

Plans, Master Plans and Amendments

Report to the Board June 14, 2019 through Sept 19, 2019

Municipality	Township of Montville
Document	Housing Element and Fair Share Plan
Public Hearing	July 15, 2019
Summary	Montville’s Round Three Housing Element and Fair Share Plan prepared in accordance with a settlement agreement with the Fair Share Housing Center.

- The Township of Montville has entered into a settlement agreement with the Fair Share Housing Center, which was approved by the Court. The following affordable housing obligation applies under the terms of the settlement:
 - Present Need Obligation (Rehabilitation): 32 units
 - Prior Round Obligation (1987-1999): 261 units
 - Third Round Prospective Need (1999-2025): 850 units.
- The settlement agreement affirms, based on a vacant land adjustment, that the Township’s Third Round Realistic Development Potential (RDP) is 550, leaving a remaining unmet need of 300.
- The settlement agreement permitted the Township to conduct a Structural Conditions Survey in accordance with COAH’s Round 2 rules to reduce or eliminate its Rehabilitation Obligation. The survey was completed in April of 2019, the results of which reduce the Rehabilitation Obligation from 32 to 18 units. The Township will address the 18-unit obligation through continue participation in the Morris County Housing Rehabilitation Program and the hiring of a rehabilitation consultant with funding from the Township’s affordable housing trust fund.
- To address its Prior Round Obligation, the Township will apply 261 credits from existing affordable housing development.
- To address its Third Round RDP, the Township will apply 212 credits created under the Prior Round, 13 credits from affordable units built and/or approved in the Third Round, 113 credits from proposed inclusionary developments, 32 credits for alternative living arrangement bedrooms, 42 credits from extended affordability controls, and 138 rental bonus credits.
- To address its Unmet Need, the Township will apply 33 credits for future alternative living arrangement bedrooms and 55 credits for future extensions of affordability controls. The Township also provides a realistic opportunity for the development of affordable housing through the adoption of overlay zoning for inclusionary development at two sites currently developed and zoned for commercial use.
- The Township will also adopt a Township-wide mandatory set-aside ordinance that requires any site that benefits from a subdivision or site plan approval, rezoning, use variance, redevelopment/rehabilitation plan approved by the Township that results in a multi-family or single-family attached development of five or more units shall provide an affordable housing setaside of between 15 and 20 percent.

Plans, Master Plans and Amendments

Report to the Board June 14, 2019 through Sept 19, 2019

Municipality	Township of Montville
Document	2019 Land Use Plan Amendment
Public Hearing	July 25, 2019
Summary	Land Use Plan Amendment prepared in conjunction with the 2019 Montville Housing Element and Fair Share Plan.

- The 2019 Housing Element and Fair Share Plan identifies specific areas within Montville for the development of affordable housing that require the adoption of zoning ordinance amendments and the creation of new overlay zones. These actions necessitate amendments to the Township’s 2010 Land Use Plan Element to provide consistency with the 2019 Housing Element and Fair Share Plan.
- The amendment offers new land use designations for sites identified as Avalon Bay, Mill Creek, V&L and St. Albert’s (a.k.a. Signature). Avalon Bay, Mill Creek and V&L were subject to earlier settlement agreements. Two new Inclusionary Overlay Districts are proposed at sites on Route 202 and Stiles Lane.
 - The Avalon Bay site is located on Route 46. A redevelopment plan for this site was adopted but not previously addressed in the Land Use Plan. The current plan now includes the Affordable Housing Redevelopment 1 Land Use Category for this site, permitting up to 349 units with a 15 percent setback.
 - The Mill Creek site is located on Changebridge Road contains vacant office buildings. It is the subject of a redevelopment plan and is identified in the new Land Use Plan as Affordable Housing Redevelopment 3, which could generate up to 295 units with a 15 percent setback for the first 250 units and a 20 percent setback for the remaining 45 units.
 - The V&L site is located on Route 202, is vacant and zoned industrially. The Land Use Plan amends the land use category of this site to the Inclusionary Townhouse/Multifamily Dwelling Zone , which permits up to 70 townhouse and/or multifamily units with a 20 percent setback.
 - The St. Albert site is located on Pine Brook Road and contains an existing residential health care facility. The Township proposes to provide funding to enable the facility to deed restrict the existing 27 beds and convert 5 staff bedrooms to deed restricted special needs bedrooms for low and moderate-income residents.
 - The Land Use Plan also creates a new designation for this site, the Medium Density Residential-Residential Health Care Facility Option category, permitting up to 65 bedrooms for special needs, deed restricted affordable housing.
 - The new Route 202 Overlay District includes a 15.9-acre site currently zoned as B-1 Business and developed with commercial and industrial uses. The underlying zoning will be maintained and a new Route 202 Overlay District added that would permit the construction of up to 250 units and a 20 percent setback.
 - The new Stiles Lane Overlay District concerns a 31-acre site along Stiles Lane and would permit up to 375 units with a 20 percent setback. The site, comprised of 12 parcels, is currently zoned I-2 Industrial and is developed primarily with industrial use.

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Report to the Board June 14, 2019 through Sept 19, 2019

Municipality	Township of Montville
Document	2019 Master Plan Reexamination
Adopted	7/11/2019
Summary	Reexamination Report adopted in accordance with N.J.S.A.40:55D-89

- The Township’s last full Master Plan was adopted in 2013. Since then, Master Plan changes include a new Circulation Plan Element, Community Facilities Plan Element, Historic Preservation Plan Element, Third Round Housing Element and Fair Share Plan (2016) and Towaco Center Core Area Land Use Plan amendment (2010). The last Land Use Plan Element was adopted in 2010.
- The Report describes the major problems identified in the 2010 Land Use Plan Element and the extent to which the problems and objectives have increased or decreased. Examples include, but are not limited to:
 - The Towaco Center Plan experienced some redevelopment success, but the lingering impacts of the Great Recession and changing market conditions necessitated amendments to the land use plan to allow stand-alone townhouse development and other changes.
 - Design standards have been implemented to improve the B-1 and B-2 business districts and a portion of the Route 202 Corridor.
 - Montville has satisfied its Highlands plan conformance requirements for its Preservation Area lands.
- Five new goals are recommended in addition to the existing goals in the last Master Plan. These are: #17 Maintain a balance between residential and nonresidential uses to ensure a stable and sound community tax base and local employment opportunities; #18 Protect and preserve the Township’s remaining farmland and agricultural economy, while ensuring compatibility with surrounding residential development; #19 Prepare and adopt a Green Building and Environmental Sustainability Element of the Land Use Plan; #20 Encourage a variety of senior housing opportunities in order to allow all aging residents to remain in the community; #21 Discourage the proliferation of any additional billboards beyond those billboards that are already located in the community.
- Amendments are recommend to the land use ordinance concerning, but not limited to: zoning to address the Township’s affordable housing settlement agreement, Right to Farm and residential farming practices, Places of Worship, Electric Vehicle Charging Stations, Provisions for Emerging Land Uses, Steep Slope Disturbance, Tree Protection, Buffer Provisions, Building Height Definitions, Architectural Standards, and Single Family Homes with Multiple Kitchens.
- The Report addresses areas of redevelopment pursuant to the Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1) and notes the approval of the Route 46 West Condemnation Redevelopment Plan in 2016. It also describes redevelopment projects the Township has undertaken or plans to undertake in association with the Township’s affordable housing settlement agreement, identifying two such sites proposed for designation as non-condemnation areas in need of redevelopment.

Plans, Master Plans and Amendments

Report to the Board June 14, 2019 through Sept 19, 2019

Municipality	Township of East Hanover
Document	2019 Master Plan Amendment
Public Hearing	July 31, 2019
Summary	Amendment to the Master Plan necessary to implement a settlement agreement with the Fair Share Housing Center and establish a foundation for rezoning the subject site.

- The purpose of this amendment is to guide the rezoning of Lots 37, 38, and 41 in Block 42 (subject site) which is approximately 75 acres and currently developed with the “Eagle Building” at Deforest Avenue and River Road. Constructed in 1974, this building was formerly part of Nabisco and Kraft Foods, and is now owned by Mondelez International.
- East Hanover filed a Declaratory Judgement Action in 2015 in order to address its Third Round affordable housing obligation. During this process, Kushner Real Estate Acquisition Corporation (KRE) became contract purchaser of the subject site and filled a motion in 2018 to intervene in the Township’s Declaratory Judgement Action. Numerous mediation sessions were held between the Township, KRE, the Fair Share Housing Center, the Court-appointed master and others.
- In June 2019, the Township settled with the Fair Share Housing Center. The settlement calls for the Township to enter into an agreement with KRE for the production of 548 residential units with a 17.5% set-aside of 96 affordable units on the subject site.
- The subject site is currently zoned R-L Research Laboratories and Office. The site is proposed for rezoning as Residential Multi-Family, a new zone that would permit duplex dwellings, stacked townhouses, townhouses, multi-family residential and public and private open space. The new zone should permit a minimum tract size of 70 acres, a maximum density of 7.4 units per acre with a maximum of 548 units. Permitted building height would vary from 40 to 55 feet depending on housing type and at least 5% of the site is to be open space for resident use. The new zone should also include standards for building length, distance between building, and other bulk requirements, architectural design, lighting, landscaping, signage, circulation, parking and trash.



Plans, Master Plans and Amendments

Report to the Board June 14, 2019 through Sept 19, 2019

Municipality	Township of Parsippany-Troy Hills
Document	2019 Master Plan Reexamination
Public Hearing	August 19, 2019
Summary	Reexamination of the Master Plan conducted in accordance with N.J.S.A.40:55D-89 in connection with the implementation of their recent affordable housing settlement agreement.

- The Township’s last Comprehensive Master Plan was adopted in 1976 and its last Reexamination Report was adopted in 2014. The 2019 Reexamination Report (Report) documents changes that have occurred since 2014, and provides the basis for ordinance changes that are required to implement provisions for affordable housing connected with the settlement agreement between the Township and the Fair Share Housing Center, as accepted by the Court in June 2019.
- The Report identifies the goals and objectives of the 2014 Reexamination Report, the extent to which issues remain relevant and the extent to which problems have been reduced or increased. Some issues of ongoing concern include the health of the Township’s business, research and office areas, solar power installations, multifamily residential development, road widths, water conservation, wellhead protection and floodplain restoration. The status of previously recommended zoning and site plan amendments is also addressed.
- In fall of 2018, the Township launched a process to prepare a new Comprehensive Master Plan (Plan). The ongoing issues identified in the Report will be addressed in the body of the new Plan anticipated for adoption in the fall of 2019.
- The Report identifies significant changes in local demographics, employment, the office and industrial markets. Some trends include continued but slow population growth, increased median age, diversity and household size. It states that the majority (93%) of the nearly 57,000 jobs in the municipality are held by workers living outside the municipality. The Report notes that Parsippany’s office market continues to show weakness as the Class A office market has shifted away from suburban environments.
- Concerning recommended changes, the Report identifies the need to establish a series of overlay zones to facilitate future development of inclusionary housing in accordance with the recent settlement agreement, which establishes a 190-unit Rehabilitation Obligation, a 664 unit Prior Round obligation and a Third Round obligation of 1,314 units. A Realistic Development Potential (RDP) adjustment established a Third Round adjusted obligation at 854 units, leaving a balance of 469 units as unmet need. Overlay zones are identified for multifamily and/or mixed-use development intended to facilitate future development of inclusionary housing in association with this unmet need. The report also supports additional mechanisms to address affordable housing including a market-to-affordable program, an accessory apartment program, group homes and the adoption of a mandatory affordable housing set-aside ordinance.
- The Report identifies four redevelopment areas established pursuant to the Local Housing and Redevelopment Law and indicates that a fifth site has undergone preliminary investigation for designation as a “non-condemnation area in need of redevelopment.”

Plans, Master Plans and Amendments

Report to the Board June 14, 2019 through Sept 19, 2019

Municipality	Parsippany-Troy Hills Township
Document	Housing Element and Fair Share Plan
Public Hearing	August 19, 2019
Summary	Parsippany’s Round Three Housing Element and Fair Share Plan prepared in accordance with a settlement agreement with the Fair Share Housing Center.

- The Township of Parsippany has entered into a settlement agreement with the Fair Share Housing Center, which was approved by the Court. The following affordable housing obligation applies under the terms of the settlement:
 - Present Need Obligation (Rehabilitation): 190 units
 - Prior Round Obligation (1987-1999): 664 units
 - Third Round Prospective Need (1999-2025): 1,314 units.
- Based on a vacant land adjustment, that the Township’s Third Round Realistic Development Potential (RDP) is 845, leaving a remaining unmet need of 469.
- Concerning the 190-unit Rehabilitation Obligation, the Township seeks credit for 39 units rehabilitated since 2010 and will satisfy the remaining 151-unit obligation through the ongoing participation with the Community Development Grant Program. The Township will also establish a Rehabilitation Program for owners and renters and utilize local affordable housing trust funds to fund this program.
- The Township indicates that its Prior Round Obligation is fully met by Prior Round credits.
- The RDP of 845 units is being addressed with a combination of existing affordable housing units and credits created under the Prior Round, affordable units approved in the Third Round, proposed inclusionary housing units, alternative living arrangements, a market to affordable program, an accessory apartment program and rental bonus credits.
- To address its Unmet Need, the Plan plans to utilize existing and proposed units, the creation of six overlay zones and the adoption of a Township-wide mandatory set-aside ordinance. The ordinance requires that any site that benefits from a subdivision or site plan approval, rezoning, use variance, redevelopment plan or rehabilitation plan approved by the Township or a Township land use board, which results in multifamily or single family attached development containing five or more, shall provide an affordable housing set-aside of between 15% and 20%.