



**STATUS OF
VERY LOW-INCOME HOUSING REQUIREMENTS
REQUIRED BY N.J.S.A. 52:27D-329.1**

***TOWN OF WESTFIELD
UNION COUNTY, NJ***

April 1, 2020

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**Status of Very Low-Income Housing Requirements Required by N.J.S.A. 52:27D-329.1
Town of Westfield, Union County, NJ**

Purpose

This status report is completed pursuant to the provisions found within the Town of Westfield Land Use Ordinance at Section 23.01G.3, and the Settlement Agreement by and between the Town and Fair Share Housing Center, dated April 4, 2017. In summary, within 30 days of April 4, 2020, and every third year thereafter, the Town must prepare a review of compliance with the very low-income housing requirements of N.J.S.A. 52:27D-329.1

This status report shall be posted on the Town website and a copy provided to the Fair Share Housing Center. The posting is required to invite any interested party to submit comments to the Town and the Fair Share Housing Center on the issue of whether the municipality has complied with its very low-income housing obligation.

This status report includes a summary of how the Town has complied with the provisions within the Westfield Land Use Ordinance and Settlement Agreement in regard to very low-income housing requirements. Westfield has agreed to require that 13% of all affordable units referenced within the settlement agreement, with the exception of units constructed as of July 1, 2008, be very-low-income units, with half of the very-low-income units being available to families. The Town of Westfield is complying with this requirement as follows:

Requirement that all developments that address unmet need, including those addressed in paragraph 8, subparagraphs “a” through “f” of the Settlement

Agreement provide at least 13% very low-income housing

Developments that address the Town’s unmet need, including those in paragraph 8, subparagraphs “a” through “f” of the settlement agreement are as follows:

- North Avenue Affordable Housing Transit Oriented Development District (paragraph 8a): Pursuant to Land Use Ordinance Section 11.31G6, at least 20% of units must be affordable to low-, very low-, and moderate-income limits in accordance with the Uniform Housing Affordability Controls.
- GB1-AHO, GB2-AHO, GB3-AHO, C-AHO (paragraph 8b and 8c): These are the affordable housing overlay zone districts created. The overlay zone districts are limited to multi-family housing. The Mayor and Council adopted Article 23 of the Land Use Ordinance, entitled “Affordable Housing Regulations”, by General Ordinance Number 2107, on July 10, 2018. The ordinance requires the following:

Land Use Ordinance Section 23.03B2.a.(3): Within rental developments, of the total number of affordable rental units, at least thirteen (13) percent shall be affordable- to very low-income households. The foregoing notwithstanding, the so-called Claremont project on the New Street TOD site shall be governed by the Order entered by the Court (Thomas J. Walsh, J.S.C.) on April 1, 2015; and the so-called Sunnyside project within the RA-5C Zone District shall be governed as to unit mix by the Judgment of

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Compliance and Repose entered by the Court (Frederic S. Kessler, P.J. Ch.) on October 7, 2013.”

- NJDMV Site, Block 4005, Lot 2 (paragraph 8d): The parcel is located within the RA-5B Zone District. That district’s regulations include that there is a 20% set-aside for low-, very low-, and moderate-income limits, and the development of affordable housing shall be in accordance with Article 23 of the Land Use Ordinance, entitled “Affordable Housing Regulations”.
- Armory Site: Block 2904, Lot 1 (paragraph 8e): The site is not currently available. In the event that the property is sold, transferred, or donated by the State of New Jersey to any person or entity (excluding a federal or state agency), the Town must rezone the property, or rezone some other property in Town in order to provide a realistic opportunity for 16 affordable housing units. If this rezoning must occur, the Town is will be required to mandate a 13% very-low-income set aside per the settlement.
- Mandatory Affordable Housing Set-Aside Requirement (paragraph 8f): Pursuant to Land Use Ordinance Section 23.14, Multi-family residential development, single-family attached residential development, two-family attached residential development, including the residential portion of a mixed-use project, to be developed at six (6) or more dwelling units per acre and yielding five (5) or more units that become permissible through a zoning amendment, or use or density variance granted by the Town’s Board of Adjustment, or adoption of a

Redevelopment Plan for an area in need of redevelopment or area in need of rehabilitation, shall provide an affordable housing set-aside of fifteen (15) percent if the affordable units are to be offered for rent and twenty (20) percent if the affordable units are to be offered for sale. All affordable units created pursuant to this section must comply with all applicable regulations of the affordable housing regulations of Article 23 of the Land Use Ordinance and the New Jersey Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq. and COAH regulations N.J.A.C. 5:93-1 et seq., with the exception that in lieu of ten (10) percent of affordable units in rental projects being required to be at least thirty-five (35) percent of median income, thirteen (13) percent of affordable units in such projects shall be required to be at thirty (30) percent of median income (30% of median income qualifies a household as very-low-income).

Support for Very Low-Income Housing in Accordance with a Spending Plan Required to be Adopted

Pursuant to the Conditional Judgment of Compliance and Repose from the Court, the Town Planning Board amended its Affordable Housing Spending Plan. This amendment was adopted by the Planning Board on July 2, 2018 and subsequently endorsed by the Mayor and Council on July 10, 2018. The Spending Plan is part of the Town Housing Element and Fair Share Plan.

The Spending Plan calls for a portion of the Town’s affordable housing trust fund to be utilized to make units


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more affordable, especially for very-low income tenants. This will primarily be implemented by offering the developer of low-income rental units an upfront payment for the rental differential over a fifty (50) year timeframe between a low-income unit and a very low-income unit. In exchange for this upfront rental differential payment, the particular rental unit will be required to be deed restricted to only very low-income households.



The Town of Westfield has also dedicated funds from the affordable housing trust fund to render units more affordable, including rendering units more affordable to households earning 30 percent or less of median income by region, as follows: converting low-income units to very low-income units, security deposit assistance and rental assistance.

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Provision of Very Low-Income Units at the Following Sites

Project	Total Affordable Units	Number of Very Low-Income that Exist of that are to be Required and Provided in Project	Notes	
Williams Property, Block 1905, Lot 13	28	3	The property still functions as a nursery and garden center. No development application has been brought to the Town.	
Myrtle Avenue Inclusionary, Block 4006, Lots 2 and 3	3	1	Construction is also nearly complete on a 13-unit townhouse project at Myrtle and Grove Streets, also within the RA-5B Multi-Family Residence District. Preliminary and final site plan approval was granted for this project in 2018. This project, although not containing affordable units, has generated a requirement for the development of 3 affordable units off-site. Pursuant to a settlement agreement between the property developer, Fair Share Housing Center, and Town, which was then subsequently approved by the Superior Court, the 3 affordable units generated by the townhouse project must be earmarked for special needs tenants and will provide one (1) 3-bedroom unit; and two (2) 2-bedroom units. As part of the settlement agreement, the 3	

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			special needs units will be included in the phasing schedule required by N.J.A.C. 5:93-5.6(d) for the development of property located within the SW Affordable Housing Overlay District and must be provided regardless of when or if the Townhouse Project on Myrtle and Grove proceeds to be developed.																																								
339 West Broad Street	5	1	An inclusionary site identified as “339 W. Broad Street” and as the “West Broad Street Transit Oriented Development” site in the Town’s 2018 Housing Element and Fair Share Plan, is now complete. The project contains a total of 31 residential units, with 5 of those affordable to very low, low- and moderate-income households. One of these 5 units is a very-low-income 1 bedroom unit.	<p>Don't Miss This Opportunity! AFFORDABLE RENTALS IN WESTFIELD THE PARKER</p> <p>Please submit a preliminary application at www.AffordableHomesNewJersey.com and join the WESTFIELD Rental Waiting list by January 3, 2020 to be included in the random lottery number drawing.</p> <p>If you do not have an email address, call 609-664-2763 ext. 5</p> <ul style="list-style-type: none"> The Parker is located at 339 West Broad Street, Westfield, in Union County. Unit amenities include: <ul style="list-style-type: none"> Central Air Conditioning Dishwasher Washer & Dryer Pets are not allowed. This is a smoke-free community. Although any income eligible households may apply, residents and workers of Essex, Morris, Union and Warren counties will be selected before residents of other counties or states. <p>There will be a total of 5 NEW affordable apartments and these are expected to be available in Winter 2020. Rents, not including utilities, are below:</p> <table border="1"> <tr> <td>1 Bedroom Apartments</td> <td>One Very Low</td> <td>\$387</td> </tr> <tr> <td rowspan="2">2 Bedroom Apartments</td> <td>Two Low</td> <td>\$821</td> </tr> <tr> <td>One Moderate</td> <td>\$1,147</td> </tr> <tr> <td>3 Bedroom Apartments</td> <td>One Low</td> <td>\$1,061</td> </tr> </table> <p>To submit a preliminary application, visit www.AffordableHomesNewJersey.com.</p> <p>Maximum Gross Income by Family Size</p> <table border="1"> <thead> <tr> <th>Household Size</th> <th>Very Low</th> <th>Low</th> <th>Moderate</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>\$21,161</td> <td>\$35,269</td> <td>\$56,430</td> </tr> <tr> <td>2</td> <td>\$24,104</td> <td>\$40,307</td> <td>\$64,491</td> </tr> <tr> <td>3</td> <td>\$27,007</td> <td>\$46,345</td> <td>\$73,553</td> </tr> <tr> <td>4</td> <td>\$30,230</td> <td>\$50,384</td> <td>\$80,614</td> </tr> <tr> <td>5</td> <td>\$32,649</td> <td>\$54,414</td> <td>\$87,663</td> </tr> <tr> <td>6</td> <td>\$35,067</td> <td>\$58,445</td> <td>\$93,512</td> </tr> </tbody> </table>  	1 Bedroom Apartments	One Very Low	\$387	2 Bedroom Apartments	Two Low	\$821	One Moderate	\$1,147	3 Bedroom Apartments	One Low	\$1,061	Household Size	Very Low	Low	Moderate	1	\$21,161	\$35,269	\$56,430	2	\$24,104	\$40,307	\$64,491	3	\$27,007	\$46,345	\$73,553	4	\$30,230	\$50,384	\$80,614	5	\$32,649	\$54,414	\$87,663	6	\$35,067	\$58,445	\$93,512
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New Street, Block 3207, Lot 1.01	9	1	Completed is an inclusionary site at 333 Central Avenue (completed in 2017). The site contains a total of 70 units, with 9 allocated for very low, low, and moderate income households. One of these 9 units is a very-low-income 1 bedroom unit.
Sunnyside, Block 3905, Lot 27	4	1	The property still contains a single-family dwelling. No development application has been brought to the Town.
Myrtle Avenue 100% affordable (ARC) Block 4007, Lot 13 and Block 4006, Lot 1	6	6	The Town of Westfield has negotiated a developer agreement with ARC of Union County to construct two, separate homes known as community residences for the developmentally disabled under the New Jersey Municipal Land Use Law. The first home, located at 244 Myrtle Avenue, contains 4 bedrooms and has been completed and issued a Certificate of Occupancy on December 9, 2019. The second home, located at 304 Myrtle Avenue will also contain 4 bedrooms is near issuance of a certificate of occupancy. In order

9 Affordable Rentals Available

333 Central Ave, Westfield



Submit preliminary application by **March 13, 2017** to be included in first random drawing

Max Gross Income by Family Size			
Household Size	Very Low	Low	Moderate
1	\$19,029	\$39,715	\$50,744
2	\$31,748	\$36,246	\$37,994
3	\$24,466	\$40,777	\$85,243
4	\$27,185	\$45,308	\$72,492

Rents (Utilities not included)	
1 Bedroom Very Low (1 available)	\$326
1 Bedroom Low (2 available)	\$666
1 Bedroom Moderate (2 available)	\$885
2 Bedroom Low (1 available)	\$803
2 Bedroom Moderate (3 available)	\$1,005

- Tentative occupancy date is May 2017
- Brand new apartment in new luxury building
- \$200 optional annual feed (not included in rent) for use of indoor lounge, gym, and roof top terrace
- Although any income eligible households may apply, residents and workers of Essex, Morris, Union, and Warren Counties will be selected before residents of other counties or states
- Application fee of \$55 due at time of credit check


To submit a preliminary application, please visit:
www.AffordableHomesNewJersey.com
or call 609-664-2769, extension 5







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			to effectuate the development of these two sites, the Mayor and Council adopted General Ordinance Number 2114 on November 6, 2018. This ordinance amended the land use regulations for properties within the RA-5B Multi-Family Residence District, allowing for an as-of-right development of the two sites with community residences as proposed by ARC of Union County. <u>The number of bedrooms constructed exceeds the initial estimate as 8 have been constructed, whereas 6 were anticipated.</u> All 8 bedrooms are for very-low-income tenants.	
Homefirst Interfaith 550 Trinity Place	2	2	Still owned by Homefirst, contains 2 dwelling units	
Homefirst Interfaith 706 Central Avenue	2	2	Still owned by Homefirst, contains 2 dwelling units	
Homefirst Interfaith 710 Central Avenue	2	2	Still owned by Homefirst, contains 2 dwelling units	

304 Myrtle Avenue

In summary, the Settlement Agreement estimates a total of 19 very-low-income units for developments included in the table above. At present, 12 of those units exist, with 6 having been completed since 2017, and an additional 4 units near completion (at 304 Myrtle Avenue) for a total of 16 very-low-income units.

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