

Exhibit “A”

RESOLUTION NO. 20-08

MEMORIALIZING RESOLUTION OF THE WEST ORANGE PLANNING BOARD

RE: CONSIDERATION OF THE HOUSING PLAN ELEMENT AND FAIR SHARE PLAN TO BECOME PART OF THE MASTER PLAN FOR THE TOWNSHIP OF WEST ORANGE

HEARING: November 17, 2020

MEMORIALIZED: December 2, 2020

WHEREAS, at a properly noticed special meeting of the Planning Board for the Township of West Orange on November 17, 2020, which was conducted as a virtual meeting of the Board pursuant to N.J.S.A. 10:4-8(b), the Board considered a report dated November 17, 2020 (attached hereto as Exhibit A) and entitled "Housing Element and Fair Share Plan of West Orange Township, Essex County" as prepared by Shirley M. Bishop, P.P., the Affordable Housing Planning Consultant for the Township of West Orange; and

WHEREAS, this report was reviewed and considered before a quorum of the Board, and an opportunity was afforded to members of the public and/or interested persons or parties to ask questions and/or to be heard regarding this report and the Board's consideration of same at this public hearing; and

WHEREAS, after consideration of this report and the further statements and comments offered to the Board in this hearing, the Board following its discussion now finds and concludes as follows:

FINDINGS

1. Ms. Shirley M. Bishop, P.P., with the assistance of the Township's Planner Mr. Paul Grygiel, AICP, PP, made a presentation to the Board and discussed in detail the Housing Element and Fair Share Plan which Ms. Bishop had prepared and which was previously made available prior to the hearing to the Planning Board and to the public. Ms. Bishop and Mr. Grygiel went through the report with the Board by going through each section discussing in detail the proposed Housing Element and Fair Share Plan to become part of the Master Plan in relationship to the Affordable Housing filings and proceedings conducted by and involving the Township of West Orange in the present Affordable Housing litigation which had recently resulted in the settlement of such litigation between the Township of West Orange, West Essex Highlands, Inc. and the Fair Share Housing Center.

2. After outlining and discussing the areas of her report now being considered by the Board, Ms. Bishop and Mr. Grygiel referred to the implementing ordinances that have been referred to the Board and which would be subject to adoption and implementation by the Township of West Orange following the Board's decision and action on the proposed amendment to the Master Plan with the inclusion of the Housing Plan Element and Fair Share Plan. Ms. Bishop advised the Board that these new ordinances were related to and were required as part of the Township's implementation of the Township's Affordable Housing obligations and settlement of the pending Affordable Housing litigation involving these matters and also required by New Jersey statute, N.J.S.A. 40:55D-62(a).

3. Ms. Bishop further discussed with the Board the Board's comments and/or questions regarding the Housing Plan Element and Fair Share Plan she had prepared. The Board further discussed with her the further anticipated proceedings that would be required to conclude the Township's settlement agreement for its Affordable Housing litigation with implementation of the Township's Affordable Housing obligations.

4. The meeting of the Board was conducted as a remote or virtual meeting of the Planning Board pursuant to N.J.S.A. 10:4-8(b), the Board offered the opportunity for public comments regarding the Housing Element and Fair Share Plan being presented by Ms. Bishop and for any questions for Ms. Bishop and the Planning Board regarding same.

5. The Planning Board upon discussion of the Housing Plan Element and Fair Share Plan for the Township of West Orange presented by Ms. Bishop agreed that it would be appropriate for the amendment of the Master Plan for the Township of West Orange to include therein as a Housing Plan Element in accordance with Ms. Bishop's report entitled "Housing Element and Fair Share Plan of West Orange Township, Essex County", which had been the subject of this hearing. The Board further determined that it would now be appropriate to take action on the Housing Element and Fair Share Plan being presented which would then be incorporated as an amendment into the Master Plan for the Township of West Orange.

CONCLUSIONS

1. The Board finds and concludes after consideration of the Housing Element and Fair Share Plan prepared by Shirley M. Bishop, P.P., the Affordable Housing Planning Consultant for the Township of West Orange, and as presented by Ms. Bishop and Mr. Grygiel to the Board during this hearing, and based upon the further discussion,

statements, and comments of the Board with Ms. Bishop during the hearing, that the Housing Element and Fair Share Plan proposed is well designed and presented and would be clearly beneficial to the Township of West Orange and its residents as to the matters listed therein. The Board accordingly concludes that the Housing Element and Fair Share Plan from Shirley M. Bishop, P.P. would be appropriate to be approved to become part of and thereby incorporated into the Master Plan for the Township of West Orange.

2. Based upon the Board's review, consideration, and the presentation made to the Board regarding the Housing Element and Fair Share Plan during this hearing, the Board now believes that the Housing Element and Fair Share Plan as presented and reviewed by the Board would in fact properly address the goals and objectives of the Township of West Orange regarding its Affordable Housing obligations in the best interest of the residents of the Township of West Orange, and the Board now believes that it would be appropriate for the Board to take action at this time regarding same.

NOW, THEREFORE, BE IT RESOLVED that the Housing Element and Fair Share Plan of West Orange Township, Essex County as prepared by and presented by Shirley M. Bishop, P.P. as the Affordable Housing Planning Consultant to the Township of West Orange and dated November 17, 2020 (attached hereto as Exhibit A), is hereby approved by this Planning Board with said Housing Element and Fair Share Plan to thereby become part of and incorporated into the Master Plan for the Township of West Orange as a Housing Plan Element pursuant to N.J.S.A. 40:55D-28(3), and the Master Plan of the Township of West Orange is hereby amended accordingly.

The undersigned Secretary of the Township of West Orange Planning Board hereby certifies that the within Resolution and Memorialization was adopted by the Planning Board for the Township of West Orange pursuant to N.J.S.A. 40:55D-10(g) at its special meeting on November 17, 2020.

VOTE ON ACTION OF THE BOARD AT 11/17/20 HEARING

On Motion of: Weston

Seconded by: Wilkes

The vote on the Resolution was as follows:

AYES:

Weston,

Klein, Bagoff,

Williams,

Wilkes,

Johnson,

McCartney,

Smeraldo

NAYS:

N/A

ABSENT:

Trenk

VOTE ON RESOLUTION 20-08

On Motion of: Chairman Weston

Seconded by: Dr. Bagoff

The vote on the Resolution was as follows:

AYES:

Bagoff, Johnson, McCartney, Smeraldo, Wilkes, Williams, Weston

NAYS:

—

ABSENT:

Klein, Trenk (absent 11/17)

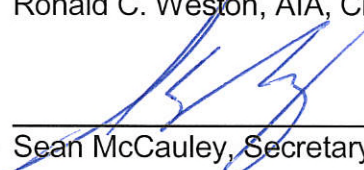
Adopted

December 2, 2020

WEST ORANGE PLANNING BOARD



Ronald C. Weston, AIA, Chairman



Sean McCauley, Secretary

Dated:

Prepared by: Kenneth D. McPherson III, Esq.

**HOUSING ELEMENT
AND
FAIR SHARE PLAN
OF
WEST ORANGE TOWNSHIP,
ESSEX COUNTY,
NEW JERSEY**

Adopted: November 17, 2020

HOUSING ELEMENT

**West Orange Township
Essex County**

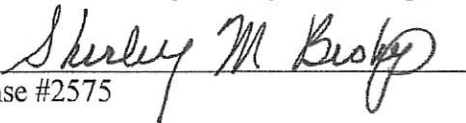
PLANNING BOARD

- Ron Weston, Chair
 - Dr. Robert Bagoff
 - Tammy Williams
 - Andrew Trenk
 - Peter Smeraldo
 - Leo Klein
 - Susan McCartney
 - Gary Wegner
 - William Wilkes II
- Attorney: Kenneth Mc Pherson, Esq.
 - Planner: Paul Grygiel
 - Acting Secretary: Sean Mc Cauley

TOWNSHIP COUNCIL

- Robert Parisi, Mayor
 - Jerry Guarino
 - Michelle Casalino
 - Susan McCartney
 - Joe Krakoviak
 - Cindy Matute-Brown
- Attorney: Richard Trenk, Esq.
 - Administrator: John K. Sayers
 - Clerk: Karen Carnevale

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

Prepared By:
Shirley M. Bishop, P.P., LLC
100 Overlook Center, Floor 2
Princeton, NJ 08540
609-844-7720
shirleymbishop@aol.com

**WEST ORANGE TOWNSHIP, ESSEX COUNTY
HOUSING ELEMENT**

TABLE OF CONTENTS

	<u>PAGE</u>
PREFACE	1
I. Inventory of Housing Stock.....	3
A. Age	3
B. Condition	3
C. Purchase and Rental Value	5
D. Occupancy Characteristics and Types	7
E. Units Affordable to Low/Moderate Income Households	7
II. Projection of Housing Stock.....	9
A. Building Permits	9
B. Approvals of Development Applications	9
III. Demographic Characteristics.....	9
A. Population	9
B. Household Size/Type.....	10
C. Income Level	12
D. Age.....	12
E. Marital Status.....	12
IV. Existing and Probable Future Employment Characteristics.....	13
V. Total Obligation for Rehabilitation and Prior Round	15
A. Rehabilitation Share	15
B. Prior Round	15
VI. Prospective Need Obligation.....	15

LIST OF TABLES

<u>Table</u>	<u>Page</u>
1 Age of Housing Units	3
2 Persons Per Room	4
3 Plumbing Facilities	4
4 Kitchen Facilities	5
5 Owner-Occupied Housing Unit Values	5
6 Contract Rent Values	6
7 Tenure and Vacancy	7
8 2019 Low and Moderate Regional Incomes	8
9 Population	9
10 Population Characteristics	10
11 Household Profile 2010	10
12 Household Type and Relationship	11
13 Type of Housing Units by Structure	11
14 Household Income	12
15 Sex by Marital Status - Persons 15 Years and Over	13
16 Employment Status	13
17 Status of Covered Employment within West Orange-2014	14

WEST ORANGE TOWNSHIP
ESSEX COUNTY

HOUSING ELEMENT

PREFACE

West Orange Township is situated in the central portion of Essex County and contains approximately 12.15 square miles or 7,776 acres of land. West Orange is crossed east-west by Interstate Route 280 which provides travelers with easy access to the Garden State Parkway and the New Jersey Turnpike.

Thomas Alva Edison became a resident of West Orange in 1886. In the early 1900s, Edison Industries concentrated on developments in phonograph, film, storage batteries and visual devices. West Orange was the location of the first motion picture, the Great Train Robbery, in 1903. Seventeen hundred films were produced in the area prior to 1930.

Edison Industries continued to be a drawing force until 1929 when the great depression caused the market for phonographs and records to fall sharply. Edison retired as head of Thomas A. Edison Incorporated in 1930 and was succeeded by his son, Charles.

In the period following World War II, West Orange continued to develop. Its population grew rapidly during the post-war "baby boom," reaching a peak in 1970. Then, as the regional economy weakened and the "baby boom" generation matured, the population declined.

Today, West Orange is primarily a residential community with a large commuting population. Investment, bank, insurance and service firms have replaced most of the manufacturing firms.

The township borders on nine municipalities. These include Montclair, Verona, Essex Fells, Roseland, Livingston, Millburn, Maplewood, South Orange and Orange.

West Orange received second round substantive certification from the Council on Affordable Housing (COAH) on October 11, 1995 that was extended to December 20, 2005 by COAH on February 9, 2005. In addition, West Orange received third round substantive certification from COAH on December 9, 2009. Unfortunately, the rules upon which substantive certification was based were declared invalid by the Court.

A municipality's Housing Element must be designed to achieve the goal of providing affordable housing to meet the total 1987-2025 affordable housing need comprised of Prospective Need, Prior Round Obligation and Present Need (Rehabilitation Share). The regulations of COAH and the Fair Housing Act delineate a municipality's strategy for addressing its present and prospective housing needs, and, as such, each municipality's Housing Element must contain the following:

1. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
2. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the 10 years subsequent to the adoption of the housing element, taking into account, but not necessarily limited to, construction permits issued, approvals for development and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including, but not limited to, household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing;
6. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing;
7. A map of all sites designated by the municipality for the production of low and moderate income housing and a listing of each site that includes its owner, acreage, lot and block;
8. The location and capacities of existing and proposed water and sewer lines and facilities relevant to the designated sites;
9. Copies of necessary applications for sewer service and water quality management plans submitted pursuant to Sections 201 and 208 of the Federal Clean Water Act, 33 U.S.C. §1251, et seq.;
10. A copy of the most recently adopted municipal master plan, and where required, the immediately preceding, adopted master plan;
11. For each designated site, a copy of the New Jersey Freshwater Wetlands map where available. When such maps are not available, municipalities shall provide appropriate copies of the National Wetlands Inventory maps provided by the U.S. Fish and Wildlife Service;

12. A copy of appropriate United States Geological Survey Topographic Quadrangles for designated sites; and
13. Any other documentation pertaining to the review of the municipal housing element as may be required.

I. INVENTORY OF HOUSING STOCK

A. Age

Approximately 71 percent of the township's housing stock was built prior to 1970. There has been minimal residential construction or only 29 percent from 1970 to 2010. West Orange has a total housing stock of 17,168 units. The median year that a structure was built in West Orange was 1956.

TABLE 1

Age of Housing Units

<u>Dates of Construction</u>	<u>Structures</u>	<u>Percent of Total</u>
1939 or earlier	4,511	26
1940 – 1949	1,869	11
1950 – 1959	3,708	22
1960 – 1969	2,152	13
1970 – 1979	1,134	7
1980 – 1989	1,241	7
1990 – 1999	1,831	11
2000 - 2004	431	3
2005 - 2010	291	2
TOTAL UNITS	17,168	100

Median Year: 1956

Source: 2006-2010 American Community Survey 5-Year Estimates

Units built before 1960 and contain 1.01 or more persons per room are highly correlated with substandard housing indicators. This is an index utilized by COAH in determining the Rehabilitation Share. In West Orange, 10,088 units or 59 percent of the housing stock was built before 1960. This is generally an important indicator in calculating West Orange's Rehabilitation Share and explains why West Orange's Rehabilitation Share is 305 units.

B. Condition

Rehabilitation Share is the total deficient housing signaled by selected housing unit characteristics unique to each community. It is assumed that units so indicated will be prime candidates for rehabilitation. Characteristics indicating a need for rehabilitation are:

- (1) Persons per Room. 1.01 or more persons per room in housing units built before 1960. These are old units that are overcrowded.
- (2) Plumbing Facilities. Inadequate plumbing sufficient for rehabilitation is indicated by incomplete plumbing facilities, i.e., lack of hot and cold piped water, flush toilet or bathtub/shower.
- (3) Kitchen Facilities. Inadequate kitchen facilities signaling rehabilitation are indicated by the non-presence of kitchen facilities within the unit, or the non-presence of one of three components: a sink with piped water, a stove or a refrigerator.

These characteristics of deficient housing are nationally recognized indicators of housing inadequacy. Each one, properly identified and not double-counted or multiplied is enough to signal the call for unit rehabilitation. This is true not solely because the characteristic specified is itself debilitating but rather signals a unit that is either old or missing a basic component of normal housing services. These characteristics exist at the municipal level, are reported by the American Community Survey such that they can be isolated and not over counted, and individually indicate the need for structure rehabilitation.

The age of West Orange's housing stock has been presented in Table 1. Tables 2 through 4 address the other surrogates of deficient housing.

TABLE 2

Persons Per Room

Persons Per Room	Occupied	Owner Occupied	Renter Occupied
1.01 to 1.50	229	91	138
1.51 to 2.00	24	0	24
2.01 or more	87	0	87
TOTAL	340	91	249

Source: 2006-2010 American Community Survey 5-Year Estimates

TABLE 3

Plumbing Facilities

	<u>Total Units</u>
Complete plumbing facilities	17,131
Lacking complete plumbing facilities	37

Source: 2006-2010 American Community Survey 5-Year Estimates

TABLE 4

Kitchen Facilities

Complete kitchen facilities	16,761
Lacking complete kitchen facilities	407

Source: 2006-2010 American Community Survey 5-Year Estimates

Based on the above, it is determined that West Orange has 305 housing units that are substandard and occupied by low- and- moderate income households.

C. Purchase and Rental Value

Approximately 97 percent of the owner-occupied housing units in West Orange had values over \$200,000. The median value was \$417,800.

TABLE 5

Owner-Occupied Housing
Unit Values

	<u>Units</u>	<u>Percent</u>
Less than \$15,000	46	0
\$15,000 - \$19,999	0	0
\$20,000 - \$24,999	0	0
\$25,000 - \$29,999	8	0
\$30,000 - \$34,999	0	0
\$35,000 - \$39,999	0	0
\$40,000 - \$49,999	10	0
\$50,000 - \$59,999	0	0
\$60,000 - \$69,999	18	0
\$70,000 - \$99,999	0	0
\$100,000 - \$124,999	29	0
\$125,000 - \$149,999	18	0
\$150,000 - \$174,999	97	1
\$175,000 - \$199,999	106	1
\$200,000 - \$249,999	484	4
\$250,000 - \$299,999	816	7
\$300,000 - \$399,999	3,577	31
\$400,000 - \$499,999	3,358	29
\$500,000 - \$749,999	2,415	21
\$750,000 - \$999,999	447	4
\$1,000,000 or more	185	2
TOTAL	11,614	100

Median Value \$417,800

Source: 2006-2010 American Community Survey 5-Year Estimates

Of the 4,566 rental units with cash rent in West Orange, 80 percent were rented for \$750 or more per month. The median contract rent was \$1,081 per month.

TABLE 6

Contract Rent Values

<u>With cash rent:</u>	<u>Units</u>
\$0 - \$ 99	27
\$100 - \$149	10
\$150 - \$199	85
\$200 - \$249	67
\$250 - \$299	20
\$300 - \$349	44
\$350 - \$399	23
\$400 - \$449	145
\$450 - \$499	12
\$500 - \$549	10
\$550 - \$599	76
\$600 - \$649	112
\$650 - \$699	150
\$700 - \$749	139
\$750 - \$999	951
\$1,000 - \$1,249	1,265
\$1,250 - \$1,499	656
\$1,500 - \$1,999	563
\$2,000 - or more	211
Total	4,566
No cash rent	85
Median contract rent	\$1,081

Source: 2006-2010 American Community Survey 5-Year Estimates

D. Occupancy Characteristics and Types

Seventy percent of the housing in West Orange is owner occupied. Approximately 30 percent of the housing stock is rental.

TABLE 7

Tenure and Vacancy

	Housing Units
Total Occupied	16,790
Occupied:	
Owner Occupied	11,698
Renter Occupied	5,092
Vacant:	
For rent	302
For sale only	189
Rented or sold, not occupied	50
For seasonal, recreational, or occasional use	107
Other vacant	174

Note: Total housing units do not match between tables due to varied data sources

Source: 2010 Census of Population and Housing

E. Units Affordable to Low- and- Moderate Income Households

Units are affordable to low- and -moderate income households if the maximum sales price or rent is set within a specified formula as per the Uniform Housing Affordability Controls (UHAC) regulations, N.J.A.C. 5:80-26.1 et seq. A moderate income household is a household whose gross family income is more than 50 percent of median income, but less than 80 percent of median income for households of the same size within the housing region. A low income household is a household whose gross family income is equal to or less than 50 percent of median gross household income for a household of the same size within the housing region for West Orange. West Orange is in Region 2, which encompasses Essex, Morris, Union and Warren counties.

Using 2019 regional income limits, a four person Essex County median household income is estimated at \$100,767. A moderate income four person household would earn a maximum of \$80,61 (80 percent of regional median) and a four person low income household would earn a maximum of \$50,384 (50 percent of regional median).

Income levels for one, two, three and four person households as of 2019 are given below:

TABLE 8

2019 Low and Moderate Regional Incomes

Income	1 person	2 persons	3 persons	4 persons
Median	\$70,537	\$80,614	\$90,691	\$100,767
Moderate	\$56,430	\$64,491	\$72,553	\$80,614
Low	\$35,269	\$40,307	\$45,345	\$50,384

Source: 2019 Income Limits

Based on the qualifying formula in N.J.A.C. 5:80-26, the monthly cost of shelter which includes mortgage (principal and interest), taxes, insurance and homeowners or condominium association fees, may not exceed 28 percent of gross monthly household income based on a five percent down payment. In addition, moderate income sales units must be available for at least three different prices and low income sales units available for at least two different prices. The maximum sales prices must now be affordable to households earning no more than 70 percent of median income. The sales prices must average 55 percent of median income.

Under UHAC regulations, rents including utilities, may not exceed 30 percent of gross monthly income. The average rent must now be affordable to households earning 52 percent of median income. The maximum rents must be affordable to households earning no more than 60 percent of median income. In averaging 52 percent, one rent may be established for a low income unit and one rent for a moderate income unit for each bedroom distribution. The utility allowance must be consistent with the utility allowance approved by HUD and utilized in New Jersey. In inclusionary rental developments, 13 percent of the rental units must be affordable to households earning no more than 30 percent of median income.

West Orange currently has the following low- and -moderate income housing:

<u>Name</u>	<u>Units</u>	<u>Type</u>
Jewish Federation	134	Age-restricted rentals
Degnan House	10	Age-restricted rentals
ARC Group Home	3	Bedroom
Marmon Terrace Group Home	6	Bedrooms
Woodland Valley Senior Home	57	Age-restricted rentals
Dogwood Drive Group Home	4	Bedrooms

Kingsley Group Home	8	Bedrooms
Habitat for Humanity	2	Family for sale
Washington Street	3	Family rentals
Main Street	3	Family rentals
158 Main Street	3	Family rentals
St. Cloud (Prism)	4	Bedrooms
Forest Avenue	4	Bedrooms
Valley Road	55	Family rentals
97 Edgewood Avenue Group Home	5	Bedrooms
Merrywood Drive Group Home	5	Bedrooms
Pleasant Valley Way Group Home	6	Bedrooms
4 Wedgewood Avenue Group Home	4	Bedrooms

West Orange has a rehabilitation obligation of 305 units of which 166 units have been rehabilitated from 2000 through 2019. From 2010 to present, 53 units were rehabilitated in West Orange.

II. PROJECTION OF HOUSING STOCK

A. Building Permits

According to the New Jersey Department of Community Affairs, Construction Reporter, New Residential Building Permits, there were 47 new building permits issued from 2010 to April 2020.

B. Future Construction of Low- and -Moderate Income Housing

West Orange will address the future construction of low- and- moderate income housing in the Fair Share Plan.

III. DEMOGRAPHIC CHARACTERISTICS

A. Population

The population in West Orange increased by 2.8 percent between 2000 and 2010. Table 9 illustrates the figures.

TABLE 9

Population

Year	Population
2000	44,943
2010	46,207

Note: Total population does not match between tables due to varied data sources

Sources: 2000 and 2010 Census of Population and Housing

TABLE 10

Population Characteristics

SELECTED POPULATION CHARACTERISTICS

Forty-seven percent of the West Orange residents are between the ages of 25 and 59 years.

	<u>Number</u>	<u>Percentage</u>
<u>TOTAL POPULATION</u>	46,207	
<u>SEX</u>		
Male	21,669	
Female	24,538	
<u>AGE</u>		
	<u>Male</u>	<u>Female</u>
Under 5 years	1,602	1,454
5 to 14 years	3,077	2,878
15 to 19 years	1,462	1,403
20 to 24 years	1,260	1,100
25 to 44 years	5,624	6,244
45 to 54 years	3,216	3,718
55 to 59 years	1,434	1,662
60 to 64 years	1,247	1,464
65 to 74 years	1,381	1,784
75 to 84 years	886	1,561
85 years and over	480	1,270

Note: Total population does not match between tables due to varied data sources

Source: 2010 Census of Population and Housing

B. Household Size and Type

A household profile of West Orange shows that there were 16,790 households with a total household population of 45,362 in 2010. The average number of persons per household was 2.70.

TABLE 11

Household Profile 2010

	<u>Total Number</u>
Households	16,790
Population of households	45,362
Persons per household	2.70

Source: 2010 Census of Population and Housing

TABLE 12

Household Type and Relationship

In family households:	39,397
householder:	11,749
Male	7,660
Female	4,089
Spouse	8,913
child:	15,060
Natural born/adopt	14,015
step	408
grandchild	637
other relatives	863
non-relatives	893
In non-family households:	5,965
householders living alone	4,286
householders not living alone	755
Non-relatives	924
In group quarters:	845
Institutionalized population	788
Non-institutionalized population	57

Source: 2010 Census of Population and Housing

TABLE 13

Type of Housing Units by Structure

Units in Structure	Total Units	PCT
1, detached	9,696	56
1, attached	1,502	9
2	1,791	10
3 or 4	1,395	8
5 to 9	626	4
10 to 19	330	2
20 to 49	288	2
50 or more	1,474	9
Mobile home or trailer	66	0
Other	0	0
TOTAL	17,168	100

Note: Total housing units do not match between tables due to varied data sources

Source: 2006-2010 American Community Survey 5-Year Estimates

C. Income Level

Approximately, 66 percent of the households in West Orange earn over \$60,000 according to the 2010 American Community Survey. The median household income was \$88,917

TABLE 14
Household Income

<u>Household Income</u>	<u>Number</u>	<u>Percent</u>
\$0 -9,999	532	3
\$10,000-\$14,999	373	2
\$15,000-\$19,999	693	4
\$20,000-\$24,999	639	4
\$25,000-\$29,999	635	4
\$30,000-\$34,999	359	2
\$35,000-\$39,999	434	3
\$40,000-\$44,999	386	2
\$45,000-\$49,999	368	2
\$50,000-\$59,999	1,179	7
\$60,000-\$99,999	3,337	21
\$100,000-\$149,999	3,287	20
\$150,000-\$199,999	1,767	11
\$200,000 or more	2,276	14
TOTAL	16,265	100

Median Household Income \$88,917

Note: Total households do not match between tables due to varied data sources

Source: 2006-2010 American Community Survey 5-Year Estimates

D. Age

The age of the West Orange population has been discussed under Section III, Demographic Characteristics, A. Population.

E. Marital Status

In 2010, there were more women than men over the age of 15 years in West Orange. There were 241 more males that never married. There were 2,201 more widows than widowers and more divorced females than males.

TABLE 15

Sex by Marital Status - Persons 15 Years and over

Marital Status	Total	Male	Female
Total	36,038	16,338	19,951
Never Married	9,011	5,074	5,088
Now Married	21,570	9,446	9,982
Widowed	3,145	743	2,949
Divorced	2,312	1,075	1,932

Note: Total population does not match between tables due to varied data sources

Source: 2006-2010 American Community Survey 5-Year Estimates

IV. EXISTING AND PROBABLE FUTURE EMPLOYMENT CHARACTERISTICS

Of the 22,913 West Orange residents employed in the civilian labor force, 67 percent are in educational, health and social service occupations or agriculture, construction, manufacturing, wholesale trade, retail trade, transportation fields or finance, insurance and real estate industries.

TABLE 16

Occupation

Employed Persons 16 Years and Over

	Male	Female	Total
Finance, insurance, real estate	1,237	1,342	2,579
Agriculture, construction, manufacturing, wholesale trade, retail trade, transportation	4,727	1,902	6,629
Information	387	363	750
Arts, entertainment, recreation, accommodation and food services	743	853	1,596
Professional, scientific and technical services	1,885	1,338	3,223
Educational, health and social services	1,834	4,301	6,135
Public administration	476	457	933
Other services	389	679	1,068
Total	11,678	11,235	22,913

Note: Total population does not match between tables due to varied data sources

Source: 2006-2010 American Community Survey 5-Year Estimates

According to the New Jersey State Data Center, West Orange had a covered employment number of 15,858 in 2014.

TABLE 17
Status of Covered Employment within West Orange- 2014

	Annual Avg. Units	Average
LOCAL GOVT EDUCATION	1	1,274
Agriculture	.	.
Construction	90	349
Manufacturing	18	138
Wholesale Trade	43	165
Retail Trade	96	1,338
Transp/Warehousing	25	137
Information	14	301
Finance/Insurance	58	351
Real Estate	70	233
Professional/Technical	170	1,152
Management	.	.
Admin/Waste Remediation	.	.
Education	.	.
Health/Social	265	5,621
Arts/Entertainment	26	566
Accommodations/Food	84	1,445
Other Services	175	662
Unclassified	22	27
PRIVATE SECTOR TOTALS	1247	14,047

FEDERAL GOVT TOTALS	4	59
STATE GOVT TOTALS	4	68
LOCAL GOVT TOTALS	4	1,684

West Orange has been active in redeveloping portions of its downtown and other areas of the community. The type of employment activity most likely to result is in retail and the service industry while office and manufacturing employment will likely continue to decline. For example, three existing office buildings on Executive Drive are being fully or partially replaced by residential and public uses, while the adjacent Essex Green Shopping Center has been approved for modernization and expansion. It is anticipated that healthcare employment will grow as well due to recently approved projects, proximity to Saint Barnabas Medical Center and expansion of existing healthcare facilities.

V. TOTAL OBLIGATION FROM PRIOR ROUNDS

A. Rehabilitation Share

West Orange has a 305- unit rehabilitation obligation.

B. Total Obligation from Prior Rounds

West Orange has a total obligation from Prior Rounds of 226 units.

VI. PROSPECTIVE NEED OBLIGATION

West Orange has a 954- unit Third Round Obligation from 1999 through 2025. The 954 was reduced to a realistic development potential (RDP) of 421 units due to a vacant land adjustment.

FAIR SHARE PLAN

**WEST ORANGE TOWNSHIP
ESSEX COUNTY**

Adopted: November 17, 2020

I. PREFACE

A municipality's affordable housing obligation is cumulative and includes affordable housing need for the period 1987 to 2025. The affordable housing obligation consists of three components:

- Rehabilitation Obligation
- Prior Round Obligation (1987-1999)
- Gap (1999-2015) + Prospective Need (2015-2025) or Round 3 Obligation

A municipality's Rehabilitation Obligation is a measure of old, crowded, deficient housing that is occupied by low- and moderate-income households. Rehabilitation Obligation numbers from each prior round are replaced with the latest round number because the numbers are updated with each decennial census. A municipality may receive credit for rehabilitation of low- and moderate-income deficient housing units completed after April 1, 2010 provided the units were rehabilitated up to the applicable code standard, the average capital cost spent on rehabilitating the units was at least \$10,000 and the units have the appropriate controls on affordability to ensure that the units remain affordable during the required period of time. Rehabilitation credits cannot exceed the Rehabilitation Obligation, and can only be credited against the Rehabilitation Obligation. Such credits cannot be counted as new construction affordable housing credits.

The Prior Round Obligation is the municipal new construction obligation from 1987 to 1999. Prior Round obligations were calculated by COAH, and the last numbers calculated by COAH for the Prior Round have been accepted in settlement agreements between FSHC and municipalities across the state. Credits, reductions and adjustments may still be applied against the Prior Round Obligation (1987-1999) for affordable housing activity undertaken from 1980 to 1999.

The Round 3 Obligation covers the period from 1999 to 2025.

All of the Affordable Housing Obligations in this Housing Element and Fair Share Plan were negotiated and agreed upon in the Court- approved FSHC Settlement Agreement.

II. WEST ORANGE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

Per the agreed upon affordable housing obligations in the FSHC Settlement Agreement, West Orange's Affordable Housing Obligations are as follows:

Township Of West Orange Affordable Housing Obligations	
Rehabilitation Obligation	305
Prior Round Obligation	226
Gap + Prospective Need or Round 3 Obligation	954

III. SATISFACTION OF WEST ORANGE'S REHABILITATION OBLIGATION

The Township has a Rehabilitation Obligation of 305 units. West Orange has contracted with Community Action Services (CAS) to administer a rehabilitation program for both owners and renters. The program is funded through the Township's Affordable Housing Trust Fund. The contract with CAS and completed rehabilitation from 2010 to the present are in Exhibit A. To date, 53 deficient housing units have been rehabilitated since 2010.

West Orange also participates in the Essex County Home Improvement Program. To date, 17 homes have been rehabilitated since 2010.

IV. ADDRESSING WEST ORANGE'S PRIOR ROUND OBLIGATION

As per the terms of the FSHC Settlement Agreement, West Orange Township's Prior Round Obligation is 226 units.

A. Rental Obligation and Rental Bonuses

The rental component is calculated as follows:

$$.25 \text{ (prior round obligation)}$$

$$.25 (226)$$

$$.25 (226) = 57$$

Therefore, West Orange Township has a rental obligation of 57 units.

The maximum number of units for which a municipality may receive rental bonuses is also calculated in the formula above. One bonus is granted for family rental units and a 0.33 bonus is granted for age-restricted units.

B. Maximum Age-restricted Units.

A municipality may receive credit for age-restricted units according to the following formula:

$$.25 \text{ (prior round obligation)}$$

$$.25 (226)$$

$$.25 (226) = 56$$

Based on this formula, West Orange Township is eligible to age-restrict up to 56 units.

C. Site Suitability Analysis.

Pursuant to N.J.A.C. 5:93-1.3, sites that are designated to produce affordable housing shall be available, approvable, developable and suitable according to the following criteria:

- “Available site” means a site with clear title, free of encumbrances which preclude development for low and moderate income housing. N.J.A.C. 5:93-1.3.
- “Approvable site” means a site that may be developed for low and moderate income housing in a manner consistent with the rules or regulations of agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing.
- “Developable site” means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area wide water quality management plan (including the wastewater plan), or is included in an amendment to the area wide water quality management plan submitted to and under review by the DEP.
- “Suitable site” means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.

In addition to the above qualifications, it is also sound planning for sites to be consistent with the State Development and Redevelopment Plan. Sites that are located in Planning Area 1: Metropolitan or Planning Area 2: Suburban of the State Development and Redevelopment Plan, or are located in an existing sewer service area, are the preferred location for municipalities to address their fair share obligations. All of the sites in this Housing Element and Fair Share Plan are located in State Planning Area 1.

D. Implementation

West Orange Township’s second round Housing Element and Fair Share Plan received substantive certification on October 11, 1995 for a 226-unit obligation.

The Chart below illustrates the compliance methods:

Name of Development	# of Units	Bonus	Total	Status
Degnan House (age-restricted)	10	0	10	Completed
Federation Plaza (age-restricted)	92	0	92	Completed
Wedgewood Avenue (supportive housing)	2 bedrooms	2	4	Completed
30-32 Kingsley (supportive housing)	8 bedrooms	0	8	Completed
4 Marmon Terrace (supportive housing)	6 bedrooms	6	12	Completed
Merrywood Drive (supportive housing)	5 bedrooms	5	10	Completed

PRISM Redevelopment (family rental)	44	44	88	Phase 1 is completed; Phase 2 is approved w/ redeveloper's agreement in place
Habitat for Humanity (family for-sale)	2	0	2	Completed
Total	169	57	226	-

1. Degnan House (Block 113.01, Lot 27.01) is a very low income senior citizen rental complex that was funded by the Section 202 Program. There are a total of 62 apartments in the building. However, only 10 were occupied after April 1, 1980 and thus eligible for credit. Exhibit B.
2. Federation Plaza (Block 165, Lot 16) is also an age-restricted complex that was funded by the Section 202 Program. There are a total of 134 senior units that opened in December 1980. Ninety-two will address the Prior Round and the balance, 42, will address the Third Round Obligation. Exhibit C.
3. 4 Wedgewood Avenue is a four bedroom group home that is owned and operated by the ARC of Essex County. Two of the bedrooms will be credited towards the Prior Round. The home opened in 1984. Exhibit D.
4. 30-32 Kingsley is an eight bedrooms group home that is owned and operated by the Easter Seal Society of New Jersey. The home opened in 1992. Exhibit E.
5. 1 Marmon Terrace is a six bedroom group home that is owned and operated by the ARC of Essex County. The home opened in 1992. Exhibit F.
6. 2 Merrywood Drive is a five bedroom group home that is owned and operated by the Developmental Disabilities Association. The group home opened in 1998. Exhibit G.
7. Prism Green Associates IV, LLC (Block 64, Lot 22) (PRISM) is a redevelopment site that will contain a total of 296 units in Phase 2 including 44 affordable family rentals. The Redevelopment Agreement provides for a 50-year deed restriction on the 44 units. In addition to the 44 affordable family rentals, PRISM funded the four bedroom group home at St. Cloud for a total of 48 affordable units. The development will occur in phases. Phase 1 is completed and Phase 2 is approved with an Amended and Restated Redevelopment Agreement, dated June 1, 2018. The site is available in that it has clear title and is owned by Prism Green Associates, IV, LLC. The site is approvable in that there is an executed Redevelopment Agreement in place and Phase 1 has already been completed. The site is developable in that it has access to public water and sewer. The site is suitable in that it is in a mixed-use area with both residential and commercial uses. Access is from Charles Street and the site is located on a public bus route. Exhibit H.

7. Habitat for Humanity Newark Inc. has two for-sale family units located at 112 Whittlesey Avenue, Unit 1 and Unit 2. The first home was occupied in 2007 and the second in 2013. A copy of the deed restrictions is in Exhibit I..
8. West Orange is claiming 57 rental bonuses.

IV. ADDRESSING WEST ORANGE'S ROUND 3 OBLIGATION

It should be noted that West Orange received Third Round substantive certification from COAH on December 9, 2009. That certification was subsequently invalidated.

As per the terms of the FSHC Settlement Agreement, the Township's Round 3 (1999-2025) Obligation is 421 units as the result of a vacant land adjustment (VLA). The initial obligation was 954 units. However, with the VLA, the realistic development potential (RDP) became 421 units. West Orange has a 533 unit unmet need. Exhibit J.

Round 3 caps are as follows:

1. Age Restricted Cap = 105
2. Rental Obligation = 106
3. Rental Bonus Cap = 106

West Orange intends to address this obligation with the following:

Name of Development	# of Units	Bonus	Total	Status
Federation Plaza (age-restricted)	42	0	42	Completed
Wedgewood Avenue (supportive housing)	2	0	2	Completed
Dogwood Drive (supportive housing)	4	0	4	Completed
Pleasant Valley Way (supportive housing)	6	0	6	Completed
Washington Street (family rental)	3	0	3	Completed
152 Main Street (family rental)	3	0	3	Completed
158 Main Street (family rental)	3	0	3	Completed
St. Cloud- Prism (supportive housing)	4	0	4	Completed
Forest Avenue (supportive housing)	4	0	4	Completed
Valley Road Residential (family rental)	55	55	110	Completed
West Essex Highlands (family rental)	100	51	151	Developer's Agreement finalized
Selecto Flash (family rental)	17	0	17	Redevelopment Plan; pending developer's agreement
Executive Drive Block 155, Lot 40.03 (family rental) Rooney Circle: vacant	23	0	23	Redevelopment Plan; pending developer's

				agreement
Executive Drive Block 155, Lot 40.02 and 42.02 (family rental) 100 and 200 Executive Drive	64	0	64	Planning Board approval; pending developer's agreement
Library Site/West Orange Senior Housing	17 (of 64)	0	17	Planning Board Resolution; awarded tax credits
	347	106	453	--

1. Federation Plaza- As discussed in the Prior Round, 42 of the 134 senior rentals will be credited towards the Third Round.
2. Wedgewood Avenue- As discussed in the Prior Round, two of the four bedrooms will be credited towards the Third Round.
3. Dogwood Drive is a four bedroom group home that is owned and operated by Project Live. The home opened in 1998. Exhibit K.
4. Pleasant Valley Way is a six bedroom group home that is owned and operated by Cerebral Palsey of North Jersey. The home opened in 1997. Exhibit L.
5. 39 Washington Street is a three unit affordable rental project that is owned and operated by RPM. The triplex opened in 2007. Exhibit M.
6. 152 Main Street is a three unit affordable rental complex that is owned and operated by RPM. The triplex opened in 2007 Exhibit N.
7. 158 Main Street is also a three unit affordable rental complex that is owned and operated by RPM. The triplex opened in 2007. Exhibit O.
8. St. Cloud is a four bedroom group home that was funded by PRISM as part of its affordable housing obligation. The home is owned and operated by Our House. The home opened in 2009. Exhibit P.
9. Forest Avenue is a four bedroom group home that is also owned and operated by Our Home. The Township contributed \$250,000 from its Affordable Housing Trust Account. The home opened in 2013. Exhibit Q.
10. Valley Road Residential (Block 9, Lot 1.01) is a 100 unit mixed- income development that contains 55 affordable family rental units and 45 market rate units. The project was the recipient of the Nine Percent Federal Low Income Tax Credit Program. Valley Road Residential Urban Renewal LLC is the owner and sponsor. All units are completed and occupied. West Orange contributed \$3 million from its Affordable Housing Trust Fund to make the development financially feaseible. The development opened in 2020. Exhibit R.

11. West Essex Highlands (Block 179, Lot 32) (WEH) will contain 496 family rentals including 100 affordable family rentals. There is an executed Settlement Agreement that contains a Concept Plan, Zoning Amendment, Design Terms and Conditions and West Essex Highlands Condominium Association (association) Terms and Conditions. Numerous mediation sessions occurred with both WEH, the Township and the association. The agreement is the result of those sessions.
The site is available in that it is owned by West Essex Highlands, Inc. The site is approvable in that there is an executed Settlement Agreement in place that contains the proposed rezoning. The site is developable in that it has access to public water from the New Jersey American Water Company and sewer from West Orange. The site is suitable in that it is surrounded by residential uses and has Warner Road as the primary access. Exhibit S.
12. Selecto Flash (Block 9, Lot 35 and Block 7, Lot 22) is the focus of a redevelopment plan known as the Central Avenue Redevelopment Area Plan and an Interim Redevelopment Agreement. The site is comprised of six lots. One of these is adjacent to the Harvard Press Redevelopment Area and the other five are in the vicinity. All but one of these lots is located between Central Avenue and Mitchell Street to the west of the Harvard Press site. The sixth lot is located on the south side of Mitchell Street and the east side of Tompkins Street. In 2016, these tax parcels were determined to be in need of redevelopment. A redevelopment plan was adopted by the Township Council in January 2017. The plan is consistent with other planning efforts in the vicinity in West Orange and Orange, and takes advantage of proximity to the Highland Avenue railroad station. The Township has rezoned this property to permit up to 111 residential units including a 15 percent set-aside for 17 affordable family rental units that may be provided off site on a municipally-owned lot on Tompkins Street. The site is available in that it is owned by West Orange Township. The site is approvable in that the zoning is in place. The site is developable in that it has access to public water from the New Jersey American Water Company and sewer from West Oranger. The site is suitable in that it is surrounded by adjacent multi-family residences, commercial uses and single family homes. Access is from Central Avenue and Mitchell Street. Exhibit T.
13. & 14. Essex Green Executive Drive Redevelopment Area (Block 155, Lots 40.02, 40.03, 40.04, 41.02, 42.02). There are three specific areas consisting of five parcels. However, only two parcels are included for redevelopment. The area was deemed to be an Area in Need of Redevelopment in January 2018. Redevelopment plans were adopted for two areas in 2018 and 2019. However, on September 11, 2020, that designation was recently overturned by the Appellate Division ("Appellate Division Decision") and a new redevelopment study is being prepared and will be considered before the Planning Board on November 18 and 19, 2020.

Before the Appellate Division Decision, one site, Block 155, Lots 40.02 and 42.02 known as 100 and 200 Executive Drive had been approved by the Planning Board for a total of 425 units of which 64 will be affordable family rentals. The site also received planning board approval on June 25, 2020 for a multi-family residential development.

Depending on the Planning Board consideration of the new redevelopment study and the Township Council's decision regarding the Planning Board recommendation, a new redevelopment plan will need to be considered.

Block 155, Lot 40.03, known as Rooney Circle is vacant land and is proposed to provide up to 123 residential units including 23 affordable family rentals on a 4.72 acre vacant tract. Although the Rooney Circle site is in the June 2019 redevelopment plan, there is no development application for this site. As a result, the Rooney Circle site will be zoned accordingly. The site is available in that it is owned by CLPF Essex Green, LLC c/o Clarion Partners. The site is approvable in that there is proposed new zoning for the site that will include up to 123 residential units including 23 affordable family rentals. The site is developable in that it has access to public water from the New Jersey American Water Company and sewer from West Orange. The site is suitable in that it is surrounded by mixed uses of office, hotel and residential. The site has access from Rooney Circle. The site is vacant and has no constraints other than steep slopes which do not impede development. Exhibit U.

15. 46 Mount Pleasant Avenue Redevelopment Area /West Orange Senior Housing/ Library Site (Block 68, Lot 1) This area consists of one tax lot on which the West Orange Public Library is located and a portion of the Township's public street that is used as a parking lot. A redevelopment plan for the area known as 46 Mount Pleasant Redevelopment Area was adopted in July 2019. However, the Designation of an Area in Need of Redevelopment was appealed and the trial court ruled in favor of the Township. Regardless, the case was appealed and an accelerated hearing is being requested before the Appellate Division. It is noted that the redevelopment area only includes a portion of the Township properties in this area. The site received an award of Nine Percent Federal Low Income Tax Credits and, once constructed, will yield 64 age-restricted, 100 percent affordable rental units. Five of the units will be age-restricted, permanent supportive housing for the homeless. The Township may only apply 17 of these 64 credits towards its Third Round RDP because of the age-restricted cap. The balance, 47 units, will be applied towards unmet need.

The site is owned by West Orange Township. The site is approvable in that there is an approved redevelopment plan in place in addition to sufficient funding to make the project financially feasible. The housing will consist of a four-story elevator building with 61 one-bedroom units, three- two bedroom units, and one superintendent apartment. Thirty-two units will be affordable to households at 60 percent of median income; 23 will be affordable to households at 50 percent of median income; four will be affordable at 30 percent of median income and five supportive units will be affordable at 20 percent of median income. Catholic Charities of the Archdiocese of Newark will be the social service provider with the Alpert Group LLC as the administrative agent. A proforma was prepared for the tax credit application. The development will include age-friendly features to promote aging in place such as on-site transportation, participation in The Services for Independent Living Program, a private room for an on-site health provider and an exercise room. The site is suitable in that it is situated in the Central Business District adjacent to Town Hall, the police facility and other senior apartments. Along Mt. Pleasant Avenue and Main Street there is a mix of

offices, retails and other commercial. The site has access from Mt. Pleasant Avenue. The site is developable in that there is a planning board resolution of August 7, 2019. Construction is to begin in 2022. Exhibit W.

V. Additional Compliance Mechanisms

As stated above, the RDP of 421 units subtracted from the Third Round Obligation of 954 units, results in an unmet need of 533 units. The unmet need is further reduced by 54 existing age-restricted units at Woodland Valley Senior Homes, the remaining 47 units of credit from the Library site and the 32 surplus units that West Orange has included in addressing the RDP. As a result, the Township's remaining unmet need is 397 units. As per the terms and conditions of the FSHC Settlement Agreement, the Township is utilizing the following mechanisms to address unmet need:

1. K-Mart/Whole Foods Shopping Center (Block 152.01, Lots 1445 and 1445.05) Located at the corner of Eagle Rock and Prospect Avenues, the lot is 32.32 acres and is currently zoned P-C Planned Commercial. West Orange Plaza is the current owner. West Orange will place a mixed-use overlay zone permitting commercial/retail on the first floor and up to three stories of residential above. The residential density will permit up to 16 du/acre and require a 20 percent set-aside. Exhibit X; Adopted 10/20/2020.
2. Mayfair Farms Site (Block 152.01, Lot 1445.01) Located at 481 Eagle Rock Avenue, the lot contains 11.07 acres and is currently zoned B-2 Business. West Orange will place a mixed-use overlay zone on the site permitting commercial/retail on the first floor and up to three stories of residential above. West Orange will place overlay zoning of up to 16 du/acre with a 20 percent set-aside on the site. Exhibit X; Adopted 10/20/2020.
3. Redwood (Block 151, Lot 33) Located at 200 Pleasant Valley Way, the lot contains 5.91 acres and is currently zoned R-2 Single Family Residential. Redwood LLC, C/o Pagano Real Estate is the current owner. West Orange has placed overlay zoning permitting up to 142 total units at 24 du/acre with a 20 percent set-aside on the site. The set-aside may either include 28 on-site affordable units and a payment in lieu of \$59,473.20 or 29 on-site affordable units. Exhibit Y; Adopted 10/20/2020.
4. Mandatory Set-Aside Ordinance- The Township has adopted an ordinance requiring a mandatory affordable housing set-aside for all new multifamily residential developments of five units or more. The set-aside for rental and for sale developments will be 20 percent. The provisions of the ordinance will not apply to residential expansions, additions, renovations, replacements, or any other type of residential development that does not result in a net increase in the number of dwellings of five or more units. Exhibit DD; Adopted 10/20/2020.

In addition to the above, West Orange has identified the following areas where affordable housing may be produced in the future.

1. 10 Rooney Circle (Block 155, Lot 41.02) Located at 10 Rooney Circle, the lot contains 5.2 acres and is in the Essex Green Redevelopment Area. West Orange Office Executive Park is the current owner. The Township is currently in negotiations with the landowner concerning the future use of the site. By February 3, 2022, (18 months from the Court's approval of the Settlement Agreement with FSHC) the Township will inform the special master and FSHC as to the future use of the site. If the future use is residential, West Orange will place overlay zoning permitting up to 16 du/acre and a 20 percent set-aside.

Rock Spring Golf Course (Block 160, Lot 10) The Township has recently purchased this 138-acre golf course that it intends to initially continue its use as a golf course. The Township has contracted with a golf course consulting company to operate Rock Spring as a golf course for the next 22 months in order to establish its continuing viability as an 18-hole course which may be extended. In the event that the golf course is found not to be viable as an 18-hole golf course, but is viable as a nine-hole golf course, the Township will rezone a portion of the property to provide residential zoning permitting at least 150 dwelling units including a 20 percent affordable housing set-aside for at least 30 units. The Township will provide FSHC with notice of its intentions for the future use of this site by July 1, 2021 or sooner if a decision is made prior to that date. At this time the golf course will not generate any RDP but will be evaluated for RDP purposes at the time of notice of decision.

VI. Additional Requirements

1. **Thirteen Percent Requirement.** The Township will require 13 percent of all affordable units, excepting those units that were constructed or granted preliminary or final site plan approval prior to July 1, 2008, to be very low income units, with half of the very low income units being available to families. West Orange will comply as follows:

Affordable Housing Units Created after 7/1/2008	# of Units
Valley Road Residential	55
West Essex Highlands	100
Executive Drive Redevelopment Area (B:155, L:40.02, 40.03)	108
PRISM Redevelopment	44
Selecto Flash	17
Forest Ave Group Home	4
St. Cloud Group Home	4
Total	332
Minimum VLI Required (13% of Total)	43
Minimum Family VLI Units (50% of Total VLI)	22
PRISM	6

Valley Road Residential	7
West Essex Highlands	13
Executive Drive Redevelopment Area	14
Selecto Flash	2
St. Cloud- supportive housing	4
Forest Avenue- supportive housing	4
Total VLI	50
Total Family VLI	42

The Township will also require 13 percent of any affordable units produced from any additional sites other than those discussed previously to be very low income units.

2. Low Income Requirements- For the Third Round low- moderate income split, West Orange has exceeded the low /moderate income split. The Fair Share Plan contains 347 affordable units of which 202 are low income units.

3. Rental Requirement/Family Requirement- West Orange has a rental obligation of 106 units. All of the affordable units are rental units and 268 units are for families.

4.Age-Restricted Cap- West Orange has not exceeded the 25 percent age- restricted cap requirement.

VII. Consideration of Sites Not in the Plan

As is required by the Fair Housing Act, the Township considered all sites offered by developers for the construction of affordable housing. All of the sites have been included in the plan.

VIII. Affirmative Marketing Plan

West Orange has amended its Affirmative Marketing Plan and added to the list of community and regional organizations the FSHC, New Jersey State Conference of the NAACP, Latino Action Network, East Orange NAACP, Newark NAACP, Morris County NAACP, Elizabeth NAACP and the Supportive Housing Association. Exhibit Z.

IX. Spending Plan

An amended Spending Plan is in Exhibit AA.

X. Administrative Agent

The Resolution naming the Administrative Agent is in Exhibit BB.

XI. Municipal Housing Liaison

The Resolution appointing the Municipl Housing Liaison is in Exhibit CC.

XII. Affordable Housing Ordinance and Mandatory Set-aside Ordinance

Au updated Affordable Housing Ordinance including a Mandatory Set-aside Ordinance is in Exhibit DD; Adopted 10/20/2020

XIII. Resolution of Intent To Bond for any Shortfall

A Resolution of Intent To Bond for any Shortfall is in Exhibit EE.