination of the Borough's affordable housing obligation, that the Highlands Council must also provide a determination on this issue and that the Plan is subject to amendment based on these future considerations.

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Municipality	Township Mount Olive
Document	Amendment to the Master Plan Land Use Plan Element of the 2003 Master Plan
Public Hearing	December 17, 2015
Summary	Amendment of the Land Use Plan to incorporate changes to the Foreign Trade Zone (FTZ-4) to permit residential uses among the permitted principle uses for select parcels and to make changes in the location of the Light industrial and General Industrial zones.

The present Foreign Trade Zone (FTZ-4) permits uses permitted in the C-1, C-2 Commercial and GI Industrial Districts, which do not include residential use. The proposed changes to the FTZ-4 zone would provide an opportunity to repurpose the former BASF corporate campus for mixed use development. The Plan finds this concept consistent with the State Development and Redevelopment Plan, several purposes of the Municipal Land Use Law and the findings of a Urban Land Institute study conducted in 2014. The Plan identifies four parcels within the FTZ-4 zone as appropriate for residential use. These include:

- Block 200, Lot 1 - 97 acres, BASF headquarters 930,000 s.f. “East Site” of Corporate Campus.
- Block 301, Lot 4 - 57.5 acre “West Site” of Corporate Campus approved for 700,000 s.f., not constructed
- Block 105, Lot 1 - 87 acres along Continental Drive. Original “Town Center” concept undeveloped.
- Block 106, Lot 3 – 15.3 acres along Continental Drive, zoned General Industrial, undeveloped.

These sites are to be repurposed to permit attached and detached residential use at a density of four to five dwelling units per acre as part of mixed use development. Unit types will vary from multifamily to single family with different standards related to the existing “headquarters” site and other undeveloped areas. The specific mix of uses is not described; however the description of proposed standards includes consideration of buffers, open space/recreation opportunities, pedestrian/bicycle access and linkages to the neighboring State Park system and Netcong Train Station.



The Land Use Plan amendment also recommends the rezoning of two additional parcels along Continental Drive. First is Block 106, Lot 2, which is proposed for rezoning from General Industrial to FTZ-4 and second is Block 7 Lot 1, which is proposed to be rezoned from FTZ-4 to General Industrial. Several other parcels in the vicinity are also proposed for rezoning from Light Industrial to General Industrial.

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Report to the Board November 24th through January 13th 2015

Municipality	Borough of Riverdale
Document	2015 Housing Element and Fair Share Plan
Public Hearing	December 1/17/2016
Summary	Housing Element and Fair Share Plan prepared using affordable housing obligation numbers established by COAH in N.J.A.C. 5:99 Third Round Rules for the period 2014 to 2014 in response to the NJ Supreme Court decision of March 2015.

- This Housing Element and Fair Share Plan supersedes the Housing Plan of May 13, 2010 which was submitted to COAH but did not receive substantive certification. This current plan has been developed to conform to the requirements of the Fair Housing Act and recent decisions by the New Jersey Supreme Court.
- The calculation of Riverdale obligation was based on COAH's final but un-adopted third round calculations that were proposed in 2014. The Plan reports that there is no rehabilitation obligation.
 - Prior Round = 58
 - Present Need = 0
 - Prospective Need = 84 / 26
- Prospective Need: The Plan notes that Riverdale is in the Highlands Planning Area with a "buildable limit" capacity of 26 units. Consequently, the Plan concludes that the prospective (3rd Round) obligation should be adjusted from 84 units to 26 units. The combined total prior round (58) and adjusted prospective need (26) subsequently add up to 84 units.
- Prior Round: The Plan identifies credits of 96 units from construction and related bonuses. Since the prior round obligation is 58 units, a prior round surplus of 38 units is reported.
- The Plan also notes that the Borough has purchased land on Newark Pompton Turnpike and intends to partner with a non-profit to develop a 100% affordable project including 25 affordable homes.
- The 38 unit surplus combined with the 25 units anticipated from the Borough owned property would provide 63 total units. Applying this to the 26 unit requirement leaves a 37 unit surplus to be applied to future needs.
- The Plan also identifies the potential for development of additional affordable housing in connection with downtown redevelopment and as part of its Quarry Redevelopment Plan. Based on these Plan assumptions, another 60 units of affordable housing could be realized of address future needs, in addition to the 37 unit surplus currently identified.
- This Housing Element and Fair Share Plan will be subject to Court review as pertains to the calculated obligation and affordable housing methodologies. Riverdale is required to submit this Plan to the court by January 7, 2016. No timeframe has been provided by the courts governing a decision on this or any other affordable housing plans submitted in accordance with the March 2015 court order.

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Municipality	Borough of Mount Arlington
Document	2015 Master Plan Reexamination Report and 2015 Master Plan Update
Public Hearing	December 9, 2015
Summary	The Reexamination Report constitutes the Master Plan Reexamination mandated by the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-89. The subsequent Master Plan includes new goals and objectives, updated community characteristics, demographics and new Land Use and Recycling Plan Elements.

- The Mount Arlington Master Plan was last updated in 1999 with subsequent reexaminations in 2005 and 2015. The current 2015 Reexamination Report various problems and objectives found in the 2005 Reexamination and the extent to which these have been addressed. Major changes include:
 - The elimination of vacant land and the fully built-out character of the Borough
 - The completion of a Village Center Plan and “Borough Core Analysis”
 - Completion of a Highlands Master Plan Element and Ordinance for the Highlands Preservation Area
- Other changes include the release of 2010 census data, the ongoing update of the Municipal Stormwater Management Plan, the elimination of COAH and the need to develop a new Housing Element and Fair Share Plan in accordance with NJ State Supreme Court requirements. As a result of these changes, the Reexamination recommends a complete update to the Borough Master Plan.
- The Borough completed an update of the Borough Master Plan that includes new goals and objectives, updated community characteristics, demographics and new Land Use and Recycling Plan Elements. The new Plan focus is on preserving existing residential character in the Borough’s diverse neighborhoods, encouraging commercial development at different scales to promote Borough economic vitality, including large scale commercial development on Howard Avenue and close to the Route 80 interchange and smaller neighborhood scale commercial development in the Village Center area.
- The new Land Use Element seeks to promote a positive “sense of place,” strengthen open space character, protect historic architecture/structures and promote opportunities for infill and redevelopment. The Plan recognizes the largely “built-out” nature of the community and for that reason, new growth is expected to take place as scattered, limited scale infill development consistent with existing adjacent land uses. Most significant new growth is planned for two planned redevelopment areas and as part of rehabilitation and redevelopment of key sites within the Village Center.
 - The Valley Road Redevelopment Area consists of a 55.3 acre area and is planned for a 300 unit multi-family residential development, currently under construction.
 - The Mount Arlington Landfill Redevelopment Plan covers the 35.5 acre former municipal landfill site, located within the Highlands Preservation Area, and calls for its redevelopment as a solar energy generation facility and parking for recreational vehicles.
 - The Land Use Plan proposes a new Village Center (VC) zoning designation applicable to 142 parcels spread over 44.7 acres. The new designation supports a more diverse mix of residential, resort and commercial uses while allowing for the rehabilitation and redevelopment of key opportunity sites. Off-street parking requirements would be amended to allow for shared parking at off-site locations and prohibit parking or loading in front yard areas. The Plan supports steps in the VC area to ensure comprehensive rehabilitation; e.g. continued pedestrian friendly streetscape improvement, identification of a new municipal parking lot site, the encouraged replacement of ground floor residential uses and the identification of opportunities to capitalize on the neighborhoods unique architectural heritage.