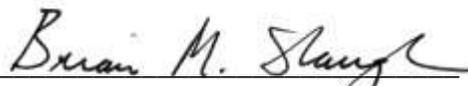


**AFFORDABLE HOUSING  
THIRD ROUND MIDPOINT REVIEW  
TOWNSHIP OF MOORESTOWN  
BURLINGTON COUNTY, NEW JERSEY**

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## PURPOSE

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Moorestown's Settlement Agreement with Fair Share Housing Center ("FSHC") requires that the Township comply with the statutory midpoint review requirements of the Fair Housing Act ("FHA") and specifically N.J.S.A. 52:27D-313, which provides in relevant part: "[t]he Council shall establish procedures for a realistic opportunity review at the midpoint of the certification period and shall provide for notice to the public." Pursuant to the FSHC Settlement Agreement, that review requires the Township to post on its website, with a copy to FSHC and an opportunity for comment, a status report regarding its compliance mechanisms and whether or not unbuilt sites/unfulfilled mechanisms continue to present a realistic opportunity. This report has been prepared to comply with those statutory midpoint review requirements.

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## BACKGROUND

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The Township filed a petition on July 8, 2015, seeking declaration of its compliance with the Mount Laurel doctrine and the Fair Housing Act, in accordance with In re N.J.A.C. 5:96 and 5:97. The Township and Fair Share Housing Center negotiated a Settlement Agreement, executed on March 16, 2018, that determined the Township's fair share obligations. The agreement was approved by the Court in an order entered August 28, 2018.

Two subsequent amendments to the Settlement Agreement, dated June 6, 2019 and September 9, 2019, added two sites to the Township's Realistic Development Potential, and replaced a third site. This report reflects those amendments, which are included in the Township's adopted Housing Element and Fair Share Plan.

On December 5, 2019, the Planning Board adopted an amended Third Round Housing Element and Fair Share Plan that enumerated how the Township will comply with the terms of the Settlement Agreement between now and the end of the Third Round of affordable housing obligations, which runs through July 2025. The Township's Plan has not yet been approved by the Court. This report provides details on any changes in status since the Plan was adopted.

The Settlement Agreement established the Township's Third Round Fair Share obligation as follows:

- Rehabilitation share: 19 units
- Prior Round obligation: 606 units, reduced from 621 units in the first amendment to the Settlement Agreement

- Third Round gap and prospective need obligation: 1,167 units

Through the application of a Vacant Land Adjustment that acknowledges the Township’s shortage of land that presents a reasonable opportunity for development of affordable housing, its Third Round obligation was reduced to a Realistic Development Potential (“RDP”) of 606 units, leaving a remaining unmet need of 561 units. The RDP was later revised upward due to the addition of two additional parcels of land that could present a reasonable opportunity for the development of affordable housing; the final RDP is 633 units, with an unmet need of 534.

**REHABILITATION OBLIGATION REVIEW**

The Settlement Agreement set the Township’s Rehabilitation obligation at a total of 19 units. The Plan indicates that the Township will adopt a resolution authorizing participation in the Burlington County Human Services Department, Division of Community Development Home Improvement Loan Program, and upon entry of a Judgment of Repose will retain the services of a qualified administrative agent, who will work with the Township to establish a local rehabilitation program for renter-occupied properties.

**PRIOR ROUND REVIEW**

The Township satisfied its 606-unit Prior Round obligation through a combination of group home bedrooms, 100% affordable developments, and a Regional Contribution Agreement. The table below gives additional detail.

Prior Round – 606 Units/Credits	Units	Bonuses	Rental	Senior	Special Needs	Year Occupied
Special Needs Housing						
Family Service/Kings Hwy., Inc.	3	3	3		3	2000
Oaks Integrated Care (7 of 11)	7	7	7		7	2001
NJ Mentor/Foundation for the Challenged	4	4	4		4	2006
A.D.E.P.T. Programs Group Home	5	5	5		5	2002
Subtotal	19	19	19		19	
Municipally Sponsored 100% Affordable Housing						

Prior Round – 606 Units/Credits	Units	Bonuses	Rental	Senior	Special Needs	Year Occupied
Courthouse (formerly prior cycle)	8		8	8		1984
Firehouse (formerly prior cycle)	8		8	8		1985
66-68 E. Second St.	3	3	3			1992
124 E. Second Street	1	1	1			1991
203-205 W. Second Street	2	2	2			2002
411 S. Lenola Road	1	1	1			1994
528 Bethel Ave.	1	1	1			1993
Albany Acres	9	9	9			1987
Baylor Arms (formerly Chestertowne Village)	45	45	45			2000
Cedar Court	8					1992
Creed I	12	12	12			2000
Colonial Arms	21	21	21			2005
Lenola School	33	13	33	33		1988
Stokes Place (10 of 16)	10		10	10		1991
Teaberry Run	24		24	24		1987
<b>Subtotal</b>	<b>186</b>	<b>108</b>	<b>133</b>	<b>83</b>		
<b>Regional Contribution Agreement</b>						
Beverly City	75					2000-2002
Mount Holly Township	199					2000-2002
<b>Subtotal</b>	<b>274</b>					
<b>Subtotals</b>	<b>479</b>	<b>127</b>	<b>152</b>	<b>83</b>	<b>19</b>	
<b>Total Units and Credits</b>	<b>606</b>					

All affordable housing units that contributed to satisfaction of the Prior Round obligation had been completed, and the Regional Contribution Agreements fully executed, at the time of Plan adoption.

**THIRD ROUND REALISTIC DEVELOPMENT POTENTIAL REVIEW**

The Township agreed to satisfy its Third Round RDP of 633 units with a combination of special-needs housing; extensions of expiring controls; 100% affordable developments; inclusionary developments; an accessory apartment program; and a market-to-affordable program. The table below provides additional detail.

<b>Third Round RDP – 633 Units/Credits</b>	<b>Units</b>	<b>Bonuses</b>	<b>Rental</b>	<b>Senior</b>	<b>Special Needs</b>
<b>Special Needs Housing</b>					
Community Options Group Homes	20		20		20
Oaks Integrated Care (4 of 11)	4		4		4
Subtotal	24		24		24
<b>Extensions of Expiring Controls</b>					
66-68 E. Second St.	3		3		
124 E. Second Street	1		1		
528 Bethel Avenue	1		1		
Beech Street	18		18		
Clover Apartments	5		5		
Lenola School	33		33	33	
Moorestown Court	8		8	8	
Musser Court	16		16		
Stokes Place	16		16	16	
Subtotal	101		101	57	
<b>Municipally Sponsored 100% Affordable Housing (Existing)</b>					
428 Camden Avenue	1	1	1		
Creed II	8	8	8		4
Linden Place	26		26	26	
Subtotal	35	9	35	26	
<b>Municipally Sponsored 100% Affordable Housing (Proposed)</b>					
Harper Drive	75	75	75		
Centerton Road (75 of 81 units, surplus to 4 <sup>th</sup> Round)	75		75	75	

Third Round RDP – 633 Units/Credits	Units	Bonuses	Rental	Senior	Special Needs
Subtotal	150	75	150	75	
Inclusionary Development (Proposed)					
Sbar	36				
MRD	35	35	35		
Diocese of Trenton	17				
Nagle Tract	45	40	45		
Land Resource Solutions	4		4		
Subtotal	137	75	84		
Other Compliance Mechanisms					
Accessory Apartments	15		15		
Market-to-Affordable Program	12				
Subtotal	27		15		
Subtotals	474	159	409	158	28
<b>Total Units and Credits</b>	<b>633</b>				

Since the adoption of the Plan, the following changes have occurred in the Township’s mechanisms for satisfying its RDP:

**Community Options group homes.** The Township is continuing to work with Community Options to identify suitable properties on which to develop 20 group home bedrooms by 2025. Once properties have been identified the Township will accelerate its funding schedule. One of the four or five needed houses has been identified.

**Harper Drive.** The Township has completed the acquisition of this property, and will work with a nonprofit development partner on the development of 75 affordable family rentals. It is anticipated that the developer will apply for low-income housing tax credits in the 2020 cycle.

**Centeron Road.** The Township has identified a developer for the 100% affordable development, which is now proposed to be 25% special-needs and 75% age-restricted affordable rentals. The developer expects to apply for low-income housing tax credits during the 2020 cycle. The developer of the market-rate units on the adjacent site is providing access and utilities to this site.

**Nagle Tract.** The Township’s plan now permits up to an additional 30 affordable units at the Nagle Tract and envisions the ability for a developer to apply for mixed-income tax credits in 2021 to facilitate the increased set-aside. As a result of this proposed additional affordable housing, the Plan is relaxing the timing requirements associated with the Accessory Apartment program (AA) and Market-to-Affordable (MTA) program. In the event the project receives mixed-income tax credits, the Township will revise its MTA programs and AA programs accordingly.

**Diocese of Trenton site.** This site has been rezoned from Specially Restricted Commercial-2 in order to permit the development of up to 83 single-family units, with a 20% affordable housing set-aside resulting in 17 affordable family units.

### THIRD ROUND UNMET NEED REVIEW

The Township proposed various measures to help satisfy its unmet need, including a development fee ordinance, a mandatory Township-wide affordable housing set-aside, and inclusionary overlay zones on the following sites:

<b>Third Round Unmet Need</b>	<b>534</b>
<b>INCLUSIONARY OVERLAY ZONING</b>	
Moorestown Mall	213
Kmart Center	78
Lenola Shopping Center	60
<b>Total</b>	<b>351</b>

Since the adoption of the Plan, the Township has adopted the required overlay zones for all three properties, has adopted a mandatory set-aside requirement, and has adopted an updated development fee ordinance.