

**TOWNSHIP OF UNION,
COUNTY OF UNION
July 1, 2020**

Purpose

Union’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. The Settlement also contemplates review of unmet need/deferred mechanisms, though the realistic opportunity for the construction of those mechanisms during the compliance period is not applicable.

Relevant Background

The Township received its Final Judgment of Compliance and Repose on July 3, 2019. As part of that process, the Township adopted its final Housing Element and Fair Share Plan in addition to all requisite zoning ordinances, resolutions and other implementing documents. Despite only recently receiving its final Judgment of Compliance and Repose, the Township has approved several inclusionary projects and has taken steps towards implementing its plan relative to municipally-sponsored projects.

Realistic Opportunity Review

The Township must create realistic opportunity for the construction of the Township’s Realistic Development Potential (RDP) between now and 2025. Those mechanisms and their status are described as follows:

<u>Mechanism</u>	<u>Description</u>	<u>Ordinance Adopted (Yes/No)</u>	<u>Status</u>	<u>Notes/Additional Information</u>
Existing Group Home CAU	12 Muir Place 4 bedrooms	NA	Certification received from CAU indicating the bedrooms are still occupied by low and/or moderate income individuals	Prior Round requirement
Existing Group Home	111 Salem Road	NA	Certification received from	Prior Round requirement

	4 bedrooms		CAU indicating the bedrooms are still occupied by low and/or moderate income individuals	
Proposed Group Home Bedrooms CAU	Block 5010, Lot 1.02 1Hendricks Drive 4 bedrooms	N/A	Letter received confirming 4 bedrooms – moderate income CO date – 10/18/2019	
Proposed Group Home Bedrooms CAU	Block 1803, Lot 1/ Block 1804, Lot 13 Elmer Avenue 4 bedrooms	N/A	Property has been acquired by CAU – they are working on the plans for the group home	
Proposed Group Home Bedrooms	Block 306, Lot 24 Cabot Avenue 4 bedrooms	N/A	Township is working to perfect the sale of the property to facilitate its development	
Extension of Controls	Lenox Meadows – 32 units	N/A	10 units have extensions of controls as of June 30, 2020	Status of extensions is provided as an Appendix to this report
Inclusionary Projects	DRA 450 Clermont Terrace 42 units	Yes Ordinance #5591 Adopted 6/26/18 Summit Court Phase 2 Redevelopment Plan	Approved on 10/25/2018	6 VLI units required
	Russo/Merck Morris Avenue 96 units	Yes Ordinance # Adopted 11/22/2016 Amended 6/26/18 Merck Site Redevelopment Plan	Approved and Currently under Construction Phase I (8 units) completed	13 VLI units required
Inclusionary	2401 Morris	Ordinance #5564		2 VLI units

Zoning	Avenue Block 4303 Lot 17 13 units	Adopted 3/13/18 AH-1	required
	Lehigh Avenue Block 504 39 units	Ordinance #5565 Adopted 3/13/18 AH-2	6 VLI units required
	Morris Avenue (Bl 2907, Lot 17) and Grandview Avenue (Bl 2908, Lots 4&5) Twp owned 23 units	Ordinance #5566 Adopted 3/13/18 AH-3	3 VLI units required

Rehabilitation

The Township’s rehabilitation obligation is 229 units. In accordance with the Court approved Fair Share Plan, the Township received rehabilitation credit for 100 low- and moderate-income dwelling units that were rehabilitated since April 2010. The remaining rehabilitation obligation is 129 units. In accordance with Appendix A of this report, the Township has rehabilitated 21 additional low- and moderate-income units from January 2018 to November 2019 totaling \$341,511 which averages \$16,262 per unit. Please note that the first two rows within Appendix A duplicate previous reported rehabilitated units that were previously credited in the 100 rehabilitated units identified in the approved Fair Share Plan.

Unmet Need or Deferred Mechanisms

In addition to providing a realistic opportunity review for the RDP mechanisms above, the Township’s Settlement requires information on unmet need mechanisms, which is provided as follows:

<u>Mechanism</u>	<u>Status</u>
Overlay Zoning 1508 Burnet Avenue (Bl 5711, L 1) 1103 Springfield Avenue (Bl 3303, L 8)	Ordinance #5568 Adopted 3/13/18 IOR zone
Overlay Zoning 2657 Morris Avenue (Bl 4401, L 1)	Ordinance #5567 Adopted 3/13/18 MUOD zone

Green Street (Bl 512, L 2.01 & Bl 606, L 4,5 &8)	
Mandatory Set Aside Ordinance	Ordinance #5569 Adopted 3/13/18
Development Fee Ordinance	Ordinance #5570 Adopted 3/13/18

Very Low Income Analysis

<u>Affordable Units Built Since 2008</u>	<u>VLI Requirement</u>	<u>Project Containing VLI Units/Number of VLI Units</u>	<u>Status</u>
<u>222</u>	<u>29</u>	<u>Russo = 13</u> <u>DRA = 5</u> <u>Lehigh = 6</u> <u>2401 Morris = 2</u> <u>Twp Owned sites = 3</u>	<u>Not currently built</u>

Additional Inclusionary Development not included in approved FSP

<u>Mechanism</u>	<u>Description</u>	<u>Ordinance Adopted (Yes/No)</u>	<u>Status</u>	<u>Notes/Additional Information</u>
Redevelopment Site	RMS Liberty Place Urban Renewal Entity, LLC 1255 Magie Avenue	Yes Redevelopment Area	Approved Multi-Family Garden Apts 153 total units 23 affordable family rental units	Site included in the VLA as contributing to the RDP *The Township reserves the right to amend its plan to account for this revision and to make any corresponding revisions that may be permissible.

Conclusion

The Township's plan implementation continues to create a realistic opportunity where that standard is applicable and the Township maintains sufficient mechanisms for addressing unmet need.