

# Mid-Point Review of Affordable Housing Activities & 2020 Monitoring

Township of Clark, Union County



November 13, 2020

Prepared by:

**Randy Gottesman, PP**

New Jersey Professional Planner

License No. 3016



## TABLE OF CONTENTS

|  |          |
|--|----------|
| <b>EXECUTIVE SUMMARY .....</b>                   | <b>2</b> |
| <b>Conditions of Compliance.....</b>             | <b>2</b> |
| <b>Developments that Are Not Completed .....</b> | <b>2</b> |
| <i>Inclusionary Projects .....</i>               | <i>2</i> |
| <i>Non-Inclusionary Projects.....</i>            | <i>2</i> |
| <i>Missed Construction Deadlines.....</i>        | <i>3</i> |
| <b>Rehabilitation Obligation .....</b>           | <b>3</b> |
| <b>Unmet Need.....</b>                           | <b>3</b> |
| <b>Very Low Income Analysis.....</b>             | <b>3</b> |

## APPENDICES

1. 2020 Unit Monitoring Form
2. 2020 Very Low Income Analysis
3. 2020 Trust Fund Monitoring form

## EXECUTIVE SUMMARY

Under the supervision of the court-appointed Special Master, the Township of Clark and Fair Share Housing Center (“FSHC”) entered into a Settlement Agreement in November of 2016, which established agreed upon rehabilitation, Prior Round (1987-1999), Gap (1999-2015) and Prospective Need (2015-2025) obligations, and laid out how the Township would comply with the same. An Order of Fairness and Preliminary Compliance was entered on January 13, 2017, approving the terms of the Settlement Agreement, and a second Order for Extending Time for Compliance with Conditionals was entered on October 3, 2017. On October 5, 2017, a Conditional Final Declaratory Judgement of Compliance and Repose was entered, with a final Judgement of Compliance and Repose entered on January, 9, 2018.

Clark has made solid progress on meeting its 3<sup>rd</sup> Round affordable housing obligation. Clark has adopted inclusionary zoning at the sites identified in the Settlement Agreement, thus creating a realistic opportunity for affordable housing when these sites are developed. Two of those sites are subject to approved development applications and one site is subject to an approved Redevelopment Plan. Additionally, Clark has begun advertising its housing rehabilitation program and identified three group homes providing 11 affordable housing credits to the municipality.

## CONDITIONS OF COMPLIANCE

Township of Clark’s Final Judgement of Compliance and Repose did not include any conditions of compliance.

## DEVELOPMENTS THAT ARE NOT COMPLETED

### *Inclusionary Projects*

Clark has made excellent progress on three of its inclusionary projects:

- On February 6, 2020 the Clark Township Planning Board approved an application for a 42 unit residential building with a set-aside of six (6) affordable units at the Westfield & Raritan site. Construction is expected to start in Q1 of 2021.
- On October 19, 2020 the Clark Township Council passed an ordinance approving an application for a tax exemption for the Walnut Ave site. This project will yield 28 affordable units out of a total development 177 units. Construction is expected to start in January 2021.
- On May 6, 2019 Clark Township Council adopted a Redevelopment Plan for the A&P Site. Affordable Housing is required under Section VIII of the Redevelopment Plan.

The Township continues to encourage redevelopment of the sites identified for inclusionary development in the Settlement Agreement.

### *Non-Inclusionary Projects*

All non-inclusionary projects have been completed.

***Missed Construction Deadlines***

There are no missed construction deadlines.

**REHABILITATION OBLIGATION**

Township of Clark contracts with CGP&H to administer its municipal Housing Rehabilitation program. Township of Clark has been advertising its housing rehabilitation program, as of yet there are no units completed out of the 53 unit obligation.

**UNMET NEED**

While Clark did receive a Vacant Land Adjustment for the Prior Round, within the court-approved Housing Element and Fair Share Plan for the 3rd Round, Clark has identified sites for the production of affordable housing to meet its prior round obligation and prospective need obligation (including the RDP and unmet need) for affordable housing.

**VERY LOW INCOME ANALYSIS**

Clark has planned for 13% of future units to be for Very Low Income households. As of this report, only one development has been completed (Woodcrest at Clark), with 7 very-low income units out of 65 (11%). Remaining development will comply with the requirement of 13% of all units approved since 2008 be for very low income households.

## APPENDIX 1 - 2020 UNIT MONITORING FORM

# Clark Township, Union County

## Project/Unit Monitoring - April 17, 2020 (Page 1)

| Site / Program Name                     | Clark Home Improvement Program  |             |             |             |             | A&P Site  |             |             |             |             | Downtown Village District   |             |             |             |             | Jack's Tavern   |             |             |             |             | Raritan Gas Station   |             |             |             |             |
|---|---|-------------|-------------|-------------|-------------|---|-------------|-------------|-------------|-------------|---|-------------|-------------|-------------|-------------|---|-------------|-------------|-------------|-------------|---|-------------|-------------|-------------|-------------|
| <b>Project Type</b>                     | Housing Rehabilitation Program  |             |             |             |             | Inclusionary Family Rental  |             |             |             |             | Inclusionary Family Rental  |             |             |             |             | Inclusionary Family Rental  |             |             |             |             | Inclusionary Family Rental  |             |             |             |             |
| <b>Block &amp; Lot / Street</b>         | NA  |             |             |             |             | B: 105 / L: 2, 6, 8, 13-16, 19-22, 26.01 Westfield Ave  |             |             |             |             | Westfield Ave   |             |             |             |             | B: 77 / L: 11-15, 17-18 Westfield Ave   |             |             |             |             | B: 34 / L: 25 Raritan Rd  |             |             |             |             |
| <b>Status</b>                           | Under Construction  |             |             |             |             | Proposed/Zoned  |             |             |             |             | Proposed/Zoned  |             |             |             |             | Proposed/Zoned  |             |             |             |             | Proposed/Zoned  |             |             |             |             |
| <b>Date</b>                             | TBD   |             |             |             |             | NA  |             |             |             |             | NA  |             |             |             |             | NA  |             |             |             |             | NA  |             |             |             |             |
| <b>Length of Affordability Controls</b> | 10 Years  |             |             |             |             | 30 Years  |             |             |             |             | 30 Years  |             |             |             |             | 30 Years  |             |             |             |             | 30 Years  |             |             |             |             |
| <b>Administrative Agent</b>             | CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a> |             |             |             |             | CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a> |             |             |             |             | CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a> |             |             |             |             | CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a> |             |             |             |             | CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a> |             |             |             |             |
| <b>Contribution</b>                     | N/A   |             |             |             |             | N/A   |             |             |             |             | N/A   |             |             |             |             | N/A   |             |             |             |             | N/A   |             |             |             |             |
| <b>Type of Units</b>                    | Housing Rehabilitation Program  |             |             |             |             | Family Rental   |             |             |             |             | Family Rental   |             |             |             |             | Family Rental   |             |             |             |             | Family Rental   |             |             |             |             |
| <b>Total Affordable Units</b>           | 53  |             |             |             |             | 11  |             |             |             |             | 101   |             |             |             |             | 9   |             |             |             |             | 2   |             |             |             |             |
| <b>Units Notes</b>                      | Clark has a 53 unit rehabilitation obligation.  |             |             |             |             | Exact unit distribution to be finalized.  |             |             |             |             | Exact unit distribution to be finalized.  |             |             |             |             | Exact unit distribution to be finalized.  |             |             |             |             | Exact unit distribution to be finalized.  |             |             |             |             |
| <b>Income/Bedroom Distribution</b>      | <b>Eff. Std.</b>  | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> | <b>Eff. Std.</b>  | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> | <b>Eff. Std.</b>  | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> | <b>Eff. Std.</b>  | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> | <b>Eff. Std.</b>  | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> |
| <b>Very-Low-Income</b>                  | -   | -           | -           | -           | -           | -   | 1           | 1           | -           | -           | -   | 3           | 6           | 5           | -           | -   | 1           | 1           | -           | -           | -   | -           | -           | -           | -           |
| <b>Low-Income</b>                       | -   | -           | -           | -           | -           | -   | -           | 2           | -           | -           | -   | 7           | 24          | 6           | -           | -   | -           | 2           | 1           | -           | -   | -           | 1           | -           | -           |
| <b>Moderate-Income</b>                  | -   | -           | -           | -           | -           | -   | 1           | 3           | 1           | -           | -   | 10          | 30          | 10          | -           | -   | -           | 3           | 1           | -           | -   | -           | -           | 1           | -           |

**Clark Township, Union County**

**Project/Unit Monitoring - April 17, 2020 (Page 2)**

| Site / Program Name                     | Schieferstein Site  |             |             |             |             | Walnut Avenue   |             |             |             |             | Westfield and Raritan   |             |             |             |             | Westfield and Terminal  |             |             |             |             | Woodcrest at Clark   |             |             |             |             |
|---|---|-------------|-------------|-------------|-------------|---|-------------|-------------|-------------|-------------|---|-------------|-------------|-------------|-------------|---|-------------|-------------|-------------|-------------|--|-------------|-------------|-------------|-------------|
| <b>Project Type</b>                     | Inclusionary Family Rental  |             |             |             |             | Inclusionary Family Rental  |             |             |             |             | Inclusionary Family Rental  |             |             |             |             | Inclusionary Family Rental  |             |             |             |             | Inclusionary Age Restricted Rental   |             |             |             |             |
| <b>Block &amp; Lot / Street</b>         | B: 36 / L: 13-15<br>Madison Hill Rd   |             |             |             |             | B: 155 / L: 7, 10<br>Walnut Ave   |             |             |             |             | B: 63 / L: 45, 47, 49, 51<br>Raritan Rd   |             |             |             |             | B: 57 / L: 6.01<br>Westfield Ave  |             |             |             |             | B: 57 / L: 2, 3, 4, 8, 10<br>Westfield Ave   |             |             |             |             |
| <b>Status</b>                           | Proposed/Zoned  |             |             |             |             | Proposed/Zoned  |             |             |             |             | Proposed/Zoned  |             |             |             |             | Proposed/Zoned  |             |             |             |             | Completed  |             |             |             |             |
| <b>Date</b>                             | NA  |             |             |             |             | NA  |             |             |             |             | NA  |             |             |             |             | NA  |             |             |             |             | CO granted 2/2/2015  |             |             |             |             |
| <b>Length of Affordability Controls</b> | 30 Years  |             |             |             |             | 30 Years  |             |             |             |             | 30 Years  |             |             |             |             | 30 Years  |             |             |             |             | 30 Years   |             |             |             |             |
| <b>Administrative Agent</b>             | CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a> |             |             |             |             | CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a> |             |             |             |             | CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a> |             |             |             |             | CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a> |             |             |             |             | Piazza and Associates, Inc., 216 Rockingham Row, Princeton, NJ 08540, (609) 786-1100,            |             |             |             |             |
| <b>Contribution</b>                     | N/A   |             |             |             |             | N/A   |             |             |             |             | N/A   |             |             |             |             | N/A   |             |             |             |             | N/A  |             |             |             |             |
| <b>Type of Units</b>                    | Family Rental   |             |             |             |             | Family Rental   |             |             |             |             | Family Rental   |             |             |             |             | Family Rental   |             |             |             |             | Age Restricted Rental  |             |             |             |             |
| <b>Total Affordable Units</b>           | 11  |             |             |             |             | 28  |             |             |             |             | 6   |             |             |             |             | 5   |             |             |             |             | 65   |             |             |             |             |
| <b>Units Notes</b>                      | Exact unit distribution to be finalized.  |             |             |             |             | Exact unit distribution to be finalized.  |             |             |             |             | Exact unit distribution to be finalized.  |             |             |             |             | Exact unit distribution to be finalized.  |             |             |             |             | Development is 66 units, however Clark can only claim 65 credits due to the cap on senior units. |             |             |             |             |
| <b>Income/Bedroom Distribution</b>      | <b>Eff. Std.</b>  | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> | <b>Eff. Std.</b>  | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> | <b>Eff. Std.</b>  | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> | <b>Eff. Std.</b>  | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> | <b>Eff. Std.</b>   | <b>BR 1</b> | <b>BR 2</b> | <b>BR 3</b> | <b>BR 4</b> |
| <b>Very-Low-Income</b>                  | -   | 1           | 1           | -           | -           | -   | 2           | 2           | -           | -           | -   | 1           | -           | -           | -           | -   | 1           | -           | -           | -           | -  | 7           | -           | -           | -           |
| <b>Low-Income</b>                       | -   | -           | 2           | 2           | -           | -   | 1           | 6           | 3           | -           | -   | -           | 1           | 1           | -           | -   | -           | 2           | 1           | -           | -  | 26          | -           | -           | -           |
| <b>Moderate-Income</b>                  | -   | 1           | 3           | 1           | -           | -   | 2           | 8           | 3           | -           | -   | -           | 2           | 1           | -           | -   | -           | 1           | -           | -           | -  | 33          | -           | -           | -           |





## APPENDIX 2 - 2020 VERY LOW INCOME ANALYSIS

## Clark Township, Union County: Very-Low Income Units 2020

| Development/Compliance Mechanism | Project Status | Controls Date       | Affordable<br>Units          | Very-Low Income<br>Units |
|----------------------------------|----------------|---------------------|------------------------------|--------------------------|
| Woodcrest at Clark               | Completed      | CO granted 2/2/2015 | 65                           | 7                        |
| A&P Site                         | Proposed/Zoned | NA                  | 11                           | 2                        |
| Downtown Village District        | Proposed/Zoned | NA                  | 101                          | 14                       |
| Jack's Tavern                    | Proposed/Zoned | NA                  | 9                            | 2                        |
| Raritan Gas Station              | Proposed/Zoned | NA                  | 2                            | 0                        |
| Schieferstein Site               | Proposed/Zoned | NA                  | 11                           | 2                        |
| Walnut Avenue                    | Proposed/Zoned | NA                  | 28                           | 4                        |
| Westfield and Raritan            | Proposed/Zoned | NA                  | 6                            | 1                        |
| Westfield and Terminal           | Proposed/Zoned | NA                  | 5                            | 1                        |
| <b>Totals:</b>                   |                |                     | <b>238</b>                   | <b>33</b>                |
|                                  |                |                     | <i>(%) of VLI units: 13%</i> |                          |

## APPENDIX 3 - 2020 TRUST FUND MONITORING FORM

**Clark Township, Union County**  
**Trust Fund Balance as of December 31, 2019**

|   | <b>INCEPTION<br/>DEC 31, 2018</b> | <b>JAN 1, 2019<br/>DEC 31, 2019</b> | <b>TOTAL</b>        |
|---|-----------------------------------|-------------------------------------|---------------------|
| <b>REVENUE SUMMARY</b>                                    |                                   |                                     |                     |
| Barrier Free Escrow                                       | \$0.00                            | \$0.00                              | \$0.00              |
| Development Fees  | \$510,330.82                      | \$36,625.43                         | \$546,956.25        |
| Interest Earned   | \$2,315.60                        | \$2,017.85                          | \$4,333.45          |
| Other Income  | \$0.00                            | \$0.00                              | \$0.00              |
| Payments-in-Lieu of Construction                          | \$0.00                            | \$0.00                              | \$0.00              |
| <b>TOTAL</b>  | <b>\$512,646.42</b>               | <b>\$38,643.28</b>                  | <b>\$551,289.70</b> |
| <b>EXPENDITURE SUMMARY</b>                                |                                   |                                     |                     |
| Administration  | \$120,938.34                      | \$0.00                              | \$120,938.34        |
| Affordability Assistance                                  | \$0.00                            | \$0.00                              | \$0.00              |
| Barrier Free Conversions                                  | \$0.00                            | \$0.00                              | \$0.00              |
| Housing Activity  | \$0.00                            | \$0.00                              | \$0.00              |
| <b>TOTAL</b>  | <b>\$120,938.34</b>               | <b>\$0.00</b>                       | <b>\$120,938.34</b> |
| <b>TRUST FUND ACCOUNT BALANCE AS OF December 31, 2019</b> |                                   |                                     | <b>\$430,351.36</b> |

**HOUSING ACTIVITY : JAN 1, 2019 - DEC 31, 2019**

|              |               |
|--------------|---------------|
|              |               |
| <b>TOTAL</b> | <b>\$0.00</b> |

**AFFORDABILITY ASSISTANCE: JAN 1, 2019 - DEC 31, 2019**

|              |               |
|--------------|---------------|
|              |               |
| <b>TOTAL</b> | <b>\$0.00</b> |