

September 23, 2015

The Honorable Shirley K Turner  
1230 Parkway Ave.  
Suite 103  
Ewing Twp, NJ 08628

Dear Senator Turner:

I am a member of Hopewell Township Planning Board, but am writing this letter as a private citizen. As a member of the planning board, I have seen first hand the confusion and difficulty in preparing housing plans that follow rules instead of intent. There is a need for affordable housing. Unfortunately, there is a problem with the "rules" that have been developed which determine how much and what types of housing municipalities must provide. The complete lack of common sense and good planning have pitted municipalities (who are trying to establish sound, sustainable growth plans) against affordable housing advocates (who are trying to create affordable housing units to meet the demand). While these battles rage, developers stand ready to take advantage of the situation. This is unfortunate. Sustainable planning and affordable housing are not mutually exclusive. I don't know how the rules and calculation formulas were developed, but there was an obvious lack of checks and balances.

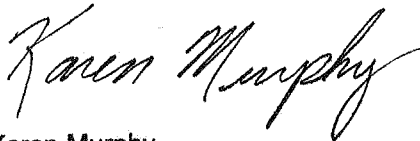
The NJ Supreme Court has ruled that exclusionary zoning is unconstitutional, and that every municipality has an obligation to provide affordable housing. I don't disagree with this. Unfortunately the current calculation methodology and rules for housing plans are flawed. Flawed in that they are forcing the creation of housing plans that violate sound sustainable planning principles, and are not providing ideal low income housing situations that provide support services needed for the poor. I would like to urge NJ State legislators to bring municipal planners and FSHC advocates together to develop sustainable planning guidelines. Unfortunately, action must be taken quickly. Municipalities are under a court mandated timeline to provide housing plans by December 8, 2015. Despite the fact that the courts have not yet established how many affordable units must be included in the plan, the deadline has not changed or been extended. As you know, a plan must be developed and then given a public hearing before being adopted. Time and expediency will dictate outcomes if legislative action is not taken quickly.

Below are examples of just a few of the problems with the current system:

- Prior inclusionary developments (development that occurred in order to provide affordable housing) are included in growth calculations and inflate the need for affordable housing. [Towns that complied and built affordable units show growth, and since they have grown they now owe more units. This is not sustainable.]
- Towns can no longer sponsor (pay for) any affordable housing in urban centers that can't afford to develop housing centers. While I agree that limits must be placed on how much of a municipal obligation can be transferred to urban centers, the need for safe, clean, affordable housing in urban centers has not gone away- only the funding for it!
- Pricing for the various types of affordable housing is established. Housing units that sell for that same price on the open market are not included in the quantity of affordable housing units within a municipality. This makes no sense to me. We are to be providing opportunities. What better way than to provide an opportunity for someone to own a home, improve it, make money, and move up. Affordable units that are purchased at the same (or more) have a cap (no minimum) on what they can sell for. Why provide qualified affordable units if market rate units are available?

- The current vacant land analysis should be removed from the calculations for two reasons. First, because it is flawed. It did not exclude open land on developed parcels where further development is prohibited, or even the open land in the median of the Garden State Parkway! Second, because it goes against all sustainable planning principals. Targeting vacant, undeveloped land is not environmentally responsible.
- Environmentally constrained areas (steep slopes, wetlands, stream protection corridors, etc) were not excluded from the open space inventory used to calculate municipal obligations.
- The regional calculation areas are too large. Housing in one part of a region could be very far from the location of job growth within a region. Again, the FSHC's mission is to provide housing near job opportunities.
- Municipal obligation calculations include retired individuals as low income.
- Population projections did not use the Metropolitan Planning Organization's projections. Housing projection needs be aligned with transportation infrastructure investments.
- The calculations used a headship rate that remains flat over the study period. However, headship rates have been declining in New Jersey ever since 1990.
- Calculations used commercial square footage to determine job growth, but there are several types of businesses that create fewer jobs per square foot than typical office buildings. (For example: warehousing, laboratories, distribution facilities) New square footage doesn't account for job loss, and vacant buildings.
- Current rules do not allow for business that want to provide affordable housing for their employees, or families that want to create accessory apartments for family members, even if the people using these units qualify as low income individuals.
- Buildable limits (obligation caps) should never force a municipality to double, or nearly double in size. Why not make the limit the # of existing homes x 0.20 (or some other agreed upon percentage of growth) + 6 (six uses a 5 market rate to 1 affordable housing mix)? Sudden large scale growth can change the character of a municipality. Diversity of communities should be preserved, with low income housing opportunities provided within these diverse communities.
- Very low income housing should not be required where there is no public transportation, no public water, and no sewer service.
- Municipalities should be able to collect affordable housing development fees proportional to the costs of providing affordable housing.
- Medical group homes and assisted living facilities should not be included in the credit limits for age-restricted housing.

Sincerely,



Karen Murphy