

HOUSING ELEMENT AND FAIR SHARE PLAN

Green Township
Sussex County, New Jersey

December 2005

Adopted by Planning Board

December 8, 2005

Prepared By:

Heyer, Gruel & Associates
63 Church Street, 2nd Floor
New Brunswick, NJ 0890
(732) 828-2200

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Sealed in accordance with N.J.S.A. 45:14A-12.

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INTRODUCTION

In the case of Southern Burlington County NAACP v. the Township of Mount Laurel, (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities in New Jersey have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing in their communities. In its Mount Laurel decision, decided on January 20, 1983 (Mount Laurel II), the Supreme Court expanded the Mount Laurel doctrine by stating that this constitutional responsibility extended to all municipalities in New Jersey. The Court also established various remedies, including the “builder remedy” or court-imposed zoning, to ensure that municipalities actually addressed this obligation.

In response to the Mount Laurel II decision, the New Jersey Legislature adopted the Fair Housing Act in 1985 (Chapter 222, Laws Of New Jersey, 1985). The Fair Housing Act established a Council On Affordable Housing (COAH) as an administrative alternative to the courts. COAH was also given the responsibility of establishing various housing regions in the state, determining regional and municipal fair share affordable housing obligations and adopting regulations establishing the guidelines and approaches that municipalities may use in addressing their affordable housing need.

Under COAH’s regulations, low income households are defined as those with incomes no greater than 50 percent of the median household income, adjusted for household size, of the housing region in which the municipality is located, and moderate-income households are those with incomes no greater than 80 percent and no less than 50 percent of the median household income, adjusted for household size, of the housing region. For Green Township, the housing region is defined by COAH as Region 1 and is comprised of Essex, Morris, Union and Sussex Counties.

Pursuant to both the Fair Housing Act and the Municipal Land Use Law (MLUL), municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to provide for methods of achieving the goal of access to affordable housing to meet the municipality’s low and moderate income housing needs. The statutory required contents of the housing element are:

- a. 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;
- b. A projection of the municipality’s housing stock, including the probable future construction of low and moderate income housing, for the ten years, taking into account, but not necessarily limited to,

construction permits issued, approvals of applications for development and probable residential development of lands;

- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. 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; and
- f. 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.

THIRD ROUND METHODOLOGY- GROWTH SHARE

Unlike the previous two rounds, the Third Round methodology determines a municipality's affordable housing need based on the growth of the municipality. The need for affordable housing in a municipality is now calculated through the sum of the following:

- Deficient housing units occupied by low and moderate income households which is referred to as rehabilitation share;
- Remaining Prior Round (1987 – 1999) Obligation assigned to a municipality by the Council or the court for the period 1987 through 1999; and
- The share of the affordable housing need generated by a municipality's actual growth (2004 – 2014) based upon the number of new housing units constructed and the number of new jobs created as a result of non-residential development.

The rehabilitation share for affordable housing is the number of existing housing units as of April 1, 2000 that are both deficient and occupied by households of low or moderate income and is calculated by COAH. The Remaining Prior Round (1987 – 1999) Obligations from the first and second fair share rounds have been recalculated to include data from the 2000 Census and are also provided by COAH.

The “growth share” is for the period January 1, 2004 through January 1, 2014 and is to be calculated based on municipal growth projections. These projections are of population and employment growth and must be converted into a projected growth share affordable housing obligation by applying a ratio of one affordable unit for every eight new market-rate residential units projected, plus one affordable unit for every 25 newly created jobs as measured by new or expanded non-residential construction projected in the municipality. The growth share projections are converted into actual growth share obligation when market-rate units and newly constructed and expanded non-residential developments receive permanent certificates of occupancy.

This methodology requires a municipality to project the growth it will have over the next ten years and, to do this, the municipality must provide the following supporting documentation to be submitted with the Housing Element:

1. A projection of the municipality’s probable future construction of housing for 10 years covering the period January 1, 2004 through January 1, 2014 based upon the following minimum information for residential development:
 - Certificates of occupancy issued since January 1, 2004;
 - Construction and demolition permits issued and projected;
 - Approvals of applications for development; and
 - Historic trends, of, at least, the past 10 years, which shall include demolitions and certificates of occupancy issued;
2. An analysis of the existing jobs and employment characteristics of the municipality, and a projection of the probable future jobs must also be calculated using the same criteria.
3. An analysis of how existing zoning or planned changes in zoning provide adequate capacity to accommodate residential and non-residential growth projections.
4. Plan Projections for 2015 or growth projections for 2015 in an endorsed plan approved by the State Planning Commission.

Green Township Land Use Plan
Sussex County, NJ

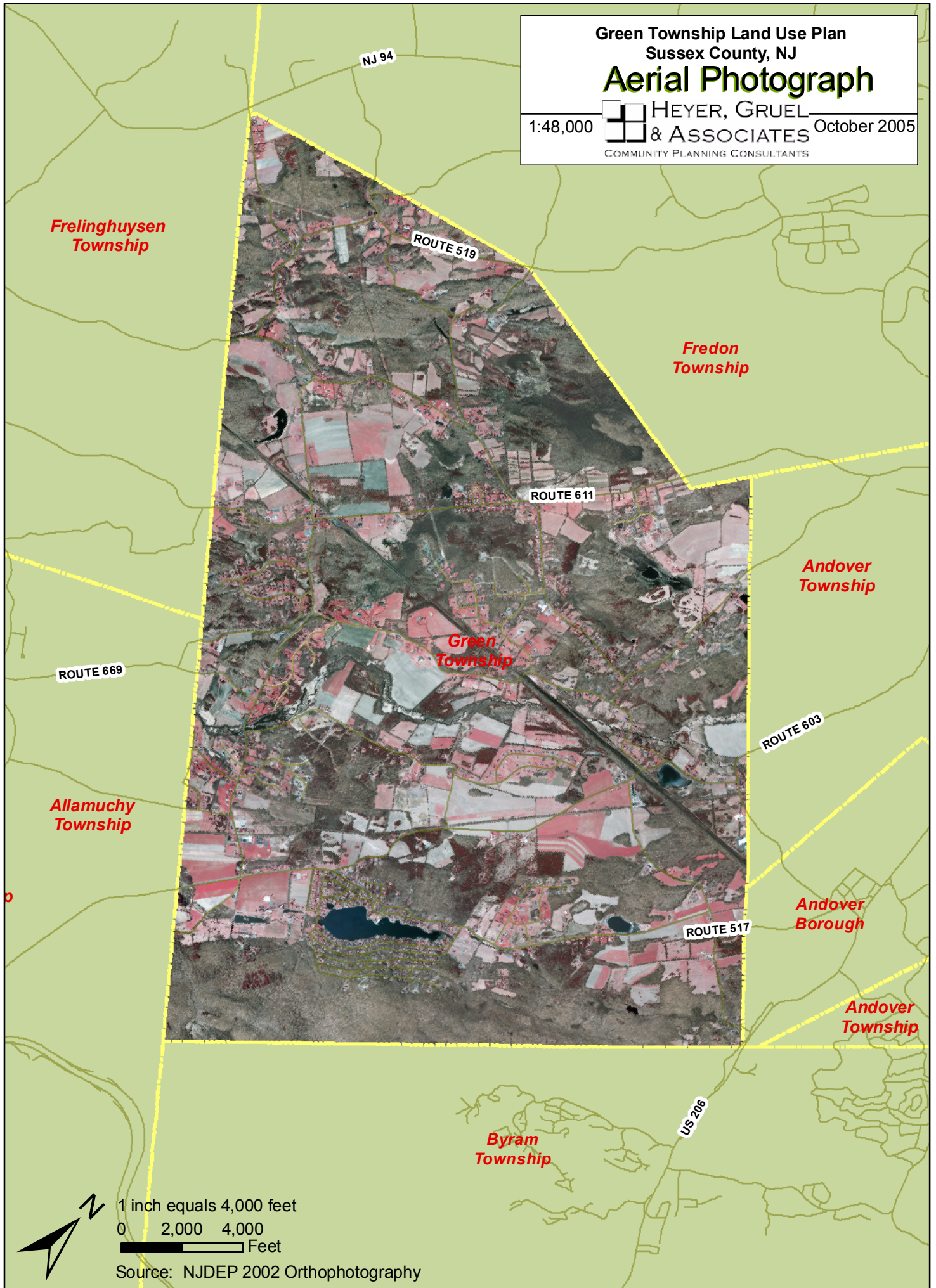
Aerial Photograph

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HEYER, GRUEL
& ASSOCIATES
COMMUNITY PLANNING CONSULTANTS

October 2005



Frelinghuysen
Township

ROUTE 519

Fredon
Township

ROUTE 611

Green
Township

ROUTE 669

Andover
Township

ROUTE 603

Allamuchy
Township

Andover
Borough

ROUTE 517

Andover
Township

Byram
Township

US 206

1 inch equals 4,000 feet
0 2,000 4,000
Feet

Source: NJDEP 2002 Orthophotography

MUNICIPAL SUMMARY

Green Township is 16.5 square miles in size and is located in the southern part of Sussex County. Its neighboring municipalities in Sussex County are Andover Borough and Fredon, Andover and Byram Townships and its neighboring municipalities in Warren County are Frelinghuysen and Allamuchy Townships. The villages within its limits are Greendell, Huntsville, Tranquility, and Huntsburg. The main highways servicing the Township are County Route 517 in the southeastern end and Route 519 in the northeastern portion of the Township. Aside from a ridge forming the southeastern border with Byram and some scattered glacial topography, the Township is generally flat and well suited for agricultural purposes, as well as, proposed housing developments.

According to the 2000 Census, the population of Green Township increased to 3,220 from 2,709 in 1990. The median age was 36.3 years, which was slightly younger than the Sussex County median age of 37.1 years. The average household size dropped slightly from the 1990 level of 3.25 persons to 3.07 persons in 2000.

The housing stock of the Township is predominantly single-family detached dwelling units. Most structures were built after 1970. The Township provides much less employment opportunity as compared with other municipalities in the region, and with Sussex County as a whole. According to the guidelines established by COAH, Green Township is located in affordable housing Region 1, a region that includes Sussex, Bergen, Hudson and Passaic counties.

According to the Third Round rules Green Township has a rehabilitation obligation of no (0) units and a Prior Round (1987-1999) obligation of 15 units. In completing growth projections for the Township, it is expected the Township will grow by 163 residential units and 52,400 square feet of non-residential development giving Green a "growth share" obligation of 25 units. The Township proposes to address its overall 40-unit obligation through the following:

- New Municipal Growth Share Ordinance
- Rezoning of a portion of the Forest Knolls Community from R-1 to R-1 Affordable Housing
- Municipal/Private Partnership to build 9 Family Rental Units within the Forest Knolls Community

This report constitutes the Housing Element/Fair Share Plan of Green Township. It consists of six parts, as follows:

PART I.	DEMOGRAPHIC CHARACTERISTICS
PART II.	EXISTING HOUSING CHARACTERISTICS
PART III.	EMPLOYMENT DATA
PART IV.	PROJECTED FUTURE GROWTH
PART V.	FAIR SHARE DETERMINATION
PART VI.	FAIR SHARE PLAN

I. DEMOGRAPHICS CHARACTERISTICS

POPULATION

The population trends experienced in Green Township, Sussex County and the State of New Jersey from 1930 through 2000 are shown below. There were 3,220 residents in Green Township in 2000, an increase of 511 people (just under 19 % growth) since 1990. Green experienced its greatest population growth in the sixties, seventies and eighties and in the last two decades, the population has continued to increase for the Township, County and the State, although not at the same rate.

Populations Trends, 1930 to 2000									
Year	Green Township			Sussex County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1930	539	-	-	27,830	-	-	4,041,334	-	-
1940	540	1	0.2	29,632	1,802	6.5	4,160,165	118,831	2.9
1950	596	56	10.4	34,423	4,791	16.2	4,835,329	675,164	16.2
1960	854	258	43.3	49,255	14,832	43.1	6,066,782	1,231,453	20.3
1970	1,343	489	57.3	77,528	28,273	57.4	7,171,112	1,104,330	18.2
1980	2,450	1,107	82.4	116,119	38,591	49.8	7,365,011	463,899	6.5
1990	2,709	259	10.6	130,943	14,824	12.8	7,730,188	365,177	5.0
2000	3,220	511	18.9	144,166	13,223	10.1	8,414,350	684,162	8.9

POPULATION COMPOSITION BY AGE

Green Township experienced changes in the age composition of its population since 1990, most notably an increase in the number of persons aged 45 and older. The largest rate increases in the Township occurred in the 55 to 64 and 45 to 54 year old cohorts, which increased by 89.3 percent and 58.2 percent, respectively. The next greatest increase was in the 5 to 14 year old cohort, rising 32.1 percent. The two age cohorts to experience any substantial decrease were the 25 to 34 year old (12.7%) and the 15 to 24 year old cohort (9%).

Population by Age 1990 and 2000, Green Township						
	1990		2000		Change, 1990 to 2000	
Population	Number	Percent	Number	Percent	Number	Percent
Under 5	257	9.5	254	7.9	-3	-1.2
5 to 14	443	16.4	585	18.2	142	32.1
15 to 24	346	12.8	315	9.8	-31	-9.0
25 to 34	442	16.3	386	12.0	-56	-12.7
35 to 44	541	20.0	634	19.7	93	17.2
45 to 54	361	13.3	571	17.7	210	58.2
55 to 64	149	5.5	282	8.8	133	89.3
65 and over	170	6.3%	193	6.0%	23	13.5%
Total	2,709	100	3,220	100	511	18.9

Like Green, Sussex County also experienced the greatest increase in population among the 45 to 54, 55 to 64, increasing 53.8 percent and 48.1 percent respectively. Similarly, decreases in cohorts were consistent with Green as well. The 25 to 34 year old cohort lost more than 6,000 in population at a rate of 25.5 percent. A moderate loss was found in both the 15 to 24 (6.2%) and Under 5 (9.9%) cohorts as well.

Population by Age, 1990 and 2000, Sussex County						
	1990		2000		Change, 1990 to 2000	
Population	Number	Percent	Number	Percent	Number	Percent
Under 5	10,894	8.3	9,815	6.8	-1,079	-9.9
5 to 14	19,925	15.2	23,876	16.6	3,951	19.8
15 to 24	16,542	12.6	15,517	10.7	-1,025	-6.2
25 to 34	23,503	17.9	17,501	12.1	-6,002	-25.5
35 to 44	24,385	18.6	27,881	19.3	3,498	14.3
45 to 54	15,206	11.6	23,384	16.2	8,178	53.8
55 to 64	8,804	6.7	13,040	9.0	4,236	48.1
65 and over	11,684	8.9	13,152	9.1	1,468	12.6
Total	130,943	100	144,166	100	13,223	10.1

The median age of residents in Green Township in 2000 was 36.3 years. Analysis of age group characteristics provides insight into the actual changes in population. This comparison is helpful in determining impacts these changes have on housing needs, community facilities and services for the municipality and the County overall.

HOUSEHOLDS

A household is defined as one or more persons, either related or not, living together in a housing unit, which includes rental apartments, condominiums, houses, etc. In 2000, there were a total of 1,046 households in the Township. Most households (31.4%) were occupied by two persons. Three- and four-person households were also very common, each totaling 21.4 percent and 20.3 percent, respectively. The average number of persons per household in the Township was 3.07, which was higher than the County's average of 2.8.

HOUSEHOLD SIZE- Occupied Housing Units Green Township and Sussex County				
	Township	Percent	County	Percent
Total Households	1,046	100	50,831	100
1-person household	115	11.0	9,614	18.9
2-person household	328	31.4	15,734	31.0
3-person household	224	21.4	9,362	18.4
4-person household	212	20.3	9,871	19.4
5-person household	114	10.9	4,465	8.8
6-person household	37	3.5	1,303	2.6
7-or-more-person household	16	1.5	482	0.9
Average Household Size	3.07		2.80	

Family households are defined as two or more persons living in the same household, related by blood, marriage or adoption. Most households in Green were family households, comprising 85.1 percent of all households. The average family size was 3.34 persons. The vast majority of family households were married-couple families (92.7%), of which almost 54 percent had children under the age of 18. Only 11 percent of households consisted of one person with a near 50-50 split between male and female householder.

In providing more detail of American households, the 2000 Census included the sub-groups of non-traditional households: 'Other family' and 'Nonfamily' households. 'Other family' households made up 7.3 percent of all households, of which 40 households or about 61.5 percent were female householders with no husband present. Nonfamily households are defined as households that consist of a householder living alone or sharing the home exclusively with people to whom he/she is not related. Non-family households only comprised 3.9 percent of all households in the Township.

Household Size and Type Green Township		
	Total	Percent
Total Households	1,046	100
1-person household:	115	10.9
<i>Male householder</i>	57	49.5
<i>Female householder</i>	58	50.5
2 or more person household:	931	89.0
• Family households:	890	85.1
<i>Married-couple family:</i>	825	92.7
With own children under 18 years	444	53.8
No own children under 18 years	381	46.1
• Other family households:	65	7.3
<i>Male householder, no wife present:</i>	25	38.4
With own children under 18 years	14	56.0
No own children under 18 years	11	44.0
<i>Female householder, no husband present:</i>	40	61.5
With own children under 18 years	18	45.0
No own children under 18 years	22	55.0
• Non-family households:	41	3.9
<i>Male householder</i>	23	56.1
<i>Female householder</i>	18	43.9
Average Family Size	3.34	

INCOME

Households in Green Township tend to earn significantly larger incomes compared to both Sussex County and the State of New Jersey. As measured in 1999, the median income in Green Township was \$84,847, which was \$19,581 more than Sussex County, and a total of \$29,701 above the State's median income.

Per Capita and Household Income 1999 Green Township, Sussex County, New Jersey		
	1999 Per Capita (\$)	1999 Median Household (\$)
Green Township	34,127	84,847
Sussex County	26,992	65,266
New Jersey	27,006	55,146

Over 81 percent of the households in the Township earned \$50,000 or more in income, and approximately 37 percent earned \$100,000 or more. Less than 6 percent of the households earned below \$25,000. Earning

slightly less than Green Township, a majority of households (64.2 percent) in the County earned \$50,000 or more in 1999. The County also had more households (13.6 percent) earning below \$25,000.

Households Income In 1999 Green Township and Sussex County				
	Green Township		Sussex County	
	Number	Percent	Number	Percent
Total households	1,043	100	50,789	100
Less than \$10,000	13	1.2	1,967	3.9
\$10,000 to \$14,999	24	2.3	1,589	3.1
\$15,000 to \$24,999	25	2.4	3,450	6.8
\$25,000 to \$34,999	46	4.4	3,956	7.8
\$35,000 to \$49,999	84	8.1	7,088	14.0
\$50,000 to \$74,999	230	22.1	11,734	23.1
\$75,000 to \$99,999	230	22.1	9,053	17.8
\$100,000 to \$149,999	187	17.9	8,014	15.7
\$150,000 to \$199,999	134	12.8	2,375	4.7
\$200,000 or more	70	6.7	1,563	3.1
Median household income	\$84,847		65,266	

POVERTY STATUS

Of the 3,220 persons living in Green, fifty-two people or 1.6 percent lived in poverty. Of those in poverty, the majority (53.8%) fell into the age range of 18 to 65 years old. There were fifteen residents under the age of 18 living in poverty, and only nine elderly (over 65) residents.

Poverty Status 1999 Green Township and Sussex County				
	Green Township		Sussex County	
	Number	Percent	Number	Percent
Total persons	3,220	100	144,166	100
Total persons below poverty level	52	1.6	5,693	3.9
Under 18	15	28.8	1753	30.8
18 to 64	28	53.8	3286	57.7
Over 65	9	17.3	654	11.5

HOUSEHOLD COSTS

The tables below show the expenditures for housing for those who own and rent in Green Township. Most people in the Township lived in homes they owned, and nearly 30 percent of these owners spent 30 percent or more of their household income on housing. Likewise, among the few renter-occupied households, nearly 30 percent of them spent 30 percent or more of their household income on housing. General affordability standards set a bar at spending 30 percent of gross income for housing costs.

Selected Monthly Owner Costs As A Percentage Of Household Income in Green Township 1999		
	Number	Percent
Total owner-occupied housing units	889	100
less than 15 percent	223	25.1
15 to 19 percent	137	15.4
20 to 24 percent	172	19.3
25 to 29 percent	91	10.2
30 to 34 percent	71	8.0
35 percent or more	195	21.9
Not computed	0	0.0

Gross Rent As A Percentage Of Household Income Green Township 1999		
	Number	Percent
Total renter-occupied housing units	61	100
less than 15 percent	5	8.2
15 to 19 percent	10	16.4
20 to 24 percent	22	36.1
25 to 29 percent	6	9.8
30 to 34 percent	0	0.0
35 percent or more	18	29.5
Not computed	0	0.0

II. EXISTING HOUSING CONDITIONS

HOUSING UNIT DATA

According to the 2000 Census, the Township had a total of 1,066 housing units, an increase of 161 units from 1990. Most units (90.8%) were owner-occupied, while only 7.3 percent, were renter-occupied. The peak in housing construction occurred between 1970 and 1979, when 305 structures were built, making up 28.6 percent of the housing in Township. The median age of the housing stock in Green Township in 2000 was 1975.

Housing Data Green Township		
	Total	Percent
HOUSING UNITS		
Total	1,066	100
TENURE		
Owner occupied	968	90.8
Renter occupied	78	7.3
YEAR STRUCTURE BUILT		
Built 1995 to March 2000	154	14.4
Built 1990 to 1994	66	6.2
Built 1980 to 1989	163	15.3
Built 1970 to 1979	305	28.6
Built 1960 to 1969	118	11.1
Built 1950 to 1959	114	10.7
Built 1940 to 1949	18	1.7
Built 1939 or earlier	128	12.0
Median year structure built	1975	

HOUSING TYPE AND SIZE

In 2000, there were 1,036 single-family detached homes making up 97.2 percent of the housing stock. The second most common was housing structures with two units, which comprised only 1.5 percent of the total. Multi-unit housing represented only 2.4 percent of the housing stock within the Township, and no single structure contained more than four units.

The median number of rooms within housing units in the Township was 7.6, with the largest percentage of structures (30.5%) having nine or more rooms. Almost 87 percent of the structures had six or more rooms, while only 5.3 percent had four or less rooms.

Housing Type and Size Green Township		
UNITS IN STRUCTURE	Total	Percent
Total	1,066	100
1, detached	1,036	97.2
1, attached	4	0.4
2	16	1.5
3 or 4	10	0.9
5 to 9	0	0.0
10 to 19	0	0.0
20 to 49	0	0.0
50 or more	0	0.0
Mobile home	0	0.0
Boat, RV, van, etc.	0	0.0
ROOMS		
1 room	4	0.4
2 rooms	0	0.0
3 rooms	5	0.5
4 rooms	47	4.4
5 rooms	87	8.2
6 rooms	149	14.0
7 rooms	206	19.3
8 rooms	243	22.8
9 or more rooms	325	30.5
Median number of rooms	7.6	

OCCUPANCY

According to the 2000 Census, of the 1,069 units in Green Township, 1,046 or 97.8 percent were occupied while 23 units or 2.2 percent were vacant. Of those units that were vacant, 37.5 percent were available for rent, 29.2 percent were for sale, and 25 percent were sold or rented already but not yet occupied.

OCCUPANCY STATUS Green Township		
	Total	Percent
Total	1,069	100
Occupied	1,046	97.8
Vacant	23	2.2
VACANCY STATUS		
Total	24	100
For rent	9	37.5
For sale only	7	29.2
Rented or sold, not occupied	6	25.0
For seasonal, recreational, or occasional use	2	8.3
For migrant workers	0	0.0
Other vacant	0	0.0

HOUSING VALUES AND CONTRACT RENTS

Housing values for owner-occupied housing units in 2000 are listed in the table below along with mortgage status data. Almost 33 percent of the housing units have a value that falls within \$150,000 to \$199,999. The second most common value was within the range of \$100,000 to 149,999 (22.9 %) followed by housing values in the range of \$300,000 and \$499,999 (19.3%) and \$200,000 to \$299,999 (19.1%). The median value of a housing unit in Green Township was \$182,500. Most units were covered by a mortgage (82.7%), and a quarter of owner-occupied housing units have either a second mortgage or a home equity loan. A modest number, 154 units, or 17.3 percent, have no mortgage at all.

VALUE FOR ALL OWNER-OCCUPIED HOUSING UNITS Green Township		
	Total	Percent
Total	889	100
less than \$50,000	0	0.0
\$50,000- \$99,999	27	3.0
\$100,000- \$149,999	204	22.9
\$150,000- \$199,999	289	32.5
\$200,000 to \$299,999	170	19.1
\$300,000 to \$499,999	172	19.3
\$500,000 +	27	3.0
Median value	\$182,500	

MORTGAGE STATUS		
Housing units with a mortgage, contract to purchase, or similar debt:	735	82.7
With either a second mortgage or home equity loan, but not both:	221	24.9
Second mortgage only	131	14.7
Home equity loan only	90	10.1
Both second mortgage and home equity loan	0	0.0
No second mortgage and no home equity loan	514	57.8
Housing units without a mortgage	154	17.3

Of the few renter-occupied units, almost all (90.2%) cost less than \$1,000 per month. The median contract rent in Green Township in 2000 was \$619. The largest group of renters (34.4%) paid between \$900 and \$999.

CONTRACT RENT Green Township		
	Total	Percent
Total renter occupied units	61	100.0
less than \$200	0	0.0
\$200- \$499	17	27.9
\$500-\$699	0	0.0
\$700-\$899	17	27.9
\$900 to \$999	21	34.4
\$1,000 to \$1,999	6	9.8
\$2,000 or more	0	0.0
No cash rent	0	0.0
Median Contract Rent	\$968	

HOUSING CONDITIONS

The table below details the condition of housing within Green Township based on heating fuel, overcrowding, plumbing facilities, kitchen facilities, and telephone service. These factors are utilized in determining housing deficiency. According to the 2000 Census, Green Township had 13 owner-occupied housing units, or 1.2 percent of the total, that experienced overcrowding. Only 4 units lacked complete plumbing facilities, and no unit lacked complete kitchen facilities or telephone service.

Housing Conditions Green Township		
	Total	Percent
House Heating Fuel- Occupied housing units		
Total	1,042	100
Utility gas	8	0.8
Bottled, tank, or LP gas	153	14.7
Electricity	270	25.9
Fuel oil, kerosene, etc.	577	55.4
Coal or coke	4	0.4
Wood	16	1.5
Solar energy	0	0.0
Other fuel	14	1.3
No fuel used	0	0.0
Occupants per Room-Occupied housing units		
Total	1,042	100
Owner Occupants per Room (Over 1.0)	13	1.2
Renter Occupants per Room (Over 1.0)	0	0.0
Facilities- Total units		
Total	1,042	100
Lacking complete plumbing facilities	4	0.4
Lacking complete kitchen facilities	0	0.0
Telephone Service- Occupied housing units		
Total	1,042	100
No service	0	0.0

III. EMPLOYMENT DATA

The following tables detail changes in employment characteristics from 1994 to 2003 for Green Township, Sussex County, and New Jersey. Aside from 2000 to 2001, when there was no change, employment in Green Township has risen slowly but steadily since the mid-nineties. Similarly, the resident labor force in the Township has increased as well. The unemployment rate in the Township has been increasing since 2000, when it was at its lowest point of 1.8 percent. The latest data from 2003 showed the unemployment rate at 3.1 percent. The highest unemployment rate was experienced in 1994 when it hit 3.9 percent. In Sussex County, employment grew steadily until 1999, after which it dropped off slightly. Both the County and the State of New Jersey also saw rising unemployment rates since 2000.

Employment and Resident Labor Force, 1994 - 2003, Green Township				
	Resident Labor Force	Employment	Unemployment	Unemployment Rate
1994	1,517	1,458	59	3.9
1995	1,554	1,499	55	3.5
1996	1,581	1,530	51	3.2
1997	1,613	1,570	43	2.7
1998	1,608	1,573	35	2.2
1999	1,651	1,616	35	2.1
2000	1,679	1,649	30	1.8
2001	1,687	1,649	37	2.2
2002	1,717	1,666	51	3.0
2003	1,736	1,682	55	3.1

Employment and Resident Labor Force, 1994 - 2003, Sussex County				
	Resident Labor Force	Employment	Unemployment	Unemployment Rate
1994	72,851	68,228	4,623	6.3
1995	74,446	70,168	4,278	5.7
1996	75,622	71,601	4,021	5.3
1997	76,809	73,487	3,322	4.3
1998	76,361	73,610	2,751	3.6
1999	78,309	75,614	2,695	3.4
2000	79,528	77,181	2,347	3.0
2001	79,589	76,680	2,908	3.7
2002	81,449	77,460	3,989	4.9
2003	82,422	78,193	4,229	5.1

Employment and Resident Labor Force, 1994 - 2003, New Jersey				
	Resident Labor Force	Employment	Unemployment	Unemployment Rate
1994	4,016,000	3,742,500	273,500	6.8
1995	4,064,200	3,803,700	260,500	6.4
1996	4,143,500	3,878,400	256,100	6.1
1997	4,192,300	3,976,900	215,400	5.1
1998	4,144,300	3,953,000	191,300	4.6
1999	4,205,500	4,012,200	193,200	4.6
2000	4,187,900	4,030,500	157,400	3.8
2001	4,179,500	4,003,800	175,700	4.2
2002	4,367,800	4,112,800	255,000	5.8
2003	4,375,000	4,118,000	256,983	5.9

CLASS OF WORKER AND OCCUPATION

The majority of workers (83.6%) living in Green Township were a part of the private wage and salary worker group—including people who worked for wages, salary, commission, tips, etc, for a private for-profit employer or a private not-for-profit, tax-exempt, or charitable organization. The second largest category was government worker (13%) followed by those who were self-employed (3.4%).

Class of Worker, 2000 Green Township		
	Number	Percent
Total	1,681	100.0
Private wage and salary worker	1406	83.6
Government worker	218	13.0
Self-employed worker	57	3.4
Unpaid family worker	0	0.0

Those that worked within the private wage field were concentrated heavily in management /professional positions (46.9%) and sales & office occupations (28.6%), together totaling over three-quarters of all employees. Although Green is agricultural in its landscape, only 0.2 percent reported being employed in the farming, fishing and forestry occupations.

Occupation, 2000 Green Township		
	Number	Percent
Employed civilian population 16 years and over	1,681	100.0
Management, professional, and related occupations	788	46.9
Service occupations	117	7.0
Sales and office occupations	480	28.6
Farming, fishing, and forestry occupations	4	0.2
Construction, extraction, and maintenance occupations	158	9.4
Production, transportation, and material moving occupations	134	8.0

COMMUTING TO WORK

According to the 2000 Census, the mean travel time to work for those who lived in the Township was approximately 42 minutes. About 60 percent of all commuters travel more than thirty minutes to work with 26.8 percent having a commute of an hour or more.

Travel Time To Work, 2000 Green Township		
	Number	Percent
Workers who did not work at home	1,600	100.0
less than 10 minutes	101	6.3
10 to 14 minutes	79	4.9
15 to 19 minutes	223	13.9
20 to 24 minutes	181	11.3
25 to 29 minutes	53	3.3
30 to 34 minutes	142	8.9
35 to 44 minutes	122	7.6
45 to 59 minutes	271	16.9
60 to 89 minutes	272	17.0
90 or more minutes	156	9.8
Mean travel time to work (minutes)	41.5	

Most commuters drove to work alone. The proportion of workers who drove alone to work was 84.6 percent, while only 8.1 percent carpooled. Only two percent used public transportation to get to work.

Means Of Commute, 2000 Green Township		
	Number	Percent
Workers 16 years and over	1662	100
Car, truck, or van	1541	92.7
Drove alone	1406	84.6
Carpooled	135	8.1
Public transportation	33	2.0
Walked	20	1.2
Other means	6	0.4
Worked at home	62	3.7

COVERED EMPLOYMENT

There is currently very limited information available on actual job opportunities within municipalities. The Department of Labor collects information on covered employment, which is employment and wage data for employees covered by unemployment insurance. The tables below provide a snapshot of private employers located within Green Township. The first table reflects the number of jobs covered in private employment from 1993 through 1999. The second table reflects the disbursement of jobs by industry and salaries in 1999.

According to data from the New Jersey Department of Labor and Workforce Development, there was a very little private employment in Green Township in the nineties. The peak was seen in 1996, when 129 jobs were covered by unemployment insurance. The lowest number was in 1993 when 75 jobs were covered by private unemployment insurance.

Private Wage Covered Employment* 1993-1999, Green Township			
Year	Number of Jobs	# Change	Change
1993	75	-	-
1994	99	24	32.0
1995	118	19	19.2
1996	129	11	9.3
1997	97	-32	-24.8
1998	109	12	12.4
1999	121	12	11.0

*Third Quarter Numbers

Using third quarter data, the most dominant industry was services, which provided sixty jobs and paid the second highest wages of all the industries. The agriculture industry ranked second in employment, providing 22 jobs where the construction sector was the highest paying industry of all, averaging an annual salary of \$42,912.

Private Employment and Wages 1999, Green Township						
	Employment				Wages	
	March	June	Sept	Dec	Weekly	Annual
Industry						
Agriculture/Forest/Fish	15	15	22	18	\$480	\$24,985
Construction	17	15	16	15	\$825	\$42,912
Manufacturing	-	-	-	-	-	-
Transportation/Utilities	0	0	0	0	0	0
Wholesale	12	10	11	11	\$644	\$33,482
Retail	5	8	6	24	\$282	\$14,687
Finance/Insurance/Real Estate	0	0	0	0	0	0
Services	56	51	60	44	\$816	\$42,414
Total/Average	109	104	121	118	\$677	\$35,209

IV. PROJECTED FUTURE GROWTH

As previously noted, the Third Round methodology includes a municipality's "growth share", which is based on a municipality's actual market-rate residential and non-residential growth. Projection of a municipality's probable future construction of housing and future jobs and employment characteristics must cover the ten-year period of January 1, 2004 through January 1, 2014 and must rely on the following information:

- Certificates of occupancy issued since January 1, 2004;
- Construction and demolition permits issued and projected;
- Approvals of applications for development
- Historic trends, of, at least, the past 10 years, which shall include demolitions and certificates of occupancy issued;

Beyond the documented internal growth patterns a municipality must also take into consideration plan projections for 2015 or growth projections for 2015 in an endorsed plan approved by the State Planning Commission or, if that information is not available, municipal population, household, and employment growth projections published by the municipality's metropolitan planning organization (MPO). In the case of Green Township, the MPO is the North Jersey Transportation Planning Authority (NJTPA) which serves Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, Union and Sussex Counties and two cities: Newark and Jersey City.

RESIDENTIAL AND NON-RESIDENTIAL GROWTH

MPO 2015 Projections

Green Township is utilizing on the population, employment and household forecasts produced by the North Jersey Transportation Planning Authority (NJTPA) since the State has yet to identify projections of its own.

According to their estimates, the population in Green will increase to 3,810 by the year 2015. This is an overall increase of 18.3 percent. Employment is forecasted to grow at a slightly higher rate of 20.9 percent and households are expected to increase by 32.3 percent. The County overall is projected to have much lower rates. NJTPA forecasts an increase of 10.5 percent in population and 22.3 percent in employment and 15.7 percent in households.

North Jersey Transportation Planning Authority Population & Employment Projections						
Green Township	2000	2005	2010	2015	# Change 2000-2015	% Change 2000-2015
Population	3,220	3,420	3,620	3,810	590	18.3%
Employment	860	890	940	1,040	180	20.9%
Household	1,050	1,140	1,270	1,390	340	32.3%

Sussex County	2000	2005	2010	2015	# Change 2000-2015	% Change 2000-2015
Population	144,166	148,773	163,702	159,427	15,261	10.5
Employment	40,200	42,741	46,698	49,190	8,990	22.3
Household	50,831	53,257	56,443	60,311	9,480	15.7

Breaking down the overall numbers to determine actual household and employment growth reflective of the plan timeline (2005-2015) is shown below. These numbers are the guide to compare the net residential and employment growth projected in this Plan. Using the NJTPA information, the Township is expected to see a household growth of 250 and an employee growth of 150.

Green Township Household Projections			
	NJTPA 2015	NJTPA 2005	# Change 2015-2005
Households	1,390	1,140	250

Green Township Employment Projections			
	NJTPA 2015	NJTPA 2005	# Change 2015-2005
Employment	1,040	890	150

Historic Trends

The historic information is currently incomplete due to how records were kept in the past and the ability only to obtain selected information from the State Division of Codes and Standards at this time. In looking at historic trends for Green Township, the granting of CO's for both residential and non-residential developments has risen and fallen over past ten years. Factoring in demolitions that have occurred over the past ten years, there has been a growth of 16 new residential units. The same information for commercial demolitions is currently not available although there have only been a few demolition permits issued for assembly uses. Overall, 97,926 square feet of non-residential space was added within the Township over the same ten-year period.

Historic Trends - Residential										Actual
	95	96	97	98	99	00	01	02	03	04
CO	..	17	37	34	50	46	28	17	17	17
DEMO	..	0	1	0	0	1	0	0	0	1
NET	..	17	36	34	50	45	28	17	17	16

Historic Trends- Non-Residential By Square Feet									
	95	96	97	98	99	00	01	02	03
CO's Issued									
B- Office							6,910		19,600
M- Mercantile									
S- Storage Uses									1,840
A- Assembly								7,480	
I- Industrial							27,000		21,000
E- Schools K-12									14,096
Demolition-Permits									
A- Assembly						2			1

Absorption Rates

The Third Round regulations also require examining historical absorption rates for non-residential development within the municipality. Absorption rates are the rate in which newly constructed non-residential development is leased or occupied (absorbed) in the marketplace. As shown above, Green has had a some amount of non-residential development in the past few years after several years of inactivity. Overall, with the development that has occurred, the Township has had good absorption of its non-residential development except for industrial uses.

Absorption Rates- Non Residential Green Township 1996-2003					
	Office	Assembly	Education	Industrial	Storage
Square Feet/Permits	35,510	7,480	20,096	180,175	2,736
Square Feet/CO	26,510	7,480	14,096	48,000	1,840
Percentage	74.47%	100.00%	70.14%	26.64%	67.25%

PROJECTED CERTIFICATES OF OCCUPANCY

The residential and non-residential projects listed below measures the number of approvals and projected approvals for development that would result in permanent certificates of occupancy (CO's) by the year 2014.

Residential

The table below reflects future residential construction based on site-specific analysis of development applications, both approved and anticipated. The table includes all market-rate and affordable residential development that will have certificates of occupancy issued by 2014. The "Other" category reflects projections of single-family permits, which contribute to the growth share overall but are not captured in other development components. As the table shows, Green Township is projected to have a total residential growth of 151 units by 2014.

Green Township- Anticipated Development Residential 2005-2013										
	05	06	07	08	09	10	11	12	13	Total
Approved										
Gristmill/Andover Ridge		15	2							17
Quaker Ridge				9						9
Forest Knolls			5	10	13					28
Anticipated										
Greenfield Hills			5	15	15	13				48
OTHER	9	5	5	5	5	5	5	5	5	49
TOTAL	9	10	17	39	33	18	5	5	5	151

Non-Residential

The table below reflects future non-residential construction based on site-specific analysis of development applications, both approved and anticipated that are expected to have certificates of occupancy issued per year by 2014. The developments are broken down by use group and the "Other" category in each table reflects projections of developments on parcels of land that are zoned for non-residential development, which contribute to the growth share overall but are not captured in other development components. Total projected demolitions are also captured within these tables to reflect those that are permitted and those that are projected as possible loss of development by use group.

As the tables show, Green Township is projected to have a non-residential growth in retail, assembly, office and manufacturing uses. Since there are no demolitions projected, this gives Green Township an overall non-residential development growth of 52,400 square feet.

Green Township- Anticipated Development Non-Residential 2005-2013										
	05	06	07	08	09	10	11	12	13	Total
<i>M-Mercantile</i>										
Anticipated										
Other				2,500				2,500		5,000
New Development				2,500				2,500		5,000
Demolitions										0

Green Township- Anticipated Development Non-Residential 2005-2013										
	05	06	07	08	09	10	11	12	13	Total
<i>A-Assembly</i>										
Anticipated										
Crossed Keys			13,000							13,000
Other										
New Development			13,000							13,000
Demolitions										0

Green Township- Anticipated Development Non-Residential 2005-2013										
	05	06	07	08	09	10	11	12	13	Total
<i>B-Office</i>										
Approved										
NVE		1,500								1,500
Other										
New Development		1,500								1,500
Demolitions										0

Green Township- Anticipated Development Non-Residential 2005-2013										
	05	06	07	08	09	10	11	12	13	Total
<i>F-Manufacturing</i>										
Approved										
NVE		32,900								32,900
Other										
New Development		32,900								32,900
Demolitions										0

Green Township- Anticipated Development and Demolitions- Non-Residential 2005-2013										
	05	06	07	08	09	10	11	12	13	Total Sq Ft
Total CO's										
M- Mercantile				2,500				2,500		5,000
A- Assembly			13,000							13,000
B- Office		1,500								1,500
F- Manufacturing		32,900								32,900
Subtotal Square Feet		34,400	13,000	2,500				2,500		52,400
Demolitions										0
Net Square Feet		34,400	13,000	2,500				2,500		52,400

V. FAIR SHARE DETERMINATION

PROJECTING GROWTH SHARE OBLIGATION

The new Third Round rules and regulations outline how municipalities must project growth share obligations. Based on the certificates of occupancy (CO's), permits, approvals and anticipated development a municipality must plan for every eight (8) market-rate residential certificates of occupancy one (1) affordable housing unit obligation. For non-residential development, a municipality must plan for one affordable housing unit with every 25 newly created jobs measured by new or expanded construction outlined by use group. The non-residential breakdown by use group provided by the Council and is reflected by the following:

Use Group	Description	Square Feet Generating One Affordable Unit	Jobs Per 1,000 Square Feet
B	Office buildings. Places where business transactions of all kinds occur. Includes banks, corporate offices, government offices, professional offices, car showrooms and outpatient clinics.	8,333	3
M	Mercantile uses. Buildings used to display and sell products. Includes retail stores, strip malls, shops and gas stations.	25,000	1
F	Factories where people make, process, or assemble products. Includes automobile manufacturers, electric power plants, foundries, and incinerators. F use group includes F1 and F2.	12,500	2
S	Storage uses. Includes warehouses, parking garages, lumberyards, and aircraft hangers. S group includes S1 and S2.	125,000	0.2
H	High Hazard manufacturing, processing, generation and storage uses. H group includes H1, H2, H3, H4 and H5.	25,000	1
A1	Assembly uses including concert halls and TV studios.	12,500	2
A2	Assembly uses including casinos, night clubs, restaurants and taverns.	8,333	3
A3	Assembly uses including libraries, lecture halls, arcades, galleries, bowling alleys, funeral parlors, gymnasiums and museums but excluding houses of worship	8,333	3
A4	Assembly uses including arenas, skating rinks and pools.	8,333	3
A5	Assembly uses including bleachers, grandstands, amusement park structures and stadiums	Exclude	Exclude
E	Schools K – 12	25,000	1
I	Institutional uses such as hospitals, nursing homes, assisted living facilities and jails. I group includes I1, I2, I3 and I4.	12,500	2
R1	Hotels and motels	31,250	0.8
U	Miscellaneous uses. Fences tanks, barns, agricultural buildings, sheds, greenhouses, etc.	Exclude	Exclude

The net residential component of growth share projections added to the non-residential yields the municipality's total growth share.

Residential

The total projected residential growth, as previously determined, must take into consideration possible demolitions within the plan timeframe. The table below reflects the total projected demolitions that are permitted and those that are projected as possible loss of residential units per year. The table also includes the actual certificates of

occupancy and demolitions accrued in 2004. Demolitions reflect an overall decrease in 5 residential units, which gives the Township an overall projected net residential growth of 163 units.

Green Township- Anticipated Development and Demolitions Residential 2005-2013											
	Actual 04	05	06	07	08	09	10	11	12	13	Total
Total CO's	17	9	10	17	39	33	18	5	5	5	168
Demolitions	1	0	1	0	1	0	1	0	1	0	5
Net	16	9	9	17	38	33	17	5	4	5	163

Using the final net growth number, outlined per year, the growth share obligation can be determined. As this is reflective of projected marketrate development, the net growth is divided by eight (8). This, in turn, gives Green Township a total residential growth share obligation of 20.36 units.

Green Township- Affordable Housing Unit Growth Projections Residential 2005-2013											
	Actual 04	5	6	7	8	9	10	11	12	13	Total
Total Net	16	9	9	17	38	33	17	5	4	5	163
Divided by Eight	2	1.13	1.13	2.13	4.75	4.13	2.13	.63	.50	.63	20.36

Non-Residential

The total projected non-residential growth, as previously determined, and the actual non-residential growth from 2004 must also take into consideration possible demolitions within the plan timeframe including the total number of jobs gained and lost by the activity. The first of the two tables below reflects the actual growth and demolitions that occurred in 2004 by use group with the corresponding number of jobs that were created and lost. The second table outlines the projected growth and demolition of non-residential space with the corresponding number of jobs created and lost.

As the first table reflects, had a gain of no job in 2004. There was also no demolition of non-residential space in 2004 to create a loss of jobs. This, in turn, gave Green an overall a zero net growth of employment.

2004- Actual Non-Residential Growth			
	04	Total SF	Jobs
New Development	0	0	0
Demolitions	0	0	0
Total	0	0	0

In looking at growth in jobs by projected non-residential development, Green will produce a total of 114.30 new jobs by the year 2014. Again, there is no projected job loss through demolition so Green will have a total of 114.30 new employment opportunities within this Plan timeframe.

Green Township- Anticipated Development and Demolitions- Non-Residential 2005-2013											
	05	06	07	08	09	10	11	12	13	Total Sq Ft	Total Jobs
Total CO's											
M-Mercantile				2,500				2,500		5,000	5.00
A-Assembly			13,000							13,000	39.00
B-Office		1,500								1,500	4.50
F- Manufacturing		32,900								32,900	65.80
Subtotal Jobs		70.30	39.00	2.50				2.50			
Demolitions										0	0
Net Jobs		70.30	39.00	2.50				2.50		52,400	114.30

Using the final net growth number, outlined per year, the growth share obligation can be determined. The zero net growth of 2004 is included here. As this is reflective of only projected market-rate non-residential development, the net growth is divided by twenty-five. This, in turn, gives Green Township a total non-residential growth share obligation of 4.57 units.

Green Township- Affordable Housing Unit Growth Projections Non-Residential 2005-2013											
	Actual 04	05	06	07	08	09	10	11	12	13	Total
Total Net			70.30	39.00	2.50				2.50		114.30
Divided by Twenty-Five			2.81	1.56	.10				.10		4.57

Adding the residential growth share of 20.36 units to the non-residential growth share of 4.57 units the Township's total growth share obligation will be 24.93 or 25 units. The Township understands that these numbers are a projection and the actual growth share obligation will be calculated based upon residential and non-residential certificates of occupancy issued between January 1, 2004 and January 1, 2014. On an annual basis the Township will compare its pro-rated growth share projection with its pro-rated growth share obligation and the actual number of affordable units that have been constructed to meet the obligation.

Green Township- Total Growth Share Obligation Residential 2005-2013											
	Actual 04	05	06	07	08	09	10	11	12	13	Total
Residential	2	1.13	1.13	2.13	4.75	4.13	2.13	.63	.50	.63	20.36
Non-Residential			2.81	1.56	.10				.10		4.57
Total	2.00	1.13	3.94	3.69	4.85	4.13	2.13	0.63	0.60	0.63	24.93=25

DETERMINATION OF TOTAL OBLIGATION

The Third Round methodology for determining a municipality's obligation is now composed of three parts:

- Deficient housing units occupied by low and moderate income households which is referred to as rehabilitation share;
- Remaining Prior Round (1987 – 1999) Obligation assigned to a municipality by the Council or the court for the period 1987 through 1999; and
- The share of the affordable housing need generated by a municipality's actual growth (2004 – 2014) based upon the number of new housing units constructed and the number of new jobs created as a result of non-residential development.

Green Township's total obligation is represented in the table below. As determined by the Council, the Township has a rehabilitation obligation for the years 1999-2014 of no (0) units and a 1987-1999 Prior Round obligation of fifteen (15). Adding in the previously determined Growth Share obligation of 25 units, the Township's total obligation is 40 units.

Green Township Obligation	
Rehabilitation Share 1999-2014	0
1987-1999 Prior Round Obligation	15
Growth Share	25
Total Obligation	40

ZONING ANALYSIS-MEETING THE NEED

A zoning analysis, as required in the new Third Round regulations, is utilized to help determine how the Township will meet its expected growth and affordable housing need. This analysis covers how existing zoning and planned zoning changes provide adequate capacity to accommodate residential and non-residential growth projections and includes the following:

- An analysis of the available existing and planned infrastructure
- The anticipated demand for types of uses permitted by zoning based on present and anticipated future demographic characteristics of the Borough and anticipated land use patterns
- The Township's economic development policies and constraints on development with existing or planned measures to address constraints

Infrastructure

Water - Green Township is entirely dependent on underground aquifers for water. There are no surface reservoirs within the Township and the majority of the homes and businesses in town rely on individual wells. There is one, small water supply company that has a limited service area. The Tranquility Springs Water Company primarily serves the Forest Knolls neighborhood and some additional homes in the immediate area.

Sewer – Green Township is entirely dependent on individual septic system for wastewater management. There is no sewer service area within the Township.

A review of the modified nitrate dilution model, promulgated by the NJDEP, lead the Township to the conclusion that an overall residential density of one unit per five acres was in the best interest of the Township for the residential zoning through out the Township. There is the exception of two neighborhoods, which was changed

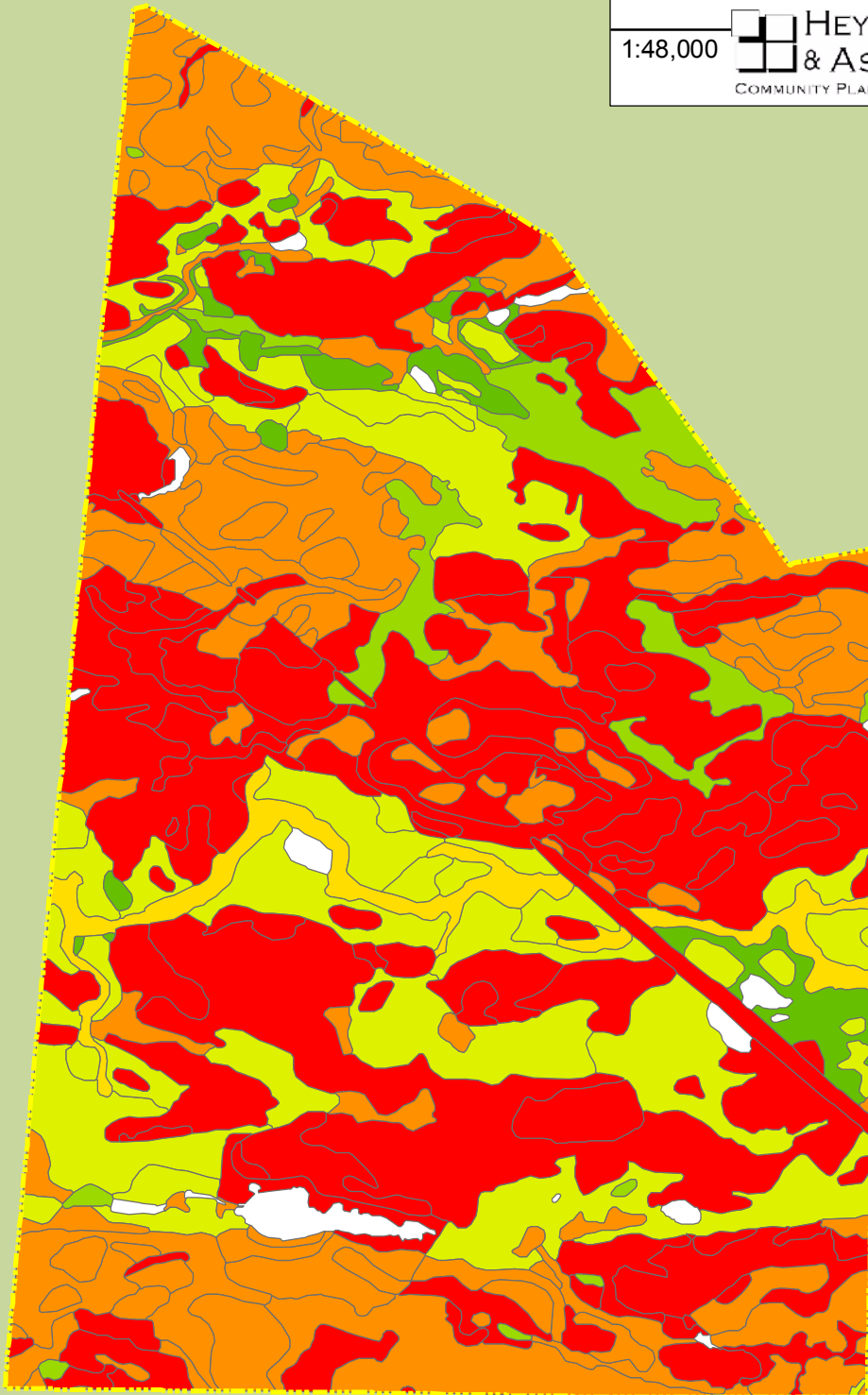
Soil Absorption

1:48,000



HEYER, GRUEL
& ASSOCIATES
COMMUNITY PLANNING CONSULTANTS

October 2005



Legend

Soil Absorption



1 inch equals 4,000 feet

0 2,000 4,000
Feet

Source: NJDEP 2002 Orthophotography

to 5 acre density on two acre minimum lots. This action was taken to maintain sufficient water supplies and protect the quality of those water supplies.

Anticipated Demand and Land Use Patterns

Demand

Green Township is 16.5 square miles in size and is located in the southern part of Sussex County. Green Township is a predominantly rural town with a mix of active agricultural lands, residential development and small areas of industrial and commercial land uses. The Township has remained this way for many years, but proximity to Interstate 80, State Route 206 and the continuing development pressure that is found throughout the state has begun to affect this quiet Township characterized by farm fields and rural lanes. The population of Green Township had risen to 3,220 as of the 2000 Census, resulting in a population increase of 18.9% over the previous decade.

The Land Use plan for Green is designed to help keep Green Township “Green”. While it is important to maintain the rural character of the community, it is vital that the Township prepare itself for more growth in a responsible way and to ensure continued commercial development in a manner and place that will bring much needed municipal income without proving detrimental to the existing pattern of development.

According to the MPO projections, Green will have an additional 250 households and an additional 150 jobs by 2015. The growth share analysis that was completed for in this Plan, however, resulted in different residential and non-residential growth numbers. The residential growth indicated in this Plan is lower than projected by the MPO (i.e., 151 additional households versus 250 households projected by the MPO). In addition, the non-residential employment growth indicated in this Plan is somewhat lower than projected by the MPO (i.e., 114 additional jobs versus 150 additional jobs projected by the MPO). As evaluated below, future residential and non-residential development in the Township is expected to be relatively modest within the next 10 years due to the low density of the Township’s zoning districts (5-acre density on a 2-acre minimum lot) and the large numbers of acres not developable due to open space and farmland protection.

Land Use

The current and anticipated demand for residential and employment growth projected in this plan can be met through Green’s current zoning. This section details the capacity of the existing zoning to accommodate the growth projections outlined within this Plan and shows why the projections outlined in this Plan are more accurate than the MPO household and employment growth numbers for the Township. For this reason, the Township asks COAH to accept this Plan’s alternative projections as valid.

Green Township Land Use Plan
Sussex County, NJ

Land Use

1:48,000



HEYER, GRUEL
& ASSOCIATES
COMMUNITY PLANNING CONSULTANTS

October 2005

Frelinghuysen
Township

Fredon
Township

Andover
Township

Andover
Borough

Andover
Township

Byram
Township

ROUTE 669

ROUTE 519

ROUTE 611

ROUTE 603

ROUTE 517

US 208

Legend

Land Use

Residential - Single Family Rural

Residential - Single Family Low Density

Residential - Single Family Medium Density

Residential - Multifamily

Agriculture

Commercial/Services

Industrial

Transportation/Communications/Utilities

Other Urban

Recreational Land

Forest

Brush/Scrubland

Wetlands

Barren Land

Water

1 inch equals 4,000 feet

0 2,000 4,000
Feet

Source: NJDEP 2002 Orthophotography

Green Township
Sussex County, NJ

Existing Zoning

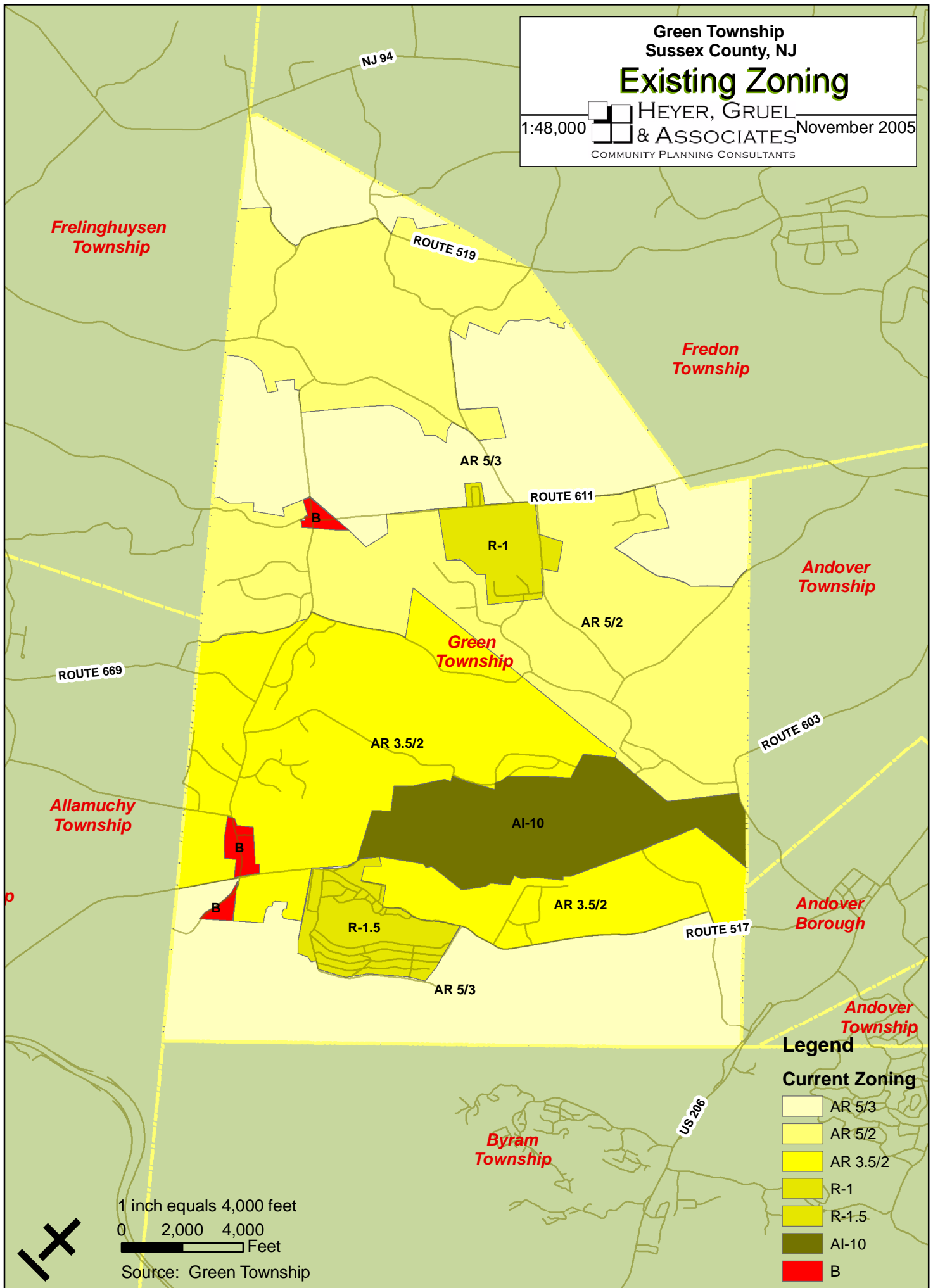
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HEYER, GRUEL
& ASSOCIATES

November 2005

COMMUNITY PLANNING CONSULTANTS



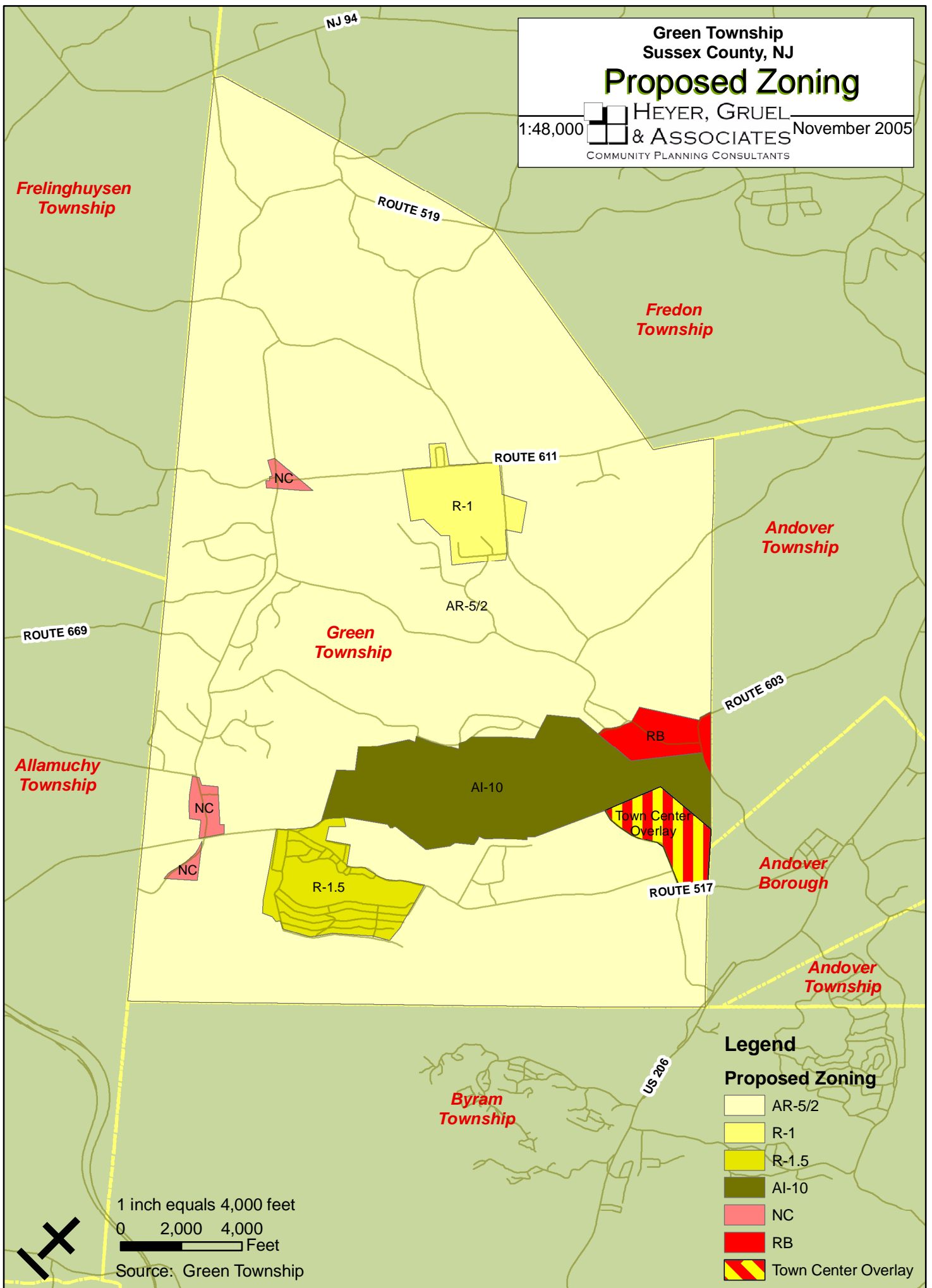
Green Township
Sussex County, NJ
Proposed Zoning

1:48,000



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November 2005



The Township has recently (November 2005) adopted a new Land Use Plan Element as an amendment to its Master Plan. It is anticipated that it will be enacted by Township ordinance prior to the submission of this Housing Plan Element. Therefore, this Housing Plan will include a discussion of the Proposed Land Use Plan. There are not many significant changes in the overall scheme of the existing zoning in comparison to the new Land Use Plan. The most important change is the combining of the three current Agricultural Residential zones (AR 5/3, AR 5/2 and AR 3.5/2) into one zone, the AR 5/2 which establishes an overall density of five acres per home and minimum lot size of two acres. The zoning scheme discussed below is illustrated in the Existing Land Use and Zoning Map.

Residential

AR 5/2 Agricultural Residential

This zone permits agriculture and single-family homes at an overall density of five acres per home and minimum lot size of two acres. This zone is the largest designation in the Township. The Land Use Element amendments of the past few years have spoken specifically about these areas in detail.

R-1 and R-1.5 Residential

The remaining, much smaller, residential areas of Green are to develop at the existing densities of 1 (R-1) and 1.5 (R-1.5) acre lots. The Lake Tranquility community and Forest Knolls community will develop at existing densities, providing that on-site septic systems and wells are sufficient to accommodate that growth.

Commercial

NC Neighborhood Commercial

The Neighborhood Commercial zone (NC Zone) replaces portions of the Business Zone (B Zone) and is intended to maintain existing commercial enterprises, encourage, small scale neighborhood retail, office and service establishments suitable for the "country crossroads" found in Green Township. The intent of this district is to encourage a reasonable amount of new commercial and retail development designed to accommodate the natural characteristics of the land and take advantage of its location along rural lanes to provide controlled economic development throughout the Township.

RB Rural Business

The Rural Business (RB) Mixed-Use zone that replaces other portions of the existing Business zone (B Zone) is intended to fulfill different purposes than the Neighborhood Commercial zone (NC Zone). The RB Zone is to take advantage of its location adjacent to the Andover Borough Town Center and proximity to future infrastructure

to provide for complementary development adjacent to the Andover Borough Town Center, through mixed-uses, including specific commercial development. The RB Zone is also intended to allow tourism based commercial enterprises and other destination type business, while maintaining the rural character of the area and preventing impacts on existing residential and agricultural development. The intent of this district is to encourage suitable new development and to revitalize existing commercial development along sections of Pequest Road, Whitehall Road and Decker Pond Road.

Industrial

AI-10 Agricultural Industrial

The Agricultural Industrial Zone (AI-10 Zone) was established to encourage the development of clean industrial, research laboratories, professional offices, or commercial recreation businesses with the over-riding purpose of generating a broader base of good local jobs for Green. The AI-10 zone also promotes the continuing use as agricultural and horticultural business throughout the zone. This zone also incorporates the municipally owned Trinca Airport and allows for this airport use. The area surrounding the airport is subject to an airport safety zone.

This zone permits light industrial, agricultural, horticultural and airport uses requiring a 10-acre minimum lot size and is found throughout the eastern half of the Township, primarily along Airport Road, portions of Whitehall Road nearest Airport Road and continuing north to the Andover Township border. Large portions of the zone are in farmland protection programs that have retired the development rights on the property, preserving these agricultural lands for farming use only.

Other

Airport Property

The Township has retained an engineering firm that specializes in airport development to prepare an airport layout plan to determine the best future use of the property. The intention of the Township is to create a special use district on the airport property, possibly an Airport Residential Overlay Zone. It is expected that the engineering firm will explore the possibility of developing a large lot development with each home having access to, and through an association, maintaining the airport as a private airpark.

Town Center Overlay Zone

The preceding discussion of the Rural Business zoning district is intended to describe the base, underlying zoning scheme for the area. However, Green Township recognizes that immediately adjacent to portions of the proposed RB zone Andover Borough petitioned for and was granted by the State Planning Commission

designation as a Town Center in 1996. This Town Center designation encompasses half of the Borough and includes approximately the entire western portion of the Borough.

The amount of work and negotiations necessary to achieve the expansion of the Town Center boundary and sewer service area is daunting, however, the Township believes it may be worthwhile to take advantage of such a logical extension of proposed infrastructure and development to create a strong ratable with little or no adverse impact on Green Township or Andover Borough.

Accordingly, the new Land Use Plan advocates investigating the costs and benefits of extending the Andover Town Center and sewer service area into Green Township through the Plan Endorsement process. This analysis should include a determination of the intensity of development desired and the sewer capacity necessary to accommodate that growth. Real numbers in terms of the sewer gallonage necessary and the adequacy of local water supply should be addressed. If the envisioned development is determined to be reasonable, achievable and the appropriate course of action, then the Township will develop a second set of bulk standards and related design standards that will apply to a specific portion of the RB zone that is the subject of a Town Center Overlay Zone.

Economic Policies and Constraints on Development

The Green Land Use Plan is the only economic development plan that the Township has enacted. There is neither an economic development plan nor an office of economic development. The Land Use Plan provides opportunities for commercial development in various locations around the community. The Agricultural Industrial Zone (AI-10 Zone) was established to encourage the development of clean industrial, research laboratories, professional offices, or commercial recreation businesses with the over-riding purpose of generating a broader base of good local jobs for Green. The AI-10 zone also promotes the continuing use as agricultural and horticultural business throughout the zone. The intent of Neighborhood Commercial (NC) district is to encourage a reasonable amount of new commercial and retail development designed to accommodate the natural characteristics of the land and take advantage of its location along rural lanes to provide controlled economic development throughout the Township. The Rural Business (RB) Zone is intended to allow tourism based commercial enterprises and other destination type business, while maintaining the rural character of the area and preventing impacts on existing residential and agricultural development. The intent of this district is to encourage suitable new development and to revitalize existing commercial development along sections of Pequest Road, Whitehall Road and Decker Pond Road.

Environmental Constraints

Wetlands and Floodplains

Most of Green Township is not constrained from development by wetlands or floodplain areas. There are 1,200 acres of wetlands in the Township, or about 12% of the total land area and the majority of the floodplains are coincident with the wetlands areas. The majority of the Township is well-drained agricultural soils. Those areas of the Township that are constrained by wetlands or floodplains are found along the three main watercourses, the Pequest River, Trout Brook and Bear Brook and their tributaries and streams that flow through Green Township.

Topography

Most of Green Township is not constrained from development by steep slope areas. The vast majority of the Township has slopes less than 10%. Those areas that are constrained are found in southeast corner of the Township along the Byram Township border and are almost entirely contained in Allamuchy State Park. The remaining areas of considerable slope are found along the Fredon Township border in the northwest corner of Green Township. Small farms and rural residential development typify this area.

Natural Heritage Priority Sites

- Springdale – Roughly half of the Springdale heritage site is found within the borders of Green Township. Springdale is described as a large limestone wetland complex fed by numerous alkaline seeps and drained by a stream running northeast through the entire wetland basin. Most of the site is within the Whittingham Wildlife Management Area owned by N.J. Div. of Fish, Game & Wildlife. The site contains a good occurrence of a globally rare natural community and Plant Species of Special Concern.
- Green Marsh – Green Marsh is located entirely within Green Township. Green Marsh is described as a marl pond with adjacent emergent limestone wetlands. Bordered on the south by forested uplands. Good example of globally rare natural community. Contains a concentration of state significant plant species.
- Greendell Powerline Site– Greendell Powerline Site is located entirely within Green Township. Greendell Powerline Site is described as an open successional wetlands and wooded swamp adjacent to a powerline right-of-way. Contains one state listed endangered plant, one critically imperiled plant community, plus special concern plant species.
- Buckmire Pond – Buckmire Pond is located entirely within Green Township. Buckmire Pond is described as primarily Limestone wetlands. Contains a globally rare wetland natural community with concentration of state imperiled plant species.

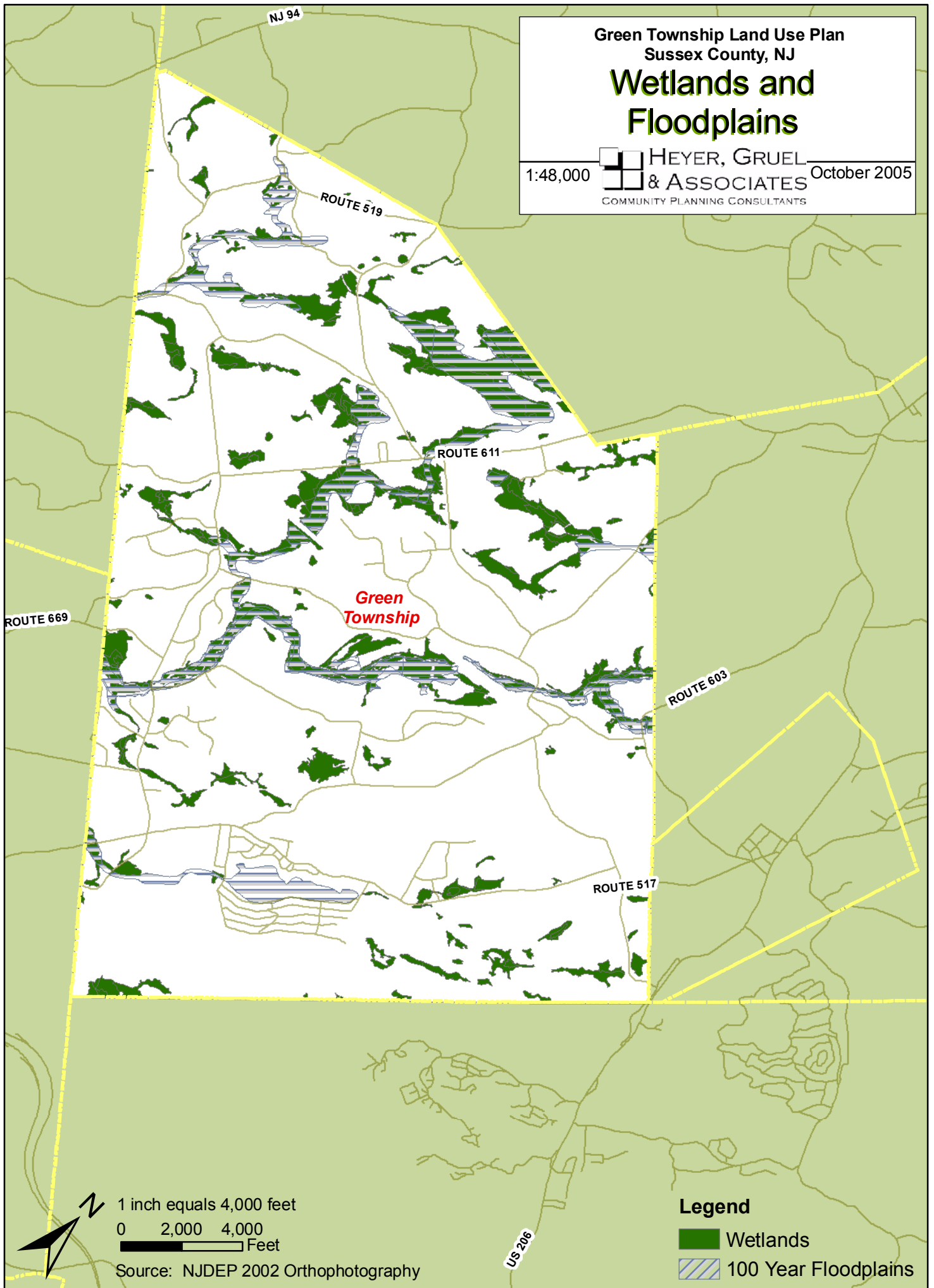
Wetlands and Floodplains

1:48,000



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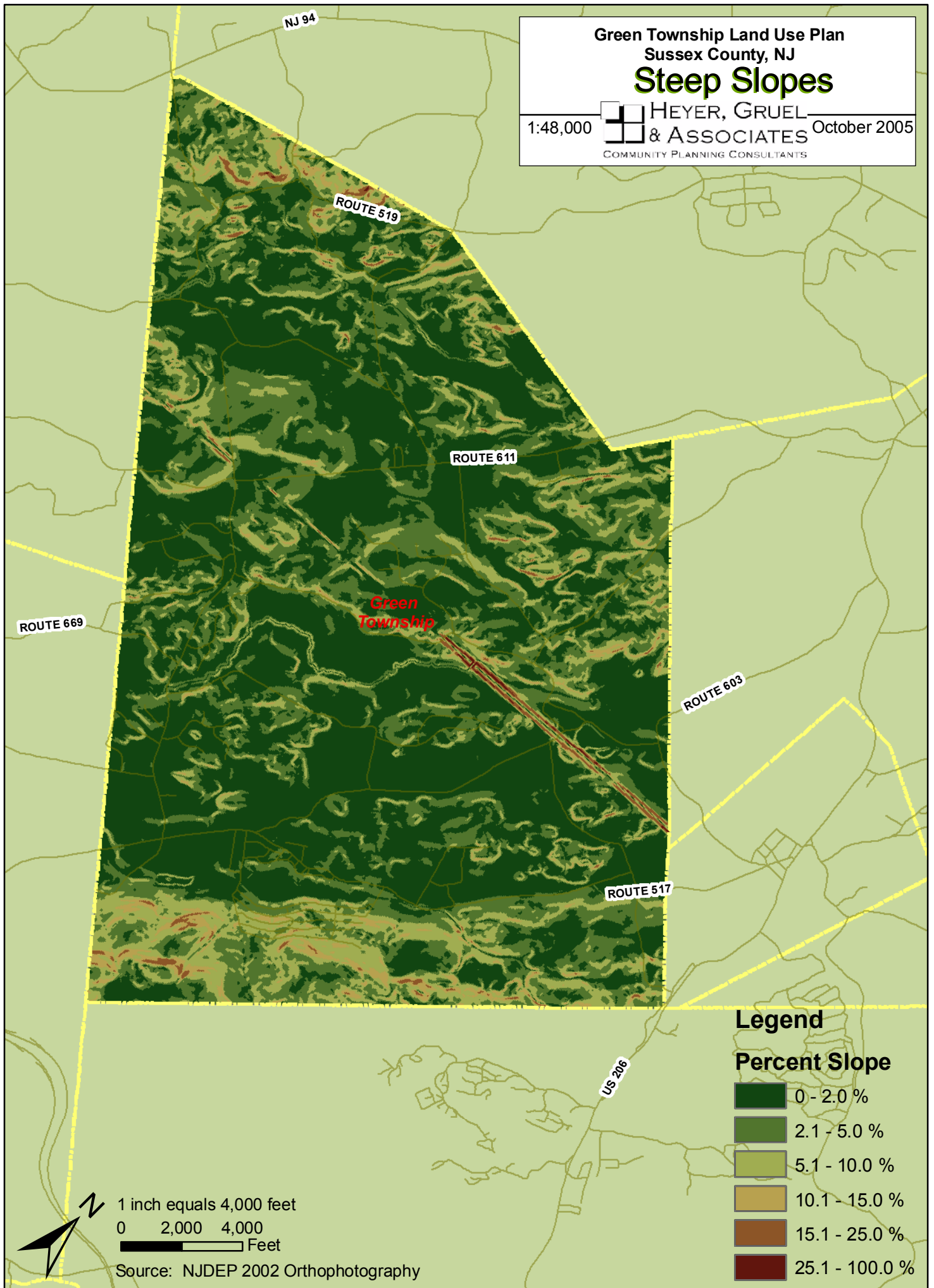
Steep Slopes

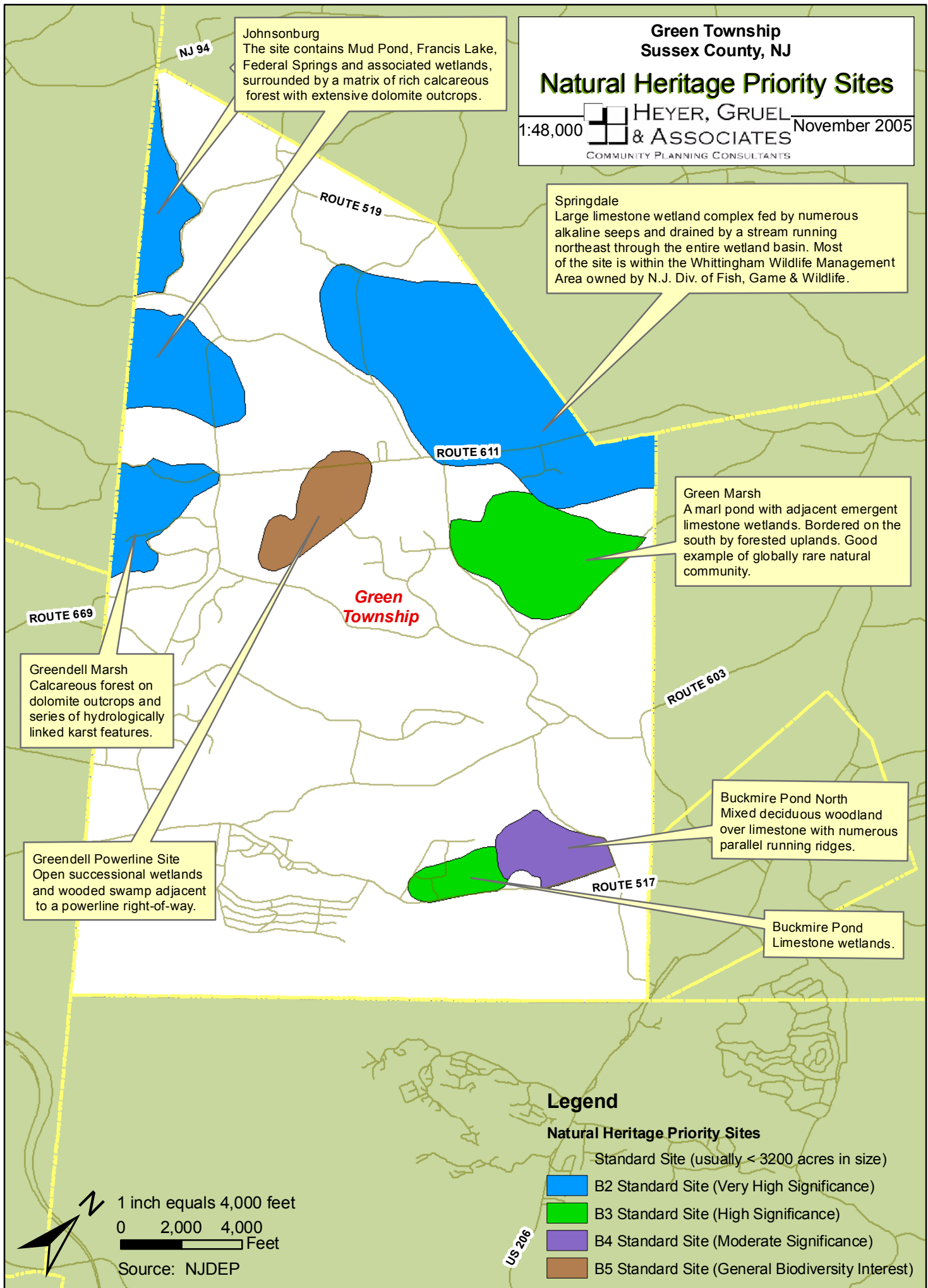
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October 2005





**Green Township
Sussex County, NJ**

Natural Heritage Priority Sites

1:48,000 **HEYER, GRUEL & ASSOCIATES** November 2005
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Johnsonburg
The site contains Mud Pond, Francis Lake, Federal Springs and associated wetlands, surrounded by a matrix of rich calcareous forest with extensive dolomite outcrops.

Springdale
Large limestone wetland complex fed by numerous alkaline seeps and drained by a stream running northeast through the entire wetland basin. Most of the site is within the Whittingham Wildlife Management Area owned by N.J. Div. of Fish, Game & Wildlife.

Green Marsh
A marl pond with adjacent emergent limestone wetlands. Bordered on the south by forested uplands. Good example of globally rare natural community.

Greendell Marsh
Calcareous forest on dolomite outcrops and series of hydrologically linked karst features.

Greendell Powerline Site
Open successional wetlands and wooded swamp adjacent to a powerline right-of-way.

Buckmire Pond North
Mixed deciduous woodland over limestone with numerous parallel running ridges.

Buckmire Pond
Limestone wetlands.

Legend

Natural Heritage Priority Sites

- Standard Site (usually < 3200 acres in size)
- B2 Standard Site (Very High Significance)
- B3 Standard Site (High Significance)
- B4 Standard Site (Moderate Significance)
- B5 Standard Site (General Biodiversity Interest)

1 inch equals 4,000 feet
0 2,000 4,000 Feet

Source: NJDEP

- Buckmire Pond North – Buckmire Pond North is located entirely within Green Township. Buckmire Pond North is described as mixed deciduous woodland over limestone with numerous parallel running ridges. Contains one critically imperiled state plant and four other state rare plants.
- Johnsonburg Swamp – The western portion of the Johnsonburg heritage site is located in Green Township. The site contains Mud Pond, Francis Lake, Federal Springs and associated wetlands, surrounded by a matrix of rich calcareous forest with extensive dolomite outcrops. A dramatic escarpment is located at the north end of Mud Pond. The site contains a superb collection of globally rare upland and wetland communities, fourteen State Endangered plants and one State Threatened animal.
- Greendell Marsh – Roughly half of the Greendell Marsh Heritage Site is found within the borders of Green Township. Greendell Marsh is described as a calcareous forest on dolomite outcrops and series of hydrologically linked karst features. The site contains excellent example of a globally imperiled natural community, a good example of a globally rare natural community, and good populations of two State Endangered plants, one State Endangered and one Threatened animal species.

Water Supply Well Head Protection Areas

There are three known water supply wellhead protection areas in Green Township according to the NJDEP. These are Well 1, Well 3A and Well 4 for the Tranquility Springs Water Company, the only water supply company in Green Township. This water supply company serves the Forest Knolls community and a few, additional surrounding households. These water

Known Contaminated Sites

There are three known contaminated sites in Green Township according to the NJDEP KCSL of 2005. These are:

- Green Hills Middle School (NJD986615854)– Located at 69 Mackerley Road, Green Township. This site is under the jurisdiction of the Bureau of Underground Storage Tanks, case number 0077600 and was active on 2/24/1993. This is a site with an on-site source of contamination.
- Harris Pine Mills (NJL600191829) – Located on Kennedy Road, Green Township. This site is under the jurisdiction of Bureau of Fund Management, Compliance and Cost Recovery, case number NJL600191829-001 and was active on 12/30/1992. This is a site with an on-site source of contamination.
- 47 Mackerley Road (NJL800016578) – Located at 47 Mackerley Road, Green Township. This site is under the jurisdiction of The Bureau of Field Operations, case number 9401111 and was pending on 2/2/1994. This is a site with an unknown source of contamination.

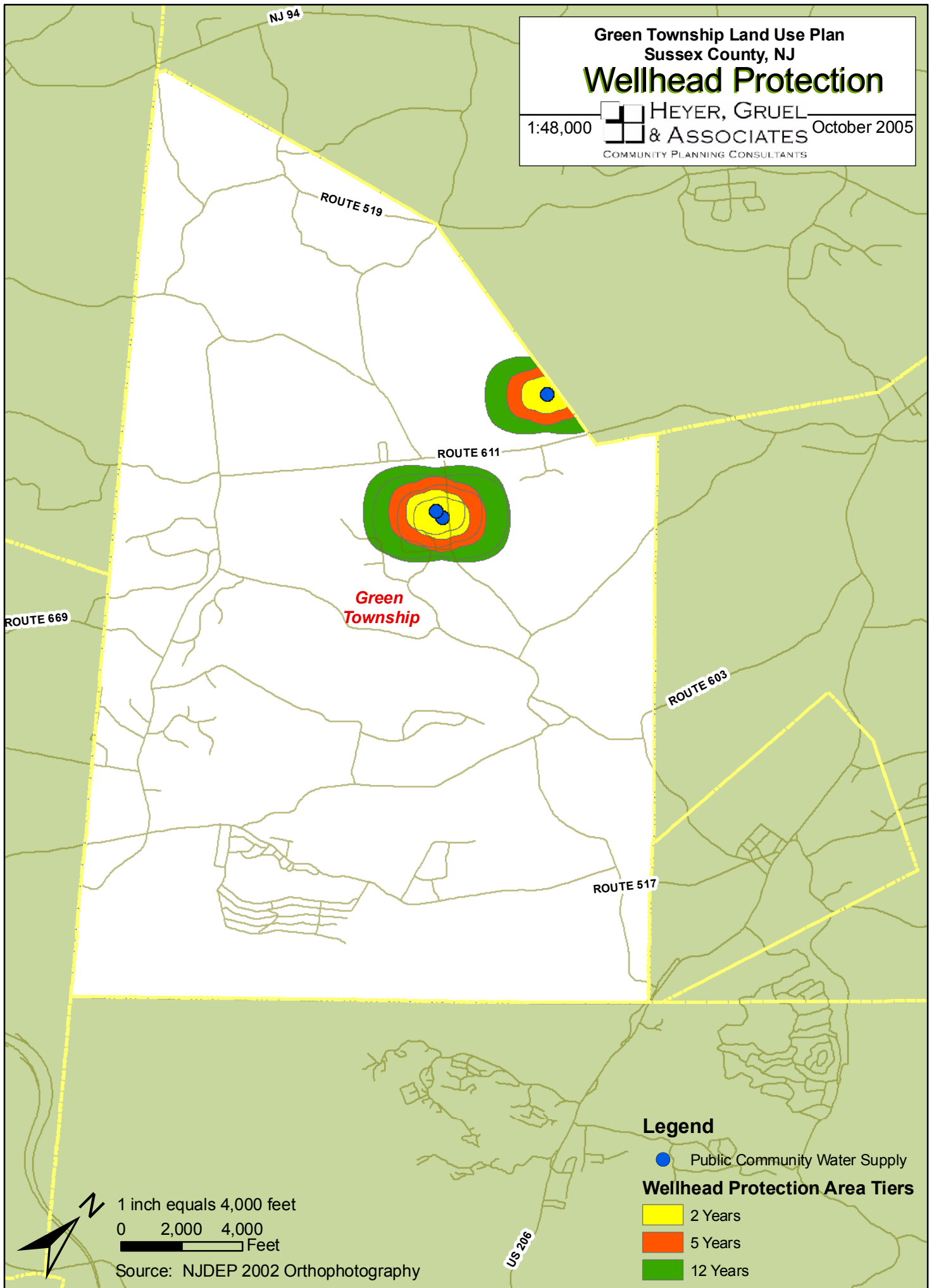
Green Township Land Use Plan
Sussex County, NJ
Wellhead Protection

1:48,000



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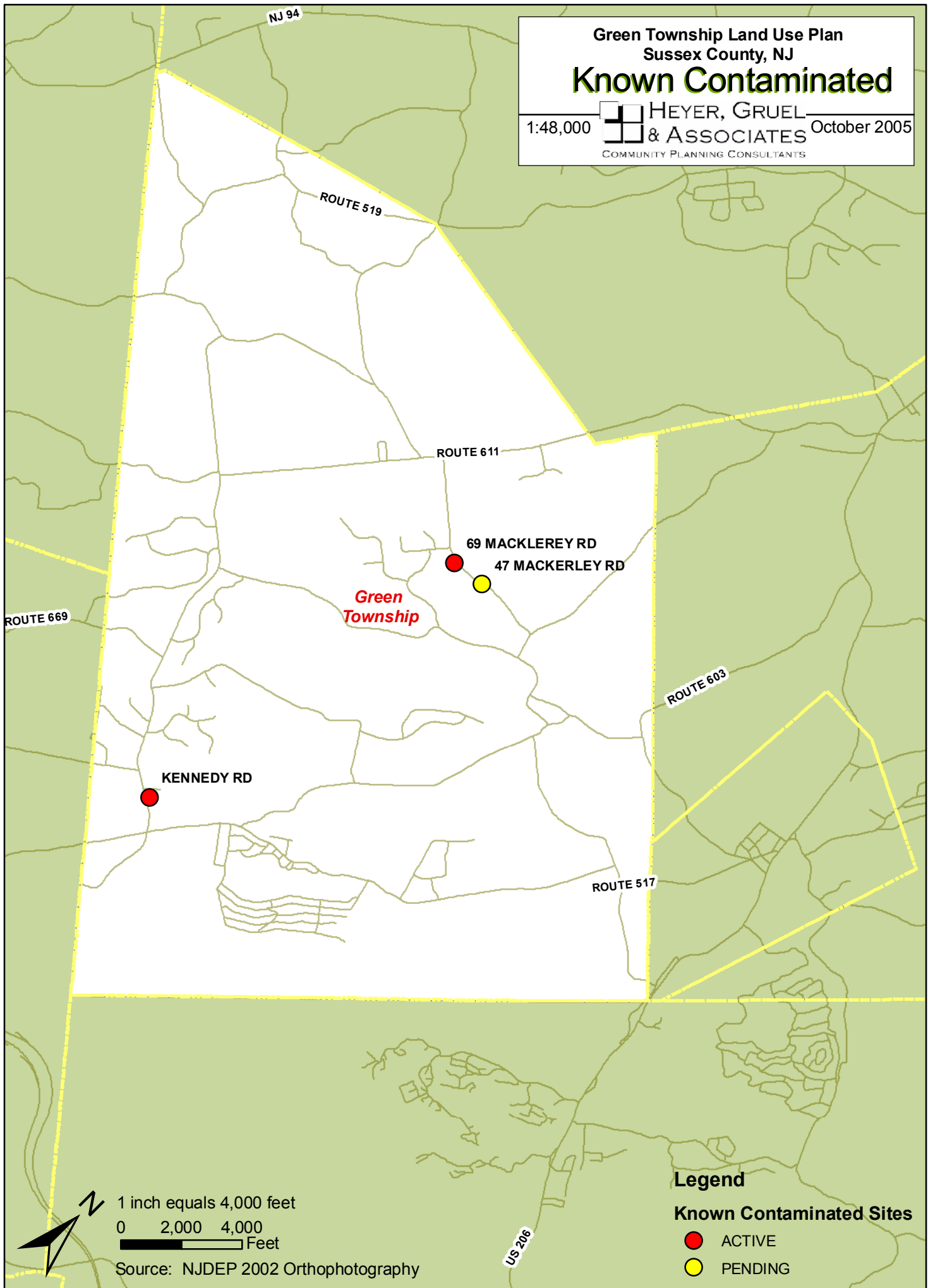
Known Contaminated

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October 2005



**Green
Township**

KENNEDY RD

69 MACKLEREY RD

47 MACKERLEY RD

ROUTE 603

ROUTE 517

NJ 94

ROUTE 519

ROUTE 611

ROUTE 669

US 206

Legend

Known Contaminated Sites

- ACTIVE
- PENDING

1 inch equals 4,000 feet

0 2,000 4,000
Feet

Source: NJDEP 2002 Orthophotography

Land Ownership

The table below outlined the current MODIV data for Green Township. According to the MODIV tax assessor's data, there are 591 acres of vacant land in the Township all of which is privately owned. Public property totals 878 acres, 227 of which are municipally owned, the remainder of which is a combination of state and county property.

Farmland Preservation

A large portion of the Township is already under permanent protection in either the Open Space or Farmland Preservation Inventory. 1,073 acres or 10% of the Township is permanently protected state parkland or fish and wildlife management lands. An additional 604 acres, or 6% of the Township is permanently deed-restricted farmland in the state farmland preservation program. These totals nearly 16% of vacant land in the Township is not developable. In addition to these acres already removed from the development roles, another 372 acres of open space and 302 acres of farmland are in active negotiation at this time to be included in the protected lands inventory. Totaling the existing and likely preserved lands, fully 23% of the Township will not be developed, including not only large portions of the AR-5/2 zoning designation, but also the AI-10 and RB zones as well, impacting residential and commercial development.

<i>Green Land Classification Summary</i>						
Based on 2005 Township of Green MOD IV Electronic Tax File						
Tax Classification	# of Parcels	% of Total	Total Acreage	% of Total	Net Taxable Value	% of Total
Vacant Land	110	6.87%	591.22	5.86%	\$15,418,200.00	2.76%
Residential	1090	68.08%	2377.50	23.56%	\$440,573,500.00	78.73%
Public School Property	10	0.62%	56.09	0.56%	\$18,756,900.00	3.35%
Other School Property	3	0.19%	2.60	0.03%	\$911,100.00	0.16%
Public Property	69	4.31%	877.86	8.70%	\$9,658,400.00	1.73%
Church and Charitable Property	6	0.37%	13.96	0.14%	\$2,342,500.00	0.42%
Cemeteries and Graveyards	4	0.25%	34.10	0.34%	\$721,100.00	0.13%
Other Exempt properties	4	0.25%	617.43	6.12%	\$4,920,000.00	0.88%
Farm (Regular)	92	5.75%	162.78	1.61%	\$40,358,600.00	7.21%
Farm (Qualified)	185	11.56%	5251.69	52.03%	\$1,628,700.00	0.29%
<i>Farm (Total)</i>	<i>277</i>	<i>17.31%</i>	<i>5,414.47</i>	<i>53.64%</i>	<i>\$41,987,300.00</i>	<i>7.50%</i>
Commercial	20	1.25%	58.44	0.58%	\$7,991,600.00	1.43%
Industrial	6	0.37%	49.01	0.49%	\$15,428,500.00	2.76%
Personal Property Telephone	2	0.12%	0.00	0.00%	\$920,156.00	0.16%
Total	1601	100.00%	10092.70	100.00%	\$559,629,256.00	100.00%

Regional Planning Regulations

State Development and Redevelopment Plan

The State Planning Commission adopted the State Development and Redevelopment Plan (SDRP) on March 1, 2001. The SDRP also undergoes a periodic cross acceptance process with State, County and local officials reconciling the State Plan with local conditions and zoning. The SDRP contains a number of goals and objectives regarding the future development and redevelopment of New Jersey. The primary objective of the SDRP is to guide development to areas where infrastructure is available. New growth and development should be located in 'centers', which are 'compact' forms of development, rather than in 'sprawl' development. The overall goal of the SDRP is to promote development and redevelopment that will consume less land, deplete fewer natural resources, and use the State's infrastructure more efficiently.

The 2001 SDRP identifies Green as part of the PA 4A Rural Environmentally Sensitive (3946.7 acres or 49.6% total land area), PA 5 Environmentally Sensitive (5162.1 or 37.9% total land area) and various park designations (1299.7 or 12.4% total land area) Planning Areas.

According to the SDRP, Planning Areas 4B, and 5 should be sensitive to the existing environs and work to revitalize the existing cities and towns and concentrate any growth or development in concentrated centers. Moreover, the SDRP states that, Rural Planning Areas need strong Centers and that Centers should attract private investment that otherwise might not occur.

New Jersey Highlands Water Protection And Planning Act Planning Areas

The Legislature and Governor passed the NJ Highlands Water Protection and Planning Act (Highlands Act) in 2004. Under the Highlands Water Protection and Planning Act, the majority (96%) of Green Township is designated as part of the Planning Area of the Highlands. The remainder (4%) of the South East corner of the Township, portions of the former Stuyvesant Estate, is in the Preservation area. All the lands in the Township designated as Preservation Area are public open space as part of Allamuchy State Park. The Planning Area is the portion of the Highlands that is not subject to the same land use controls as the Preservation Areas; however, the Highlands Regional Master Plan will create a comprehensive approach to land use designed to protect drinking water supplies for most of northern New Jersey. It is anticipated that the Highlands Regional Master Plan will have some impact on Green Township.

Green Township Land Use Plan
Sussex County, NJ

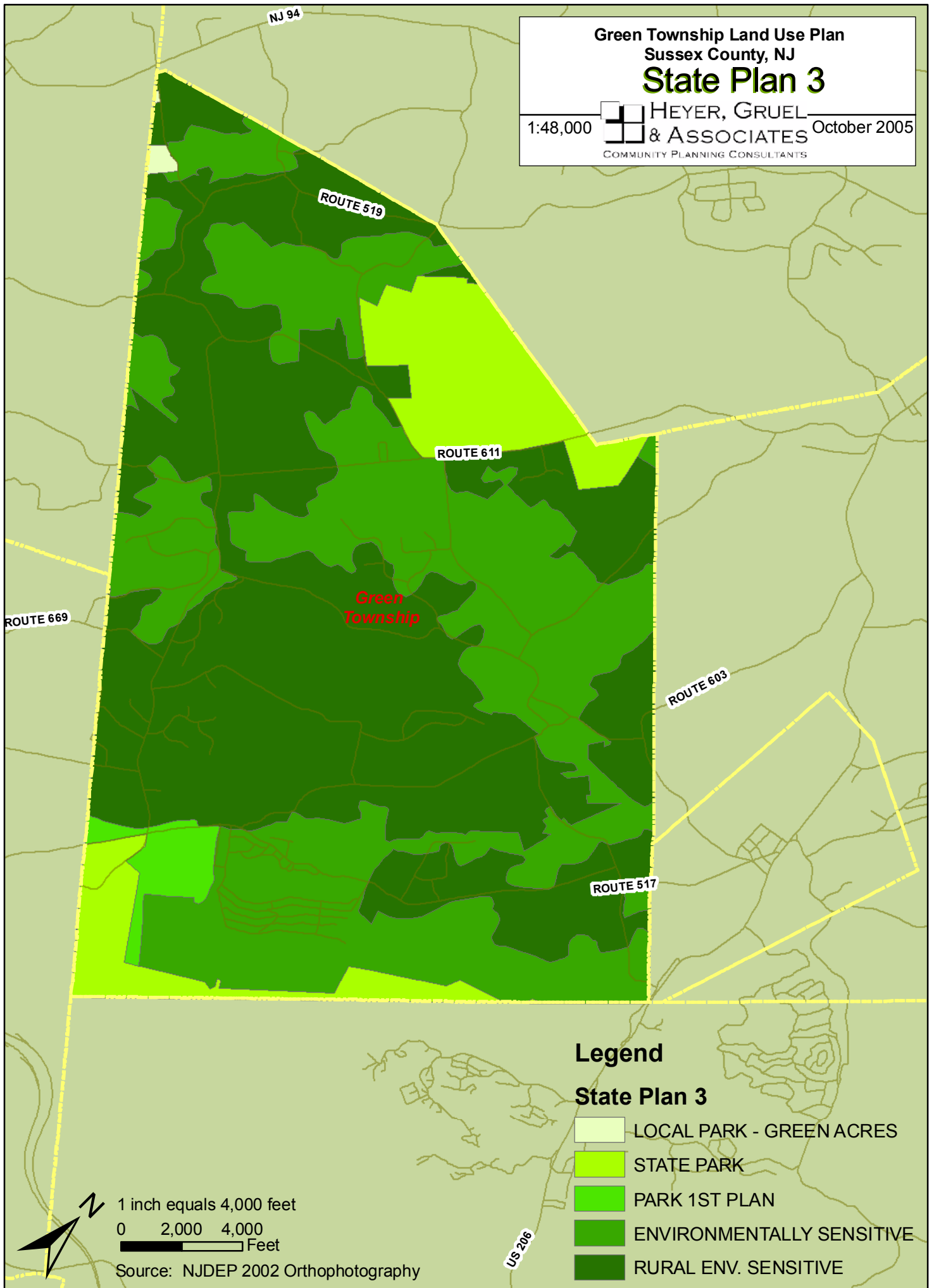
State Plan 3

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October 2005



Green Township Land Use Plan
Sussex County, NJ

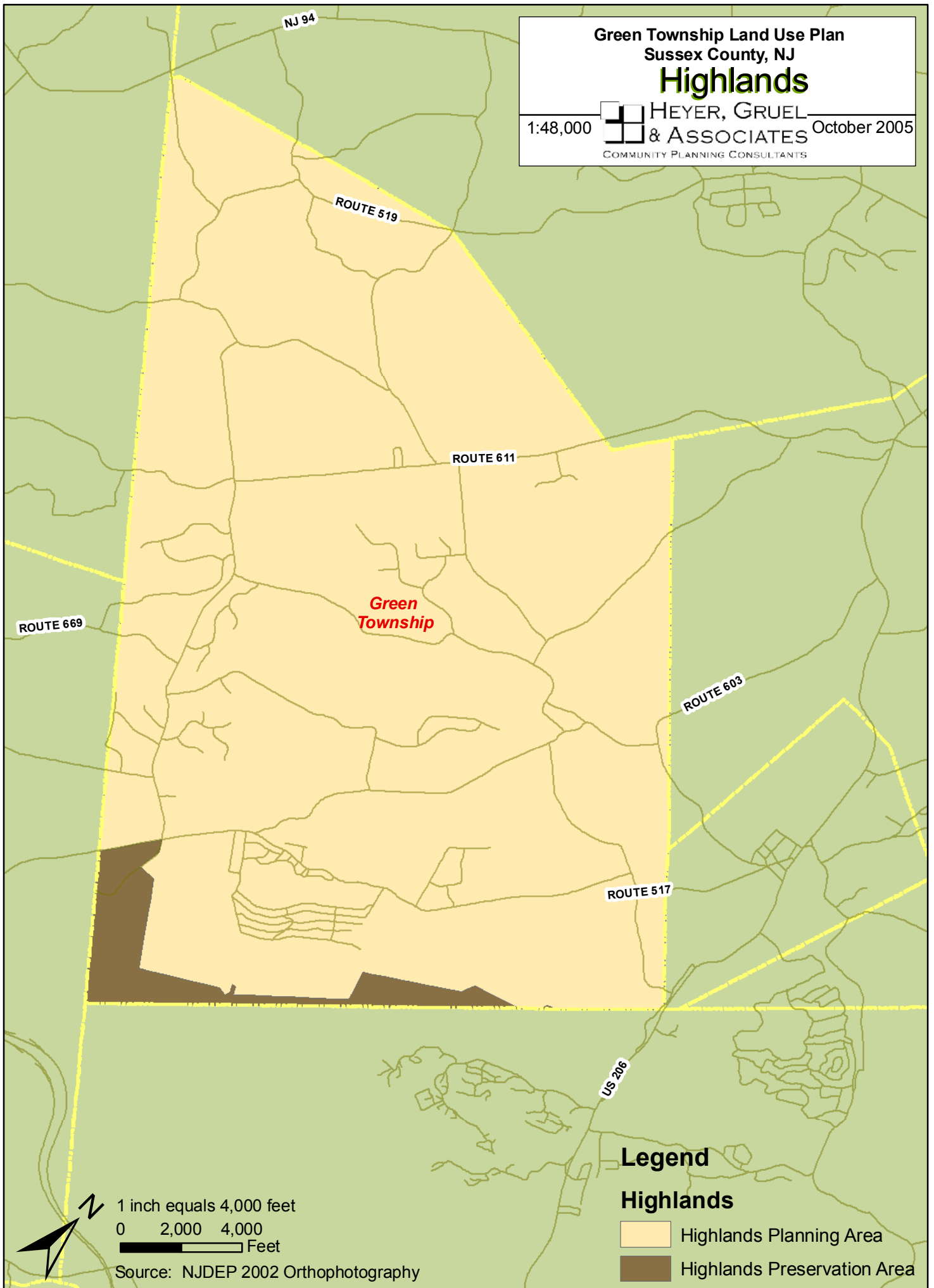
Highlands

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October 2005



V. FAIR SHARE PLAN

As stated in the Third Round regulations, a Fair Share Plan shall include at least the following requirements:

- Descriptions of the operational and financial feasibility of any specific project(s) intended to provide for the total 1987-2014 municipal fair share of affordable housing, which shall include rehabilitation programs, municipally sponsored construction projects, regional contribution agreements, alternative living arrangements, buy-down programs, accessory apartments, municipally sponsored rental programs, ECHO programs, assisted living residences, affordable housing partnership programs and expanded crediting opportunities.
- Draft Fair Share Ordinances necessary for the implementation of the programs and projects designed to satisfy the fair share need.
- An accounting of any development fees collected and the amount and purpose for which any fees have been expended current to the date of petition.

As outlined previously, Green Township has a total obligation of 40 units, 15 Prior Round units and 25 in Growth Share. Green Township is part of Region 1 where the median income for a four-person household is \$74,464, the moderate-income level is \$59,571 and low income is \$37,232. The following outlines the measures that the Township will enlist to meet its Fair Share and constitutes the Township's Fair Share Plan.

CREDITS, REDUCTIONS AND MUNICIPAL ADJUSTMENTS

Second Round/Prior Round Obligation

Alternative Living Arrangements

As part of the Township's Second Round certification, there were several affordable housing opportunities existing that the Township claimed credit for. These opportunities included two (2) alternative living arrangements both of which are group home facilities. The first is The Center for Humanistic Change of NJ, which operates a group home containing three (3) bedrooms. The group home was established in 1984, which qualifies it under Prior Cycle credit. This equates to three (3) credits total. Applied to the fifteen (15) unit Prior Obligation leaves a new Prior Obligation of twelve (12) units.

The second group home is operated by Willowglen Academy and contains four (4) bedrooms. It was established in 1993. As part of the Second Round regulations, group homes are eligible for rental bonuses. However, no rental bonuses can exceed the 25% rental requirement. With the application of the three (3) prior cycle credits, the 25% rental requirement is applied to the remaining twelve (12) units, which then allows for bonus credit on three (3) rental units. Utilizing both the four (4) bedroom units and the three (3) -rental bonus

credits, the second group home equals total of seven (7) credits. Applying this to the twelve (12) units leaves a total Prior Round Obligation of five (5) units.

Regional Contribution Agreement

As part of the Second Round Plan, Green Township entered into a Regional Contribution Agreement with the City of Hoboken for thirteen (13) units. The RCA was approved by COAH in December of 2004. Since 50% of the Prior Round Obligation (6 units) can be addressed with an RCA, the Township will apply five (5) of the RCA units towards the remaining Prior Round Obligation to bring it down to zero (0). The remaining eight (8) RCA units are now excess units. Since the agreement was completed under Second Round, utilizing previous numbers and regulations, the Township will utilize this excess towards its Third Round Growth Share Obligation.

Third Round

Under the Third Round regulations, RCAs can account for 50% of the Growth Share Obligation. For Green Township this means a total of eleven (11) units. Since the eight excess units are within the 50% allowable, the Township will utilize them as credit towards the Third Round Obligation. The Township will also still have the option to complete a three (3) unit RCA as part of the Third Round Plan. Applying the eight (8) credits reduces the Third Round Growth Share Obligation to Seventeen (17) units.

THIRD ROUND FAIR SHARE OBLIGATION

Due to the credits and planned RCA, Green's Third Round total obligation is changed. For the Plan timeframe of January 1, 2004 to January 1, 2014, Green has a no (0) Rehabilitation Obligation, no (0) Prior Round Obligation and a Growth Share Obligation of 17 units. This gives Green Township an overall Fair Share Obligation of 17 units, all of which must be satisfied through new construction.

Green Township Obligation 2004-2014	
Rehabilitation Share 1999-2014	0
1987-1999 Prior Round Obligation	15
<i>Prior Cycle Group Home</i>	-3
<i>Group Home</i>	-4
<i>Group Home Rental Bonus</i>	-3
<i>RCA</i>	-5
Prior Round Obligation	0
Growth Share	25
<i>RCA</i>	-8
Growth Share Obligation	17
Total Obligation	17

THIRD ROUND FAIR SHARE PLAN

Green recognizes that its 17-unit obligation is based on projected future growth realized through analysis completed in this Plan. The Township understands that the Growth Share Obligation will be based on actual certificates of occupancy issued and that COAH will be monitoring that number at the three, five and eight year mark of the certified plan. To this end, the Township will be utilizing approved mechanisms to meet the Third Round Fair Share Obligation and these mechanisms will include:

- New Municipal Growth Share Ordinance
- Rezoning of a portion of the Forest Knolls Community from R-1 to R-1 Affordable Housing
- Municipal/Private Partnership to build 9 Family Rental Units within the Forest Knolls Community.

Municipal Growth Share Ordinance

The Municipal Growth Share Ordinance will require any builder of more than eight residential units to construct one affordable unit for every eight units to be constructed within the subdivision, either on site as part of the development, or elsewhere in the community through a program subject to Municipal approval. The ordinance is currently in draft form and can be found in Appendix A. Green submits the ordinance for review as part of this Third Round Plan.

The Toll Brothers development known as Greenfield Hills is for 48 market rate houses. This would generate a requirement to build 6 affordable units. This would then require the builder to either construct 42 market rate housing units and 6 affordable units, or would require the builder to construct or provide 6 affordable units elsewhere within the Township. It is anticipated that 6 for sale family affordable housing units of the total 17-unit obligation will be met by the application of the Municipal Growth Share Ordinance to the Greenfield Hills development.

Rezoning in conjunction with a Municipal/Private Partnership

The remaining 11 affordable housing units left in Green Townships obligation will be met by the construction of 9 rental family affordable housing units through a combination of the rezoning of a portion of the existing R-1 Residential to an R-1 Affordable Housing Residential and a Municipal/Private Partnership with a developers agreement to ensure the construction of the rental units.

The remaining, Phase Three of the Forest Knolls development has yet to be approved. The site is 49 acres in size, with approximately 20 acres of unconstrained uplands available for development. The current zoning of the area is for one-acre lot residential development. The developer is seeking a cluster development with

Townhouses on the available uplands. The Township will need to rezone the property to allow the cluster development and will simultaneously designate the zone an affordable housing zone with a 20% set aside of affordable family rental units. The Township and the developer will enter into a developer's agreement to ensure the construction of the affordable units and commit the Township to assist in utilities and access infrastructure development to assist the developer in the project.

APPENDIX A

AFFORDABLE HOUSING GROWTH SHARE ORDINANCE

FINDINGS AND PURPOSE

1. In view of the principles established by the Supreme Court, COAH recently adopted substantive regulations that authorized municipalities to impose a set aside, without any density bonuses or other compensatory benefits, pursuant to which municipalities could require residential developers to construct one affordable residential unit for every eight market residential units the developer constructed (N.J.A.C. 5:94-4.4 (a)).
2. COAH specifically stated that “a municipality may adopt a zoning ordinance requiring a maximum of one for every eight market-rate residential units be affordable to low and moderate income households, as long as the zoning has not allowed an increase in density to accommodate affordable housing” (36 N.J.R. 5775).
3. COAH has also authorized municipalities to require nonresidential developers to produce affordable housing without any enhancement or compensatory offsetting benefit based upon a formula that would require the production of one affordable residential unit for every 25 jobs projected to be created by the non-residential development (N.J.A.C. 5:94-4.4 (a)).
4. The Township of Green wishes to ensure that as developers build residential and nonresidential projects, they provide affordable housing consistent with COAH’s regulations and policies described above and implementation of these policies will ensure that as the Township grows with housing affordable to the middle and upper class, it will also grow with housing affordable to lower income households and that as nonresidential development occurs, it will also provide housing affordable for lower income workers.

A. QUANTIFICATION OF AFFORDABLE HOUSING OBLIGATION FOR RESIDENTIAL DEVELOPERS

Except as otherwise provided below, in those circumstances where an applicant seeks to develop land for residential purposes and receives no right to increased density or other compensatory bonus, said applicant shall produce and develop on site one residential unit of housing affordable to low and moderate income households

for every eight market rate residential units constructed (11.11 percent). In the event 11.11 percent of the total units should result in a fraction, the number of affordable units shall not exceed an 11.11 set-aside and any additional units shall bear a responsibility to pay a fee. By way of example, a 10 unit project would include one affordable unit and the developer would be obligated to pay a fee for the tenth unit in accordance with the Township's affordable housing fee ordinance. Affordable housing shall be as defined under the FHA and COAH's regulations. Nothing herein shall relieve applicants seeking to develop projects of eight or fewer units from the requirements of the Township's Affordable Housing Development Fees ordinance in its current form or any future form.

B. PERMISSIBLE MANNER OF SATISFACTION OF AFFORDABLE HOUSING OBLIGATION OF RESIDENTIAL DEVELOPERS

(1) For all Residential Development, an applicant shall satisfy its affordable housing production obligation through on-site housing production in connection with the residential project, which is one of the mechanisms permitted pursuant to COAH's regulations.

(2) The other alternative mechanisms permitted under COAH's regulations include (a) the purchase of an existing market-rate unit at another location in the community and its conversion to an affordable price-restricted unit in accordance with COAH's criteria, regulations and policies, and/or (b) participation in reconstruction and/or buy-down/write-down, buy-down/rent-down programs. An applicant shall only be entitled to satisfy its affordable housing obligation via one or more of the alternative mechanisms set forth above if the applicant demonstrates to the Common Council that one or more of the alternatives better advances the goals and policies set forth in the Township's housing element and fair share plan. The Common Council shall have the complete discretion to determine whether the alternative(s) better advances the goals and policies set forth in the Township's housing element and fair share plan.

(3) Before the applicant's development application for preliminary site plan or subdivision approval is deemed complete consistent with the Municipal Land Use Law and the Green's Zoning Ordinances, the applicant must secure written permission from the Common Council as to the exact manner in which alternative mechanism(s) will be used to achieve the creation of one affordable residential unit for every eight market rate

residential units.

(4) Full and complete satisfaction of compliance with the affordable housing requirements of the development shall be a specific, automatic, essential and non-severable condition of all land use approvals. Pursuant to this condition, the applicant must demonstrate that it has satisfied the Planning or Zoning Board's affordable housing condition of approval prior to obtaining the first building permit and compliance with the affordable housing condition shall be a continuing condition of all Planning or Zoning Board approvals for development.

C. PERMISSIBLE MANNER OF SATISFACTION OF AFFORDABLE HOUSING OBLIGATION OF NON-RESIDENTIAL DEVELOPERS

For all Nonresidential Development, the applicant may satisfy its affordable housing production obligation through the various mechanisms COAH regulations authorize including, (a) on-site housing production in connection with a residential component of the project, (b) the purchase of an existing market-rate home at another location in the community and its conversion to an affordable price-restricted home in accordance with COAH's criteria, regulations and policies, (c) participation in reconstruction and/or buy-down/write-down, buy-down/rent-down programs, and/or (d) contributing to the Housing Trust Fund in accordance with the Township's affordable housing development fee ordinance .

D. QUANTIFICATION OF AFFORDABLE HOUSING OBLIGATION FOR NON-RESIDENTIAL DEVELOPERS

- (1) Except as otherwise provided below, in those circumstances where an applicant seeks to develop land for non-residential purposes and receives no right to an increased Floor Area Ratio, as defined by Chapter 203, Article II of the Township's code, or other compensatory bonus, the developer shall provide one non-age-restricted affordable residential unit for every twenty five (25) jobs projected to be created by its development. The calculation of the number of jobs and employment opportunities shall be in accordance with Appendix E to N.J.A.C. 5:94-1, et. seq. entitled "UCC Use Groups for Projecting and Implementing Nonresidential Components of Growth Share."
- (2) The applicant shall present its planned method of compliance to the Common Council that one or more

of the alternatives better advances the goals and policies set forth in the Township's housing element and fair share plan. The Common Council shall have the complete discretion to determine whether the alternative(s) better advances the goals and policies set forth in the Township's housing element and fair share plan.

- (3) Full and complete satisfaction of compliance with the affordable housing requirements of the development shall be a specific, automatic, essential, and non-severable condition of all approvals. Pursuant to this condition, the applicant must demonstrate that it has satisfied the Planning or Zoning Board's affordable housing condition of approval prior to obtaining the first building permit and compliance with the affordable housing condition shall be a continuing condition of all approvals for development.

E. PERMISSIBLE MANNER OF SATISFACTION OF AFFORDABLE HOUSING OBLIGATION OF MIXED-USE DEVELOPERS

For all projects which include a combination of both residential and non-residential development, the affordable housing obligation created by the residential portion of the project is set forth in Section A above. The permissible manner of satisfaction of the affordable housing obligation for the residential component is set forth in Section B above. The affordable housing obligation created by the non-residential portion of the project is set forth in Section C above. The permissible manner of satisfaction of the affordable housing obligation for the residential component is set forth in Section D above.

F. COMPLIANCE WITH COAH'S RULES

The affordable unit(s) to be produced pursuant to Paragraphs A, B, C, D and E (above) shall be available to a low income individual or household should only one affordable unit be required. Thereafter, each of the affordable units shall be divided evenly between low and moderate-income individuals and households except in the event of the applicable formulas result in an odd number of affordable units; in which event the unit shall be a low-income residential unit. All affordable units shall strictly comply with COAH's regulations and policies including, but not limited to, pricing, phasing, bedroom distribution, controls on affordability, range of

affordability, affirmative marketing, and income qualification. It shall be the applicant's responsibility, at its sole cost and expense, to arrange for a COAH and Township approved qualification service to ensure full COAH compliance and to file such certifications, reports and/or monitoring forms as may be required by COAH or the Court to verify COAH compliance of each affordable unit.

H. RIGHT TO GREATER SET-ASIDE IF COMPENSATORY BENEFIT

As to residential developers, nothing herein shall affect the Township's ability to generate more affordable housing than the one for eight standard set forth above in the event that the developer secures a density bonus or other compensatory benefit through zoning or through a use variance. As to nonresidential developers, nothing herein shall affect the Township's ability to generate more affordable housing than the one affordable residential unit for every 25 job standard set forth above in the event that the developer secures an increased FAR or other compensatory benefit through zoning or through use variances.

SEVERABILITY.

If any paragraph, section, subsection, sentence clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining paragraphs or sections hereof.

INCONSISTENCY.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

EFFECTIVE DATE.

The Ordinance shall take effect upon final passage and publication according to law and filing with the County Planning Board in accordance with N.J.S.A. 40:55D-16.