

**HOUSING ELEMENT
AND
FAIR SHARE PLAN
1999-2025**

**TOWNSHIP OF EAST BRUNSWICK
MIDDLESEX COUNTY, NEW JERSEY
November 2, 2016**



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TOWNSHIP OF EAST BRUNSWICK

NO: 15946 DATE OF ADOPTION: November 14, 2016

RESOLUTION OF THE TOWNSHIP OF EAST BRUNSWICK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, APPROVING THE NOVEMBER 2, 2016 HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, pursuant to the March 10, 2015 New Jersey Supreme Court Decision in Mount Laurel IV and the Settlement Agreement dated July 28, 2016 between the Township, Tices Developers, LLC, Alfieri, LLC and Fair Share Housing Center, the Township of East Brunswick has prepared a proposed Housing Element and Fair Share Plan to address its Third Round Housing Obligation; and

WHEREAS, on November 2, 2016 the Planning Board of the Township of East Brunswick determined that the Plan is consistent with the goals and objectives of the Master Plan and adopted the Housing Element and Fair Share Plan which is on file in the Municipal Clerk's office; and

WHEREAS, the Housing Element and Fair Share Plan contemplates an Administrative Agent Agreement with Piazza & Associates for the administration of for-sale affordable units and the Township Council wishes to authorize the execution of this Agreement, attached hereto as Schedule A; and

WHEREAS, the Housing Element and Fair Share Plan contemplates an Administrative Agent Agreement with East Brunswick Community Housing Corporation for the administration of rental affordable units and the Township Council wishes to authorize the execution of this Agreement, attached hereto as Schedule B; and

WHEREAS, the Township Council hereby endorses the Housing Element and Fair Share Plan as adopted by the Township of East Brunswick Planning Board.

RECORD VOTE OF COUNCIL ON FINAL PASSAGE									
Council Member	Y	N	NV	Ab	Council Member	Y	N	NV	Ab
Clark <i>M</i>	✓				Wendell		✓		
Contrino <i>S</i>	✓				Hughes	✓			
Spadafino	✓								
X • Indicates Vote.			NV • Not Voting			Ab • Absent			

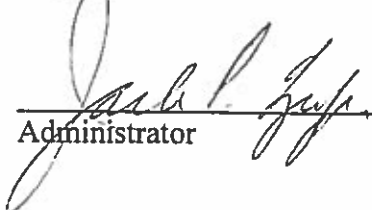
This is to certify that this is a true and compared copy of a resolution adopted by the Municipal Council of the Township of East Brunswick on November 14, 2016.


 Nennette Perry, Municipal Clerk

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of East Brunswick, County of Middlesex, State of New Jersey, as follows:

1. That the Township Council hereby endorses the Housing Element and Fair Share Plan as adopted by the Planning Board which is on file in the Municipal Clerk's office.
2. That the Mayor is hereby authorized to execute, and the Clerk to attest to the execution of the Administrative Agent Agreement with Piazza & Associates, attached hereto as Schedule A.
3. That the Mayor is hereby authorized to execute, and the Clerk to attest to the execution of the Administrative Agent Agreement with the East Brunswick Community Housing Corporation attached hereto as Schedule B.
4. That this resolution shall become effective immediately.
5. That a certified copy of this resolution, together with a copy of the agreements, shall be forwarded to the East Brunswick Township Planning Board, Piazza & Associates, East Brunswick Community Housing Corporation and Fair Share Housing Center.

CERTIFICATIONS:



Administrator

Township Attorney

**TOWNSHIP OF EAST BRUNSWICK, NJ
PLANNING BOARD**

RESOLUTION

**2016 HOUSING ELEMENT AND FAIR SHARE PLAN
Of
THE TOWNSHIP OF EAST BRUNSWICK MASTER PLAN**

WHEREAS, the Planning Board of the Township of East Brunswick is the duly constituted body as authorized by statute with the responsibility to supervise and be concerned with the orderly development and planning of the Township as authorized by the statutes and ordinances made and provided; and

WHEREAS, the Planning Board of the Township of East Brunswick adopted the Master Plan pursuant to NJSA 40:55D-28 on April 4, 1990 and adopted the Master Plan Reexamination Report pursuant to NJSA 40:55D-28 on May 20, 2015; and

WHEREAS, the 1990 Master Plan was amended to include a Third Round Housing Element and Fair Share Plan on December 3, 2008 and East Brunswick Township received substantive Certification from COAH for the Housing Element and Fair Share Plan on December 16, 2008; and

WHEREAS, the Township of East Brunswick has prepared a proposed Housing Element and Fair Share Plan, dated October 21, 2016 as based upon the New Jersey Supreme Court Mount Laurel IV decision, dated March 10, 2015 and as directed by the requirements of "The Settlement Agreement" dated July 28, 2016; and

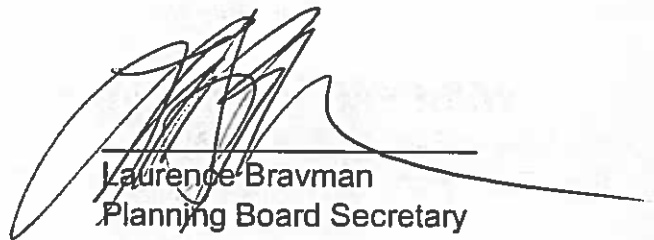
WHEREAS, the Housing Element and Fair Share Plan dated October 21, 2016 outlines the key components of East Brunswick Township's affordable housing obligation and the mechanisms utilized to meet those obligations; and

WHEREAS, the Planning Board has determined that the Housing Element and Fair Share Plan dated October 21, 2016 is consistent with the goals and objectives of the Township of East Brunswick 1990 Master Plan and 2015 Master Plan Reexamination and that adoption and implementation of the Housing Element and Fair Share Plan will provide all reasonable opportunities to satisfy the Township of East Brunswick's affordable housing obligation for the time period of 1999 through 2025.

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Township of East Brunswick, State of New Jersey that the Planning Board hereby adopts the Housing Element and Fair Share Plan dated October 21, 2016.

BE IT FURTHER RESOLVED that a copy of the report and resolution be sent to the Middlesex County Planning Board and to the Municipal Clerk of each adjoining Municipality.

THIS IS TO CERTIFY that the foregoing is a true copy of a Resolution adopted by the Planning Board of the Township of East Brunswick at its public meeting held on November 2, 2016.



Laurence Bravman
Planning Board Secretary



TOWNSHIP OF EAST BRUNSWICK

NO: 15833

DATE OF ADOPTION: May 9, 2016

RESOLUTION IN SUPPORT OF EAST BRUNSWICK PROPOSED AFFORDABLE HOUSING COMPLIANCE PLAN

WHEREAS, the Township of East Brunswick and the Intervening and Participating Defendants have agreed to settle this litigation by entering into a Settlement Agreement and have requested that the Superior Court, Middlesex County, find that the Agreement, and the approach to meeting the Township's Prior Round and Third Round Mount Laurel obligations, as detailed in the proposed Settlement Agreement is fair to the interests of lower income residents of New Jersey and entitles the Township to protection from Mount Laurel litigation for the period of ten years from the date of the order entered by the court approving this Settlement Agreement; and

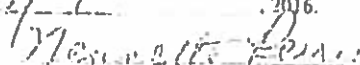
WHEREAS, it is also recognized that the proposed Settlement Agreement and proposed Housing Element and Fair Share Plan must be reviewed by the Court in accordance with the requirements of Morris County Fair Housing Council v. Boonton Township, 197 N.J. Super. 359, 364 (Law Div. 1984), aff'd o.b., 209 N.J. Super. 108 (App Div. 1996), and East/West Venture v. Borough of Fort Lee, 286 N.J. Super. 311, 328 (App. Div. 1996), and that, in order to approve the settlement, the court must find that the Settlement Agreement and proposed Housing Element and Fair Share Plan adequately protects the interests of lower - income persons for whom the affordable units proposed by the settlement are to be built; and

WHEREAS, East Brunswick has prepared a proposed Housing Element and Fair Share Plan which demonstrates that it has actually met its entire Prior Round obligation and significant portion of its Third Round obligation, and identified specific sites and mechanisms for the remainder of its Third Round obligation that present a realistic opportunity for the development of its regional fair share of housing affordable to lower income households, including families, people with special needs, very low income households including very low income families and seniors; and

RECORD VOTE OF COUNCIL ON FINAL PASSAGE									
Council Member	Y	N	NV	Ab	Council Member	Y	N	NV	Ab
Clark	✓				Wendell	✓			
Contrino				✓	Hughes	✓			
Spadafino	✓								

X • Indicates Vote. NV • Not Voting Ab • Absent

This is to certify that this is a true and compared copy of a resolution adopted by the Municipal Council of the Township of East Brunswick on May 9, 2016.


 Jennifer Perry, Municipal Clerk

Res. #15833


WHEREAS, at this time and at this particular point in the process resulting from the Supreme Court's Mount Laurel IV decision, when fair share obligations have yet to be definitively determined, it is appropriate for the parties to arrive at a settlement of those obligations using a mutually agreed upon process for determining those obligations in the context of a settlement rather than litigating a full resolution of those obligations; and

WHEREAS, the Township Council has been briefed on this process, including the proposed Settlement and

WHEREAS, after consultation with the Township's Special Counsel and Planner regarding the proposed settlement and housing plan, the Township Council believes it is in the best interests of the Township of East Brunswick to settle the existing litigation with the intervening parties and to endorse and proceed with the proposed Housing Element and Fair Share Plan, subject to final approval by the Court, including fairness hearing related to same.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of East Brunswick that it does approve hereby of the proposed Housing Element and Fair Share Plan presented at its May 9, 2016 Council meeting and further approves and endorses the proposed Housing Element and Fair Share Plan dated April 18, 2016, which is on file with the Township clerk and available for public viewing, subject to the Township finally negotiating a complete and final Settlement Agreement and Housing element and Fair Share Plan approved by the court and subsequent formal adoption of a Master Plan Amendment.

CERTIFICATIONS:



Administrator

Township Attorney

**East Brunswick Township
Housing Element and Fair Share Plan**

Table of Contents

Introduction and Background	1
Housing Element	2
Inventory of Housing Stock	2
Age of Housing	2
Housing Conditions	2
Housing Values	2
Housing Units and Occupancy Characteristics	2
Units Affordable to Low and Moderate Income Households	3
Housing Stock Trends	3
Demographic Characteristics	3
Age	3
Household Size	3
Household Income	4
Employment	4
Housing Projection	4
Zoning and Capacity Analysis	5
Inclusionary Zoning	5
Redevelopment Plan	6
Table P-1 Year Structure Built	7
Table P-2 Selected Characteristics	7
Table P-3 Owner-Occupied Housing Units	8
Table P-4 Selected Monthly Owner Costs as a Percentage of Household Income	8
Table P-5 Gross Rent for Renter Occupied Units	9
Table P-6 Gross Rent as a Percentage of Household Income	9
Table P-7 Year Round Housing Units	10
Table P-8 Housing Unit Types	10
Table P-9 Number of Bedrooms/Unit	11
Table P-10 Occupants per Room	11
Table P-11 Historical Trends	11
Table P-12 Age Distribution	12
Table P-13 Household Size	12
Table P-14 Household Income in 2014	13
Table P-15 Poverty Status in 2014	13
Table P-16 Employment Status 2014	14
Table P-17 Employed Persons by Occupation	14
Table P-18 Employed Persons by Industry	14
Fair Share Plan	15
Prior Round Obligation 1987-1999	15
Revised Third Round Plan Summary	16
Administrative Agent	16
Municipal Fair Share Settlement Agreement Plan	16
Rehabilitation Share	16
Addressing Fair Share Obligation	17
Market to Affordable Program	17
Supportive and Special Needs Housing	18
Extension of Controls	18
Zoning Analysis	18

**East Brunswick Township
Housing Element and Fair Share Plan**

Inclusionary Zoning.....	19
Redevelopment Plan	20
Development Fees and Spending Plan.....	20
Affirmative Marketing Plan	20
Ordinances	20
Affordable Housing	20
Developer Fee.....	21
Zoning Ordinance Amendments	21
Income Limits and Sales Increases	21
Settlement Agreement	21

Appendices

Appendix #1	Fair Share Plan Summary Table
Appendix #:2	Developer Fee Spending Plan
	Exhibit A Spending Plan Summary Chart
	Exhibit B Projected Revenue and Expenditure Tables
Appendix #3	Administrative Agent Agreements
	Exhibit A East Brunswick Community Housing Rental Program
	Exhibit B Piazza & Associates for Sale Program
Appendix #4	Affirmative Marketing Plan
Appendix #5	Inclusionary Property Narratives and Maps
Appendix #6	Redevelopment Narrative and Map
Appendix #7	Income Limits and Sales Increases Narrative and Table
Appendix #8	Settlement Agreement
Appendix #9	Ordinances
	Exhibit A Developer Fee
	Exhibit B Affordable Housing
	Exhibit C Zoning Amendments
Appendix 10	Creditworthy Units
	Exhibit A Rehabilitation Credits
	Exhibit B Group Homes and Market to Affordable
	Exhibit C Extension of Controls

HOUSING ELEMENT AND FAIR SHARE PLAN

Township of East Brunswick

Middlesex County, New Jersey

INTRODUCTION

This Housing Element and Fair Share Plan is prepared to comply with the requirements of the New Jersey Fair Housing Act and the Municipal Land Use Law. The document is an update of the Housing Element and Fair Share Plan which was adopted by the Planning Board on December 3, 2008 and submitted in a petition for third round substantive certification to COAH on December 3, 2008. The 2008 Housing Element and Fair Share Plan was granted third round substantive certification by the Council on Affordable Housing (COAH) on December 16, 2008.

This updated Housing Element and Fair Share Plan is based on the July 28, 2016 settlement agreement for the Matter of the Application of the Township of East Brunswick for Substantive Certification of its Obligation under the Fair Housing Act Docket No. MID-L-4013-15 (hereafter referred to as "The Settlement Agreement").

This plan provides the history of East Brunswick's compliance and dedication to the production of affordable housing throughout the prior rounds. It includes an analysis of the municipality's demographic characteristics including age and household size, housing conditions, housing values, occupancy characteristics, and housing types primarily based on the 2010 Census data and 2009-2014 American Community Survey Statistics. This plan also identifies the methods by which the Township meets its obligation, as specified in the Settlement Agreement to address low and moderate income housing needs in a manner that is agreeable to the developer community, supports the needs of the population served by affordable housing and represents responsible municipal planning and zoning.

Background

In 1984, East Brunswick entered into a Consent Order to settle the "Urban League of Greater New Brunswick, etc. et al. vs. The Mayor and Council of the Borough of Carteret, et al." affordable housing litigation. The Consent Order essentially relied upon inclusionary zoning to address the Township's obligation to meet its 1984-1990 fair share of low and moderate housing of 1472 to 1601 housing units. Following expiration of the Consent Order, East Brunswick adopted a new Housing Element and Fair Share Plan in November 1996. COAH certified East Brunswick's Housing Element and Fair Share Plan and granted substantive certification originally on June 4, 1997 with extensions through December 20, 2005. In the certified Housing Element and Fair Share Plan, East Brunswick retained most of the elements of the 1984 Consent Order and also enacted mandatory development fees to establish an Affordable Housing Trust Fund and commenced a "market to affordable" program to create affordable rental units using existing multi-family housing stock.

HOUSING ELEMENT

The Municipal Land Use Law and the Fair Housing Act set forth the essential components of a municipality's housing element. The housing and demographic information is an element considered in formulating the Fair Share plan.

Inventory of Housing Stock

Age of Housing

Construction of housing units by decade is shown in Table P-1. The 2010-2014 American Community Survey 5 year estimates identified a total of 17,553 housing units in East Brunswick Township. About 93 percent of the total housing units were built since 1950. Housing production was greatest during the 1950's through 1989. Production has slowed substantially since that time.

Housing Conditions

Table P-2 indicates that only .4 percent of the housing stock in 2014 lacked complete plumbing facilities and .8 percent of the housing stock lacked complete kitchen facilities.

Housing Values

Table P-3 shows housing values for owner-occupied housing units. In 2014, the median value for an owner-occupied housing unit was \$370,200. Only 2.4% of the housing stock was valued at less than \$100,000 and over 94% had a value of over \$150,000.

Table P-4 addresses the percentage of household income devoted to monthly owner costs. A third of these households have housing costs over 35% of their income.

In 2014, the median gross rent for renter occupied units was \$1388 as shown on Table P-5. 85% of rents are over \$1000. Almost 50% of renters have housing costs over 35% of their income as shown on Table P-6.

Housing Unit and Occupancy Characteristics

Table P-7 indicates the owner occupancy and renter occupancy of year round housing units. Owner occupancy is 83.7% and renter occupancy is 16.3%. Over 65% of all housing units are single family detached and 34% were multi-family attached units as noted in Table P-8. In addition Table P-9 shows 90.4% of all units contain 2 or more bedrooms.

Over 98% of occupied housing units had 1 or fewer occupants per room as shown in Table P-10.

Units Affordable to Low and Moderate Income Households

In order to estimate dwelling units in the current housing stock affordable to low and moderate income households, the 2016 Regional Income Limits for Middlesex County were used. For a

family of four, the moderate income limit is \$83,040 and the low income limit for the same size household is \$51,900.

For a family of four, using a housing affordability standard which allocates 35% of gross income for rent and utilities, a monthly rent under \$1514 would be affordable to a low income household while those of moderate income could theoretically afford rents ranging from \$1514 to \$2422. Similarly, using a housing affordability standard allocating 35% of gross income for mortgage, taxes and insurance, homes selling for less than \$149,000 would be affordable to low income households and those selling for \$149,000 to \$237,257 would be affordable to moderate income households.

Relating these sale and rental level calculations to Housing Values in Tables P-3 and P-5, the following number of units would be considered affordable to a four person household:

<u>Low Income</u>		<u>Moderate Income</u>	
Owner Occupied Housing	740	Owner Occupied Housing	888
Rental Housing	<u>1504</u>	Rental Housing	<u>1045</u>
TOTAL	2244	TOTAL	1933

Based on the above calculations, 4177 (23.8%) of all housing units were affordable to low and moderate income households in the Township in 2015, with 12.8% of the housing stock affordable to low income households.

Housing Stock Trends

New residential construction from 2008-2014 is shown in Table P-11. New construction was stagnant during the economic recession. Since 2012 new residential construction has increased and based on recent Planning & Zoning Board approvals new construction will continue this trend. Recent board approvals have required developer fee contributions.

Demographic Characteristics

Age

Table P-12 shows the age group distribution for the last three (3) Census counts. The data indicates an increasing median age from 35 years in 1990 to 42.5 years in 2010 and a decrease in the proportion of the population under age 5. The population over age 65 showed a 7.1% increase since 1990 and accounted for 13.5% of the total Township population.

Household Size

Household size characteristics are summarized in Table P-13. Although over 65% of the occupied units contain three or more bedrooms (Table P-9), forty-eight percent (48%) of the households in East Brunswick were one or two persons in size. The average household size

has dropped from 2.9 persons per household in 1990 to 2.84 persons per household in 2000 to 2.81 persons per household in 2010. Larger families of five or six persons account for 11.2 % of the households in the Township.

Overcrowding is generally related to those situations where the occupancy is greater than one person per room. Table P-10 details the number of occupants per room. According to the American Community Survey for the period 2010-2014 there were a total of 277 housing units which had more than 1.0 persons per room.

Household Income

Table P-14 indicates household income levels in 2014. Median household income in East Brunswick was \$97,270. In comparison the median household income in 2014 for Middlesex County was \$80,118.

Using COAH 2016 Regional Income Limits for a one to four person family for moderate income is a range of \$58,800 to \$83,040. Of the 16,750 households in the Township, 4240 (25.3%) have income below the moderate level.

Poverty status in 2014 is listed in Table P-15. According to the American Community Survey 2010-2014, 5.3% of East Brunswick's population had income below poverty level.

Employment

Tables P-16, P-17 and P-18 show trends in employment within the Township and the published characteristics of the resident labor force. The labor force profile in the Township for 2014 shows the largest occupation categories were management, business, science and art occupations (54.1%) and sales and office occupations (24.7%).

Housing Projection (Fair Share Plan)

Per the July 28, 2016 Settlement Agreement the Township of East Brunswick will be meeting its housing obligations through a variety of methods. These methods include: rezoning for densities necessary to assure the economic viability of inclusionary developments; extension of affordability controls to assure low and moderate income units will continue to remain affordable; redevelopment of properties; rehabilitation of properties; market to affordable program; housing for special needs; and collection of development fees.

Two hundred & eighty-seven (287) new affordable dwelling units are proposed to be constructed through rezonings and redevelopment. The majority of these units will be rental properties. New construction of housing from these methods will total 1474 units.

In determining the areas to be rezoned and redeveloped the Township analyzed existing land use, vacant land, environmental constraints and sewer availability. Less than 3% of the Township's 23 square miles remains developable. The majority of the large tracts of vacant land are in Planning Areas 4 and 5 and are serviced by septic systems. Most of East Brunswick's properties have access to Township water service. Very few properties are on wells.

The total number of acres to be rezoned and/or affected by zoning amendments is 86.71 acres (see Appendix 5). Acreage available in the redevelopment areas to include affordable housing total 64.03 acres (see Appendix 6).

Zoning and Capacity Analysis

An analysis of existing land use in conjunction with environmental constraints indicates that East Brunswick is a predominately developed municipality with less than 3% of the Township's 23 square miles remaining developable for inclusionary or affordable development. Most of the potential for development is found in the sewerred Planning Area One sections of the Township which includes areas designated for redevelopment along the Route 18 corridor and parcels along Cranbury Road. The majority of the larger undeveloped tracts are located in the southwest sector of the Township and contain significant areas of wetlands, flood plain and other environmental constraints which limit or restrict development. Moreover, this portion of East Brunswick is designated as Planning Areas 4 and 5 in the State Plan and is exclusively served by septic systems.

Vacant land in East Brunswick is at a premium which makes the Redevelopment areas along State Highway Route 18 a critical part of East Brunswick's Affordable Housing Plan. Additionally, the inclusion of parcels along Cranbury Road that have been zoned for inclusionary zoning since the late 1970's has enabled East Brunswick to limit rezoning to areas of the Township where the infrastructure is in place and can support new development.

Inclusionary Zoning

All sites zoned to yield affordable housing in prior rounds have been fully developed with inclusionary housing. To provide Affordable housing in accordance with the Court approved settlement agreement, East Brunswick will utilize a variety of sites to provide the realistic opportunity for 1067 affordable units by 2025. The Arisa site on Main Street (Block 149, Lots 2.02, 3.01, 4 and Block 150, Lots 34.01, 35.01 and 36.01) was rezoned for inclusionary age-restricted housing in 2002. The property subsequently received approvals to modify the zoning of the site to Non-Age Restricted Housing based upon the Conversion Act of 2009. The property was approved for the construction of 133 non aged restricted residential units with 20 affordable units included.

The Alfieri Tract includes property situated off of Tices and Harts Lane (Block 29.01, Lots 37, 38, 39, 40, 41, & 42 and Block 29.06, Lots 1, 2, 3, 4, 5, 6 & 7). The zoning of the property currently restricts the use of the tract for research, office, manufacturing, warehousing and senior residential. As part of the Settlement Agreement (July 2016) the zoning of the tract will be modified to eliminate the industrial/commercial uses and permit 275 non-aged restricted residential rental units.

The Zeilinski Property (Block 88, Lot 18.01) and the Cranbury Road South Tract (Block 87, Lots 12.06, 12.07, 12.08, 12.16 & 12.17) have been zoned Village Green II since the 1970's however multi-family residential was restricted based upon a minimum 40 acre lot area requirement.

Both the density and minimum lot area will be modified to reflect current Affordable Housing requirements and Market Trends.

The Kelemen Property (Block 87.33, Lot 1.02) has been zoned TG-Town Green since 1977. A density permitting up to 12 residential units to the acre has been in effect since 1977. The Mack-Cali Property (Block 243, Lot 6.04) at the corner of Summerhill and Old Stage Road will be rezoned to TG-Town Green permitting a residential density of up to 12 DU/acre with the potential for the inclusion of neighborhood commercial. The property is a suitable location for the inclusionary zoning based upon the surrounding commercial development and the proximity of bus transportation to New York City.

Additional narrative and maps are in Appendix #5.

Redevelopment

Property within Redevelopment Areas 2, 3, & 6 are pivotal in meeting East Brunswick Township's affordable Housing obligation. The Redevelopment process is underway concentrating on the Loehmann's Plaza property with several adjoining properties, the former Gap Center with several adjoining properties and property at 110 Tices Lane. These properties will be rezoned for mixed use with residential densities ranging from a minimum of 10 DU/acre potentially up to a density of 15 DU/acre. East Brunswick will utilize the redevelopment process to revitalize portions of Route 18, eliminate obsolete commercial facilities and provide much needed rental and affordable housing.

Additional narrative and maps are in Appendix #6.

Housing Conditions

Table P-1 **Year Structure Built**

Year Structure Built	Number	Percent
2010 & later	27	0.2
2000 to 2009	715	4.1
1990-1999	1750	10.0
1980-1989	4122	23.5
1970-1979	3225	18.4
1960-1969	3444	19.6
1950-1959	3019	17.2
1940-1949	536	3.1
1939 & earlier	715	4.1

Table P-2 **Selected Characteristics**

	Number	Percent
Lacking Complete Plumbing Facilities	66	0.4
Lacking Complete Kitchen Facilities	138	0.8
No Telephone Service	144	0.9

Source: 2010-2014 American Community Survey 5-Year Estimates

Housing Values

Table P-3 **Owner Occupied Housing Units**

Total Value	Number	Percent
Less than \$50,000	284	2.0
\$50,000 to \$99,999	52	0.4
\$100,000 to \$149,999	404	2.9
\$150,000 to \$199,999	888	6.3
\$200,000 to \$299,999	2536	18.1
\$300,000 to \$499,999	7368	52.6
\$500,000 to \$999,999	2402	17.1
\$1,000,000 or more	18	0.6
TOTAL # UNITS	14,014	
MEDIAN (dollars)	\$370,200	

P-4 **Selected Monthly Owner Costs As a Percentage of Household Income**

Percentage Range	Number	Percent
Less than 20.0 percent	2798	29.5
20.0 to 24.9 percent	1390	14.8
25.0 to 29.9 percent	1170	12.3
30.0 to 34.9 percent	968	10.2
35.0 percent or more	3165	33.3
Not computed	26	.003

Source: 2010-2014 American Community Survey 5-Year Estimates

Housing Values

Table P-5 **Gross Rent for Renter Occupied Units**

Gross Rent	Number	Percent
Less than \$200	34	1.3
\$200-\$299	45	1.8
\$300-\$499	26	1.0
\$500-\$749	153	6.0
\$750-\$999	115	4.5
\$1,000-\$1,499	1131	44.4
\$1,500 or more	1045	41.0
MEDIAN (dollars)	\$1388	

Table P-6 **Gross Rent As A Percentage Of Household Income**

Percentage Range	Number	Percent
Less than 15 percent	237	9.4
15 to 19 percent	256	10.2
20 to 24 percent	199	7.9
25 to 29 percent	375	14.9
30 to 34 percent	147	5.6
35 percent or more	1259	49.9
Not computed	214	----

Source: 2010-2014 American Community Survey 5-Year Estimates

Occupancy Characteristics

Table P-7 Year Round Housing Units

Housing Units	Number	Percent
Total Housing Units	17,553	100
Owner Occupied	14,014	83.7
Renter Occupied	2,736	16.3
Total Occupied	16,750	95.4
Total Vacant	803	4.6

Housing Unit Characteristics

P-8 Housing Unit Types

Units in Structure	Number	Percent
1 detached unit	11,458	65.3
1 attached unit	2,640	15.0
2 units	215	1.2
3 or 4 units	342	1.9
5 to 9 units	735	4.2
10-19 units	1,167	6.6
20 or more	930	5.3
Mobile Home	66	0.4

Source: 2010-2014 American Community Survey 5-Year Estimates

Housing Unit Characteristics

Table P-9 Number of Bedrooms/Unit

Occupied Units	Number	Percent
No Bedroom	260	1.5
1 Bedroom	1,435	8.2
2 Bedrooms	3,965	22.6
3 Bedrooms	4,960	28.3
4 Bedrooms	5,467	31.1
5 or more Bedrooms	1,466	8.4
TOTAL	17,553	

Table P-10 Occupants per Room

Total	Number	Percent
Occupied Housing Units	16,750	
1.00 or less	16,473	98.3
1.01 to 1.50	143	0.9
1.51 or more	134	0.8

Source: 2010-2014 American Community Survey 5-Year Estimates

Housing Stock Trends

Table P-11 Recent Historical Trends for New Residential Construction

	2008	2009	2010	2011	2012	2013	2014
CO's Issued	11	2	4	13	23	44	54
Demolitions	8	0	6	2	4	2	2
NET	3	2	-2	11	19	42	52

Source: East Brunswick Construction Inspection Data

Age and Household Size Characteristics

Table P-12 **Age Distribution**

AGE	1990		2000		2010	
	Number	Percent	Number	Percent	Number	Percent
Under 5	2,864	6.6	2,768	5.9	2,190	4.6
5 to 14	5,764	13.2	7,245	15.5	6,783	14.3
15 to 24	5,962	13.6	5,034	10.8	5,958	12.5
25 to 34	7,142	16.4	5,112	10.9	4,131	8.7
35 to 44	7,851	18.0	8,571	18.3	6,781	14.3
45 to 54	6,019	13.8	7,798	16.7	8,816	18.6
55 to 64	4,227	9.7	4,799	10.3	6,431	13.6
65 plus	3,755	8.6	5,429	11.6	6,422	13.5
Total	43,548		46,756		47,512	
Median	35.1		39.1		42.5	

P-13 **Household Size**

Household Size	Number	Percent
One person	3,187	19.0
Two person	4,899	29.1
Three person	3,320	19.8
Four person	3,537	21.0
Five person	1,287	7.7
Six person	417	2.5
Seven or more	163	1.0
Total	16,810	
Avg. Household Size	2.81	

Source: 2010 Census

Totals may not add to 100% due to rounding.

Income Levels

P-14 Household Income in 2014 Inflation Adjusted Dollars

Household Income	Number	Percent
Less than \$10,000	533	3.2
\$10,000 to \$14,999	347	2.1
\$15,000 to \$24,999	958	5.7
\$25,000 to \$34,999	981	5.9
\$35,000 to \$49,999	1,421	8.5
\$50,000 to \$74,999	2,297	13.7
\$75,000 to \$99,999	1,994	11.9
\$100,000 to \$149,999	3,431	20.5
\$150,000 to \$199,999	2,022	12.1
\$200,000 or more	2,766	16.5
Total Number of Households	16,750	100
Median Household Income	\$97,270	

P-15 Poverty Status

Individuals	Number
50% of Poverty Level	1108
125% of Poverty Level	3006
150% of Poverty Level	4231
185% of Poverty Level	5680
200% of Poverty Level	6462

Source: 2010-2014 American Community Survey 5-Year Estimates

Employment Characteristics

Table P-16 Employment Status 2014

Population 16 yrs. and over	Number	Percent
Total	38,813	100.00
In Labor Force	26,284	67.7
Armed Forces	0	0.0
Civilian Labor Force	26,284	67.7
Employed	24,087	62.1
Unemployed	2,197	5.7
Not in Labor Force	12,529	32.3

Table P-17 Employed Persons by Occupation

Occupation	Number	Percent
Mgmt., Bus., science, & arts occupations	13,028	54.1
Service occupations	2,427	10.1
Sales & office occupations	5,956	24.7
Natural resources, construction, & Maintenance occupations	944	3.9
Production, transportation, and material Moving occupations	1,732	7.2

Table P-18 Employed Persons by Industry

Industry	Number	Percent
Agriculture, forestry, fishing, hunting & mining	21	0.1
Construction	804	3.3
Manufacturing	2,147	8.9
Wholesale trade	923	3.8
Retail trade	2,480	10.3
Transportation & warehousing, & utilities	1,147	4.8
Information	842	3.5
Finance & insurance, & real estate & rental & leasing	3,091	12.8
Professional, scientific, & management, & administration & waste mgt. services	3,336	13.8
Educational services, & health care & social assistance	5,906	24.5
Arts, entertainment, & recreation & accommodation & food services	1,664	6.9
Public Administration	736	3.1
Other services, except public admin.	990	4.1

Source: 2010-2014 American Community Survey 5-Year Estimates

FAIR SHARE PLAN

Prior Round Obligations (1987-1999)

The prior round obligation is the municipality's requirement for the creation of new affordable units from 1987-1999. As detailed in Appendix C of N.J.A.C. 5:97, East Brunswick has a Prior Round Obligation of 648 units. COAH allows credits to be applied against this Prior Round Obligation for affordable housing activity undertaken from 1980 to 1999. As detailed in Appendix #1, the Township has created 735 units which are eligible to be applied against the Prior Round Obligation of 648 units. As a result of this crediting the Township has exceeded the Prior Round Obligation with a surplus of eighty-seven (87) affordable units. The assigned 2nd Round Obligation was part of the East Brunswick Housing Element & Fair Share Plan adopted 10/18/95 and revised 11/6/96, East Brunswick was granted Second Round Substantive Certification by the Council on Affordable Housing (COAH) on June 4, 1997.

The second round affordable housing obligation for East Brunswick was 723 units, consisting of 648 new construction units and 75 rehabilitation units. The plan certified by COAH included a total of 513 credits and 30 rental bonus credits made up of 153 prior cycle credits for the Hall's Corner Senior Citizen Housing, 12 prior cycle credits for the Victory Gardens affordable rental development, four prior cycle credits for four bedrooms in the Summerhill Road Group Home, four credits and four rental bonus credits for affordable family rental units at Two River Road, 79 credits and 26 rental bonus credits for the Oak Creek Senior Citizen Housing, 29 credits for family for-sale units in Society Hill East II, 21 credits for age-restricted for-sale units at The Club, 35 credits for family for-sale units at Summerhill Meadows, 29 credits for family for-sale units at Fox Meadows, 64 credits for family for-sale units at Kingswood Station, 57 credits for family for-sale units at Crosspointe, 15 units which had been previously rehabilitated pursuant to COAH rules and 11 credits for completed buy-downs of for-sale market-rate units which were credited by COAH against the Township's second round rehabilitation obligation. East Brunswick's remaining obligation of 180 units consisted of a 131 unit new construction obligation and a 49 unit rehabilitation obligation. The new construction obligation in the second round was fulfilled as follows:

Windsong (Block 134.10, Lots 1.4 and 5): The certified plan included this 32 acre site which yielded a total of 180 housing units, including 62 affordable family for-sale units.

Country Woods (various lots in Block 321.08 and 321.10): The certified plan included this 47 acre site which produced a total of 283 housing units including 65 affordable family for-sale units.

Kingswood Station (various lots in Block 321.09): The certified plan included this 21.5 acre site and upon development yielded a total of 129 housing units including 26 affordable family for-sale units.

The Township was permitted to address its rehabilitation obligation through the buy-down of 13

additional for-sale market-rate units. As a result of the application of credits and reductions that resulted from a first round judgement of compliance, East Brunswick was not required to include a rental component in the second round plan. Pursuant to the certified plan, East Brunswick enacted a mandatory development fee ordinance on September 22, 1997.

Revised Third Round Fair Share Plan

In accordance with COAH regulations, East Brunswick Township's projected affordable housing obligation was cumulative and consisted of the Rehabilitation Share, the Prior Round Obligations (1987-1999) and the COAH projected Growth Share (1999-2018). It should be noted that the Fair Share Plan addressed a target affordable housing obligation based on a COAH mandated formula that includes projected development. East Brunswick was granted COAH Substantive Certification on December 16, 2008. This growth share and third round process was invalidated by the Court on September 26, 2013.

Administrative Agent Agreement

The affordable housing units created in the 2nd Round and carried over to the Gap Period that are "for sale" units are administered by an independent Administrative Agent. The current agreement with the designated administrator is attached in Appendix #3 Exhibit B.

MUNICIPAL FAIR SHARE 1999-2025 SETTLEMENT AGREEMENT PLAN

Rehabilitation Share – Present Need

East Brunswick Township has a rehabilitation share obligation of seventy five (75) units. East Brunswick rehabilitated 57 units for eligible low income households and rentals between April 1, 2010 and the November 1, 2016.

East Brunswick has met the majority of its obligation in conjunction with The East Brunswick Community Housing Corporation. This is a municipally sponsored, 100% affordable family rental program. All units are perpetually deed restricted, with housing units that are primarily thirty years old or more. The tenants are income certified annually and must be earning below 50% of regional median income. The projects consist of remediation of deficient windows and furnaces, dilapidated kitchens and bathrooms in the low income rental program. Water heaters were replaced proactively to prevent water damage to the units and neighboring units. The rehabilitation program is consistent with N.J.A.C. 5:93-5.2(b) through 5.2(1). The municipality is requesting a waiver from the funding for administration of this program since it is managed by municipal staff at no additional cost. The average cost of rehabilitation projects shall be \$10,000.

East Brunswick will continue to support the upkeep and maintenance of the East Brunswick Community Housing Corporation units as well as housing of eligible low and moderate income households in the community as needed through 2025 through the allocation of Developer Funds in the attached Spending Plan.

East Brunswick will continue to participate in the Middlesex County Rehabilitation as long as the program is funded and available.

The list of creditworthy units is attached in Appendix #10 Exhibit A.

Addressing the Fair Share Obligation For 1999-2025 Proposed and Completed

Plan Summary Table Attached as Appendix #1.

For over thirty-five years, East Brunswick Township has actively pursued affordable housing through a combination of affordable housing mechanisms. Affordable housing mechanisms which have been successful include Inclusionary Zoning, Market to Affordable Conversions Using Development Fees, Group Homes, and 100% Affordable Developments.

The total settlement agreement obligation of units/credits is 1067 (1999-2025). The plan consists of a mix of non-age restricted inclusionary for sale and rental affordable housing, market to affordable units, group homes and extension of controls on expiring affordable housing deed restrictions. The primary emphasis will be family rental units. It includes a 1 for 1 bonus for all family and special needs rental units, not to exceed 25% of the total, and is based on the realistic opportunity for development of market rate and affordable housing in East Brunswick.

Market to Affordable Program

The Township of East Brunswick in conjunction with the non-profit East Brunswick Community Housing Corporation (EBCHC) is committed to acquiring 48 market rate units during the years 1999 to 2025 and subsequently convert these units to affordable rental units. The units will be priced to be affordable to families annually earning 40% of median income and 10 very low income family rental units priced to be affordable to families annually earning 30% of median income. The mix will be between one, two and three bedroom units as needed by the demographics of the community. As in the past, the units will be owned and managed by the EBCHC for the duration of the deed restriction. The units will be affirmatively marketed in accordance with UHAC requirements. The Administrative Agent for the program is the Executive Director of East Brunswick Community Housing Corporation. This person is designated to oversee the program according to the UHAC regulations.

Each unit is will require a subsidy from the developer fee account. As in the past, other funding sources may include Middlesex County Home Funds, DCA Home Funds, EBCHC Equity and mortgages. Due to the nature of this project, the funding distribution will vary on a per unit basis depending on the particulars of each individual transaction and subject to change due to

fluctuations in market conditions.

Given that 35% of the current East Brunswick Township housing stock consists of multifamily units, ample supply exists for this program to be successful. The repurposing of this existing housing in East Brunswick represents an efficient and "green/sustainable" approach to meeting affordable housing needs as existing land/resources are being recycled.

Administrative Agent Agreement between East Brunswick Township and East Brunswick Community Housing Corporation are attached in Appendix #3 Exhibit B.

Supportive and Special Needs Housing

Acting in conjunction, independently or with the non-profit East Brunswick Community Housing Corporation (EBCHC), the Township of East Brunswick will continue to facilitate the development of group homes. During the 1999-2025 period, 11 group homes for the developmentally and/or mentally disabled will be created in East Brunswick. These group homes may be supported by East Brunswick Township by contributions from the Community Development Block Grant Program (CDBG) for eligible improvements.

The list of creditworthy units is attached in Appendix #10 Exhibit B.

Extension of Controls

The plan includes 322 credits for extended affordability controls. These extensions derive from a legitimate exercise of the Township's right to prohibit the exercise of the repayment option under the 95/5 rules and maintain the affordability controls on the units in question. All of the designated units had new deed restrictions placed on them when they changed hands following the adoption of the 95/5 rules or were built with 95/5 rules in place for which provisions were included as part of the master deeds. These restrictions include the right to reject the repayment option. This is part of East Brunswick Township's early and consistent effort to produce and retain affordable housing in response to its fair share obligation. 302 units have controls that have been extended 20 remain to be extended before 2025.

The list of creditworthy Extension of Control units is attached in Appendix #10 Exhibit C.

Zoning Analysis

An analysis of existing land use in conjunction with environmental constraints indicates that East Brunswick is a predominately developed municipality with less than 3% of the Township's 23 square miles remaining developable for inclusionary or affordable development. Most of the potential for development is found in the sewered Planning Area One sections of the Township which includes areas designated for redevelopment along the Route 18 corridor and parcels along Cranbury Road. The majority of the larger undeveloped tracts are located in the southwest sector of the Township and contain significant areas of wetlands, flood plain and

southwest sector of the Township and contain significant areas of wetlands, flood plain and other environmental constraints which limit or restrict development. Moreover, this portion of East Brunswick is designated as Planning Areas 4 and 5 in the State Plan and is exclusively served by septic systems.

Vacant land in East Brunswick is at a premium which makes the Redevelopment areas along State Highway Route 18 a critical part of East Brunswick's Affordable Housing Plan. Additionally, the inclusion of parcels along Cranbury Road that have been zoned for inclusionary zoning since the late 1970's has enabled East Brunswick to limit rezoning to areas of the Township where the infrastructure is in place and can support new development.

Inclusionary Zoning

All sites zoned to yield affordable housing in prior rounds have been fully developed with inclusionary housing. To provide Affordable housing in accordance with the Court approved settlement agreement, East Brunswick will utilize a variety of sites to provide the realistic opportunity for 1067 affordable units by 2025. The Arisa site on Main Street (Block 149, Lots 2.02, 3.01, 4 and Block 150, Lots 34.01, 35.01 and 36.01) was rezoned for inclusionary age-restricted housing in 2002. The property subsequently received approvals to modify the zoning of the site to Non-Age Restricted Housing based upon the Conversion Act of 2009. The property was approved for the construction of 133 non aged restricted residential units with 20 affordable units included.

The Alfieri Tract includes property situated off of Tices and Harts Lane (Block 29.01, Lots 37, 38, 39, 40, 41, & 42 and Block 29.06, Lots 1, 2, 3, 4, 5, 6 & 7). The zoning of the property currently restricts the use of the tract for research, office, manufacturing, warehousing and senior residential. As part of the Settlement Agreement (July 2016) the zoning of the tract will be modified to eliminate the industrial/commercial uses and permit 275 non-aged restricted residential rental units.

The Zellinski Property (Block 88, Lot 18.01) and the Cranbury Road South Tract (Block 87, Lots 12.06, 12.07, 12.08, 12.16 & 12.17) have been zoned Village Green II since the 1970's however multi-family residential was restricted based upon a minimum 40 acre lot area requirement. Both the density and minimum lot area will be modified to reflect current Affordable Housing requirements and Market Trends.

The Kelemen Property (Block 87.33, Lot 1.02) has been zoned TG-Town Green since 1977. A density permitting up to 12 residential units to the acre has been in effect since 1977. The Mack-Cali Property (Block 243, Lot 6.04) at the corner of Summerhill and Old Stage Road will be rezoned to TG-Town Green permitting a residential density of up to 12 DU/acre with the potential for the inclusion of neighborhood commercial. The property is a suitable location for the inclusionary zoning based upon the surrounding commercial development and the proximity of bus transportation to New York City.

Additional narrative and maps are in Appendix #5.

Redevelopment

Property within Redevelopment Areas 2, 3, & 6 are pivotal in meeting East Brunswick Township's affordable Housing obligation. The Redevelopment process is underway concentrating on the Loehmanns Plaza property with several adjoining properties, the former Gap Center with several adjoining properties and property at 110 Tices Lane. These properties will be rezoned for mixed use with residential densities ranging from a minimum of 10 DU/acre potentially up to a density of 15 DU/acre. East Brunswick will utilize the redevelopment process to revitalize portions of Route 18, eliminate obsolete commercial facilities and provide much needed rental and affordable housing.

Additional narrative and maps are in Appendix #6.

Development Fees

In conjunction with Third Round Substantive Certification, East Brunswick implemented a development fee ordinance to provide financing for affordable housing.

It is understood that the spending plan must be approved prior to expending any funds generated from the development fee ordinance, in accordance with the current rules.

The revised spending plan that has been developed for submittal as part of this Housing Element and Fair Share Plan is in Appendix #2

Affirmative Marketing Plan

The Township adopted an Affirmative Marketing Plan in the format recommended by COAH as part of the third round compliance on December 3, 2008.

An updated Affirmative Marketing Plan consistent with the settlement agreement is included in Appendix #4.

Affordable Housing Ordinance

In conjunction with Third Round Substantive Certification, East Brunswick implemented an Affordable Housing Ordinance to outline processes and programs related to affordable housing. In conjunction with the Third Round Substantive Certification, East Brunswick implemented a Municipal Housing Liaison Ordinance designating the person employed as Housing Specialist of East Brunswick Township to fulfill the obligations required of the Municipal Housing Liaison. The Ordinance is included as part of the Affordable Housing Ordinance.

A revised Affordable Housing Ordinance has been developed as part of this Housing Element and Fair Share Plan is attached in Appendix #9 Exhibit A.

Developer Fee Ordinance

In conjunction with Third Round Substantive Certification, East Brunswick implemented an updated Developer Fee Ordinance to outline processes and programs related to affordable housing.

It was revised as part of this Housing Element and Fair Share Plan and is attached in Appendix #9 Exhibit B.

Zoning Ordinance Amendments

In conjunction with this Housing Element and Fair Share Plan, the Zoning Ordinance was modified and updated.

This is attached in Appendix #9 Exhibit C.

Income Limits and Sales Increases

Income limits for all units will be updated by the Township annually within 30 days of the publication of determinations of median income by HUD. Sale prices and rents of affordable housing units will be set by the administrative agent following the procedures set forth in UHAC utilizing the regional income limits set forth by HUD.

Rent of affordable units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the Northeast Urban Area, upon its publication for the prior calendar year.

The specific guidelines and sample table are attached in Appendix #7.

Settlement Agreement

In the Matter of the Application of the Township of East Brunswick for Substantive Certification of its Obligations under the Fair Housing Act, a settlement was reached on July 28, 2016. This agreement was agreed to and signed by Mayor Kevin McEvoy, for East Brunswick Township, Adam Gordon, Esq. for The Fair Share Housing Center, Michael Alfieri, for Hidden Oak Woods, LLC and Scott Loventhal, for Tices Developers, LLC.

East Brunswick has prepared this fair share plan which demonstrates that it has met its prior round obligation and a significant portion of its third round obligation. It has identified specific sites and mechanisms for the remainder of its third round obligation that present a realistic opportunity for the development of its regional fair share of housing affordable to lower income households, including families, people with special needs, very-low income households including very-low income families and seniors.

The Township shall meet its 1067 unit obligation as summarized in Appendix 1 which is in accordance with the following standards agreed to by the parties:

The Township shall meet its 1067 unit obligation as summarized in Appendix 1 which is in accordance with the following standards agreed to by the parties:

1. At least 25% of the obligation will be met through rental units
At least half (12.5% of the total) of the rental units are available to families.
At least half (12.5% or the total) of the units must be for low-income households.
2. At least 50% of the total units will be affordable to low or very low income households.
13% of the total units will be available to people who are very low income. The remaining 50% of the units may be reserved for moderate income households.
3. A maximum of 25% of the total units may house age restricted residents.
4. All units will be governed by the Uniform Housing Affordability Controls (N.J.A.C.5:80-2.6(d) including requirements for affirmative marketing.
5. All units addressing prospective need obligation will be required to have a control period of not less than 50 years.
6. The proposed expenditures from the Township's affordable housing trust fund to accomplish this plan will be consistent with and authorized by the Fair Housing Act and such funds will be timely committed for expenditure as required.
7. In partial satisfaction of the obligation under this agreement, the Township will rezone the Alfieri Property to provide for an inclusionary development to provide for 275 units of family rental housing with a 20% set-aside for low and moderate income housing.
8. The Township has designated seven separate areas in need of redevelopment (The "Redevelopment Act"). The Township shall proceed with one or more Redevelopment Plans for the Redevelopment Area with diligence and continuity of purpose in accordance with the schedule annexed as part of the Settlement Agreement, Exhibit A

The Settlement Agreement executed in resolution of In the Matter of the Application of the Township of East Brunswick for Substantive Certification of its Obligations Under the Fair Housing Act, Docket No. MID-L-4013-15 is attached as Appendix #8.