

**West Orange Planning Board Resolution Adopting an
Amendment to the Fair Share Plan**

WHEREAS, the Planning Board of West Orange Township, Essex County, State of New Jersey, adopted its current Housing Element and Fair Share Plan pursuant to N.J.S.A. 40:55D-28 on November 5, 2008; and

WHEREAS, the Governing Body endorsed the Housing Element and Fair Share Plan on November 25, 2008; and

WHEREAS, the Governing Body petitioned the Council on Affordable Housing for substantive certification on December 30, 2008; and

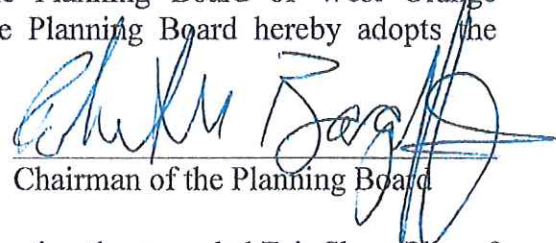
WHEREAS, the Council on Affordable Housing granted substantive certification on December 9, 2009; and

WHEREAS, the Planning Board has determined to amend the Fair Share Plan; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the amended Fair Share Plan on April 5, 2017; and

WHEREAS, the Planning Board has determined that the amendment to the Fair Share Plan is consistent with the goals and objective of the Township of West Orange's Master Plan Update, which consists of a Reexamination Report, Sustainability Plan and Updated Plan on June 2, 2010, and that adoption and implementation of the amendment to the Fair Share Plan is in the public interest and protects public health and safety and promotes the general welfare.

NOW THEREFORE BE IT RESOLVED by the Planning Board of West Orange Township, Essex County, State of New Jersey, that the Planning Board hereby adopts the amended Fair Share Plan.


Chairman of the Planning Board

I hereby certify that this is a true copy of the resolution adopting the amended Fair Share Plan of West Orange Township, Essex County on April 5, 2017.



Robin Miller, Planning Board Secretary

**FAIR SHARE PLAN
AMENDMENT

OF

WEST ORANGE TOWNSHIP,

ESSEX COUNTY,
NEW JERSEY**

Adopted: April 5, 2017

PLANNING BOARD

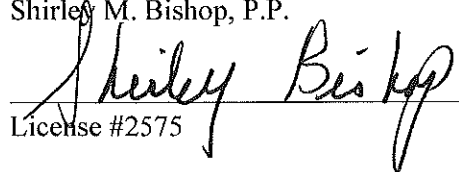
- Dr. Robert Bagoff, Chair
 - Ron Weston
 - Lee Klein
 - Jerome Leslie Eban
 - Andrew Trenk
 - Tekeste "Cass" Ghebremicael
 - Susan McCartney
 - Captain Michael Keigher
 - William Wilkes II
- Attorney: Patrick Dwyer, Esq.
 - Planner: Paul Grygiel
 - Secretary: Robin Miller

MAYOR Robert Parisi

TOWNSHIP COUNCIL

- Jerry Guarino
 - Victor Cirilo
 - Susan McCartney
 - Joe Krakoviak
 - Michelle Casalino
- Attorney: Richard Trenk, Esq.
 - Administrator: John K. Sayers

It is certified that all copies of this document are in conformance with the one signed and sealed by
Shirley M. Bishop, P.P.


License #2575

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WEST ORANGE TOWNSHIP

ESSEX COUNTY

AMENDMENT TO ADOPTED

FAIR SHARE PLAN

AMENDMENT TO ADOPTED AND CERTIFIED FAIR SHARE PLAN

Valley Road Residential, LLC

The Township of West Orange received substantive certification from the Council on Affordable Housing (COAH) on December 9, 2009 for a Third Round Obligation of 341 units. Included in that certified Third Round Plan was new construction of an 81-unit age restricted development that was not implemented.

As per the COAH regulations in effect at that time, no site identification was required. Interestingly, there was an implementation schedule provided with construction scheduled to begin in 2017.

West Orange is proposing to amend the adopted Fair Share Plan to include 100 units of a mixed income development known as Valley Road Residential (Valley Road). The site is approximately 1.55 acres and is located at 22-24 Central Avenue (Block 9, Lots 1, 7, 44, 50 and 56).

Originally, the site was to be the focus of a Nine Percent Tax Credit application but because the tax credit funds were only allocated to Sandy counties, the application never progressed. However, there is an approval in place for a 100 unit rental development that can now move forward and will be the focus of an application for the Mixed Income Cycle of the Nine Percent Tax Credit Program. The approval is dated September 10, 2013. Exhibit A.

Of the 100 units, 55 units will be low and moderate while 45 will be market rate units. Of the 55 affordable units, seven will be affordable to very low income households, 21 will be low income and 27 moderate income.

The site is available and has clear title as the site has been owned by Valley Road Residential, LLC since 2008. The site is approvable as there is an approved Remedial Action Work Plan as per the NJ Department of Environmental Protection that is contained in the Site Investigation/Remedial Investigation Report, dated December 31, 2013. Exhibit B. The report addresses each area of concern, provides direction and concluded that "Based on the analytical results, contamination in soil and ground water at the site is related to historic fill material and off-site impacts. The remedial action measures outlined above are sufficient measures of managing human contact with on-site contamination." Valley Road Residential will adhere to all the remediation standards.

The site is developable as it has sewer and water and is in an existing Water Quality Management Plan. The site is suitable as it abuts both residential and commercial development with access provided via Central Avenue and Mitchell Street.

In addition, the site is in the Harvard Press Redevelopment Area between Mitchell Street and Central Avenue on the City of Orange border. This area is known as The Valley. The project is in conjunction with a counterpart project on adjoining property in Orange. Since the site is in the Harvard Press Redevelopment Area, the redevelopment plan is the applicable zoning. The project is a Transit Oriented Development and the project will upgrade an abandoned factory site and restore it to a productive use. This will occur by removing an abandoned building and replacing it with attractive new construction.

As mentioned above, the owner will be filing an application for the Mixed-Income Nine Percent Tax Credit Round on May 2, 2017. To make the pro forma whole, West Orange will commit \$3 million from its Affordable Housing Trust Account to subsidize 40 of the 55 affordable units. By so doing, the development will be fiscally whole. The pro forma and construction schedule are attached. Exhibit C.

As of December 31, 2016, West Orange had \$3,058,310.48 in developer fees and \$247,587.85 in its payment in lieu account for a total of \$3,305,898.33. The approved West Orange spending plan will be amended to include the \$3 million for the project. Of the \$3 million, West Orange will commit \$247,587.85 in payments in lieu and \$2,752,412.15 from developer fees. Exhibit D.