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HOUSING ELEMENT AND FAIR SHARE PLAN - 2018

TOWN OF WESTFIELD UNION COUNTY, NEW JERSEY

PREPARED FOR:

**TOWN OF WESTFIELD PLANNING BOARD
BA# 3249.00**

February 22, 2018

This document was duly adopted by the Planning Board of the Town of Westfield at their public hearing held on March 5, 2018.

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The original document was appropriately signed and sealed on February 22, 2018 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

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INTRODUCTION

The Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-62a, requires every municipality with a zoning ordinance to adopt a master plan containing at least a land use plan element and housing plan element. N.J.S.A. 40:55D-28 b (3) requires that the housing plan element include residential standards and proposals for the construction and improvement of housing in accordance with the New Jersey Fair Housing Act (FHA), specifically, N.J.S.A. 52:27D-310. This required plan is commonly referred to as the Housing Element and Fair Share Plan (HE&FSP) and must contain certain sub-elements that, at minimum, include the following:

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, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards.

A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;

An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;

An analysis of the existing and probable future employment characteristics of the municipality;

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

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.

Enacted in 1985, the FHA established the Council on Affordable Housing (COAH) which was charged with establishing rules and regulations to promote the development of affordable housing in the State of New Jersey. COAH was created in response to the extensive litigation arising from the Supreme Court's Mount Laurel decisions wherein the Court determined that every municipality had a State constitutional obligation to provide the realistic opportunity for the development of affordable housing within their communities. COAH was created to expedite and otherwise remove the court system from exclusionary zoning disputes and to provide the administrative mechanism of review and mediation as a much preferable avenue for resolving affordable housing issues.

Since the adoption of the FHA and the creation of COAH, there have been two prior rounds or cycles of regulations adopted by COAH providing the methodology that established a municipality's affordable housing obligation and the mechanisms by which that obligation should be addressed. At the end of the Second Round period, which expired in 1999, COAH subsequently promulgated new rules for the Third Round" of affordable housing regulations and introduced the concept of "Growth

Share” as the methodology by which municipal affordable housing obligations and compliance would be determined. Simply stated, the growth share model established a municipality's affordable housing requirements as a function of its potential future residential and economic growth.

Significantly, these regulations were challenged in court by affordable housing advocates and representatives of the building industry as unconstitutional. After years of litigation and failed amendments, on September 26, 2013, the New Jersey Supreme Court (Court) affirmed the Appellate Division's invalidation of COAH's “growth share methodology” on the basis that the “growth share” methodology, incorporated into the Third Round Rules, were beyond the purview of the rulemaking authority delegated to COAH because they conflicted with the FHA.¹

The Supreme Court “endorsed the remedy imposed by the Appellate Division,” that required COAH to adopt new Third Round Rules within five (5) months.² The effect of the Supreme Court's decision was to require COAH to adopt new Third Round Rules by February 26, 2014 consistent with the lower court's decision.

After numerous delays, court challenges and COAH's failure to adopt revised regulations consistent with the Court's order and in response to the Fair Share Housing Center (FSHC) filing a motion “in aid of litigant's rights,” the Supreme Court issued its decision In re Adoption of N.J.A.C. 5:96 & 5:97, 221 N.J. 1 (2015) on March 10, 2015 stripping COAH of its administrative duties relating to the affordable housing certification process. This decision granted FSHC's motion in aid of litigant's rights, declared COAH ineffective in complying with the mandates of the Fair Housing Act (FHA), dissolved the substantive certification process before COAH and created a judicial process by which a municipality can file a declaratory judgment action with the court seeking a judicial determination that their housing element satisfied their “third round” affordable housing obligation. The New Jersey Supreme Court appointed “Mount Laurel” judges for each of the state's fifteen (15) judicial vicinages to hear and decide these actions. The Court directed that the reviewing judges utilize methodologies similar to that developed by COAH in the prior first and second rounds. The Court further established a specific deadline (July 8, 2015) by which municipalities could file such actions.

In response to the Supreme Court's March 10, 2015 decision, Westfield filed a declaratory judgment action with the Superior Court on July 2, 2015, titled In re Town of Westfield Compliance with Third Round Mount Laurel Affordable Housing Obligations, Docket No. UNN-L-2391-15 (the “DJ Action”). The DJ Action seeks a judicial determination of compliance with the Town's Third Round affordable housing obligation. The DJ Action was settled and the settlement was reviewed and approved by the Superior Court of New Jersey (the Honorable Karen Cassidy, A.J.S.C., presiding) after a Fairness Hearing, which approval is memorialized in an amended order entered by the court on October 30, 2017 and filed by the court on November 1, 2017 (the “Settlement Approval Order”).

At this point in the process resulting from the New Jersey Supreme Court's Mount Laurel IV decision, when fair share obligations have yet to be definitively determined and as a result of ongoing mediation and by way of settlement with the Fair Share Housing Council, the Town's prospective need for the Third Round has been determined to be 1,090 units. The Town of Westfield does not agree with the basis of the Third Round Prospective Need obligation but accepts the number solely for purposes of settling its fair share obligation with the FSHC and Court with the advice of the Court Appointed Master. It should be further noted that this number reflects a 30-percent reduction of the proffered Third Round Prospective Need number by FSHC and is deemed to also include the Gap Period Present Need as recognized by the New Jersey Supreme Court in In re Declaratory Judgement Actions Filed by Various Municipalities, 227

1 See in re: Adoption of N.J.A.C. 5:96 & 5:97, 215 N.J. 578, 586, 620 (2013).

2 See In re: N.J.A.C. 5:96 & 5:97, 416 N.J. Super. 462, 511 (App. Div. 2010).

N.J. 508 (2017).

The preparation of this HE&FSP therefore, provides for a settlement of the Town's Third Round affordable housing obligation consistent with the "Settlement Approval Order" and provides a realistic opportunity for the development of affordable housing units that will satisfy the Town's Third Round obligation under the New Jersey Supreme Court's Mount Laurel decisions from 2015 to 2025 inclusive of the GAP period between 1999 and 2015.

This 2018 HE&FSP incorporates but supersedes and replaces all other prior adopted plans, specifically the 2016 HE&FSP and includes all inclusionary housing sites from those plans with additional inclusionary development mechanisms into a single new planning document.

EXECUTIVE SUMMARY

The history and plan details presented in this document not only demonstrate the efforts the Town has undertaken to satisfy its affordable housing obligation, but also establishes its Realistic Development Potential (RDP) in compliance with its Third Round Obligation.

As will be detailed in subsequent sections of the HE&FSP, for this Third Round and as a basis for settlement, the Town of Westfield's RDP is established as 62 dwelling units.

The affordable housing obligation for the Town of Westfield consists of the following:

Rehabilitation Share	15
Prior Round Obligation (pursuant to N.J.A.C. 5:93)	139
Third Round (1999-2025) Prospective Need Fair Share	1,090

Although the Town of Westfield does not agree with the prospective need number, the following plan details provide for a reasonable and realistic opportunity to satisfy the Town's Third Round obligation in the following manner:

The Town of Westfield will continue to implement a housing rehabilitation program to address its 15-unit present need as determined by a survey of existing housing conditions conducted by the Town Construction Official and Planner.

The Town has no prior round obligation, having satisfied its affordable housing needs in Rounds One and Two as confirmed by the Superior Court.

The Town of Westfield's Prospective Need obligation is established at 1,090 units by way of settlement with the Fair Share Housing Center. Because of having insufficient land capacity, the Town's RDP is 62 units.

The Plan detailed herein provides realistic opportunities for the construction of 62 units of affordable housing (the Town's RDP) within the community to be created through a combination of inclusionary development, development of special needs housing, court approved prior round credits that were made available to satisfy the Town's RDP and credits that are available under Second Round rules. The plan also includes a mandatory development fee ordinance, a zoning ordinance amendment requiring inclusionary development for any proposed residential development involving more than 5 units and at a density of 6 units per acre or more, and overlay zones requiring inclusionary development for selected sites that may develop or redevelop, all to address the Town's unmet need.

HISTORIC OVERVIEW OF WESTFIELD'S AFFORDABLE HOUSING OBLIGATION

The Town of Westfield has a long history of compliance with its affordable housing obligations that provides important context for this plan.

Westfield's First Round Obligation & Court-approved Compliance Plan

In 1986, COAH determined that the Town of Westfield had a fair share obligation ("pre-credited need") of 414 units for the First Round, which covered the period from 1987 to 1993. The obligation was comprised of two components: 105 housing units in Westfield that were in need of rehabilitation (known then as "indigenous need") plus 309 new affordable units. Pursuant to a Judgment of Repose issued by the Superior Court Order on November 8, 1991 (the "1991 Judgment"), the Town received credit for 89 units of completed rehabilitation. In addition, the new construction component was adjusted from 309 to 51 units, referred to as the Town's "realistic development potential" (or "RDP") to accommodate inclusionary housing, because the court, finding that there was insufficient vacant developable land, granted the Town a "vacant land adjustment" (VLA). Notwithstanding the adjusted obligation requiring provision for 51 affordable units, the Town proposed to implement, and the court approved in the Judgment of Repose, a HE&FSP (sometimes also referred to as a "Compliance Plan") to address significantly more affordable housing, as outlined below.

The court-approved Compliance Plan centered on four components: i) Credit for 89 units of rehabilitation already completed and a 16-unit rehabilitation program satisfied the indigenous need requirement; (ii) the 51-unit adjusted new construction obligation was to be satisfied by transferring 21 units via a then permitted (but no longer permitted) Regional Contribution Agreement (RCA); (iii) the construction of 133 units of senior citizens housing (13 units in satisfaction of the 51-unit adjusted obligation) and; (iv) the rezoning of two sites for new non-age-restricted inclusionary housing to produce 17 affordable units. In all, 187 new units were to be provided under the Town's Compliance Plan.

Table 1
1991 Court Approved Compliance Plan

Court-adjusted First Round Fair Share Obligation	Affordable Units Required
Rehabilitation (after 89 credits)	16
New construction -realistic development potential or "RDP" (based upon developable land)	51
Court-approved First Round Compliance Plan	Affordable Units Addressed
Rehabilitation Program	16
Regional Contribution Agreement	21
100% Affordable Senior Citizens Housing	133
Inclusionary Zoning: Williams Tract: 52 total units Myrtle Avenue Tract: 34 total units	10 7
Total Affordable Units	187

Second Round Obligation

In 1993, COAH published Second Round fair share obligations for all New Jersey municipalities. The obligation was combined with the first round and covered the cumulative period from 1987-1999. The agency evaluated the 1990 Census and growth that took place during the preceding years and adjusted many municipal obligations, including that of Westfield, because growth levels were generally below previously predicted levels.

COAH determined that Westfield's cumulative First and Second Round obligation was 143 units of rehabilitation and 139 units of new construction. The cumulative Second Round new construction obligation was significantly less than the actual number of new affordable units (187 units displayed in the table above approved by the court in the first round). In publishing the cumulative obligation, COAH also acknowledged that the Town had been granted a vacant land adjustment. COAH's Second Round rules broke down the obligation of adjusted communities into realistic development potential and "unmet need." For Westfield, the cumulative First and Second Round obligation was therefore based on the RDP of 51 units and unmet need of 88 units. The court's Judgment of Repose and the units approved therein surpassed the COAH determined cumulative First and Second round obligation.

2009 HE&FSP and Amendment

After the Second Round, COAH revised its methodology for the Third Round and introduced the concept of "growth share" into calculating the prospective affordable housing obligation of municipalities. There were two adopted iterations and a third proposed iteration of the Third Round regulations because of successful court challenges that invalidated the "growth share" methodology aspects of the Third Round regulations. The Town of Westfield proceeded to prepare a HE&FSP in conformance with the second iteration of the Third Round regulations and subsequently adopted a 2009 HE&FSP on May 27, 2009. The plan proposed to: (1) address the prior round obligation with assorted credits for completed housing; (2) address the rehabilitation obligation with a local home improvement program; and (3) adjust the growth share obligation down to 90 units, based on another review of vacant land as allowed by the 2008 COAH rules.

The 2009 HE&FSP was amended on February 4, 2013, after and in accordance with a settlement of Mount Laurel litigation that had been instituted against the Town entitled Sunnyside Senior Housing of Westfield, LLC v. Town of Westfield, et al., Docket No. UNN-L-135-09 (the "Sunnyside Settlement"), to include Sunnyside Senior Housing's property (the "Sunnyside property") as an inclusionary housing site.

2013 HE&FSP and Amendments

A 2013 HE&FSP was adopted by the Planning Board on April 10, 2013 and subsequently endorsed by the Town Council. The Council then considered zoning ordinances to implement the 2013 HE&FSP. The owner of one designated inclusionary site (the South Avenue TOD) requested of the Town Council that this site be excluded from the rezoning, as it did not plan to redevelop the site as proposed in the 2013 HE&FSP. With the adoption of the first amendment to the 2013 HE&FSP on December 2, 2013, the South Avenue TOD site was deleted from the plan as a development site for inclusionary housing.

Table 2
2013 HE&FSP

Type of Project	Units/Credits Addressing Prior Round 139-unit Affordable Housing Obligation		Third Round Units/Credits
	RDP 51 Units	Unmet Need 88 Units	
Special Needs Housing	10		10
Prior Round Rental Bonus	6		
Regional Contribution Agreement w/ City of Elizabeth	21		
Westfield Senior Citizen Housing (Court approved first round plan - 130 affordable units)	12	88	30
Prior Round Bonus	2		
Inclusionary Zoning:			
Court-approved first round plan (Myrtle 5 units; Williams 10 units)			15
North Avenue TOD (8 units)			8*
New Street TOD (6 units)			6*
Sunnyside (4 units)			4*
Subtotal Units/Credits	139		73
Total Units/Credits	212		

*Per 10/7/2013 Judgment Credits to be granted future credits upon preliminary site plan approval

On October 7, 2013, the Superior Court (Frederic S. Kessler, P.J.Ch.) entered a Judgment of Compliance and Repose (the "2013 Judgment") in the Sunnyside litigation, re-affirming the vacant land adjustment that had been granted in the 1991 Judgment, declaring the Town to be in compliance with its Second Round affordable housing obligation, granting credits towards the Town's Third Round affordable housing obligation, and granting the Town repose and immunity from Mount Laurel litigation until such time as a deadline for filing a Third Round affordable housing plan was established by new legislation or future Supreme Court decision.

Second Amendment to 2013 HE&FSP

A second amendment to the 2013 HE&FSP was adopted by the Planning Board on November 3, 2014. The purpose of the second amendment was to reflect changes resulting from a proposal presented to the Town to develop properties within the NS-AMFH zone. To achieve the goal of providing affordable housing, the density of the development was increased and the set-aside percentage was decreased from 20% to 10%. Relevant tables in the Fair Share Plan concerning Credits for Future Round were also changed to reflect the addition of one affordable unit to be provided through the development proposal, and to delete from the 2013 HE&FSP several lots that had been recommended to be placed in the NS-AMFH zone.

Table 3
2013 HE&FSP First Amendment

Project, Date, Established and Location	No. of Affordable Units	Rental Housing	Population Served	Prior Round RDP Credits	Prior Round Rental Bonus	Prior Round Unmet Need	Third Round Credits/ Units
Special Needs and Permanent Supportive Housing (20 units – all housing is occupied)							
ARC – 1982 478 Whittier (Poets Place)	4 (BR)	Yes	Develop. Disabled	4			
ARC – 1989 56 Mohawk Trail	4 (BR)	Yes	Develop. Disabled	4	4		
Our House – 2001 506 Boulevard	6 (BR)	Yes	Develop. Disabled	2	2		4
Homefirst Interfaith - 2009 550 Trinity Place	2	Yes	Homeless Disabled				2
Homefirst Interfaith – 2010 706 Central Avenue	2	Yes	Homeless Disabled				2
Homefirst Interfaith - 2011 710 Central Avenue	2	Yes	Homeless Disabled				2
Regional Contribution Agreement (Terms Fulfilled by Westfield)							
RCA with the City of Elizabeth - 1993	21		N/A	21			
Senior Citizen Housing Constructed in 1995 and Occupied							
Westfield Senior Citizens	130	Yes	Seniors	12	2	88	30
Inclusionary Zoning (Proposed Affordable Housing)							
Court-approved First Round Williams Property: 52 Total units/IO affordable	10	No	Families				10
Court-approved First Round Myrtle Avenue Tract: Zoning permits 34 units/7 affordable	5	No	Families				5
Credits Granted by Court Order/Judgment of Repose on October 7, 2013				51		88	55
Future Credits: Sunnyside Settlement: 4 affordable	4	Yes	Families				4*
Future Credits: New Street TOD (6 affordable); North Avenue TOD (8 affordable)		Option	Families				6* 8*
GRAND TOTAL OF UNITS AND CREDITS	212			51		88	73

*Per 10/7/2013 Judgment Credits to be granted future credits upon preliminary site plan approval

The developer submitted concept plans showing that the properties owned by it (Block 3207, Lots 1 and 4 and Block 3208 Lot 1.02) could reasonably be developed at the proposed density, resulting in 68 residential apartment units. At a 10% set-aside, this development proposal would have provided 7 affordable units, surpassing the six units proposed in the then current 2013 HE&FSP.

As a result of the development proposal, the remaining properties within the zone were no longer necessary for inclusionary development. These remaining properties were identified on the Town Tax Maps as Block 3207 Lots 2,3,5 and 6, and Block 3208 Lot 2. Therefore, the re-delineation of the NS-AMFH zone district boundary was recommended for the purpose of removing the tax lots that were included in the rezoning of properties in conformance with the 2013 Plan. These identified tax lots were rezoned back to and became part of the existing GB-3 zone. This was the same zone that these lots were part of prior to the establishment of the NS-AMFH zone.

FSHC objected to the 10% set aside aspect of the development proposal and, as such, the Town presented the proposal to the Superior Court to decide via a motion to amend the 2013 Judgment. The Superior Court (Thomas Walsh, J.S.C.) granted the Town's motion and ruled that the 10% set aside was appropriate. This was memorialized in a February 6, 2014 Order (the "February 2015 Order") amending the 2013 Judgment.

Third Amendment to the 2013 HE&FSP

Shortly thereafter, the Town and FSHC entered into a settlement agreement resolving the dispute. A Consent Order was entered into memorializing this settlement, which was then filed by the Superior Court on April 1, 2015 (the "April 2015 Order"), modifying the February 2015 Order. The April 2015 Order included the following provisions:

Increase in the density of the development to 70 rental-housing units with a 13% set-aside (consisting of 61 market rate units and 9 affordable units).

Of the 9 affordable units, 4 were designated two bedroom units and 5 were designated one bedroom units.

Of the 9 affordable units, 5 were designated moderate income units and 4 were designated low income (3 low and 1 very low).

As a result of the April 2015 Order, a third amendment to the 2013 HE&FSP was adopted on May 4, 2015. This third amendment provided that the existing provisions contained within the Land Use Ordinance for the NS-AMFH zone would be amended to allow for the density, set-aside, bedroom distributions, and low/moderate income split as described above.

It should be noted that the tables have been corrected from what was indicated in the approved plan documents to accurately reflect the court order referenced above.

Table 4
2013 HE&FSP Second Amendment

Project, Date, Established and Location	No. of Affordable Units	Rental Housing	Population Served	Prior Round RDP Credits	Prior Round Rental Bonus	Prior Round Unmet Need	Credits for Third Round
Special Needs and Permanent Supportive Housing (20 units – all housing is occupied)							
ARC -1982 478 Whittier (Poets Place)	4 (BR)	Yes	Develop. Disabled	4			
ARC -1989 56 Mohawk Trail	4 (BR)	Yes	Develop. Disabled	4	4		
Our House -2001 506 Boulevard	6 (BR)	Yes	Develop. Disabled	2	2		4
Homefirst Interfaith - 2009 550 Trinity Place	2	Yes	Homeless Disabled				2
Homefirst Interfaith – 2010 706 Central Avenue	2	Yes	Homeless Disabled				2
Homefirst Interfaith -2011 710 Central Avenue	2	Yes	Homeless Disabled				2
Regional Contribution Agreement (Terms Fulfilled by Westfield)							
RCA with the City of Elizabeth - 1993	21		NA	21			
Senior Citizen Housing Constructed in 1995 and Occupied							
Westfield Senior Citizens	130	Yes	Seniors	12	2	88	30
Inclusionary Zoning (Proposed Affordable Housing)							
Court-approved First Round Williams Property: 52 Total units/I O affordable	10	No	Families				10
Court-approved First Round Myrtle Avenue Tract: Zoning permits 34 units/7 affordable	5	No	Families				5
Credits Granted by Court Order/Judgment of Repose on October 7, 2013				51		88	55
Future Credits: Sunnyside Settlement: 24 total units/4 affordable	4	Yes	Families				4*
Future Credits: New Street (rental); North Avenue TOD	7 8	Option	Families				14 8
GRAND TOTAL OF UNITS AND CREDITS	220			51		88	81

*Per 10/7/2013 Judgment Credits to be granted future credits upon preliminary site plan approval

Table 5
2013 HE&FSP Third Amendment

Project Date, Established and Location	No. of Affordable Units	Rental Housing	Population Served	Prior Round RDP Credits	Prior Round Rental Bonus	Prior Round Unmet Need	Credits for Third Round
Special Needs and Permanent Supportive Housing (20 units – all housing is occupied)							
ARC-1982 478 Whittier (Poets Place)	4 (BR)	Yes	Develop. Disabled	4			
ARC-1989 56 Mohawk Trail	4 (BR)	Yes	Develop. Disabled	4	4		
Our House – 2001 506 Boulevard	6 (BR)	Yes	Develop. Disabled	2	2		4
Homefirst Interfaith - 2009 550 Trinity Place	2	Yes	Homeless Disabled				2
Homefirst Interfaith – 2010 706 Central Avenue	2	Yes	Homeless Disabled				2
Homefirst Interfaith – 2011 710 Central Avenue	2	Yes	Homeless Disabled				2
Regional Contribution Agreement (Terms Fulfilled by Westfield)							
RCA with the City of Elizabeth - 1993	21		N/A	21			
Senior Citizen Housing Constructed in 1995 and Occupied							
Westfield Senior Citizens	130	Yes	Seniors	12	2	88	30
Inclusionary Zoning (Proposed Affordable Housing)							
Court-approved First Round Williams Property: 52 Total units/IO affordable	10	No	Families				10
Court-approved First Round Myrtle Avenue Tract: Zoning permits 34 units/7 affordable	5	No	Families				5
Credits Granted by Court Order/Judgment of Repose on October 7, 2013				51		88	55
Future Credits: Sunnyside Settlement: 24 total units/4 affordable	4	Yes	Families				4*
Future Credits: New Street (rental); North Avenue TOD	9 8	N. Ave Option/ New St: Rental	Families				18* 8*
GRAND TOTAL OF UNITS AND CREDITS	224			51		88	85

*Per 10/7/2013 Judgment Credits to be granted future credits upon preliminary site plan approval

The 2013 Judgment Carried Forward

As explained above, the 2013 Judgment: re-affirmed the vacant land adjustment that had been granted in the 1991 Judgment; declared the Town to be in compliance with its Second Round affordable housing obligation; granted credits towards the Town's Third Round affordable housing obligation; and granted the Town repose and immunity from Mount Laurel litigation until such time as a deadline for filing a Third Round affordable housing plan was established by new legislation or future Supreme Court decision.

Specifically, the Superior Court (Frederic S. Kessler, P.J.Ch.) held that the vacant land adjustment approved in the 1991 Judgment remained valid and that the Town had fully addressed its prior round obligation, consisting of the 51-unit realistic development potential and 88 units of unmet need. The court also determined that the Town's rehabilitation obligation was 41 units, addressed by participation in the Union County rehabilitation program with respect to single-family home rehabilitation and by establishing a local program to address substandard multifamily housing. The court further granted 55 additional credits that would be available to address any future affordable housing obligation. The Town is to be awarded credit for affordable rental units associated with the Sunnyside site and credit for the New Street and North Avenue TOD sites as and when preliminary site plan approval is granted for each of those inclusionary developments.

2014 HE&FSP

A 2014 HE&FSP was adopted by the Planning Board on November 3, 2014. The 2014 Plan was prepared in accordance with COAH's proposed third iteration of its Third Round rules even though COAH failed to adopt these rules by the October 22, 2014 deadline imposed by the Supreme Court resulting from the invalidation of the previously adopted rules. The Planning Board adopted the 2014 Plan, and the Town Council endorsed the plan because both anticipated that the Town would have to submit a Third Round plan to the Superior Court as it was anticipated that the Supreme Court would return all affordable housing matters back to the courts after COAH had failed to adopt the final set of rules. The housing figures used were the best available at the time the plan was adopted as they were prepared by COAH in conformance with the Second Round Methodology as required by the Courts.

The 2014 HE&FSP plan was comprised of the following three components:

Rehabilitation Share (48 units): A plan to address the need for the rehabilitation of 48 substandard units in Westfield.

Unanswered Prior Round Obligation (0 units): Westfield's obligation was identified as zero in recognition of the Town's compliance and implementation of prior rounds.

Fair Share of Prospective Need (93 units): The 2014 plan proposed to utilize 73 credits granted in the 2013 Judgment, with an additional 20 credits to be achieved with amendments to two previously established inclusionary affordable housing zone districts to increase permitted density, the rezoning of property to establish a new inclusionary zoning district, and the marketing of Town-owned properties for special needs housing.

2014 HE&FSP First Amendment

Simultaneously with the adoption of the third amendment to the 2013 HE&FSP on May 4, 2015, the Planning Board adopted a first amendment to the 2014 HE&FSP on May 4, 2015, both in response to the entry of the April 2015 Order, which included the following provisions:

Increase in the density of the development of the project located in the NS-AMFH zone to 70 rental-housing units with a 13% set-aside (consisting of 61 market rate units and 9 affordable units).

Of the 9 affordable units, 4 were designated two-bedroom units and 5 to be one bedroom units.

Of the 9 affordable units, 5 were designated moderate income units and 4 low income (3 low and 1 very low) units.

Implications of Court Decisions Affecting Westfield's Affordable Housing Obligation

The Superior Court's decisions over the history of Westfield's efforts to satisfy its affordable housing obligations is extremely important as it establishes three principles guiding the Town's compliance:

Westfield has satisfied all its prior round obligations up to the Third Round. Consequently, there is no prior round obligation or unmet need to satisfy.

Westfield was granted a vacant land adjustment in the 1991 Judgment in recognition of the fact that Westfield is a fully developed community with no capacity to grow. The vacant land adjustment granted by the Court significantly reduced the Town's prospective affordable housing obligation. It is further significant to note that the Court in the 2013 Judgment, re-affirmed the vacant land adjustment and ruled that the vacant land adjustment previously granted remained valid.

The Court in the 2013 Judgment also awarded credits to Westfield that are available to be applied to future affordable housing obligations.

2016 HE&FSP

The Town of Westfield's most recent HE&FSP document is dated October 19, 2016 and was adopted by the Planning Board on November 7, 2016 and endorsed by the Town Council on December 3, 2016. This document consolidated the Town's various housing plans into a single document and was prepared in anticipation of filing with the Court as part of the Town's declaratory judgment action. The 2016 HE&FSP reaffirmed the Town's inclusionary actions contained in the prior plan documents and proposed additional overlay zones to supplement its prior affordable housing efforts. This plan is now to be superseded by the present document as part of the Town's settlement with Fair Share Housing Center (FSHC) and Intervenors in the declaratory action and as approved by the Court on the recommendation of the Court Special Master.

Table 6
2014 HE&FSP Third Round Compliance

Project Date, Established and Location	No. of Affordable Units	Rental Housing	Population Served	Court-Approved Third Round Credits	Added Third Round Credits
Special Needs and Permanent Supportive Housing (10 units – all housing is occupied)					
Our House -2001 506Boulevard	4 (BR)	Yes	Develop. Disabled	4	
Homefirst Interfaith - 2009 550 Trinity Place	2	Yes	Homeless Disabled	2	
Homefirst Interfaith -2010 706 Central Avenue	2	Yes	Homeless Disabled	2	
Homefirst Interfaith -2011 710 Central Avenue	2	Yes	Homeless Disabled	2	
Proposed Special Needs/Supportive Housing (6 Units Town-Owned Land)					
Town-Owned Lands-Myrtle Ave: Lot 1, Block 4006 Lot 13, Block 4007	6	Yes	Develop Disabled/ Homeless		6
Senior Citizen Housing Constructed in 1995 and Occupied					
Westfield Senior Citizens	30	Yes	Seniors	30	
Inclusionary Zoning (Proposed Affordable Housing)					
Williams Property Court-approved First Round (8 du/ac 20% set-aside)	10	No	Families	10	
Proposed Third Round (16 du/ac 20% set-aside)	10	No	Families		10
Myrtle Avenue Tract Court –Approved 2013 Plan	5*	No	Families	5	
Approved Dev Application (16units w/3 affordable Lots 2, 3 Block 4006)	3				
339 W. Broad St (sales); TOD Zoning (31 du/5affordable)	5	Yes	Individuals &Families		5
New Street Future Credits Zoned TOD	7	Yes	Individuals &Families		14
North Ave Future Credits Zoned TOD	8	No	Families		8
Sunnyside Settlement (24 du/4affordable sales)	4	Yes	Families		4
Totals: Credits	93			55	47
Grand Total				102	

Table 7
2014 HE&FSP First Amendment

Project, Date, Established and Location	No. of Affordable Units	Rental Housing	Population Served	Court-Approved Third Round	Added Third Round Credits
Special Needs and Permanent Supportive Housing (10 units – all housing is occupied)					
Our House – 2001 506 Boulevard	4 (BR)	Yes	Develop. Disabled	4	
Homefirst Interfaith - 2009 550 Trinity Place	2	Yes	Homeless Disabled	2	
Homefirst Interfaith – 2010 706 Central Avenue	2	Yes	Homeless Disabled	2	
Homefirst Interfaith - 2011 710 Central	2	Yes	Homeless Disabled	2	
Proposed Special Needs/Supportive Housing (6 Units Town-Owned Land)					
Town-Owned Lands- Myrtle Ave: Lot 1, Block 4006	6	Yes	Develop. Disabled/ Homeless		6
Senior Citizen Housing Constructed in 1995 and Occupied					
Westfield Senior Citizens	30	Yes	Seniors	30	
Inclusionary Zoning (Proposed Affordable Housing)					
Williams Property Court-approved First Round (8 du/ac 20% set-aside)	10	No	Families	10	
Proposed Third Round (16 du/ac 20% set-aside)	10	No	Families		10
Myrtle Avenue Tract Court –Approved 2013 Plan	5	No	Families	5	
Approved Dev Application (16 units w/3 affordable/ Lots 2, 3 Block 4006)	3				
339 W. Broad St TOD(sales)(31du/ 5 affordable)	5	Yes	Individuals & Families		5
New Street Future Credits Zoned TOD	9	Yes	Individuals & Families		18
North Ave TOD (sales)	8	No	Families		8
Sunnyside Settlement (24 du/4 affordable) (sales)	4	Yes	Families		4
Total: Credit	95			55	51
Grand Total				106	

HOUSING PLAN ELEMENT

As outlined previously, a municipal master plan's housing plan element must contain information on the municipality's housing stock, demographics, and employment characteristics. The sections below present data based on the 2010 Census, largely taken from the American Community Survey, which is available on the United States Census Bureau's website.

Inventory of Housing Stock

Housing Types & Occupancy Characteristics

The American Community Survey indicates that there is a total of 10,554 housing units in the Town of Westfield. There were 8,229 detached single-family residential units, comprising 78% of total housing stock, and 2,325 attached single-family and multifamily dwellings, representing 22% of the housing stock. The following table displays the types of housing available in the Town in 2010.

Table 8
Housing Types -2010

Units in Structure	Number	Percent
Single Family		
1 Unit, Detached	8,229	78.0
1 Unit, Attached	344	3.3
Multifamily		
2 Units	678	6.4
3-4 Units	427	4.0
5-9 Units	208	2.0
10-19 Units	164	1.6
20-49 Units	461	4.4
Mobile Homes	43	0.4
Other		
Boat, RV, Van, etc.	0	0.00
Total	10,554	100

Source: U.S. Census, American Community Survey, DP04-5 Year estimates

According to the American Community Survey, 10,090 units (95.6%) in the Town were occupied at the time of the census, while the remaining 464 housing units (4.4%) were vacant. Amongst occupied housing units, 8,172 (81%) were owner-occupied and 1,918 (19%) were renter-occupied.

Age of Housing

The age of residential structures in Westfield reflects the character of an older community, with most development occurring during the early settlement of the Town, the housing expansion of the post-WWII years, the "baby boom" era, and growth that occurred throughout the 1960s. The American Community Survey indicates that 37.5% of Westfield's housing was constructed prior to 1940 (see table below). Only about 11.5% (1212 units) of Westfield's housing stock is less than 30 years old.

Table 9
Age of Housing

Year Built	Number	Percent
2005 or later	224	2.1
2000 to 2004	225	2.1
1990 to 1999	250	2.4
1980-1989	513	4.9
1970-1979	643	6.1
1960-1969	1,085	10.3
1950-1959	2719	25.8
1940-1949	942	8.9
1939 or earlier	3,953	37.5

Source: US Census Bureau, American Community Survey, DPO4 5-Yr estimates

Housing Values

The American Community Survey reports that, based on the 2010 Census, the median owner-occupied housing unit value in Westfield was \$649,800. Median gross rent for renter-occupied housing units in Westfield was \$1,425 in 2010. The following tables display housing values and rents.

Table 10
Values of Owner Occupied Units: 2010

Value	Number	Percent
Less than \$5,000	25	0.3
\$50,000 to \$99,999	57	0.7
\$100,000 to \$149,000	18	0.2
\$150,000 to \$199,999	105	1.3
\$200,000 to \$299,999	272	3.3
\$300,000 to \$499,999	1,750	21.4
\$500,000 to \$999,999	4,801	58.7
\$1,000,000 or more	1,144	14.0
Total Units	8,172	100
Median Owner-occupied Home Value: \$649,800		

Source: US Census Bureau, American Community Survey, DPO4 5-Yr estimates

Table 11
Monthly Rents of Renter-Occupied Housing Units: 2010

Gross Rent	Number	Percent
Less than \$200	13	0.7
\$200 to \$299	19	1.0
\$300 to \$499	103	5.7
\$500 to \$749	55	3.0
\$750 to \$999	249	13.7
\$1,000 to \$1,499	580	32.0
\$1,500 or more	795	43.8
No Rent Paid	104	n/a
Total Units Paying Rent	1,814	100
Median Rent: \$1,425		

Source: US Census Bureau, American Community Survey, DPO4 5-Yr estimates

Condition of Housing & Substandard Dwellings in Need of Rehabilitation

The determination of deficient housing relies on surrogate measures or indicators of deficiency. Under the Second Round regulations there were seven surrogate measures for deficient housing but these were then subsequently reduced by COAH's 2004 Third Round methodology to three surrogates: a) units that lack plumbing facilities; b) units with inadequate kitchen facilities; and c) overcrowding which is defined as units occupied by more than 1.01 or more persons per room. This change in surrogates was challenged under the growth share methodology litigation but was subsequently upheld by the Appellate Division and reaffirmed by the Supreme Court.

Utilizing these measures, the ensuing tables indicates the extent of deficient housing in Westfield.

Table 12
Indicators of Substandard Housing

Facility	Number	Percentage
Inadequate Kitchen (only)	32	0.30
Inadequate Plumbing (only)	18	0.17
Pre-1960 & Crowded	37	0.35

Source: American Community Survey (ACS) 2009-2013

As demonstrated by Table 12, the proportion of substandard units in Westfield is extremely low.

Number of Existing Affordable Housing Units in Westfield

There is a 100% affordable housing development in Westfield which is subject to affordability controls. Westfield Senior Citizens Housing Corporation (WSCHC) developed its first building, comprised of 172 units, in 1977. In implementing the First Round Superior Court approved compliance plan, the Town supported WSCHC in the construction of an additional 131 units (130 of which are affordable rentals), in a second building which was completed in 1995. In addition, as described in detail in Part 2 of this Plan, there are a number of organizations providing special needs housing serving 20 individuals in Westfield, which housing constitutes 100% affordable housing.

Demographic Characteristics

Population Trends

According to the US Census Bureau, Westfield's population saw a slight increase over the 1990's, rising from 28,870 in 1990 to 29,644 by the year 2000. Since 2000, the Census Bureau indicates the Town's population increased by approximately 2.3%. The increase is the second consecutive increase in Westfield's population since the declines reported in 1980 and 1990 as displayed in the table below.

Table 13
Population Growth: 1930-2010

Year	Population	Numerical Change	Percent Change
1930	15,801		
1940	18,458	2,657	16.8
1950	21,243	2,785	15.1
1960	31,447	10,204	48.0
1970	33,720	2,273	7.2
1980	30,447	-3,273	-9.7
1990	28,870	-1,577	-5.2
2000	29,644	744	2.7
2010	30,316	672	2.3

Source: US Census Bureau

Household Size and Type

According to the American Community Survey, the average household size in Westfield is now 2.93 persons, while the average family size is 3.39 persons. Household size has increased in Westfield since 2000 (see table below). The declines of prior decades attributed to aging of the population, lower fertility rates, later marriages, and increasing divorce rates appear to have come to an end.

Table 14
Household Size

Year	Total Population	Persons Per Household
1960	31,447	3.55
1970	33,720	3.42
1980	30,447	2.95
1990	28,870	2.78
2000	29,644	2.77
2010	30,316	2.93

Source: US Census Bureau

Population Age Characteristics

Westfield's 2010 population as reported by the US Census Bureau was 30,316 persons. The median age is 41. The male population was 14,584 while the female population was 15,732. Age data for males and

females for the Town of Westfield appear below.

Table 15
Age Characteristics: Male/Female: 2010

	Male		Female		Total	
Under 5	1,007	6.9	1,006	6.4	2,013	6.6
5-19	3,957	27.1	3,631	23.1	7,588	25.0
20-29	919	6.3	939	6.0	1,858	6.1
30-49	4,133	28.3	4,645	30.0	8,778	30
50-64	2,978	20.4	3,136	20.0	6,114	20.2
65 and older	1,590	10.9	2,375	15.1	3,965	13.1

Source: US Census Bureau.

Income Levels

Income levels are displayed in the table below. Median household income reported for 10,121 Westfield households for 2010 was \$127,799, while median family income was \$150,797.

Median income for full-time, year-round male workers was \$111,762 while \$71,217 for full-time, year-round female workers (although not necessarily engaged in the same types of employment). Per capita income was \$63,498.

Table 16
2010 Household Income

Income	Number	Percent
Less than \$10,000	72	0.7
\$10,000 to \$14,999	269	2.6
\$15,000 to \$24,999	340	3.3
\$25,000 to \$34,999	372	3.6
\$35,000 to \$49,000	506	4.9
\$50,000 to \$74,999	1188	11.5
\$75,000 to \$99,999	991	9.6
\$100,000 to \$149,000	1776	17.2
\$150,000 to \$199,999	1281	12.4
\$200,000 or more	3532	34.2
Total Households	10,327	100.0

Source: US Census Bureau, American Community Survey, DP03 5-yr estimates

Employment Characteristics of Westfield Residents

Westfield residents primarily work in the private sector. The tables below display information relative to employment by occupation and by industry. All data reflects information on employed residents who were 16 years of age or older at the time of the 2010 Census.

The Census Bureau reports that the mean travel time to work was 33.5 minutes, suggesting that most

residents work outside the community. Out of 13,381 residents reporting on commuting patterns, 1,956 residents reported using public transportation to commute, while the clear majority, 9,547 residents, reported driving to work alone in a motor vehicle. Seven hundred and eighty-six residents reported working at home.

Table 17
Occupations of Westfield Residents: 2010

Occupation	Number	Percent
Management, business, science, and arts occupations	7,847	57.0
Service occupations	1,257	9.1
Sales and office occupations	3,591	26.1
Natural resources, construction, and maintenance occupations	415	3.0
Production, transportation, and material moving occupations	662	4.8
Total	13,772	100.0

Source: US Census Bureau, American Community Survey, DP03 5-yr estimates

Table 18
Employment of Westfield Residents by Industry: 2010

Industry	Number	Percent
Agriculture, forestry, fisheries, hunting, mining	0	0
Construction	598	4.3
Manufacturing	1,347	9.8
Wholesale trade	421	3.1
Retail trade	1,282	9.3
Transportation, warehousing, utilities	407	3.0
Information	469	3.4
Finance, insurance and real estate	2,333	16.9
Professional, scientific, management, administrative, waste management services	2,322	16.9
Educational services, health, social assistance	2,771	20.1
Arts, entertainment, recreation, food services	781	5.7
Other services, except public administration	406	2.9
Public administration	635	4.6

Source: US Census Bureau, American Community Survey, DP03 5-yr estimates

Characteristics of Existing & Outlook for Future Employment in Westfield

From a land use planning perspective, there is no significant new development potential in areas of the Town zoned for nonresidential purposes. The information obtained from the NJ Department of Labor, indicated below report the number of jobs covered by unemployment compensation. The table displays a declining trend of employment in Westfield between 2015 and 2016, despite a growing national economy % during that period. Overall, employment was 6.3% less in 2016 compared to 2013 with declines in both public and private sector employment. Employment can be expected to grow and recover to previous levels as the National, State and even World economies continue to expand at ever accelerating rates which has resulted in sharp decreases in unemployment rates.

Table 19
Employment Trend
(Jobs Covered by Unemployment Insurance)

Covered Employment	2013	2014	2015	2016
Total Annual Covered Employment	11,179	11,144	11,305	10,476
Annual Average Private Sector Employment	8,101	8,333	8,535	7,678
Annual Average Federal Gov't Employment	68	67	68	64
Annual Average Local/State Gov't Employment	3,010	2,744	2,702	2,734

Source: NJ Department of Labor website

Projection of Municipal Housing Stock

The FHA requires that a community provide a projection of future housing based upon an assessment of data which minimally includes the number of housing units constructed or construction permits issued during the last ten years. In summary, as will be detailed in a subsequent section of this document, single family residential development is not anticipated to expand due to the lack of vacant land to accommodate new growth. Any residential growth that is expected to occur will be as a result of housing units being constructed in response to the implementation of the Town's housing plan primarily through the redevelopment of existing developed parcels.

Housing Units Constructed During the Last Ten Years

Table 20
Certificates of Occupancy Issued for Residential Units 2006-2016

Year	1 & 2 Family	Multifamily	Mixed Use	Total Units	Demolitions
2006	62	0	26	88	81
2007	70	1	6	77	40
2008	62	12	1	75	27
2009	29	0	0	29	12
2010	5	0	0	5	16
2011	4	0	0	4	24
2012	3	0	0	3	35
2013	1	0	0	1	51
2014	4	0	0	4	67
2015	7	0	0	7	87
2016	1	0	0	0	77
TOTAL	248	13	33	497	517

Source: NJ Construction Reporter

Table 21
Housing Units Authorized by Building Permits for New Construction 2006-2016

Year	1 & 2 Family	Multifamily	Mixed Use	Total	Demolitions
2006	81	0	7	88	81
2007	50	0	0	50	40
2008	49	0	0	49	27
2009	18	0	0	18	12
2010	23	0	0	23	16
2011	23	0	0	23	24
2012	37	0	0	37	35
2013	47	0	0	47	51
2014	74	0	0	74	67
2015	90	0	0	90	87
2016	82	0	0	82	77
TOTAL	574	0	7	581	517

Source: NJ Construction Reporter

As indicated above, over the past decade, the Town of Westfield issued 248 certificates of occupancy over the past eleven years for new housing construction for mostly one and two-family dwellings. It should be further noted however, that 517 housing units were also demolished during this time frame. When housing construction and certificate of occupancy activity is reviewed in the context of demolitions, it becomes apparent that housing construction reflects the replacement of existing single-family homes resulting in little to no growth in the Town's housing stock. Given the age of Westfield's housing stock, it becomes more apparent that existing older homes are being replaced with newer housing which is resulting in a gradual modernization of the community's housing stock but without the significant generation of additional units.

Data presented in the above tables indicate that housing construction results in replacement housing that is not adding to the Town's housing stock.

Projection of Present and Prospective Need for Affordable Housing

The FHA requires that there be a determination of the municipality's present and prospective affordable housing need in the housing plan element. Until the Third Round, COAH established present and prospective need figures for each municipality utilizing a methodology that was upheld by the courts in various challenges. Because COAH failed to adopt Third Round rules in accordance with the Supreme Court's March 10, 2015 decision, municipalities are left with the burden of determining their present and prospective affordable housing needs on their own.

As can be imagined, it is a tremendous burden for a municipality to expend considerable resources and time to perform the necessary research to calculate its own individual affordable housing need which are based upon the entire state, regions within the state and then allocated to municipalities based upon statistical formulas.

Given the practical difficulties this presents to municipalities, a consortium of municipalities joined together to hire a consulting firm with expertise in affordable housing. This consortium hired Econsult Solutions, Inc. (Econsult) to develop statewide, regional and local fair share figures that would satisfy court review

based upon the mandate given by the Supreme Court that the fair share methodology be the same or like that established by COAH in the prior First and Second Round Rules. The Town of Westfield is a member of that consortium. It is also acknowledged however, that the issue of a municipality's "fair share obligation," as determined by Econsult, is in dispute as these figures have been challenged in the courts with alternative studies provided by FSHC as well as the New Jersey Builder's Association. This has fostered ongoing litigation throughout the vicinages that remains unsettled to this date. Given the controversy surrounding the "numbers" many municipalities have opted to settle their declaratory judgment actions with the FSHC to avoid the expensive costs of protracted litigation. Although the Town disputes and does not agree with the prospective need assigned to it, for purposes of settlement, the Town of Westfield identifies its affordable housing need projections as follows:

Prior Round:	139
Present Need:	15
Prospective Need:	<u>1,090</u>
Total Need	1,244

Westfield's State Plan Designation

In 2001, the State Planning Commission adopted the *New Jersey State Development & Redevelopment Plan*, which designated the entire Town of Westfield within Planning Area I (PA-I), the Metropolitan Planning Area. Metropolitan PA-I areas include a variety of community types ranging from densely populated urban centers to 19th Century towns shaped by commuter rail and post-WWII suburbs. Historically, these areas have received significant public infrastructure investments, including streets and highways, schools and other public institutions, and publicwater and waste disposal systems.

A new state plan, the final draft of which is entitled *The State Strategic Plan*, is being considered for adoption by the State Planning Commission. The new plan will not designate planning areas in the same manner as in 2001. Instead, the plan proposes the designation of targeted "investment" areas ranging from growth areas to preservation areas to guide state investments and policy decisions. As of this date the *State Strategic Plan* has not been adopted by the State Planning Commission.

Vacant Land Analysis

The Town of Westfield is a fully developed community with extremely limited land resources available for future development. This accounts for the relative lack of growth the Town has experienced over the past thirty (30) years as presented in the statistical data detailed in the housing element.

Throughout the process of obtaining court certification of its affordable housing compliance plans, the lack of developable land has long been held as a valid basis for adjusting the Town's obligation. The courts have repeatedly granted or affirmed vacant land adjustments applied for by the Town and these have shaped its affordable housing obligation.

COAH Second Round Regulations

COAH Substantive Rules, Subchapter 4 of the Second Round regulations adopted by COAH and up to date through May 2, 2002, establishes an administrative mechanism whereby a municipality can adjust its pre-credited affordable housing obligation on the basis that the municipality simply lacks the available land resources to satisfy its calculated obligation. The regulations are embodied in N.J.A.C. 5:93-4.1 et. seq.

N.J.A.C. 5:93-4.1 (a) provides:

- (a) *Subchapters 2 and 3 delineate the criteria for determining the municipal housing obligation. However, there may be instances where a municipality can exhaust an entire resource (land, water or sewer) and still not be able to provide a realistic opportunity for addressing the need for low and moderate income housing as determined by the Council. This subchapter outlines standards and procedures for municipalities to demonstrate that the municipal response to its housing obligation is limited by the lack of land, water or sewer. The procedures in this subchapter shall not be used to reduce or defer the rehabilitation component.*

Pursuant to N.J.A.C. 5:93-4.2 (a) and (b) the following information must be submitted for a determination that a municipality is entitled to a vacant land adjustment:

- (a) *Municipalities that request an adjustment due to available land capacity shall submit an existing land use map at an appropriate scale to display the land uses of each parcel within the municipality. Such a map shall display the following land uses: single family, two-to-four family, other multi-family, commercial, industrial, agricultural, parkland, other public uses, semipublic uses and vacant land.*
- (b) *Municipalities that request an adjustment due to available land capacity shall submit an inventory of vacant parcels by lot and block that includes the acreage and owner of each lot.*

Procedurally, the inventory of vacant lots is analyzed for their development potential and then the cumulative number of units is compared to the municipality's calculated obligation for a determination as to whether there is sufficient land to construct the obligated number of affordable housing units. If there is insufficient land available, the affordable housing obligation is adjusted accordingly.

The substantive rules, under N.J.A.C. 5:93-4.2 (e) 1- 6, permit the exclusion of certain properties from consideration, specifically: agricultural lands when the development rights to these lands have been purchased or restricted; lands that are constrained by the presence of environmental factors such as wetlands, flood plain, and steep slopes; historic and architecturally important sites (if listed on the State Register of Historic Places); active recreational lands; and conservation, parkland and open space lands permanently dedicated for public use. These factors are applied to each lot and the remaining acreage is then analyzed to determine its development potential.

Once each parcel is reviewed for potential limitations to development, a presumptive density is then applied to the developable acreage. It is significant to note that the rules under N.J.A.C 5:93-4.2 (c) 2.i permit the exclusion of vacant parcels that cannot accommodate at least five (5) dwelling units as follows:

- (c) *Municipalities shall exclude from the vacant land inventory:*
 - 2. *Any vacant contiguous parcels of land in private ownership of a size which would accommodate less than five dwelling units as per the COAH standard in (f) below;*
 - i. *In preparing a housing plan, a municipality may designate land in (c)2 above for affordable housing infill purposes, but is not required to do so.*

Finally, N.J.A.C. 93-4.2 (f) provides that

- (f) *The Council shall consider sites, or parts thereof, not specifically eliminated from the inventory described in (d) above, for inclusionary development. The Council shall consider the character of the area surrounding each site and the need to provide housing for low and moderate income households in establishing densities and set-asides for each site, or part thereof, remaining in the inventory. The minimum presumptive density shall be six units per acre and the maximum presumptive set-aside shall be 20 percent. The density and set-aside of each site shall be summed to determine the RDP of each municipality.*

Consequently, given the development parameters outlined above, all lots smaller than 0.83 acres are excluded from consideration. It is also noteworthy, that in considering sites not specifically eliminated from the Vacant Land Analysis, COAH is required to consider the character of the surrounding area in determining whether a property should be included or not as a developable site contributing to municipality's RDP.

The Vacant Land Analysis was prepared in accordance with the Second Round rules, specifically, N.J.A.C. 5:93-4.1, which details the methodology for adjustments to municipal housing obligations. Essentially, the rules permit a reduction in a municipality's fair obligation where it can be demonstrated that it lacks the land capacity to develop. The adjustment results in establishing a municipality's RDP.

A complete inventory of vacant lots for the Town of Westfield was analyzed using current MOD IV tax data and GIS mapping to identify property lot locations, limitations to development, and lot size configuration. Additionally, Town owned vacant lots were also analyzed to determine their availability for affordable housing development. Where appropriate, contiguous lots for land assembly were also searched to identify opportunities to consolidate properties for affordable housing development.

Based upon this analysis it was determined that there were no contributing parcels that may qualify as "buildable lots" under the Second Round COAH rules.

The vacant land inventory reflects that most lots were scattered, isolated sites, and undersized. Other lots identified as vacant were also confirmed as either already developed or under development and, therefore, unavailable for affordable housing development. Lots under development were isolated, single family lots that were undersized by definition of developable in COAH's rules. Their vacant status is likely due to the fact that certificate of occupancies has not yet been issued by the Town for ongoing construction of units. Further, other lots that were potentially developable either were environmentally constrained or otherwise already identified for affordable housing development.

There are 214 vacant lots in Westfield comprising 62 acres of land area, which represents an average lots size of only 0.29 acres. Of the 214 lots, only 8 parcels satisfy the minimum lot area requirement for consideration under COAH rules comprising a total of only 11.73 acres. This represents only 3.7 percent of the total number of vacant lots. These are listed in the ensuing table.

Table 22
Vacant Land

Address	Bl/Lot	Owner	Acres	Comment
1485 Prospect St	101/1	Camelot, LLC	3.29	Excluded per N.J.A.C. 5:93-4.2 (f)
694 Rahway Ave	4301/4	Villane, Joan	1.34	Property bisected by stream
Kimball Circle	2002/1	Kimball Circle Assoc	1.65	Roadway Center Island
421 South Avenue	3307/1	Sevell South Ave #10, LLC	1.38	Already included as an affordable housing site
321 Grove St	4006/3	Westfield Crossing, LLC	1.24	Already included as an affordable housing site
Kimball Circle	2002/2	Kimball Circle Assoc	1.0	Roadway Center Island
1258 Prospect St	101/44	Park East, LLC	0.96	Excluded per N.J.A.C. 5:93-4.2 (f)
909 Woodmere Dr	201/77	Brightwood Association	0.87	Water body/Pond

Of the lots identified above, two are already included within existing or proposed affordable housing zones. The remaining lots are excluded from consideration because they are not available for development (roadway center island and pond), are not developable due to the presence of environmental constraints (the presence of streams and associated wetlands and flood hazard area) or are isolated lots within prevailing single family residential zones where multifamily development would be incompatible with the prevailing character of the surrounding area.

Property identified as Block 101, Lot 1 located at 1485 Prospect Street is surrounded by large lot single family residential development and is therefore, excluded pursuant to N.J.A.C. 5:93-4.2 (f). Although the parcel is 3.29 acres, the property was previously developed with a single-family residence and is located within the RS-40, single family zone which is the Town's lowest density zone which only permits single family development on one acre lots.

The site is excluded by the fact that multifamily development would be so out of character with the existing low density, single family residential area that characterizes the surrounding land use pattern, that development, for anything other than single family, would be detrimental to the surrounding area by introducing a land use that is clearly inconsistent and incompatible with the established residential neighborhood.

The same exclusion is applied to property identified as Block 101, Lot 44 located at 1258 Prospect Street for the same reason as outlined above.

As to publicly owned property, a review of municipally owned properties indicates that the Town does not own parcels that would qualify for development. Town owned parcels are either designated as parkland, are dedicated to some municipal purpose or are otherwise landlocked, have environmental constraints, are undersized or are irregularly shaped and therefore, do not provide for a realistic development opportunity that satisfy the criteria required under COAH regulations.

The Town owns one parcel, located on Myrtle Avenue, and further identified as Block 4006, Lot 1 that it deems appropriate and viable for a 100 percent municipally sponsored affordable housing site for special needs housing which is incorporated into the Town's RDP for this round as described below.

Although vacant and undersized by COAH rules, 440 North Avenue East, Block 3202, Lot 7 (0.41 acres) was identified by the Court appointed Special Master as a lot that has development potential by virtue of its inclusion within the overlay zone proposed over portions of the North Avenue corridor to address unmet need. Consequently, the VLA includes this parcel.

Calculation of RDP

Given the scarcity of available vacant land, the Town has sought to satisfy its affordable housing obligation primarily through the redevelopment of existing properties by rezoning developed properties near the center of Town and Westfield's rail station to create opportunities for affordable housing development. These present the best opportunities for affordable housing development due to their compatibility with surrounding land uses, proximity to mass transit and walkability to stores and services. The Town will also pursue opportunities to develop special needs housing in conjunction with nonprofit agencies.

Notwithstanding the conclusion of the Vacant Land Analysis that reveals that the Town of Westfield is a fully developed community with no vacant land resources for development, COAH rules require further investigation of other "development opportunities" that may realistically occur that may accommodate affordable housing in determining a municipality's RDP. Specifically, COAH rule section N.J.A.C. 5.93-4.2 (d) provides:

- (d) *The Council shall review the existing land use map and inventory to determine which sites are most likely to develop for low and moderate income housing. All vacant sites shall initially be presumed to fall into this category. In addition, the Council may determine that other sites, that are devoted to a specific use which involves relatively low density development would create an opportunity for affordable housing if inclusionary zoning was in place. Such sites include, but are not limited to: golf courses not owned by its members; farms in SDRP planning areas one, two and three; driving ranges; nurseries; a nonconforming uses. The Council may request a letter from the owner of sites that are not vacant indicating the site's availability for inclusionary development.*

Consistent with N.J.A.C. 5.93-4.2 (d) cited above and as a basis for settlement of its Third Round affordable housing obligation with FSHC and Court, the Town of Westfield agrees that its RDP is established as 62 dwelling units based upon the following properties indicated below:

Table 23
Third Round RDP

Parcel	Area (ac)	Total Yield (du)	RDP (du)
Williams Nursery 522 Springfield Avenue Block 1905, Lot 13	6.5	80	15.6(3)
430 Central Avenue Block 3006, Lots 5-9	0.81	33	6.6(4)
Former South Ave. TOD Block 3307, Lot 1	1.38	41	8.3(5)
Myrtle Avenue Block 4006, Lots 2 & 3	1.55	16	3.2
Myrtle Avenue Block 4006, Lot 1 (ARC)	0.67	6	1.0
WBS AMFH Block 3001, Lots 1 & 6	0.48	31	6.2
Sunnyside – 206 Springfield Avenue Block 3905, Lots 27	1.46	24	4.8
NS AMFH Claremont Block 3207, Lot 1.01	1.5	70	14
440 North Avenue East Block 3202, Lot 7	0.41	10	2
Total RDP			61.7(62)

The RDP established above is in accordance with the settlement agreement with FSHC. Each site satisfies COAH regulations as to the designation of sites appropriate for development pursuant to N.J.A.C. 5:93-5.3 (b) as follows:

- (b) *Municipalities shall designate sites that are available, suitable, developable and approvable, as defined in N.J.A.C. 5:93-1. In reviewing sites, the Council shall give priority to sites where infrastructure is currently or imminently available. All sites designated for low and moderate income housing shall be consistent with the applicable area wide water quality management plan (including the wastewater management plan) or be included in an amendment application filed prior to the grant of final substantive certification. If there is a denial by DEP or at the end of two years if there is no DEP determination, then COAH shall revisit the site and housing plan to determine if it provides a realistic opportunity.*

A “Developable site” as referred to by the above section is defined under N.J.A.C 5:93-1.3 as follows:

3 RDP based upon differential in density between Prior Round (8du/ac) and Third Round (20du/ac).

4 RDP based upon assumption of residential use on all 3 floors of building approved for site.

5 RDP based upon 30 du/ac density.

Developable site” means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area wide water quality management plan (including the wastewater management plan) or is included in an amendment to the area wide water quality management plan submitted to and under review by DEP.

Each contributing site to RDP is suitable, developable and appropriate based upon COAH regulations. In fact, each site referenced in the above table was identified and included for affordable housing development in previously adopted plans. The basis for each is outlined below.

Williams Nursery – 522 Springfield Avenue; Block 1905, Lot 13

The Williams Nursery is a 6.5-acre tract located at 522 Springfield Avenue which is a major arterial roadway providing direct access to the site. Presently the property is utilized as a garden supply and nursery business. The site has access to sewer and water and there are no environmental constraints that would impede reasonable development of the property. Furthermore, the site was previously identified as developable and suitable for development by the Court-appointed Master and was approved by the Superior Court for inclusionary zoning in 2013. Consequently, the property satisfies the COAH requirements as a developable site.

Central Avenue Properties – 430 Central Avenue; Block 3006, Lots 5-9

The properties located at 430 Central Avenue consist of 5 unimproved lots which in total measure 0.82 acres in size.

The site is located 0.3 miles from the Westfield Train Station. There is no bus service along Central Avenue so the primary access to mass transit would be the rail station. The site is surrounded by the GB-1 zone district to the north, south and east; and, the RM-6 and RM-12 zone districts to the west. The GB-1 zone district allows for residential use within mixed use buildings, and the RM-6 and RM-12 districts allow for single and two family residential uses.

Given the developed character of the surrounding area which consists of both residential and commercial development and present zoning that permits residential development within mixed use buildings, the site is appropriate for residential affordable housing development.

The site has access to sewer and water and there are no environmental constraints that would impede reasonable development of the property and satisfies the COAH requirements as a developable site.

Former South Avenue TOD – 421 South Avenue East; Block 3307, Lot 1

The South Avenue TOD site is a 1.38-acre parcel located at 421 South Avenue. The site is presently a paved parking lot with no structures. The parcel was included as an inclusionary site in the adopted 2013 Housing Element and Fair Share Plan however; the Town amended the plan on December 2, 2013 to remove the property at the owner’s request.

The site is an underutilized parcel located in an area characterized by commercial development. Significantly, the property is 0.6 miles or approximately 11-minute walk to the Garwood Rail Station making the site ideal for transit oriented type development as originally contemplated.

Consequently, by its inclusion as a developable site in prior housing documents, its present underutilized condition and its proximity to the Garwood Rail Station satisfies the COAH requirements as a

developable site.

Myrtle Avenue – 314 Myrtle Avenue; Block 4006, Lots 2 & 3

The Myrtle Avenue parcel, located at 314 Myrtle Avenue is a 1.55-acre tract that received approval in 2012 to construct a multifamily development of 16 dwellings, of which 3 will be designated as affordable units. Consequently, by virtue of the site's approval as an inclusionary development, the site satisfies the COAH requirements as a developable site.

Myrtle Avenue – Block 4006, Lot 1 (100% ARC)

The Town of Westfield owns the Myrtle Avenue parcel located at 304 Myrtle Avenue with the intention of providing the property to a non-profit agency as a 100% affordable housing project for special needs housing. Partnering with a nonprofit agency, it is anticipated that this housing will yield 6 affordable housing units. The parcel is impacted by the presence of a tributary to the Rahway River which traverses a portion of the property thereby limiting the project density as reflected in the RDP calculation to a single building with 6 units. However, a significant portion of the parcel is developable and the property has access to road frontage, sewer and water. Additionally, the Town had identified the site for development as a 100% affordable housing site in previous housing plans that were subsequently reviewed and approved as appropriate by a court appointed Master and eventually the Court.

This parcel is incorporated in the Town's Housing Element as an inclusionary site and satisfies the COAH requirements as a developable site.

WBS AMFH – 339 West Broad Street; Block 3001, Lots 1 & 6

The property located at 339 West Broad Street consists of two parcels that comprise 0.48 acres of land. The parcel is further identified as the West Broad Street TOD as an inclusionary site in the adopted 2014 Housing Element and Fair Share Plan. Consistent with the 2014 Housing Element, the site is zoned WBS AMFH which permits multifamily development with a required affordable housing set aside. Furthermore, the site is appropriate for multifamily inclusionary development as it is approximately 0.4 miles or about an 8-minute walk to the Westfield Rail Station.

By virtue of its inclusion in previously adopted housing plans as approved by the Courts and its present inclusionary zoning, the site satisfies the COAH requirements as a developable site.

Sunnyside – 206 Springfield Avenue; Block 3905, Lot 27

The Sunnyside property, located at 206 Springfield Avenue, was the subject of a court settlement which resulted in its inclusion as an affordable housing site. The site is comprised of 1.46 acres of land situated on the northerly side of Springfield Avenue, east of Woodbrook Circle, adjacent to the municipal boundary with the Township of Cranford. The property is developed with a single-family dwelling that is proposed to be demolished.

Pursuant to the Sunnyside Settlement, the property was incorporated into the Town's 2013 amended Housing Element as an inclusionary site and subsequently the property was rezoned to a new district, the RA-SC Multifamily Residence District, permitting the construction of 24 multifamily residences including 4 affordable rental units.

The property is already an inclusionary property undergoing development and therefore, satisfies the COAH requirements as a developable site.

NS AMFH Claremont – 333 Central Avenue; Block 3207, Lot 1.01

The property located at 333 Central Avenue now Block 3207, Lot 1.01 was originally comprised of Block 3208, Lot 1.02 and Block 3207, Lots 1 and 4 but have since been merged into one single parcel of land containing 1.5 acres. This acreage includes land added to the properties by the Town vacating a portion of New Street. The parcel is identified as the New Street TOD, an inclusionary site in the adopted 2013 Housing Element and Fair Share Plan. Consistent with the 2013 Housing Element, the site is zoned NS AMFH which permits multifamily development with a required affordable housing set aside.

Furthermore, the site is appropriate for multifamily inclusionary development as a Transit Oriented Development as envisioned by the plan as it is approximately 0.2 miles or about a 4-minute walk to the Westfield Rail Station.

By its inclusion in the Town's Housing Element and its zoning, the site satisfies COAH requirements as a developable site.

440 North Avenue East; Block 3202, Lot 7

This lot is included within the calculation of RDP by its inclusion within the proposed overlay district that is intended to address the Town's unmet need per the settlement with FSHC. This lot was identified as available and developable by the Court Special Master in his report to the Court of July 14, 2017 and is therefore, included within the calculation.

FAIR SHARE PLAN

This Fair Share Plan describes the projects and programs that satisfy the Town's prior need obligation, rehabilitation requirement (present need), and the housing units required to meet its future housing obligation (prospective need) for the Third Round covering the period starting July 1, 2015 through July 1, 2025.

Prior Round Obligation from 1987 to 1999 – 0 Units

As detailed by Table 2 on page 6, the Town has completely satisfied its prior round obligation of 139 units. Westfield's Prior Round Obligation is therefore, 0.

Present Need – 15 Units

The Town's Present Need obligation (or so-called rehabilitation obligation) was initially calculated by Dr. David Kinsey on behalf of FSHC as 55 units. Concerned that this figure overestimated the actual need for housing rehabilitation experienced in Westfield, the Town opted to calculate its Present Need obligation pursuant to Section N.J.A.C. 5:93-2.2 Indigenous Need, which provides that a municipality may conduct its own housing survey as follows:

b) Municipal Indigenous Need may also be determined through a survey of the municipality's housing stock as indicated in Appendix C incorporated herein by reference, when such survey is deemed adequate and accepted by the Council for identifying deficient housing units occupied by low- or moderate-income households.

Utilizing forms and procedures provided by the NJDCA, the Town Construction Official and Planner conducted a town wide windshield survey to determine the number of substandard units that exist within Westfield. This survey was conducted on March 17, 2016 and identified twelve (12) properties that qualified for consideration as "substandard" with a total of 20 housing units. Survey results are provided in Appendix D. Information from the United States Census Bureau that is available from the Public Use Micro-Data Sample (PUMS) is then used to determine the number of these substandard units that are occupied by low to moderate income families.

As reported in the Public Use Micro Sample (PUMS) from the 2009-13 ACS, the regional deficiency for Region 2, which includes the Town of Westfield, is 70.7%. Applying this to the twenty units identified as substandard, a total of 14.1 units are occupied by low and moderate income families. Rounding up, this creates a Present Need obligation for fifteen (15) units.

It is the Town's intention to rehabilitate fifteen (15) substandard units within the Town subject to the requirements of N.J.A.C 5:97-6.1 and 6.2 as follows:

1. **Minimum Average per Unit Cost of \$10,000:** The amount expended on the "hard costs" of physical repairs must average at least \$10,000 per unit. Administrative costs required to conduct the program are over and above the hard costs allocated to repairs, and if funded from an affordable housing trust fund, the administrative expense is limited by the amounts prescribed in the community's "Spending Plan" consistent with state regulations (funds expended on administration cannot exceed 20% of the revenue in a trust fund).
2. **Repairs Must Include a Major System:** Repairs to deficient units must include the rehabilitation of

a major system. Examples include roof or structural repairs, heating, electrical and plumbing systems. Each housing unit participating in a rehabilitation program must be brought up to code standard [the New Jersey State Housing Code (N.J.A.C. 5:28)].

3. Eligible Applicants: Applicant and/or tenant households must be certified to be income-eligible (i.e. having a total household income of less than 80% of median) pursuant to the state's Uniform Housing Affordability Controls (UHAC), except that owner-occupants are exempt from the asset limit.
4. Owner-occupied and Rental Units Are Eligible: All rehabilitation programs must be structured to enable income-eligible owner-occupants and owners of rental properties to apply for program funding, subject to the affordability controls described below.
5. Affordability Controls: All units must comply with the following controls on affordability:
 - a. Owner-occupied units: Affordability controls, in the form of a lien recorded with the County Clerk shall be imposed for a minimum of 10 years. If an owner-occupied unit is sold prior to the expiration of controls, at least part of the loan must be recaptured and used to rehabilitate another unit, unless the dwelling is sold to an income-eligible household at an affordable price.
 - b. Renter-occupied units: Affordability controls, in the form of a deed restriction, which may also include a lien filed with the County Clerk, shall be imposed for a minimum of 10 years. If vacant, the initial tenant after rehabilitation (and all subsequent tenants during the control period) must be a certified lower moderate-income household. If the unit is occupied, prior to and upon completion of the rehabilitation, the maximum rent must be set at the lesser of the current rent or the maximum allowable rent pursuant to UHAC rules. Restricted rental rates are permitted to be increased annually in accordance with UHAC rules.
 - c. Funding Terms: Rehabilitation funds may be structured as low interest or forgivable loans or grants. Leveraging of private financing is encouraged if the result is low interest loans that encourage rehabilitation.
 - d. Administration: A source of funding for the program must be documented and a schedule illustrating how the rehabilitation will be completed must be developed. An experienced administrative agent must be selected or appointed to conduct the program in accordance with a program manual and detailed procedures consistent with NJ.A.C. 5:97-6.2.
 - e. Participation in County Programs: COAH rules contemplate the possibility that rehabilitation programs operated by county governments in New Jersey could provide a viable means of communities to satisfy their rehabilitation needs. If a County program complies with COAH's program requirements (summarized above), the community may fulfill the rehabilitation obligation through its participation in a county-sponsored program. Some county programs do not, however, fund rental rehabilitation other than owner-occupied two-family dwellings, which contain a rental unit. In these cases, COAH rules permit the municipality to conduct an adjunct program to facilitate rental rehabilitation.

Participation in the Union County Home Improvement Program

The Town of Westfield is currently an eligible community in the Union County Home Improvement Program. Westfield property owners who are income-eligible (earning less than 80% of median income) may apply for funding from the housing rehabilitation program being funded by Union County.⁶

The County allocates approximately \$450,000 each year to the program from its federal Community Development Block Grant (CDBG). The County's website contains a summary of the program and preliminary application form for interested applicants. The program is administered by Development Directions, LLC based in Rahway NJ, which conducts all work write ups and inspections. Funding for rehabilitation is provided as a deferred loan and a lien is filed with the County Clerk.

Currently, the Union County program limits eligible applicants to owner-occupied one- and two- family homes. Landlords of rental units are not eligible at this time, although the County did briefly offer this type of assistance in the past. Accordingly, the Town will continue its participation in the Union County program under current guidelines to enable eligible homeowners to receive assistance for housing rehabilitation. The Town has undertaken a marketing campaign to publicize the availability of the Union County Home Improvement Program to Westfield property owners.

To address rental rehabilitation, the Town Planner or a retained consultant will administer a Rental Rehabilitation Program to ensure that all rehabilitated units will meet the requirements outlined above. Funding under the Rental Rehabilitation Program is structured as a loan, ensuring that funds repaid will be made available for additional rehabilitation needs in the future. If, in the future, the County should decide to broaden its program eligibility to include the owners of substandard rental units beyond one and two-family owner-occupied dwellings, the Town will consider and may potentially expand its program to address all rehabilitation needs (owner-occupied and rental housing) depending upon demand for the program. At the present time however, given the low number of units to be rehabilitated under its Present Need obligation, the Town does not feel that expanding the program beyond eligible one-and two-family owner-occupied units is warranted.

Funding Available for Rehabilitation

Based on 15 units and the average hard cost of physical repairs of \$10,000/unit, the total cost of rehabilitation is expected to equal approximately \$150,000.00. As of January 30, 2018, the balance in the Town's Housing Trust Fund was \$510,804.15. In accordance with the Sunnyside Settlement, this money is required to be reserved to address Westfield's rehabilitation requirement at the rate of five units per year commencing in 2014. The settlement acknowledged, however, that the Town may be able to benefit from county or state funding available for local rehabilitation. Accordingly, the Town will participate in the Union County Home Improvement Program with respect to owner-occupied housing and will conduct a local program for rental housing rehabilitation. With \$510,804.15 on hand there is sufficient money to cover the cost of a program addressing just the need for the rehabilitation of rental units in the Town, including a negotiated fee for contracted administration. However, in addition to the monies on hand, on August 9, 2016, Westfield adopted a Development Fee Ordinance to generate additional revenues to support its affordable housing program.

⁶ Income eligible residents of communities in Union County may apply under this program unless the community in which the property is situated is already conducting and funding its own program. The communities conducting their own programs are Borough of Fanwood, City of Elizabeth, City of Linden, City of Plainfield, City of Rahway, Union Township and Winfield Township.

Monitoring Rehabilitation

Westfield's Municipal Housing Liaison will monitor all rehabilitation (undertaken in both the County Program and the local rental rehabilitation program administered by a consultant) to determine how many units qualify for credit (i.e. the sufficiency of work undertaken and average funds expended per unit). Adjustments can be made to marketing efforts as needed to heighten program awareness. All funds repaid pursuant to the terms of loans made under the local Rental Rehabilitation Program will be returned to the Housing Trust Fund and made available for future rehabilitation needs.

Prospective Need – 1,090 Units-RDP of 62 Units

Based upon the settlement terms, the Town of Westfield's Prospective Need is 1,090 units. As detailed previously by Table 23, the Town's RDP is calculated to be 62 units. The Town will satisfy its RDP as follows:

Table 24
Third Round RDP Compliance

Parcel	Units	Bonuses	Notes
William Nursery Block 1905, Lot 13(additional units in Prior Round development resulting from an increase in density)	16		Family Sales; 130 total units, including 26 affordable units, of which 10 are attributed to the Prior Round and 16 are attributed to the Third Round
Myrtle Avenue Inclusionary, Block 4006, Lots 2 and 3	3		Family sales; received approvals in 2012; 16 units total
339 West Broad Street Block 3001, Lot1	5	4	Family rentals; 31 total units, will meet UHAC bedroom distribution requirements
New Street, Block 3207, Lot 1.01	9	7	Family rentals; 70 total units; currently under construction
Sunnyside Block 3905, Lot 27	4	4	Family rentals; 24 total units
Westfield Senior Citizens Block 4901, Lot 9	16		Senior rental; constructed in 1995 (additional 14 units applied to Mount Laurel 4 th Round)
Myrtle Avenue 100% Affordable (ARC) Block 4007, Lot 13 and Block 4006, Lot 1	6		Special needs rental
Our House 506 Boulevard	4		Special Needs rental – completed in 2001
Homefirst Interfaith 550 Trinity Place Block 3008, Lot 5	2		Special needs rental – completed in 2009
Homefirst Interfaith 706 Central Avenue Block 4103, Lot 2	2		Special needs rental – completed in 2010
Homefirst Interfaith 710 Central Avenue Block 4103, Lot 3	2		Special needs rental – completed in 2011
Total	69	15	
Total Third Round Credits (69 + 16)	85		

It should be noted that the total units generated by the development detailed in Table 20 is 69 units. Under Second Round rules, the total number of bonus credits available to the Town is capped at 25% of the RDP

which is 16 units (15.5 units rounded up) resulting in 85 total credits. After addressing the Town's RDP of 62 units, there are 23 available surplus credits that can and will be then applied to the Town's Third Round unmet need.

Table 25 outlines those sites that are either proposed or are existing inclusionary sites.

Table 25
Existing and Proposed Inclusionary Sites

Project	Affordable Units	Notes	Realistic Opportunity
Williams Property (Proposed) Block 1905, Lot 13	26	Family sales; 130 total units including 26 affordable units, of which 10 are attributed to the Prior Round and 16 are attributed to the Third Round	Realistic development opportunity is provided by density, yard and bulk standards appropriate for the site as determined by prior court approved First Round Plan. Proposed increase in density to 20 du/acre under this plan.
Sunnyside (Existing) Block 3905, Lot 27	4	Family Rentals; 24 total units	Approved by the October 7, 2013 Judgement of Compliance and Repose
Myrtle Avenue Block 4006, Los 2 & 3	3	Family sales; received approvals in 2012; 16 total units	Realistic development opportunity is provided by density, yard and bulk standards appropriate for the site
339 W. Broad Street TOD Block 3001, Lot 1 & 6	5	Family rentals; 31 total units	Realistic development opportunity is provided by density, yard and bulk standards appropriate for the site
New Street TOD (Existing) Block 3207, Lot 1.01	9	Family rentals; 70 total units; currently under construction	Realistic development opportunity is provided by density, yard and bulk standards appropriate for the site
North Avenue TOD Block 3305, Lots 4 & 5	13	Family Sales; 65 total units	Realistic development opportunity is provided by density, yard and bulk standards appropriate for the site. Proposed increase in density to 25 du/acre under this plan.
Total	60	336	

Addressing Unmet Need- 1005 Units

Subtracting the Town's RDP of 62 and allowable credits of 23 units from the Prospective Need of 1,090 leaves an unmet need of 1,005 units. While the Town does not agree that it has an obligation to satisfy unmet need and, further, does not agree that it has an obligation to zone or overlay zone properties to satisfy unmet need per N.J.A.C. 5:93-4.2 and/or N.J.A.C. 5:94-3.4, the Town has agreed, for purposes of settlement, to address its obligation as described in the following plan sections.

N.J.A.C. 5:93-4.1(b) provides that where a municipality demonstrates that it does not have enough land capacity to satisfy its housing obligation, the municipality must identify sites that are realistic for inclusionary development for the purpose of calculating the municipal Realistic Development Potential ("RDP") and where the RDP is less than its precredited need number (minus its rehabilitation component),

the municipality “shall provide a response toward” the difference, which difference has come to be referred to as “unmet need.” N.J.A.C. 5:93-4.1(b) goes on to provide that “examples” of such responses are: (1) a redevelopment ordinance, (2) an ordinance permitting apartments in developed areas of the municipality, and (3) a mandatory development fee ordinance.

Similarly, N.J.A.C. 5:93-4.2(h) provides that where the RDP is less than the municipality’s precredited need (minus its rehabilitation component), the municipal land use map shall be reviewed “for areas that may develop or redevelop.” N.J.A.C. 5:93-4.2(h) further provides that, after such review, the municipality “may” be required to provide “any combination of the following in an effort to address” the so-called unmet need: (1) zoning amendments that permit apartments or accessory apartments; (2) overlay zoning requiring inclusionary development or the imposition of a development fee; or (3) zoning amendments that impose a development fee consistent with N.J.A.C. 5:93-8.

These rules make clear that there is no requirement that a municipality “meet” and “satisfy” unmet need; the rules require a municipality to “address” and “respond” to unmet need.

Additionally, unlike inclusionary zoning to satisfy RDP where the sites selected must present a realistic opportunity to develop and produce the affordable housing set aside, *see N.J.A.C. 5:93-4.1(b)*, a municipality’s “response” to “addressing” unmet need is (a) not mandatory, (b) does not require zoning or overlay zones to create inclusionary development, and (c) where a municipality does voluntarily adopt an overlay zoning ordinance requiring inclusionary development, the sites selected do not have to present the realistic opportunity to develop and produce the affordable housing set aside; the sites selected must meet the standard that they “may develop or redevelop.” *see N.J.A.C. 5:93-4.1(b); 5:93-4.2(h)*.

Besides not being mandatory, overlay zoning is just one mechanism to “respond” to and “address” unmet need.

To address its 1,028 unit unmet need, the Town has (1) voluntarily adopted a zoning ordinance amendment requiring the imposition of a development fee which will become effective upon the Superior Court granting a judgement of Compliance and Repose to the Town; (2) existing ordinances which allow apartments over the first floor of commercial space in the P-1, P-2, O-1, CBD, GB-1 and GB-3 zoning districts; and (3) agreed as part of its settlement with FSHC to adopt an overlay zoning ordinance requiring inclusionary development for certain selected sites that the Town and FSHC believe “may develop or redevelop” in the future.

In addition to the above, the Town will adopt an ordinance that establishes a mandatory set-aside requirement of 20% if the affordable units will be for sale and 15% if the affordable units will be for rent, for any attached multi-family residential development of five (5) or more units with density at or above six (6) units per acre through any municipal rezoning; Zoning Board use or density variance; redevelopment plan or rehabilitation plan providing for redevelopment. Pursuant to the settlement agreement with FSHC, the adoption of such ordinance shall not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of the Town to grant such rezoning, variance or other relief. The ordinance will also provide that no subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement.

The sites selected and densities provided to further address the Town’s unmet need, in addition to its zoning for apartments, its mandatory inclusionary development ordinance and its mandatory development fee ordinance, are as follows:

Amendment to North Avenue TOD

The North Avenue TOD zone will be amended to increase the permitted density of multifamily rental housing from 15-16 units per acre (depending upon whether sale or rental housing produced) to 25 units per acre for sale “family units” with a required set-aside of 20 percent for affordable housing.

Creation of Overlay Zones

Overlay zones will be created over the following properties that will provide for a range of density of 9.1 up to 37.7 units per acre (depending upon the site) for affordable rental housing as reflected in Table 26.

Table 26
Overlay Zone Parcels

Block	Lot	Address	Acreage	Density (du/ac)	Total Units	Total Affordable Units Rentals
3202	2	260 North Ave East	1.44	25	36	5.4
3202	3	270 North Ave East	0.53	25	13.25	1.9875
3202	6	422 North Ave East	1.17	25	29.25	4.3875
3202	7	440 North Ave East	0.41	25	10.25	1.5375
3202	8	450 North Ave East	0.69	25	17.25	2.5875
3202	9	462 North Ave East	0.28	25	7	1.05
3202	10	466 North Ave East	0.14	25	3.5	0.525
3202	11	474 North Ave East	0.41	25	10.25	1.5375
3202	12	500 North Ave East	0.76	25	19	2.85
3202	13	516 North Ave East	0.6	25	15	2.25
3202	14	522 North Ave East	0.11	25	2.75	0.4125
3202	15.01	526 North Ave East	0.46	25	11.5	1.725
3202	15.02	536 North Ave East	0.23	25	5.75	0.8625
3202	16	540 North Ave East	0.23	25	5.75	0.8625
3305	3	580 North Ave East	0.34	25	8.5	1.275
3002	3	335 Watterson Street	0.3	25	7.5	1.125
3002	4	325 Watterson Street	0.25	25	6.25	0.9375
3002	13	322 First Street	0.25	25	6.25	0.9375
3002	12	320 First Street	0.23	25	5.75	0.8625
3002	5	501 South Avenue	0.58	25	14.5	2.175
3002	6	408 Westfield Ave.	0.11	25	2.75	0.4125
3006	5	430 Central Avenue	0.2	25	5	0.75
3006	6	500 Central Avenue	0.2	25	5	0.75
3006	7	510 Central Avenue	0.24	25	6	0.9
3006	8	514 Central Avenue	0.06	25	1.5	0.225
3006	9	516 Central Avenue	0.11	25	2.75	0.4125
3207	2	110 New Street	0.06	25	1.5	0.225

Block	Lot	Address	Acreage	Density (du/ac)	Total Units	Total Affordable Units Rentals
3207	3	402 Elmer Street	0.09	25	2.25	0.3375
3207	5	408 Elmer Street	0.15	25	3.75	0.5625
3207	6	412 Elmer Street	0.15	25	3.75	0.5625
3207	7	123 South Avenue E	0.3	25	7.5	1.125
3204	5	401 Elmer Street	0.3	25	7.5	1.125
3204	4	417 Elmer Street	0.2	25	5	0.75
3204	3	419 Elmer Street	0.2	25	5	0.75
3204	2.01	211 South Avenue E	0.36	25	9	1.35
3204	1	201 South Avenue E	0.24	25	6	0.9
3204	7.01	215 South Avenue E	0.75	25	18.75	2.8125
3204	7.02	219 South Avenue E	0.28	25	7	1.05
3204	10	343 South Avenue E	1.26	25	31.5	4.725
3204	11	349 South Avenue E	0.38	25	9.5	1.425
3204	12	357 South Avenue E	0.38	25	9.5	1.425
3204	13	361 South Avenue E	0.44	25	11	1.65
3204	14	365 South Avenue E	0.8	25	20	3
3204	15	369 South Avenue E	0.4	25	10	1.5
3204	16	401 South Avenue E	1.14	30	34.2	5.13
3307	1	421 South Ave East	1.38	37.7	41.4	6.21
3307	2	445 South Ave East	2.75	37.7	82.8	12.42
3307	3	461 South Ave East	1.07	30	32.1	4.815
4004	17	418 South Ave East	0.38	25**	9.5	1.425
4005	3	338 Windsor Avenue	0.84	25	21	3.1
4005	4	448 South Ave East	0.34	25	8.5	1.275
3007	3,4 & 5	Ross Place	1.10	9.1	10	0***
Total*			26.07		666	100

*Dwelling Unit Totals Rounded; ** To be used for parking to support development of B1 4005, Lots 3 & 4;

***Settlement calls for in-lieu of payment.

Overlay Zones Pursuant to Settlement

As part of settlement agreements reached with intervenors filed during the Town's declaratory judgement action and as approved by the Court, four overlay zones are to be created to permit rental housing development with mandatory affordable housing set aside requirements. These parcels are incorporated into Table 26 above but are explained in more detail below as to the specific requirements relating to each.

- a. McMaster Site (aka. Pan Am site): 501 South Avenue; Block 3002, Lots 5,6,12 & 13

The subject site is comprised of 4 lots and is located at the southwest corner of the intersection between South Avenue and Westfield Avenue within 600 feet of the Westfield Rail Station. The site encompasses 1.18 acres and is presently developed with multiple buildings previously occupied by a dry-cleaning establishment and a single-family residence that fronts on Westfield Avenue. The existing buildings have been abandoned and are no longer in use. The property will be permitted to develop at a density of 25 dwelling units per acre yielding a total of 30 residential rental units of which 5 units will be affordable to low and moderate income families. In addition, the developer will be permitted to construct 7,055 square feet of ground level retail fronting on South Avenue with ingress and egress limited to South Avenue.

- b. Elite Homebuilding (Elite South): 418-448 South Avenue East; Block 4005, Lots 3 & 4; Block 4004, Lot 17;

The subject site is comprised of three parcels. The two parcels located within Block 4005 are contiguous and located at the southeast corner of the intersection between South Avenue East and Windsor Avenue. The one parcel in Block 4004 is across the street and located on the south-east corner of South Avenue East and Windsor Avenue. The properties are within 1-mile distance of the Westfield Rail Station. The combined site encompasses a total of 1.56 acres. The site is presently developed with auto related uses.

The two contiguous parcels located within Block 4005 (Lots 3 & 4) will be permitted to develop a mixed-use building with a residential component at a density of 25 dwelling units per acre based upon the total acreage of the three parcels (1.56 acres). The residential component of the development is anticipated to create rental units and there will be a required 15% set aside for low and moderate income housing. The remaining lot within Block 4004 (lot 17) will be developed for either parking to support the mixed-use development across the street or as open space appurtenant to Lots 3 and 4.

- c. Elite Homebuilding: Elite North: 421-449 South Avenue East; Block 3307, Lots 1& 2

The subject site is comprised of 2 contiguous parcels with a total land area of 4.13 acres. The property identified as Lot 1 is undeveloped and used for vehicle parking and storage. Lot 2 is used for contractor vehicle storage. The properties are also within 1 mile distance of the Westfield Rail Station.

The subject parcels will be permitted to develop at a residential density of 37.77 dwelling units per acre which will include a transfer of three (3) affordable units, from the developer's current Townhouse Project, located on Myrtle and Grove Street to this site. This increases the total number of anticipated units to 156 units (inclusive of both market and affordable units) and results in a reduction of units for the Townhouse Project from 16 units (inclusive of both market and affordable units) to 13 market rate units. It is anticipated that the residential development will create rental units and will require a 15% set aside for low and moderate income housing plus an additional 3 affordable housing units representing the affordable units that are being transferred to this site.

Additionally, the 3 affordable housing units transferred from the Townhouse Project will be earmarked for special needs tenants and will provide one (1) 3-bedroom unit; and two (2) 2-bedroom units. As part of the settlement agreement, the three (3) special needs units will be included in the phasing schedule required by N.J.A.C. 5:93-5.6(d) for the development of this site and must be provided regardless of when or if the Townhouse

Project on Myrtle and Grove proceeds to be developed. In addition, the calculation of the required 13% very low income units shall include the 3 special needs units and the 1 very low income special need unit in the calculation. Finally, for all other purposes, including affordability averages, low-and moderate-income split, and bedroom distribution, such requirements will exclude the 3 special needs units.

d. Ross Place (aka. Ross Place): 203-215 Ross Place; Block 3007, Lots 3,4 & 5

The subject site is comprised of 3 contiguous parcels with a total land area of 1.1 acres fronting on Ross Place at the southwest corner of Ross Place and Carleton Road. The properties are less than a quarter mile walking distance to the Westfield Rail Station.

The property is presently developed with pre-existing nonconforming land uses. Lot 3 is a pre-existing 3-family dwelling. Lot 4 contains a 15-room boarding house but only three units are presently occupied as residences, and Lot 5 contains a pre-existing 6-family apartment house.

The existing buildings are to be demolished and the combined site will be permitted to develop a multifamily residential development at a density of 9.1 dwelling units per acre for a total of 10 market rate units with a total of 10 attached garages pursuant to a specific design as referenced in the agreement. The buildings are not to exceed 2-1/2 stories and are intended to be designed to reflect the single-family character of the existing neighborhood.

In exchange for this overlay zone, the development will provide a payment of \$111,000.00 into the Town's affordable housing trust fund in lieu of constructing affordable housing units at this site.

NJ Department of Motor Vehicle Site: Myrtle Avenue; Block 4005, Lot 2

The New Jersey Department of Motor Vehicles owns property located on Myrtle Avenue further identified as Block 4005, Lot 2 which is located in the RA-5B zone. This parcel is currently owned by the State of New Jersey. The Town has identified this site as a potential parcel for affordable housing and will request, at least once every two years, that this parcel be placed for sale by the State.

New Jersey Armory: 550 Rahway Avenue; Block 2904, Lot 2

The State of New Jersey presently owns property identified as an armory that presents an opportunity for affordable housing development. It is acknowledged that the site is not presently available and has been identified as a site that may be used partially or fully for educational purposes. Consequently, the Town has no obligation to zone or otherwise act with regard to this property until certain events trigger town action to promote the possibility of affordable housing development on this site as follows:

- a. In the event that the Armory property is sold, transferred, or donated by the State of New Jersey to any person or entity (excluding a federal or state agency), the Town agrees that it will provide a realistic opportunity for 16 affordable housing units through (a) rezoning of a portion of the Armory property; (b) rezoning of a portion of some other property situated in the Town; and/or (c) any other appropriate means in accordance with applicable law. The 16-unit obligation may not be met with bonuses.

- b. The basis of the 16-unit obligation will be as follows. Approximately half of the 12.41-acre Armory property (the southwest portion containing paved parking- not the northeast portion containing the main Armory building and two out-buildings) would be appropriate for residential housing at a density of no more than 14 units per acre, yielding an 84-unit development, 20% of which totals 16 affordable housing units.
- c. The 16-unit obligation may be met on-site or off-site through a 100% affordable housing project or inclusionary development. However, under no circumstances shall all or any portion of the Armory site redevelop for residential purposes for a non-100% affordable housing project without the inclusion of a mandatory affordable housing set-aside requirement of 20% if the affordable units will be for sale and 15% if the affordable units will be for rent.

Inclusionary Zoning

As detailed in the history of the Town of Westfield's compliance with its affordable housing obligations, the Town hereby identifies the following existing and proposed inclusionary sites for affordable housing development as detailed in Table 25 as follows:

Williams Property: Block 1905, Lot 13

This site was identified as a developable and suitable property for affordable housing by the Court-appointed Special Master and was approved by the Superior Court for inclusionary zoning in 2013. The property is located along the east side of Springfield Avenue, is 6.5 acres in size and is presently zoned to permit residential development for 8 units/acre to permit a total of 53 multifamily units. Under this plan, the site will be rezoned to permit a residential development density of 20 units/acre that will result in 130 dwellings and 26 affordable units. Of the 26 affordable units, 10 units will be attributed to the Prior Round and the remaining 16 units will be applied to the Third Round.

Special Needs Housing: 100 Percent Affordable Project on Myrtle Avenue; Block 4007, Lot 13 and Block 4006, Lot 1

The Town of Westfield has designated property it owns on Myrtle Avenue for development as a 100 percent affordable housing project for special needs housing. Partnering with a nonprofit agency, it is anticipated that this housing will produce 6 affordable special needs rental units.

Rental Housing Requirement

It is worth noting that all of the housing allocated to the prior round (RDP and unmet need), except for the Regional Contribution Agreement (RCA), is rental housing, which far exceeds the minimum rental housing requirements under COAH's first and second round rules. First round rules only required communities with an obligation of 125 or more to address rental housing in their compliance plans. Second round rules required all communities to address rental housing; a municipality with an adjusted obligation was required to create a realistic opportunity for the construction of rental housing for at least 25% of the realistic development potential. For this, the Third Round, Westfield's RDP is 60 units which generates a rental requirement of 15 units. The HE&FSP provides for the construction of rental units far in excess of this requirement.

Fair Housing Act Amendment Requiring Very Low Income Housing

Pursuant to the Uniform Housing Affordability Controls (UHAC) regulations and the settlement reached with FSCH, the Town will require 13% of all affordable units referenced in this plan, except for units constructed as of July 1, 2008 and units subject to preliminary or final site plan approval, to be very low income units, with half of the very low income units being available to families. The municipality will comply with those requirements as follows:

- a. Through the provision of very low income units at the following sites, which have or may develop since July 1, 2008:

Table 27
Very Low Unit Distribution by Project

Project	Total Affordable Units	Number of Very Low Income Units that Exist or Will Be Provided
Williams Property Block 1905, Lot 13 (additional units in Prior Round development resulting from increase in density)	26	3
Myrtle Avenue Inclusionary Block 4006, Lots 2 & 3	3	1
339 West Broad Street	5	1
New Street Block 3207, Lot 1.01	9	1
Sunnyside Development Block 3905, Lot 27	4	1
Myrtle Avenue 100% Affordable (ARC) Block 4007, Lot 13/Block 4006/Lot 1	6	6
Homefirst Interfaith 550 Trinity Place	2	2
Homefirst Interfaith 706 Central Avenue	2	2
Homefirst Interfaith 710 Central Avenue	2	2
Total	59	19

- b. Through the requirement that all developments that address unmet need provide at least 13% very low income housing.
- c. Through support for very low income housing in accordance with the spending plan.

Special Needs and Permanent Supportive Housing

Four facilities serve individuals and families with special needs and are identified towards satisfying the Town's Third Round RDP. There are 10 credits associated with these properties. The group home owned by Our House, established in 2001, has six bedrooms, two of which were allocated to address the prior round obligation, leaving four bedrooms to address the future obligation. There are also three properties, each containing a two-family dwelling, that provide permanent supportive housing to the homeless disabled. The details of each facility are displayed in the previous table and described in the subsections

that follow. Documentation verifying each home's eligibility for credit has been obtained from each sponsoring organization and previously submitted to the Superior Court-appointed Special Master.

Our House Special Needs Housing (One 6-bedroom Home - 4 Bedrooms Available to Address the Future Obligation):

Founded in 1980, Our House, Inc., based in Murray Hill, NJ, provides residential services to individuals with developmental disabilities. The organization operates 27 homes in Union, Essex, Somerset and Morris counties. In June 2001, Our House established a 6-bedroom group home at 506 Boulevard for adults with developmental disabilities. None of the bedrooms are age-restricted (i.e. for seniors) and funding is provided by the NJ Department of Human Resources Division of Developmental Disabilities.

Homefirst Interfaith - Permanent Supportive Housing (Three 2-family dwellings/6 units total):

Housingfirst Interfaith Housing has over 25 years of experience in providing community housing solutions. It operates three separate facilities in Westfield. Each facility contains two dwelling units and provides housing and supportive services to the homeless disabled. According to staff of the Plainfield-based service provider, it has developed a COAH-compliant affordable housing model and obtained funding from NJHMFA to establish several homes in the region.

- 550 Trinity Place contains two dwelling units and was established in February 2009. It serves the homeless disabled with no senior citizens age restriction. Construction and permanent funding was obtained from the NJHMFA Special Needs Housing Trust Fund and HUD to establish this facility.
- 706 Central Avenue contains two dwelling units and was established in November 2010. It also provides housing for the homeless disabled with no senior citizens age-restriction. Funding was obtained from the NJHMFA Special Needs Housing Trust Fund.
- 710 Central Avenue contains two dwelling units and was established in February 2011. It serves the homeless disabled with no senior citizens age-restriction. Funding for this facility was also obtained from NJHMFA's Special Needs Housing Trust Fund.

Senior Citizens Housing

Thirty units (30) of the senior citizen's development constructed in 1995 have not been credited against the prior obligation and are available to address any future affordable housing requirement. This development is the only age-restricted housing included in this HE&FSP and, as indicated previously, was approved by the Court in 1991 with a waiver from the limitation that COAH rules placed on age-restricted housing. In view of the Prior Round obligation of 139 and the Third Round obligation of 1090 units, the municipality would be able to seek credit for up to 307 age-restricted credits if it were able to satisfy or provide a realistic opportunity for its full Prior Round and Third Round prospective need obligations. In view of that fact, and for purposes of settlement, the Town will continue to receive credit for all the senior units for which it has already received credit in executed court orders. In return, the Town will not apply or seek to apply new age-restricted credits or bonuses related to age-restricted units until the number of non-age restricted credits in its fair share plan is 25-percent or less of the total number of credits it has earned. The remaining 14 units of the Westfield Senior Citizens project shall carry forward for use as credits in the Mount Laurel affordable housing 4th Round.

Transit-oriented Development

Since the Town is virtually fully developed, the approved 2013 and 2014 plans addressed a portion of the future affordable housing obligation using "smart growth" planning techniques encouraged by state planning policies. A "transit-oriented development" (TOD) refers to a development located within reasonable proximity of a transit station (bus, train, light rail, or ferry) within a larger, pedestrian-friendly, transit-supportive neighborhood core or center. A transit-oriented development area is typically characterized by a mix of uses and compact higher density than is typical of conventional suburban residential development.

The Town has rezoned three distinct areas, the New Street TOD, North Avenue TOD, and West Broad Street TOD, all located within a half-mile radius or less of the Westfield and/or Garwood NJ Transit stations for transit-oriented development with requirements for on-site affordable housing.

The New Street TOD was first established by ordinance in May of 2013. There are significant on-site development costs associated with the construction within the zone, including the construction of underground parking and the purchase of a significant portion of the New Street right of way from the Town. Additionally, the developer has installed a right turn lane along South Avenue at its own cost, which involves the construction of significant traffic signal infrastructure.

The land development regulations for the New Street TOD have been amended in accordance with the Town's 2013 and 2014 HE&FSPs, and the Consent Order Modifying the February 6, 2015 Order Amending the 2013 Judgment of Compliance and Repose, issued April 1, 2015 by the Superior Court of New Jersey Law Division - Union County, Docket No. UNN-L-135-09 (the Consent Order). Both the Town's Plans and the Consent Order include the following provisions:

1. Increase the density of the development to 70 rental housing units with a 13% set-aside (consisting of 61 market rate units and 9 affordable units);
2. Of the 9 affordable units, 4 will be two bedroom units and 5 will be one bedroom units; and
3. Of the 9 affordable units, 5 will be moderate income units and 4 will be low income (3 low and 1 very low) units.

The base zoning for the North Avenue TOD permits 15 units/acre, with a required 20% set-aside for affordable housing. The ordinance allows an option for development to be constructed as rental housing with an increase in the density to 16 units/acre. Under this plan, the density for this TOD will be increased to 25 du/acre per the settlement agreement. This may provide an incentive for rental housing because an additional four market rate units would be permitted, although no additional affordable units would be required. The orientation of these sites to the rail corridor suggests that developers may well be interested in developing the site for rental housing. Moreover, current economic conditions suggest that rental housing may be an attractive option to developers, as well as those in need of affordable housing in view of high credit standards being imposed by lending institutions on potential homebuyers.

The third TOD, the West Broad Street TOD, is currently unimproved. The owner of the West Broad property originally filed a use variance application with the Westfield Board of Adjustment (the "BOA") in June 2014 seeking a "d (5)" density variance pursuant to N.J.S.A. 40:55D-70d to redevelop the property with a mixed-use development consisting of a building with retail on the first floor, 26 one- and two-bedroom apartments on two upper floors, and 42 on-site parking spaces. The applicant stated in the application form: "This appeal should also be granted because of overall project benefits. A modern and

attractive building will replace an antiquated car wash. Additional new housing will be provided for the Westfield community. New higher income household formation will benefit local businesses. The proposed development will also be transit-friendly because it is located within a short walk of the Westfield train station.” A development analysis of the property was performed to ascertain what the development of a mixed-use building conforming to the GB-1 (General Business) zone standards (in which the property is currently located) with on-site parking would yield. In general terms, the development would result in a building with about 5,000 square feet of retail space on the first floor with two upper floors of 5,000 square feet each. This would result in the development of about 7 to 10 residential units total on the upper two floors. This is a third of the units than what was proposed in the “d” variance application. (The per-unit square footage is based upon the submitted floor plans. Parking standards require 17 spaces for the retail spacing and between 7 and 11 spaces for the residential units, for a total of between 24 to 28 spaces on site.)

As a result of the above, and in continued recognition of the fully developed nature of the Town, the Town saw this as an opportunity to provide for a re-zoning of the West Broad property which is located at a gateway intersection to the downtown, and to redevelop the property with an entirely multi-family residential housing at a higher density than currently permitted. The owner responded with the submission of floor plans depicting a total of 31 apartments, an architectural rendering of a three-story building and conceptual engineering plans.

After the Town approved, in principle, the owner’s concept for the 31 units, and as contemplated in the 2014 HE&FSP (as amended), a proposed ordinance was drafted and ultimately adopted, establishing a West Broad Street Affordable Multi-Family Housing Transit Oriented Development (WBS-AMFH) zone district (“WBS-AMFH” or the “WBS-AMFH zone”) and re-zoning the West Broad property from GB-1 to WBS-AMFH. The adopted zoning allows up to 31 multi-family rental housing units and requires a 16.12% set aside for affordable rental housing units, thereby yielding 5 affordable rental units. Preliminary and final site plan approval for this project was granted on May 2, 2016.

All three TOD areas have extensive street access and are served by public water and sewer systems with available capacity to support new development.

Sunnyside Settlement Inclusionary Zoning

The Sunnyside property was the subject of the Sunnyside Settlement. The site, designated as Lot 27 in Block 3905, is comprised of approximately 1.46 acres of land situated on the northerly side of Springfield Avenue, east of Woodbrook Circle, adjacent to the municipal boundary with the Township of Cranford. The property is developed with a single-family dwelling, which is proposed to be demolished.

Pursuant to the Sunnyside Settlement, the property was rezoned to a new district, the RA-SC Multifamily Residence District, permitting the construction of 24 multifamily residences, including four affordable rental units, representing a density of approximately 16.5 units/acre. Of the 24 proposed units, 20 will be market rate for-sale residences, each of which will contain two bedrooms. Four affordable units (a 16% set-aside) will be provided, all of which will be rentals, with no more than 25% having one bedroom and at least 25% having three bedrooms. None of the market-rate or affordable units will be required to be age-restricted. At least one-half of the affordable units will be designated for occupancy by low-income households, and at least one of the low-income units will be made available to a very low income household. Affordable Housing Units generated by this development will be applied to the Town’s RDP.

Additional Actions to Affirmatively Address Affordable Housing Requirements

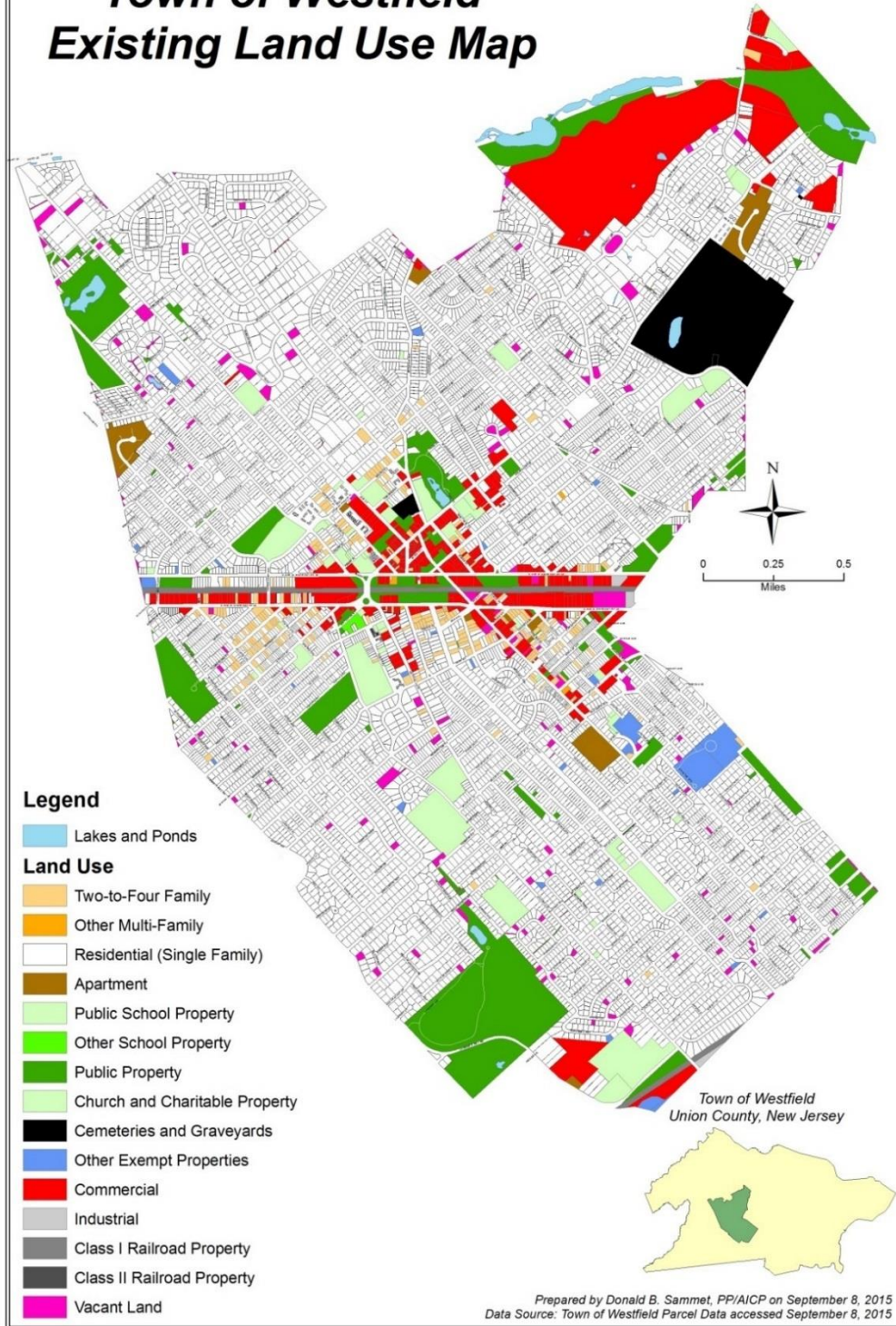
In addition to the plan details presented in this document, the Town will adopt ordinances to satisfy its

Third Round Prospective Need to address the following:

1. At least 50 percent of the units addressing the Third Round Prospective Need shall be affordable to very-low-income and low-income households with the remainder affordable to moderate-income households.
2. At least twenty-five percent of the Third Round Prospective Need shall be met through rental units, including at least half of the twenty-five percent in rental units available to families.
3. At least half of the units addressing the Third Round Prospective Need in total must be available to families.
4. New construction will be adaptable in conformance with P.L. 2005. C.350, N.J.S.A. 52:27D-3111a and -311b.

APPENDIX A

Town of Westfield Existing Land Use Map



APPENDIX B

PROPOSED OVERLAY DISTRICTS MAP



Source 1: Municipal boundary data from NJDEP
Source 2: Street centerlines data from NJDEP
Source 3: Parcel data from NJGIN Warehouse, Passaic County.
Source 4: Orthophotography from NJGIN Warehouse, dated 2015.
Source 5: Overlay Zoning Parcels from Clark Caton Hintz.

ID	Block	Lot	Acres	ID	Block	Lot	Acres
1	3202	2	1.44	27	3207	2	0.06
2	3202	3	0.53	28	3207	3	0.09
3	3202	6	1.17	29	3207	5	0.15
4	3202	7	0.41	30	3207	6	0.15
5	3202	8	0.69	31	3207	7	0.30
6	3202	9	0.28	32	3204	5	0.20
7	3202	10	0.14	33	3204	4	0.20
8	3202	11	0.41	34	3204	3	0.20
9	3202	12	0.76	35	3204	2.01	0.36
10	3202	13	0.60	36	3204	1	0.24
11	3202	14	0.11	37	3204	7.01	0.75
12	3202	15.01	0.46	38	3204	7.02	0.28
13	3202	15.02	0.23	39	3204	10	1.26
14	3202	16	0.23	40	3204	11	0.38
15	3305	3	0.34	41	3204	12	0.38
16	3002	3	0.30	42	3204	13	0.44
17	3002	4	0.25	43	3204	14	0.80
18	3002	13	0.25	44	3204	15	0.40
19	3002	12	0.23	45	3204	16	1.14
20	3002	5	0.58	46	3307	1	1.38
21	3002	6	0.11	47	3307	2	2.76
22	3006	5	0.20	48	3307	3	1.07
23	3006	6	0.20	49	4004	17	0.38
24	3006	7	0.24	50	4005	3	0.84
25	3006	8	0.06	51	4005	4	0.34
26	3006	9	0.11	52	3007	3, 4, 5	1.10

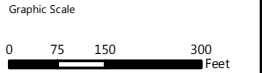


- Legend
- Parcels
- Overlay District

Rev	Description	Date	Dwn	Ckd

Dwg. Title

Aerial Map
Overlay Zones 01





Source 1: Municipal boundary data from NJDEP
Source 2: Street centerlines data from NJDEP
Source 3: Parcel data from NJGIN Warehouse, Passaic County.
Source 4: Orthophotography from NJGIN Warehouse, dated 2015.
Source 5: Overlay Zoning Parcels from Clark Caton Hintz.

ID	Block	Lot	Acres	ID	Block	Lot	Acres
1	3202	2	1.44	27	3207	2	0.06
2	3202	3	0.53	28	3207	3	0.09
3	3202	6	1.17	29	3207	5	0.15
4	3202	7	0.41	30	3207	6	0.15
5	3202	8	0.69	31	3207	7	0.30
6	3202	9	0.28	32	3204	5	0.20
7	3202	10	0.14	33	3204	4	0.20
8	3202	11	0.41	34	3204	3	0.20
9	3202	12	0.76	35	3204	2.01	0.36
10	3202	13	0.60	36	3204	1	0.24
11	3202	14	0.11	37	3204	7.01	0.75
12	3202	15.01	0.46	38	3204	7.02	0.28
13	3202	15.02	0.23	39	3204	10	1.26
14	3202	16	0.23	40	3204	11	0.38
15	3305	3	0.34	41	3204	12	0.38
16	3002	3	0.30	42	3204	13	0.44
17	3002	4	0.25	43	3204	14	0.80
18	3002	13	0.25	44	3204	15	0.40
19	3002	12	0.23	45	3204	16	1.14
20	3002	5	0.58	46	3307	1	1.38
21	3002	6	0.11	47	3307	2	2.76
22	3006	5	0.20	48	3307	3	1.07
23	3006	6	0.20	49	4004	17	0.38
24	3006	7	0.24	50	4005	3	0.84
25	3006	8	0.06	51	4005	4	0.34
26	3006	9	0.11	52	3007	3, 4, 5	1.10

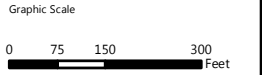


- Legend
- Parcels
- Overlay District

Rev	Description	Date	Dwn	Ckd

Dwg. Title

Aerial Map
Overlay Zones 02



APPENDIX C

VACANT LAND INVENTORY

TOWN OF WESTFIELD: VACANT LAND ASSESSMENT

ID	Block	Lot	Property Location	Owner	Area (ac)	Comments	Developable Area (ac)	Developable?
1	101	1	1485 PROSPECT ST	CAMELOT, LLC	3.29	Lot does not qualify for RDP analysis. Excluded per N.J.A.C. 5:93-4.2(f).	3.29	No
2	101	18	11 KENT PL	ELEGANT HOMES NJ, LLC	0.49	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
3	101	22	12 KENT PL	WHITTIER, MARIANNE	0.38	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
4	101	44	1258 PROSPECT ST	PARK EAST, LLC	0.96	Lot does not qualify for RDP analysis. Excluded per N.J.A.C. 5:93-4.2(f).	0.96	No
5	101	47	1321 PROSPECT ST	SCANLON, ANN MARIE & BADIA, THOMAS D	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
6	5604	10	109 WYOMING ST	D VILLANE CONSTRUCTION LLC	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
6	102	1	1618 RISING WAY	PERROTTA, MICHAEL & LISA	0.05	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
7	102	2	1614 RISING WAY	KOSHY, THOMAS & THOMAS, AMMINIKUTTY	0.07	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
8	102	3	1610 RISING WAY	ANDRUS, KAREN S.	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
9	102	4	1606 RISING WAY	STEELE, DOLORES J	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
10	104	8.01	140 MADISON AVE W	140 MADISON AVENUE LLC	0.23	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
11	104	9.01	144 MADISON AVE W	R4 HOMES LLC	0.23	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
12	107	2.01	1355 OVERHILL ST	RILEY, ROBERT & MARION	0.00	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
13	107	2.02	1345 OVERHILL ST	RILEY, ROBERT & MARION J	0.29	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
14	201	1	180 LIBERTY ST	ASSESSED	0.05	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
15	201	3	173 MADISON AVE	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
16	201	58	73 FAIRHILL DR	GRIFFITH, MARK T & JENNA M	0.60	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
17	201	77	909 WOODMERE DRIVE	BRIGHTWOOD ASSOCIATION	0.87	Lot does not qualify for RDP analysis. Existing waterbody/pond.	0.87	No
18	203	6	22 FAIRHILL RD	PRIVATE DRIVEWAY	0.23	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
19	5509	25	9 BELL DR	DURANTE, JEAN EST%ANTHONY DURANTE	0.23	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
19	205	4	969 WOODMERE DRIVE.	PRIVATE DRIVEWAY	0.22	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
20	207	1	1015 CLEVELAND AVE	CHUPKO, RICKY C. & BARBARA C.	0.03	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
21	306	47	948 SEDGEWICK COURT	948 SEDGEWOOD, LLC	0.19	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
22	308	2	20 BARCHESTER WAY	SITCER, GARY P & JILL R	0.42	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
23	309	8	52 BARCHESTER WAY	PROMINENT PROPERTIES LLC	0.32	Does not qualify for RDP analysis. Lot is undersized.	N/A	No

ID	Block	Lot	Property Location	Owner	Area (ac)	Comments	Developable Area (ac)	Developable?
24	401	1	1210 LAWRENCE AVE	PRICE, LINDA - BRECHT, DENISE V	0.04	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
25	403	18	407 QUANTUCK LA	MC KAY, DAVID	0.34	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
26	405	7	432 ROANOKE RD	FRAIN, EVELYN R	0.41	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
27	405	8	436 ROANOKE RD	BORENSTEIN, LENNY & JODIE	0.41	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
28	501	7	780 LAWRENCE AVE	EQUITIME, LLC	0.69	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
29	502	6	6 BREEZE KNOLL DR	BRITAIN, ROBERT S & CLEARY, KELLY A	0.81	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
30	502	7	8 BREEZE KNOLL DR	GILLIN, JAMES -TUOHY, S TRUSTEES	0.72	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
31	506	7	881 STANDISH AVE	PHELAN, OLEITA C	0.05	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
32	507	1	855 MOUNTAIN AVE	CENTRAL JERSEY BANK%BANK OF AMERICA	0.51	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
33	507	3	876 STANDISH AVE	MAC DONALD, MARK E & LEIGH F	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
34	509	6	854 BRADFORD AVE	ELEGANT HOMES NJ, LLC	0.27	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
35	601	12	237 MUNSEE WAY	KUNTZ, JOSHUA A & NASH, STEPHANIE M	0.61	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
36	603	10.01	761 LENAPE TRAIL	GRINIS, MARK & STEPHANIE	0.64	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
37	603	14	705 LENAPE TRAIL	MURPHY, MICHAEL J	0.89	Lot does not qualify for RDP analysis. Lot is undersized.	N/A	No
38	603	24	751 LAWRENCE AVE	YORKSHIRE REALTY IV LLC	0.69	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
39	603	40	750 PROSPECT ST	D VILLANE CONSTRUCTION LLC	0.23	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
40	701	6	300 SENECA PLACE - REAR	KARACSONY, DEBRA LAWYER & ATTILA	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
41	702	2	911 EVERTS AVE	UNKNOWN OWNER	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
42	702	3	915 EVERTS AVE	PISCITELLI, C/ET ALS	0.02	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
43	5707	8	211 CAROLINA ST - REAR	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
43	703	8	349 JOHN ST	DANCE, ROSE	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
44	5707	7	213 CAROLINA ST - REAR	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
44	706	21	721 EMBREE CRESCENT	MC CULLAM, ROBERT G, JR & DEBORAH W	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
45	5706	1	338 VIRGINIA ST	MILICI, ROBERT & JENNETTE, PATRICE	0.05	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
45	706	25	707 EMBREE CRESCENT	ELSHIEKH ENTERPRISES LLC	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
46	801	1	1034 NORTH AVENUE W	PATE, JEFFREY H & CHERYL H	0.03	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
47	801	2	613 SHORT HILLS CT - REAR	UNKNOWN OWNER % NIELSON, JERRY T	0.10	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
48	801	30	605 SHORT HILLS COURT	MESSERCOLA BROTHERS BUILDING CO INC	0.28	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
49	5705	1	338 MARYLAND ST	GUDDY, MICHAEL & MARION	0.10	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
49	802	1	2403 WHITTIER AVE	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No

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50	803	16	2431 BRYANT AVE	ASSESSED	0.00	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
51	803	17	2420 LONGFELLOW AVE	LUVERA, ANN	0.00	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
52	803	2	2422 BRYANT AVE	ASSESSED	0.00	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
53	804	1	315 SENECA PLACE - REAR	LUNDGREN, ROY A & CLAUDE	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
54	5708	5	121 PICTON ST - REAR	ASSESSED	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
54	804	17	446 LONGFELLOW AVE	ASSESSED	0.05	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
55	812	18	330 EDGEWOOD AVE	PETERSON BROTHERS LLC	0.26	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
56	5708	4	125 PICTON ST - REAR	ASSESSED	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
56	814	9	725 FOREST AVE	VOORHEES, ANN L	0.19	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
57	5708	3	129 PICTON ST - REAR	ASSESSED	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
57	1001	14	649 PROSPECT ST	CANAVAN, STACIE L	0.23	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
58	1004	13	403 PROSPECT ST	ELSHIEKH ENTERPRISES LLC	0.33	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
59	1102	2	514 ELM ST	PRIVATE DRIVEWAY	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
60	1303	10	854 MOUNTAIN AVE - REAR	HANSCOM, W & E & RAY, B A & A L	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
61	1303	12	593 SHERWOOD PARKWAY	BAZYDLO, RICHARD & KATHLEEN	0.07	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
62	1304	29	801 GRANT AVE - REAR	TATE, CHARLES N	0.41	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
63	1304	30	821 GRANT AVE - REAR	UNKNOWN OWNER	0.03	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
64	1304	31	827 GRANT AVE - REAR	SHOMO, JOAN - EST OF	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
65	1304	32	835 GRANT AVE - REAR	UNKNOWN OWNER	0.00	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
66	1306	16	850 WALLBERG AVE	MONARCH HOMES HOLDINGS LLC	0.17	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
67	1401	3	1140 WYCHWOOD ROAD	KINNEY, BETH & KINNEY, SAMUEL/ETALS	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
68	1402	1	1130 WYCHWOOD ROAD	SCHOENBERG, ROGER M & CATHERINE E	0.09	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
69	5708	2	133 PICTON ST - REAR	ASSESSED	0.07	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
69	1405	6	1051 WYCHWOOD ROAD	GUDE, ROBERT L	0.32	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
70	5705	2	339 VIRGINIA ST	DINGELSTEDT, MARK T & VALERIE	0.09	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
70	1406	8	616 GARFIELD AVE	MASTROIANNI, JOHN & MARIA	0.26	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
71	5708	8	109 PICTON ST - REAR	ASSESSED	0.09	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
71	1409	5	507 WYCHWOOD ROAD	FRANCZ, LOUIS & JANE	0.79	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
72	5708	7	113 PICTON ST - REAR	ASSESSED	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
72	1904	9	225 GOLF EDGE	PROMINENT PROPERTIES LLC	0.33	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
73	2002	1	KIMBALL CIR	KIMBALL CIRCLE ASSOC C/O S LACK	1.65	Lot does not qualify for RDP analysis. Existing roadway center island.	1.65	No
74	2002	2	KIMBALL CIR	ASSESSED	1.00	Lot does not qualify for RDP analysis. Existing roadway center island.	1.00	No

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75	2004	1	14 WYCHVIEW DR	PREMIER DESIGN CUSTOM HOMES LLC	0.28	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
76	2101	34	120 WYCHWOOD ROAD	VARANDAS, LISA S	0.61	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
77	2102	2	4 HAWTHORN DR	MICHAEL MAHONEY L L C	0.25	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
78	2201	11	406 TOPPING HILL ROAD	PRIVATE DRIVEWAY	0.07	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
79	2201	4	413 KIMBALL TURN	PRIVATE DRIVEWAY	0.07	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
80	2203	12.02	111 WYCHWOOD RD	MARSELLA, JULIE	0.38	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
81	2212	6	201 BAKER AVE	BUONTEMPO, ANTHONY	0.34	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
82	2302	26	16 STANLEY OVAL	DODGE, CHARLES & SUSAN A	0.61	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
83	2504	12	215 PROSPECT ST	GALLAGHER, JOSEPHINE WARD	0.19	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
84	2505	4	233 ELM ST	THE STOP&SHOP % AHOLD FINANCIAL	0.20	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
85	2506	9	109 PROSPECT ST	ABBOTT, JOHN NORMAN	0.02	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
86	2510	3	802 SOUTH AVENUE W	PINTO, JOHN A FAMILY, LP	0.32	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
87	5707	13	207 CAROLINA ST - REAR	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
87	2512	34	110 OSBORN AVE	UNKNOWN OWNER	0.03	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
88	5707	11	209 CAROLINA ST - REAR	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
88	2601	1	1218 SOUTH AVENUE W	PSEG SERVICE CORP PROP TAX 6TH FL	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
89	2603	1	1025 NORTH AVENUE W	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
90	2603	2	1023 NORTH AVENUE W	PSEG SERVICES CORP PROP TAX 6TH FL	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
91	2604	9.01	877 NORTH AVENUE W	D VILLANE CONSTRUCTION LLC	0.11	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
92	2604	10.01	875 NORTH AVENUE W	D VILLANE CONSTRUCTION LLC	0.49	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
93	5704	1	338 DELAWARE ST	MAGLIULO, VINCENT L & ELAINE K	0.11	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
93	2607	2	1011 SOUTH AVENUE W	BARBARA L JOHNSON TRUST	0.14	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
94	5704	2	339 MARYLAND ST	KANE, MICHAEL J & ANNA R	0.10	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
94	2607	3	1009 SOUTH AVENUE W	BARBARA L JOHNSON TRUST	0.15	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
95	5708	9	105 PICTON ST - REAR	ASSESSED	0.10	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
95	2701	1	789 HANCOCK ST - REAR	BULDO, JOSEPH	0.04	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
96	2701	10	798 W BROAD ST	MAUTI, ANN M	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
97	2702	5	782 HANCOCK ST	UNKNOWN OWNER	0.00	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
98	2703	2	227 FLORENCE AVE N	UNKNOWN OWNER	0.00	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
99	2706	26	560 CUMBERLAND ST	WESTFIELD PRIME PROPERTIES L L C	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
100	2709	18	630 W BROAD ST	MESSERCOLA, BERNARDO	0.23	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
101	5601	12	1509 PINE GROVE AVE	MARSELLA BROS AT PINE GROVE LLC	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No

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101	2710	8.02	611 CUMBERLAND ST	ISOLDA, ALFONSO & MARIA ROSE	0.20	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
102	5607	2	1718 FLORIDA ST	TANCULSKI, WALDEMAR & DOROTA% S.BLD	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
102	2816	17	776 AUSTIN ST	GOLDBERG, ANDREW & LISA KRAUS	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
103	2817	17	101 FLORENCE AVE S	101 FLORENCE AVE., LLC	0.20	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
104	2905	6	614 SHADOWLAWN DRIVE	COFER, FAITH	0.17	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
105	3006	5	430 CENTRAL AVE	CFGR, LLC	0.20	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
106	5603	8	126 WYOMING ST	PREFERRED BUILDER, LLC	0.17	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
106	3103	5	411 NORTH AVENUE W	WESTFIELD OFFICE PROPERTY, LLC	0.38	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
107	3201	15	409-421 NORTH AVENUE E	JATOLE, LLC	0.29	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
108	3202	7	440 NORTH AVENUE E	440 NORTH AVE EAST, LLC	0.41	Lot is undersized but qualifies based on inclusion in overlay zone.	0.41	Yes
109	3206	3	126 SOUTH AVENUE E	THORACIC HOLDINGS, LLC % K DEMYTRK	0.29	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
110	3207	1.01	333 CENTRAL AVENUE	HC WESTFIELD 2015 LLC	0.52	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
111	3207	2	110 NEW ST	PAPANDREA, S JAMES	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
112	3207	3	402 ELMER ST S	PAPANDREA, S JAMES	0.09	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
113	3303	10	627 & 631 FOURTH AVENUE	FOURTH AVENUE HOMES, LLC; BEYER, JASON & VICTORIA	0.47	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
114	3305	1.04	552-556 NORTH AVE E	COMMERCE BANK	0.46	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
115	3307	1	421-429 SOUTH AVENUE E	SEVELL SOUTH AVE #10, LLC	1.38	Lot does not qualify for RDP analysis. Lot already designated for affordable housing.	1.38	No
116	5509	42	1517 RAHWAY AVE	MICHAEL MAHONEY LLC	0.45	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
116	3308	22	554 FAIRMONT AVE	SANFORD, ELEANOR E, ESTATE OF	0.17	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
117	3405	2.08	724 SHERMAN ST REAR	HIRTH, EDWARD B & DIANE	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
118	3405	4	741 FOURTH AVE	HOY, LEO	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
119	3405	5	733 FOURTH AVE	BIANCO, THOMAS	0.48	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
120	5608	14	1754 BOULEVARD	RAPP, JAMES R & ELAINE	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
120	3405	6	729 FOURTH AVE	ZAKY, EMAD & DAPHNE E LAKE	0.29	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
121	3405	7	727 FOURTH AVE	U.S. BANK NATIONAL ASSOC	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
122	3406	1	828 FOURTH AVE	OHIDY, JOSEPH	0.37	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
123	3406	7	757 THIRD AVE	KRALICK, PETER & HELEN	0.13	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
124	3407	9	813 FOURTH AVE	SIEGEL, EDWARD & MARGUERITE	0.20	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
125	3408	28	613 CHESTNUT ST S	ELSHIEKH ENTERPRISES LLC	0.34	Does not qualify for RDP analysis. Lot is undersized.	N/A	No

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126	3411	13	735 HARDING ST	WATKINS, RICHARD S & DIANE WINANS	0.24	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
127	3501	42	121 BENSON PL	TUNIS, E & GROZUCZAK, D	0.50	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
128	3501	7.01	732 E BROAD ST	HANSCOM, ELIZABETH C	0.31	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
129	3506	43	705 MARCELLUS DR	BAILEY, DEBORAH W	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
130	3506	49	215 BENSON PL	STRAUCHLER, PAUL & CAROL	0.19	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
131	3601	14	1059 COOLIDGE ST - REAR	ASSESSED	0.07	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
132	3601	48	921 HARDING ST	TOWER HOMES LLC	0.20	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
133	3604	11	1046 COOLIDGE ST	ASSESSED	0.06	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
134	3604	12	1025 LA CORTE TERR - REAR	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
135	3604	13	1021 LA CORTE TERR - REAR	ASSESSED	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
136	3605	1	1016 LA CORTE TERR	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
137	3605	15	27 CANTERBURY PL - REAR	ASSESSED	0.03	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
138	3605	4	31 CANTERBURY PL - REAR	ASSESSED	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
139	3901	16	9 SANDRA CIRCLE	ALLEN, DOLORES	0.28	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
140	3901	25	227 PAWNEE ROAD	ASSESSED	0.02	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
141	3901	27	222 PAWNEE ROAD - REAR	ASSESSED	0.07	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
142	3901	33	27 SHAWNEE ROAD	ASSESSED	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
143	3905	26	206 SPRINGFIELD AVE-REAR	CRANFORD SWIMMING CLUB	0.41	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
144	4001	1	601-605 CENTRAL AVE	RAPUANO, RALPH & CHRONE, ALLAN	0.26	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
145	4001	107	629 CENTRAL AVE	PARK AVENUE 470, LLC	0.17	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
146	4001	14.01	634 STIRLING PL	MAROTTA, MARK & LYNADA STAGGERS	0.14	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
147	4001	4	118 CACCIOLA PL	COLONEL, LOTTIE C/O N PRINGLE	0.07	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
148	4003	17	317 LIVINGSTON ST	THE RUGGERI FAMILY, LLC %P WEIGEL	0.28	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
149	4003	3	314 SOUTH AVENUE E	SHI, YING & LIN	0.17	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
150	4006	2	314 MYRTLE AVE	C W M & P, INC	0.38	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
151	4006	3	321 GROVE ST E	C W M & P, INC	1.24	Lot does not qualify for RDP analysis. Lot already designated for affordable housing.	1.24	No
152	4101	3	616 CENTRAL AVE	LUBINER, R - LUBINER, A - TRUSTEES	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No

ID	Block	Lot	Property Location	Owner	Area (ac)	Comments	Developable Area (ac)	Developable?
153	4102	7	665 CARLETON RD	D VILLANE CONSTRUCTION LLC	0.24	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
154	4201	3	616 SUMMIT AVE	G M HARBT ENTERPRISES LLC	0.37	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
155	4206	3	686 WESTFIELD AVE	MUNZ, DAVID A	0.47	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
156	4207	3	618 WESTFIELD AVE	WATNER, MICHAEL & MARIELYCE	0.28	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
157	4207	4	630 WESTFIELD AVE	WATNER, MICHAEL & MARIELYCE	0.28	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
158	4301	36	676 VERMONT ST	OGLETREE, T D & A B	0.36	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
159	4301	4	694 RAHWAY AVE - REAR	VILLANE, JOAN	1.85	Lot does not qualify for RDP analysis. Developable portions of site bisected by environmental constraints: stream and 100 Year Flood Plain. Approximately 0.51ac are constrained.	1.34	No
160	4402	14	756 SCOTCH PLAINS AVE	WETSCHER, BEATRICE, ESTATE OF	0.36	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
161	4404	2	754 HYSLIP AVE	MURRAY, AUDREY K	0.55	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
162	4405	12	816 KNOLLWOOD TERR	WINTER, ROBIN O & NANETTE	0.34	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
163	4405	5	715 DARTMOOR	SPIALTER, HOWARD D & ELYSE B	0.34	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
164	4407	1	KIRKVIEW CIRCLE	PRIVATE TRAFFIC ISLAND	0.01	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
165	4503	29	15 RUTGERS CT	BUCHNER, DEBORAH	0.33	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
166	4503	43	27 PLYMOUTH RD	CHERIN, ALFRED B	0.29	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
167	4506	3	859 NANCY WAY	GLASSER,T-GLASSER,GJ-GLASSER,A	0.34	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
168	4601	15	706 WILLOW GROVE ROAD - R	GIGLIUTO, SEBASTIANO C/O C GIORGIO	0.05	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
169	4603	17	1035 SEWARD AVE	SCHARPF, MICHAEL J & JULIE D	0.34	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
170	4702	55	980 CHEROKEE CT	MC CORMACK, KATHLEEN	0.33	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
171	4702	67	7 AMY DR	FEIBUSH, ARTHUR M	0.32	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
172	4703	24	835 TICE PLACE	BUSHINGER, BRETT & ALISSA	0.30	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
173	4705	1	902 SUMMIT AVE	ZIMMERLINK,EUGENE F JR&KAREN MARY	0.31	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
174	4706	37	901 SUMMIT AVE	BROOKS, JESSICA L & PETER F	0.24	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
175	4706	44	841 SUMMIT AVE	NCN PROPERTIES LLC	0.26	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
176	4707	20	940 CARLETON RD	940 CARLETON ROAD LLC	0.22	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
177	4707	43	831 BOULEVARD	HOCH, ANDREW & ELLEN	0.05	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
178	4801	22	111 GREENE PL	PAJAK, DARIUSZ & ANITA	0.14	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
179	5611	4	1516 BOULEVARD	WESTFIELD DEVELOPMENT GROUP, LLC	0.14	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
179	4803	4	244 GROVE ST E	VILLANE, CARL & JOAN	0.11	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
180	5709	17	1907 BOYNTON AVE	JUDGE, VERNA	0.11	Does not qualify for RDP analysis. Lot is undersized.	N/A	No

ID	Block	Lot	Property Location	Owner	Area (ac)	Comments	Developable Area (ac)	Developable?
180	4806	3	340 PINE ST	ASSESSED	0.00	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
181	4813	28	147 PINE CIR	DIAMANTOPOULOS, TERESA	0.26	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
182	4901	23	221 TWIN OAKS TERR	BUGEL, DIANE	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
183	4901	45	1103 BOYNTON AVE	WILLOUGHBY, HARRY	0.17	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
184	5708	6	117 PICTON ST - REAR	ASSESSED	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
184	4901	49	1120 RIPLEY AVE	BUONTEMPO, JOSEPH & STEVEN	0.23	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
185	4906	16	200 AVON RD	MULTI MANAGEMENT REALTY LLC	0.30	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
186	4906	24	248 AVON RD	MINSKY, WARREN & PATRICIA	0.22	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
187	5711	7.01	229 MARYLAND ST	CANCELLIERE, JOHN A & JESSICA	0.22	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
187	4910	6.01	109 HARDWICK AVE	JOHNSON, DAVID E & HELEN ANN	0.17	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
188	4911	24	1202 & 1204 BOYNTON AVE	PUPA HOMES, LLC; FLYNN, LAURA E & VERDUCCI, RORY M	0.35	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
189	4911	25.01	1206 BOYTON AVE	MIRABELLI, PHILIP & RITA	0.38	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
190	5004	35	12 MANCHESTER DR	FERNANDEZ, MARIE L & JACOBSON,J & T	0.28	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
191	5009	8	1317 PINE GROVE AVE	ALVARADO,JAVIER B & KATHLEEN I	0.20	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
192	5011	21	1313 BOULEVARD	LAGRAND AVE LLC	0.15	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
193	5012	7	314 MARLBORO ST	DAVIDSON, DEBORAH J	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
194	5012	8	318 MARLBORO ST	WGW1 LLC	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
195	5102	23	1023 TICE PLACE	REAGANJACK REAL ESTATE LLC	0.31	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
196	5105	4	418 MONTAUK DR	GIALLUISI CUSTOM HOMES III LLC	0.24	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
197	5107	2	1246 SUMMIT AVE	COLICCHIO CONSTRUCTION LLC	0.25	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
198	5501	12	42 FAULKNER DR	JONES, EDITHE	0.25	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
198	5108	6	101 COTTAGE PL	101 COTTAGE PLACE, LLC	0.18	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
199	5109	2	1302 SUMMIT AVE	GENTEMP LLC	0.27	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
200	5110	6	9 FAULKNER DR	TODD ELLNER L L C	0.22	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
201	5112	5	51 N COTTAGE PL	YAP, TERESITA P	0.16	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
202	5115	10	520 MONTAUK DR	J GABRIEL PROPERTIES	0.26	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
203	5115	20	1113 RAHWAY AVE	PRIVATE RIGHT OF WAY	0.05	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
204	5116	14	17 MOHAWK TRAIL	BEST, MARC R & ELIZABETH	0.20	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
205	5116	6	33 MOHAWK TRAIL	PRIVATE RIGHT OF WAY	0.05	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
206	5201	30	32 TAMAQUES WAY	PRIVATE RIGHT OF WAY	0.08	Does not qualify for RDP analysis. Lot is undersized.	N/A	No

ID	Block	Lot	Property Location	Owner	Area (ac)	Comments	Developable Area (ac)	Developable?
207	5201	54	78 TAMAQUES WAY	MICHAEL MAHONEY LLC	0.20	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
208	5203	20	641 NORWOOD DR	WAGFBFB LLC & MESSERCOLA BROS BUILD	0.25	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
209	5203	23	629 NORWOOD DR	BORNSTEIN, JOSHUA G & KEREN PALGI	0.19	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
210	5204	24	25 NORTH WICKOM DRIVE	25 WESTFIELD LLC	0.22	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
211	5205	21	25 SOUTH WICKOM DRIVE	MESSERCOLA BROS BUILDINGCCO INC	0.22	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
212	5206	14	627 KENSINGTON DR	WILSON, JAMES K & JANET P	0.19	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
213	5207	11	615 LEIGH DR	LEWIS, MARY A	0.19	Does not qualify for RDP analysis. Lot is undersized.	N/A	No
214	5401	11	116 SURREY LANE	GOLDEN TRIANGLE INVESTMENTS LLC	0.19	Does not qualify for RDP analysis. Lot is undersized.	N/A	No

Land Categorization	Acreage
Total Vacant Land	62.00 ac
Total Vacant Land of Lots Minimally .83 Acres	11.73 ac
Total Developable Area of Lots Minimally .83 Acres	0.41 ac
Realistic Development Potential (RDP)	2 units



ba

BURGIS ASSOCIATES, INC.

COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

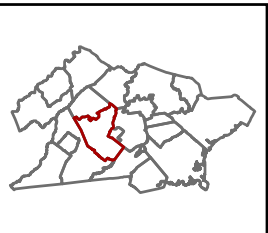
25 Westwood Avenue
Westwood, New Jersey 07675

p: 201.666.1811
f: 201.666.2599

Project Title:

Housing Element and Fair Share Plan

TOWN OF WESTFIELD
UNION COUNTY, NEW JERSEY



Legend

- Westfield Boundary
- Municipal Boundaries
- Parcels
- Vacant Parcels
- Wetlands
- Wetlands 50 ft Buffer
- 100 Year Flood Plain
- Waterbodies
- Streams
- Steep Slopes
 - < 15%
 - > 15%

Rev	Description	Date	Dwn	Ckd

Dwg. Title

Vacant Parcels w/
Environmental Constraints

Graphic Scale

05001,0002,000Feet

JOSEPH H. BURGIS AICP
PROFESSIONAL PLANNER
NEW JERSEY LIC. NO. 2450

Project No.3249.00

Sheet No.1 of 1

Date05/22/17

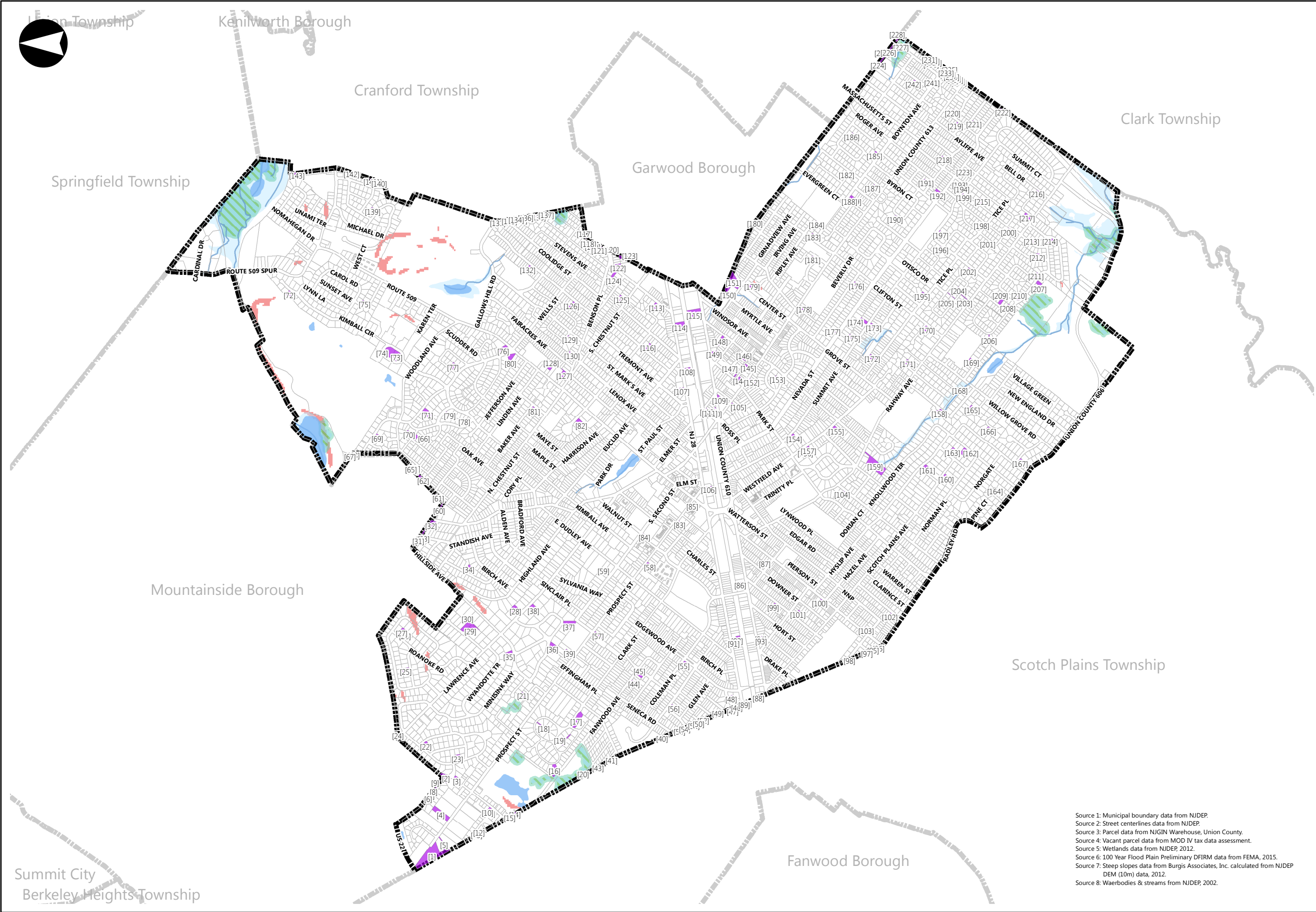
DrawnTB

Scale1" = 2,000'

Dwg. No.

VLA

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Source 1: Municipal boundary data from NJDEP.
Source 2: Street centerlines data from NJDEP.
Source 3: Parcel data from NJGIN Warehouse, Union County.
Source 4: Vacant parcel data from MOD IV tax data assessment.
Source 5: Wetlands data from NJDEP, 2012.
Source 6: 100 Year Flood Plain Preliminary DFIRM data from FEMA, 2015.
Source 7: Steep slopes data from Burgis Associates, Inc. calculated from NJDEP DEM (10m) data, 2012.
Source 8: Waterbodies & streams from NJDEP, 2002.

APPENDIX D

PUBLIC PROPERTY INVENTORY

Westfield Class15C Public Facilities and Parks.xlsx

<u>Block</u>	<u>Lot</u>	<u>Lead Parcel</u>	<u>Location Street</u>	<u>Location</u>	<u>Property Class Code</u>	<u>Building Desc</u>	<u>Land Desc</u>	<u>Acreage</u>	<u>Exempt Facility Name</u>	<u>Owner Name</u>
201	9	<u>1</u>	PROSPECT ST	1175 PROSPECT ST	15C		28.80 AC	28.8	PARK	TOWN OF WESTFIELD
204	1	<u>1</u>	WOODMERE DRIVE	962 WOODMERE DRIVE	15C		4500SF	0.1	TRAFFIC TRIANGLE	TOWN OF WESTFIELD
206	1	<u>1</u>	FANWOOD AVE	1043 FANWOOD AVE	15C		9.10AC	9.1	PARK	TOWN OF WESTFIELD
809	1	<u>1</u>	EDGEWOOD PARKWAY	EDGEWOOD PARKWAY	15C		275X20	0.13	PARK	TOWN OF WESTFIELD
811	1	<u>1</u>	EDGEWOOD PARKWAY	EDGEWOOD PARKWAY	15C		198X20 AV	0.09	PARK	TOWN OF WESTFIELD
904	1	<u>1</u>	CLARK ST	401 CLARK ST	15C		7.96 AC	7.96	PARK	TOWN OF WESTFIELD
905	1	<u>1</u>	TUTTLE PKWY	TUTTLE PKWY	15C		.250 AC	0.25	TRAFFIC TRIANGLE	TOWN OF WESTFIELD
906	16	<u>1</u>	TUTTLE PKWY	331 TUTTLE PKWY	15C		.0697 AC	0.07	STORM SEWER R.O.W.	TOWN OF WESTFIELD
1501	1	<u>1</u>	ECHO LAKE PARK	ECHO LAKE PARK	15C		34.014 AC	34.01	PARK	DIVISION OF PKS & REC/UN CO ADM BLD
1601	1	<u>1</u>	ECHO LAKE PARK	ECHO LAKE PARK	15C		28.1 AC	28.1	PARK	ASSESSED
1601	3	<u>1</u>	ECHO LAKE PARK	ECHO LAKE PARK	15C		0.478 AC	0.48	PARK	DIVISION OF PKS & REC/UN CO ADM BLG
1601	4	<u>1</u>	ECHO LAKE PARK	ECHO LAKE PARK	15C		0.35 AC	0.35	PARK	DIVISION OF PKS & REC/UN CO ADM BLG
1601	5	<u>1</u>	ECHO LAKE PARK	ECHO LAKE PARK	15C		1.157 AC	1.16	PARK	DIVISION OF PKS & REC/UN CO ADM BLG
1801	1	<u>1</u>	SPRINGFIELD AVE	540 SPRINGFIELD AVE	15C		56.46 AC	56.46	PARK	DIVISION OF PKS & REC/UN CO ADM BLG
2311	1	<u>1</u>	E BROAD ST	550 E BROAD ST	15C	2STY/BRK	1.64 AC	1.64	LIBRARY	TOWN OF WESTFIELD
2403	10	<u>1</u>	MOUNTAIN AVE	314 MOUNTAIN AVE	15C		1.60 AC	1.6	RESIDENCE	WESTFIELD HISTORICAL SOCIETY
2403	12	<u>1</u>	E BROAD ST	385 E BROAD ST	15C		11.9 AC	11.9	PARK	TOWN OF WESTFIELD
2403	29	<u>1</u>	E BROAD ST	425 E BROAD ST	15C		2.42AC	2.42	MUNICIPAL BUILDING	TOWN OF WESTFIELD
2405	15	<u>1</u>	ELM ST	146 ELM ST	15C		1.511 AC	1.51	PARKING LOT	TOWN OF WESTFIELD
2407	1	<u>1</u>	MOUNTAIN AVE	201 MOUNTAIN AVE	15C		.351 AC	0.35	PARK	TOWN OF WESTFIELD
2505	12.01	<u>1</u>	ELM ST	131 ELM ST	15C		1.7 AC	1.7	PARKING LOT	TOWN OF WESTFIELD
2505	12.02	<u>1</u>	ELM ST	129 ELM ST	15C		2 X 231	0.01	PARKING LOT	TOWN OF WESTFIELD
2507	1	<u>1</u>	NORTH AVENUE W	501 NORTH AVENUE W	15C		.140 AC	0.14	MONUMENT	TOWN OF WESTFIELD
2508	12	<u>1</u>	NORTH AVENUE W	NORTH AVENUE W	15C		.50AC	0.5	PARK	TOWN OF WESTFIELD
2510	21	<u>1</u>	SOUTH AVENUE W	510 SOUTH AVENUE W	15C		0.157	0.16	PARK	TOWN OF WESTFIELD
2511	1	<u>1</u>	SOUTH AVENUE PLAZA	SOUTH AVENUE PLAZA	15C		.220 AC	0.22	TRAFFIC ISLAND	TOWN OF WESTFIELD
2604	1	<u>1</u>	NORTH AVENUE W	959 NORTH AVENUE W	15C		600X190	2.62	PUBLIC WORKS CENTER	TOWN OF WESTFIELD
2704	1.01	<u>1</u>	CUMBERLAND ST	713 CUMBERLAND ST	15C		19.61 AC	19.61	PARK	TOWN OF WESTFIELD
2810	1	<u>1</u>	LAMBERTS MILL RD	500 LAMBERTS MILL RD	15C		20X50	0.02	TRAFFIC TRIANGLE	TOWN OF WESTFIELD
2904	1	<u>1</u>	RAHWAY AVE	550 RAHWAY AVE	15C		12.598 AC	12.6	ARMORY	STATE OF NEW JERSEY
3001	5	<u>1</u>	WATTERSON ST	360 WATTERSON ST	15C		0.976	0.98	PARKING LOT	TOWN OF WESTFIELD
3009	1	<u>1</u>	PARK ST	350 PARK ST	15C		.046 AC	0.05	TRAFFIC TRIANGLE	TOWN OF WESTFIELD
3101	1	<u>1</u>	SOUTH AVENUE W	454 SOUTH AVENUE W	15C		1.0 AC	1	PARK	TOWN OF WESTFIELD
3101	5	<u>1</u>	SOUTH AVENUE W	300 SOUTH AVENUE W	15C		4.2 AC	4.2	RAILROAD STATION	TOWN OF WESTFIELD
3103	1	<u>1</u>	NORTH AVENUE W	455 NORTH AVENUE W	15C		.965AC	0.97	PARK	TOWN OF WESTFIELD
3103	6	<u>1</u>	NORTH AVENUE W	401 NORTH AVENUE W	15C		63X150	0.22	FIRE HOUSE	TOWN OF WESTFIELD
3103	7	<u>1</u>	NORTH AVENUE W	301 NORTH AVENUE W	15C		2.8 AC	2.8	RAILROAD STATION	TOWN OF WESTFIELD
3107	2	<u>1</u>	ELMER ST	116 ELMER ST	15C		.001 AC	0.001	PARKING LOT	TOWN OF WESTFIELD
3107	11	<u>1</u>	CENTRAL AVE	155 CENTRAL AVE	15C		140X181	0.58	POST OFFICE	UNITED STATES GOVERNMENT
3112	1	<u>1</u>	NORTH AVENUE E	343 NORTH AVENUE E	15C		.046 AC	0.05	TRAFFIC TRIANGLE	TOWN OF WESTFIELD
3116	11	<u>1</u>	CENTRAL AVE	148 CENTRAL AVE	15C		.698 AC	0.7	PARKING LOT	TOWN OF WESTFIELD
3202	4	<u>1</u>	NORTH AVENUE E	300-404 NORTH AVENUE E	15C		3.640 AC	3.64	ADMINISTRATION	UNION COUNTY BD OF FREEHOLDERS
3205	11	<u>1</u>	CACCIOLA PL	221 CACCIOLA PL	15C		.175 AC	0.18	PARK	TOWN OF WESTFIELD
3304	1	<u>1</u>	FOURTH AVE	650 FOURTH AVE	15C		4.62 AC	4.62	PARK	TOWN OF WESTFIELD
3406	9	<u>1</u>	FOURTH AVE	706 FOURTH AVE	15C		3.73AC	3.73	PARK	TOWN OF WESTFIELD
3409	1	<u>1</u>	BENSON PL	402 BENSON PL	15C		.194 AC	0.19	TRAFFIC TRIANGLE	TOWN OF WESTFIELD
3509	1	<u>1</u>	BENSON PL	202 BENSON PL	15C		.298 AC	0.3	TRAFFIC TRIANGLE	TOWN OF WESTFIELD

Westfield Class15C Public Facilities and Parks.xlsx

<u>Block</u>	<u>Lot</u>	<u>Lead Parcel</u>	<u>Location Street</u>	<u>Location</u>	<u>Property Class Code</u>	<u>Building Desc</u>	<u>Land Desc</u>	<u>Acreage</u>	<u>Exempt Facility Name</u>	<u>Owner Name</u>
4001	99	<u>1</u>	CENTRAL AVE	723 CENTRAL AVE	15C		.218 AC	0.22	PARK	TOWN OF WESTFIELD
4004	16	<u>1</u>	SOUTH AVENUE E	410 SOUTH AVENUE E	15C		50X188	0.22	INSPECTION STATION	STATE OF NEW JERSEY
4005	2	<u>1</u>	WINDSOR AVE	302 WINDSOR AVE	15C		150X340	1.17	PARKING LOT	STATE OF NEW JERSEY
4604	12	<u>1</u>	WILLOW GROVE ROAD	711 WILLOW GROVE ROAD	15C		5.8AC	5.8	PARK	TOWN OF WESTFIELD
4815	10	<u>1</u>	CENTRAL AVE	1029 CENTRAL AVE	15C		2.98 AC	2.98	FIREHOUSE	TOWN OF WESTFIELD
4901	15	<u>1</u>	AZALEA TRAIL	13 AZALEA TRAIL	15C		.241 AC	0.24	DETENTION BASIN	TOWN OF WESTFIELD
4903	1	<u>1</u>	COLUMBUS AVE	1301 COLUMBUS AVE	15C		6.0 AC	6	PARK	DIVISION OF PKS & REC/UN CO ADM BLG
5003	1	<u>1</u>	MIDVALE WAY	MIDVALE WAY	15C		0.086	0.09	TRAFFIC ISLAND	TOWN OF WESTFIELD
5201	10	<u>1</u>	RAHWAY AVE	1128 RAHWAY AVE	15C		15X252	0.09	SEWER - R.O.W.	TOWN OF WESTFIELD
5201	57	<u>1</u>	LAMBERTS MILL RD	1101 LAMBERTS MILL RD	15C		85.80AC	85.8	PARK	TOWN OF WESTFIELD
5202	7	<u>1</u>	TAMAQUES WAY	49 TAMAQUES WAY	15C		15X450	0.16	SEWER - R.O.W.	TOWN OF WESTFIELD
5302	3	<u>1</u>	LAMBERTS MILL RD	1101 LAMBERTS MILL RD	15C		55.9 AC	55.9	PARK	TOWN OF WESTFIELD
Total		59						406.941		

Westfield Class15C Town Owned Vacant Land.xlsx

<u>Block</u>	<u>Lot</u>	<u>Lead Parcel</u>	<u>Location</u>	<u>Property Class Code</u>	<u>Land Desc</u>	<u>Acreage</u>	<u>Comments</u>
101	39.01	1	1207 SEDGEWICK AVE	15C	40X100	0.09	
101	40.01	1	1203 SEDGEWICK AVE	15C	60 X 100	0.14	
101	41.01	1	1187 SEDGEWICK AVE	15C	231 X 140	0.74	
103	6.02	1	1222 PROSPECT ST	15C	75 X 120	0.21	
104	4	1	120 MADISON AVE W	15C	.918 AC	0.92	
105	1	1	1243 OVERHILL ST	15C	.327 AC	0.33	
105	3	1	172 MADISON AVE W	15C	.06 AC	0.06	
106	1	1	1242 OVERHILL ST	15C	.27 AC	0.27	
306	56.02	1	942 PROSPECT ST	15C	25 X 113	0.06	
306	72.01	1	951 SEDGEWICK COURT	15C	1.34 AC	1.34	Extensive Wetlands
805	14	1	737 COLEMAN PL	15C	.131 AC	0.13	
906	1	1	413 DUDLEY AVE W	15C	.260 AC	0.26	
1001	6	1	123A STANMORE PLACE	15C	3.03X171	0.01	
2003	42	1	2 KAREN TERR	15C	75X15	0.03	
2302	47	1	176 HARRISON AVE	15C	.009 AC	0.01	
2608	1.01	1	649 ROOSEVELT ST	15C	0.159	0.16	
2608	26.01	1	650 HORT ST	15C	0.173	0.17	
2611	9	1	605 GRACELAND PL	15C	0.041	0.04	
2702	1	1	780 HANCOCK ST - REAR	15C	0.049	0.05	
2809	9	1	832 SHADOWLAWN DR - REAR	15C	0.01	0.01	
2819	13	1	109 SCOTCH PLAINS AVE	15C	0.105	0.11	
2904	41	1	245 HYSLIP AVE	15C	0.043	0.04	
2905	4	1	602 SHADOWLAWN DRIVE	15C	0.2	0.2	
3002	1	1	379 WATTERSON ST	15C	0.186	0.19	
3007	22	1	525 BOULEVARD	15C	0.022	0.02	
3007	23	1	525 BOULEVARD	15C	0.032	0.03	
3202	5	1	422 NORTH AVENUE E - REAR	15C	50X20	0.02	
3303	14	1	569 NORTH AVENUE E	15C	.138 AC	0.14	
3405	2.03	1	710 SHERMAN ST	15C	70 X 120 AVG	0.19	
3405	2.071	1	760 SHERMAN ST	15C	8,547 SQ FT	0.19	
3502	40	1	135 WELLS ST	15C	5X110	0.01	
3605	14.02	1	933 MORRIS AVE	15C	1.03 AC	1.03	Wetlands/Detention Basin
3606	1.021	1	912 MORRIS AVE	15C	7,000 SF	0.16	

Westfield Class15C Town Owned Vacant Land.xlsx

<u>Block</u>	<u>Lot</u>	<u>Lead Parcel</u>	<u>Location</u>	<u>Property Class Code</u>	<u>Land Desc</u>	<u>Acreage</u>	<u>Comments</u>
3606	1.022	1	916 MORRIS AVE	15C	7,000 SF	0.16	
3606	1.023	1	934 MORRIS AVE	15C	1.20 AC	1.2	Wetlands/Detention Basin
3607	1	1	932 UNION ST	15C	.039 AC	0.04	
3901	22	1	15 SANDRA CIRCLE - REAR	15C	.438 AC	0.44	
4001	64	1	238 WINDSOR AVE	15C	120X167.5	0.46	
4001	93	1	121 MYRTLE AVE	15C	.287 AC	0.29	
4002	17	1	619 STIRLING PLACE	15C	25X137.5	0.08	
4004	11	1	346 LIVINGSTON ST	15C	60X150	0.21	
4004	13	1	356 LIVINGSTON ST	15C	49.6X150 AV	0.17	
4006	1	1	304 MYRTLE AVE	15C	.723 AC	0.72	Town Affordable Housing Site
4007	13	1	244 MYRTLE AVE	15C	.529 AC	0.53	Town Affordable Housing Site
4601	14	1	20 NORMANDY DR	15C	.824 AC	0.82	Utility Easement
4601	16	1	706 WILLOW GROVE ROAD - R	15C	.272 AC	0.27	
4603	27	1	627 WILLOW GROVE ROAD	15C	.049 AC	0.05	
4703	5.013	1	417 GROVE ST W	15C	15,615 SQ FT	0.35	
4703	5.021	1	900 DUNHAM AVE	15C	2.0 AC	2	Constrained by Stream;Land Locked
4704	15.02	1	855 DUNHAM AVE	15C	57X100	0.13	
4705	6	1	921 DUNHAM AVE	15C	0.23	0.23	
4803	5	1	800 GRANDVIEW AVE	15C	.258 AC	0.26	
4804	1.01	1	803 GRANDVIEW AVE	15C	.329 AC	0.33	
4911	1	1	186 HARROW RD	15C	.033 AC	0.03	
5303	1	1	1300 LAMBERTS MILL RD	15C	21.5AC	21.5	Recycling Center
5403	1	1	1602 RAHWAY AVE	15C	5.07 AC	5.07	Recreation Ball Fields
5605	1	1	2000 CENTRAL AVE	15C	0.235	0.24	
5703	2	1	319 DELAWARE ST	15C	1.24 AC	1.24	
5704	3	1	1815 GRANDVIEW AVE	15C	2.93 AC	2.93	Constrained by Stream and Wetlands
5705	3.01	1	342 MARYLAND ST	15C	2.33 AC	2.33	Constrained by Stream and Wetlands
5706	2	1	320 VIRGINIA ST	15C	1.03 AC	1.03	Constrained by Stream and Wetlands
5707	17	1	2011 BOYNTON AVE	15C	.135 AC	0.14	
Total		62				50.61	

APPENDIX E

TOWN SURVEY OF HOUSING CONDITIONS

Westfield

STRUCTURAL CONDITIONS SURVEY

DATE: 3/17/2016

RATE COMPONENT: GOOD/EXCELLENT = 0

FAIR/POOR = X

SURVEYOR: Steve Freedman

James Gildea, Donald Sammet

STREET:				COMPONENTS								DEFICIENT STRUCTURE MARK "YES" OR "NO"	COMMENTS
ADDRESS	BLOCK	LOT	NUMBER OF DWELLING UNITS	ONE "X" AND STRUCTURE IS DEFICIENT			TWO "Xs" AND STRUCTURE IS DEFICIENT						
				FOUNDATION	SIDING AND WALLS	ROOF AND CHIMNEY	WINDOWS AND DOORS	EAVES/SOFFITS GUTTERS/LEANS	RAILS/STAIRS STEPS/PORCH	FIRE ESCAPE			
203 Geare St. W	480	3	1	0	0	0	X	X	X	0	Yes	Side door; front trees pocket	
611 Castleton Rd	419	23	1	0	0	X	0	X	0	0	Yes	Roof shingles; gutters section	
114 Cacciola	420	2	3	0	0	X	0	X	0	0	Yes	soffit; chimney damaged	
116 Cacciola	420	3	1	0	X	0	0	X	0	0	Yes	siding damaged; soffit	
122 Cacciola	420	5	3	0	X	0	0	0	0	0	Yes	siding damaged/missing	
123 Windsor Ave	420	36	1	0	0	0	0	X	0	0	No	Gutters and soffit damage	

Westfield

STRUCTURAL CONDITIONS SURVEY

DATE: 3/17/2016

RATE COMPONENT: GOOD/EXCELLENT = 0

FAIR/POOR = X

SURVEYOR: Steve Friedman

James Gildea, Donald Sammet

STREET:				COMPONENTS								DEFICIENT STRUCTURE MARK "YES" OR "NO"	COMMENTS
ADDRESS	BLOCK	LOT	NUMBER OF DWELLING UNITS	ONE "X" AND STRUCTURE IS DEFICIENT			TWO "Xs" AND STRUCTURE IS DEFICIENT						
				FOUNDATION	SIDING AND WALLS	ROOF AND CHIMNEY	WINDOWS AND DOORS	EAVES/SOFFITS GUTTERS/LEADS	RAILS/STAIRS	STEPS/PORCH	FIRE ESCAPE		
324 Livingston	404	4	2	0	0	X	0	0	0	0	Yes	Roof needs replacement	
352 S. Ave East	403	7	2	0	X	X	0	X	0	0	Yes	soffit + siding damage, roof needs replacement	
354 S. Ave East	403	8	2	0	X	0	0	X	X	0	Yes	siding + soffit damaged, stairs in disrepair	
659 Hillcrest	3322	3	1	0	X	0	X	0	X	0	Yes	Front stairs/stair damage; cracked window; stone foundation crack	

Westfield

STRUCTURAL CONDITIONS SURVEY

DATE: 3/17/2016

RATE COMPONENT: GOOD/EXCELLENT = O

FAIR/POOR = X

SURVEYOR: Steve Freedman

James Gillea, Donald Sammet

STREET:				COMPONENTS								DEFICIENT STRUCTURE MARK "YES" OR "NO"	COMMENTS
ADDRESS	BLOCK	LOT	NUMBER OF DWELLING UNITS	ONE "X" AND STRUCTURE IS DEFICIENT			TWO "Xs" AND STRUCTURE IS DEFICIENT						
				FOUNDATION	SIDING AND WALLS	ROOF AND CHIMNEY	WINDOWS AND DOORS	EAVES/SOFFETS GUTTERS/LEADS	RAILS/STAIRS STEPS/PORCH	FIRE ESCAPE			
648 W. Bond St	273	22	1	O	O	X	O	O	O	O	Yes	Roof Poor condition	
417 S. Elmer St	324	4	2	O	O	X	O	O	O	O	Yes	Roof poor condition	
429 Edgewood	901	12	1	O	O	O	O	O	X	O	No	front steps/steps	
												Brick poor condition	
420 Balster	207	27	1	O	O	O		X	O	O	No	Gutters damaged	

Westfield

STRUCTURAL CONDITIONS SURVEY

DATE: 3/17/2016

RATE COMPONENT: GOOD/EXCELLENT = O

FAIR/POOR = X

SURVEYOR: Steve Freedman

James Gildea, Donald Sammet

STREET:				COMPONENTS								DEFICIENT STRUCTURE MARK "YES" OR "NO"	COMMENTS
ADDRESS	BLOCK	LOT	NUMBER OF DWELLING UNITS	ONE "X" AND STRUCTURE IS DEFICIENT			TWO "Xs" AND STRUCTURE IS DEFICIENT						
				FOUNDATION	SIDING AND WALLS	ROOF AND CHIMNEY	WINDOWS AND DOORS	EAVES/SOFFETS GUTTERS/LEADS	RAILS/STAIRS STEPS/PORCH	FIRE ESCAPE			
417 Mountain	538	1	1	0	0	0	0	X	0	0	NO	soffit + gutter damage	
357 Briarwood	701	9	1	X	0	0	X	0	0	0	Yes	Foundation damage, windows boarded	

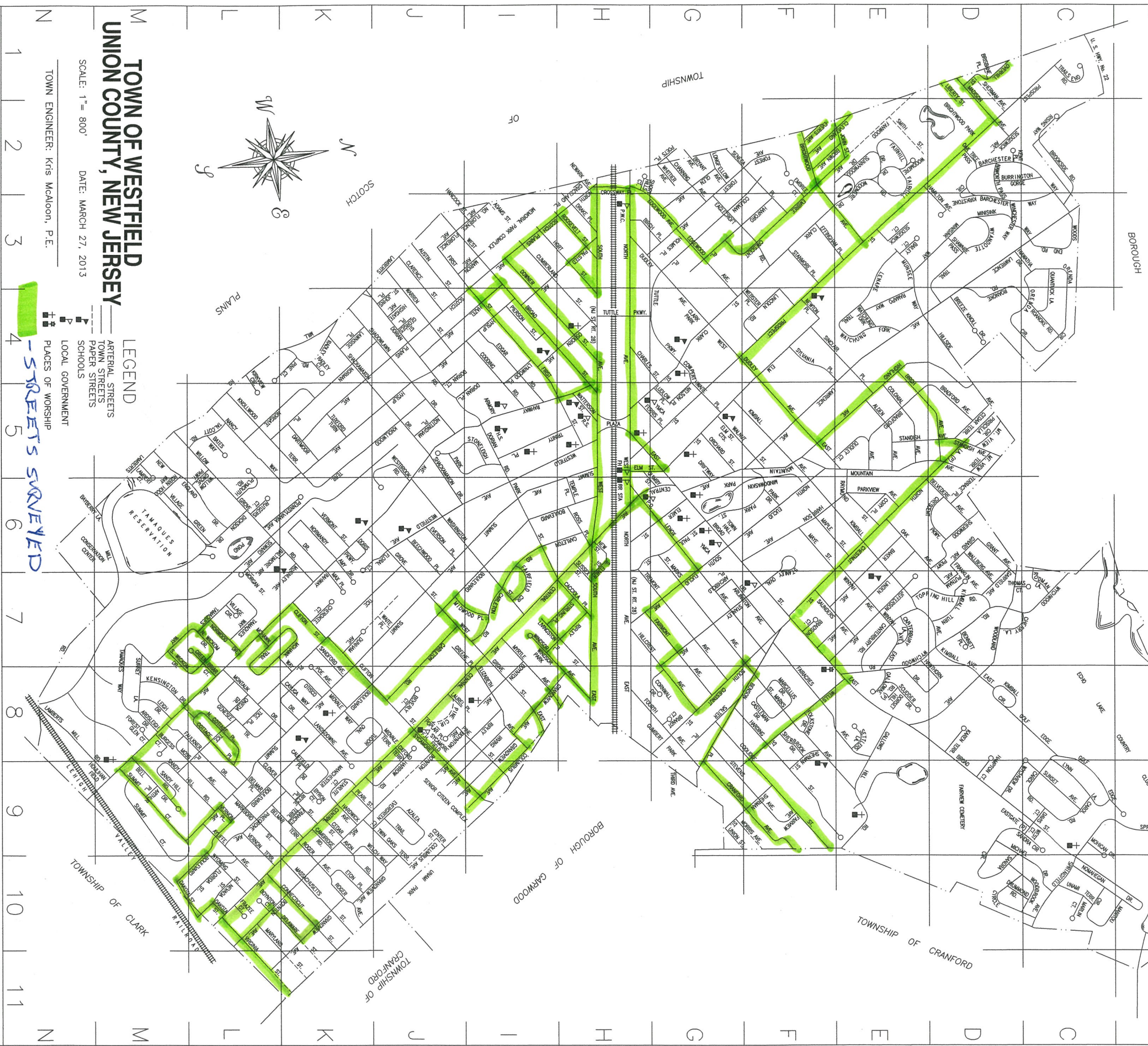
A STRUCTURAL
CONDITIONS
SURVEY ROUTE

MARCH 17, 2016

OF

MOUNTAINSIDE

B



**TOWN OF WESTFIELD
UNION COUNTY, NEW JERSEY**

SCALE: 1" = 800' DATE: MARCH 27, 2013

TOWN ENGINEER: Kris McAloon, P.E.

PLACES OF WORSHIP

STREETS SURVEYED

[illegible]



203 West Grove Street



203 West Grove Street



203 West Grove Street



203 West Grove Street



203 West Grove Street



611 Carleton



611 Carleton



116 Cacciola



116-114 Cacciola



116-114 Cacciola



116 Cacciola



116 Cacciola



324 Livingston



122 Cacciola



659 Hillcrest



123 Windsor



659 Hillcrest



659 Hillcrest



817 Mountain



659 Hillcrest



429 Edgewood



357 Brightwood



420 Palsted



429 Edgewood



648 West Broad Street



354 South Ave East



352 South Ave East



352 South Ave East



352 South Ave East



354 South Ave East



352 South Ave East



417 South Elmer

APPENDIX F

DEVELOPMENT FEE ORDINANCE

TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2066

"AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWN OF
WESTFIELD ESTABLISHING AN AFFORDABLE HOUSING DEVELOPMENT FEE"

WHEREAS, the Town of Westfield adopted a Housing Element and Fair Share Plan (HE&FSP) in 2014 to provide for affordable housing units to be constructed within the Town of Westfield in order to satisfy its affordable housing obligation under the New Jersey Supreme Court *Mount Laurel Decisions*; and

WHEREAS, the Town Council desires to establish an affordable housing development fee and trust fund for the purposes of facilitating the development of affordable housing units created pursuant to its HE&FSP.

BE IT THEREFORE RESOLVED by the Town Council of the Town of Westfield, in the County of Union and State of New Jersey as follows:

- I. Article 22 of the Land Use Ordinance, formerly referred to as Growth Share Obligation for Affordable Housing, repealed in its entirety 12/17/13 by General Ord. No. 2013, is hereby amended to fill this section to read as follows:

ARTICLE 22
AFFORDABLE HOUSING DEVELOPMENT FEE AND TRUST FUND

§22.1. Purpose

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds

and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have an approved spending plan may retain fees collected from non-residential development.

- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to the Department's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of the rules on development fees, codified at N.J.A.C. 5:97-8.

§22.2. Prior Development Fee Ordinance

- a) The Town of Westfield shall not spend development fees collected hereunder until the Superior Court has approved a plan for spending such fees in conformance with N.J.A.C. 5:97-8.10 and N.J.A.C. 5:96-5.3.
- b) Fees already collected under the provisions set forth in Article 22 of the Westfield Land Use Ordinance, adopted June 6, 2006 by Ordinance Number 1869 and repealed on December 17, 2013 by Ordinance Number 2013, shall continue to be utilized as previously authorized.

§22.3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:
 - i. **"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

- ii. **"COAH"** or the **"Council"** means the New Jersey Council on Affordable Housing established under the Fair Housing Act.
- iii. **"Development fee"** means money paid by a developer for the improvement of property as permitted in N.J.A.C. 5:97-8.3.
- iv. **"Developer"** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- v. **"Equalized assessed value"** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
- vi. **"Green building strategies"** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

§22.4. Residential Development fees

a) Imposed fees

- i. Within the Town of Westfield, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and one half (1.5) percent of the increase in equalized assessed value attributable to residential development provided no increased density is permitted.
- ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance)

has been permitted, developers shall be required to pay a development fee of 6% percent of the equalized assessed value for each additional unit in excess of that normally permitted by zoning. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one and a half percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.]

- b) Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of this municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
 - iii. Owner-occupied residential structures demolished, in whole or part, and replaced as a result of a fire, flood, or natural disaster shall be exempt from paying a development fee.

- iv. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- v. Expansions of one-family and two-family properties and minor improvements such as the installation of fences, air conditioning unit, landscaping and accessory buildings, are exempt from development fees.

§22.5. Non-residential Development fees

a) Imposed fees

- i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- iii. Development fees shall be imposed and collected when an existing structure is demolished in whole or in part and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a

negative number, the non-residential development fee shall be zero.

b) Eligible exactions, ineligible exactions and exemptions for non-residential development

i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.

ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs where there is no increase in square footage.

iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer. These exemptions include the following listed on the form:

- Non-profit and Public Education uses
- Houses of Worship
- Non-Profit hospital relocation or improvements
- Transit Hub
- Public amenities such as recreation, community and senior centers
- Commercial Farm or Use Group U buildings and structures
- State and Government buildings

iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.

- v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Town of Westfield as a lien against the real property of the owner.

§22.6. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit by forwarding a copy of the approving resolution authorizing the development.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development, which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.

- e) The construction official responsible for the issuance of a final certificate of occupancy shall notify the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should the Town of Westfield fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Town of Westfield. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts

escrowed shall be credited to the prevailing party.

- 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Town of Westfield. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§22.7. Affordable Housing trust fund

a)

There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.

- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

1. payments in lieu of on-site construction of affordable units;
2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
3. rental income from municipally operated affordable units;
4. repayments from affordable housing program loans;
5. recapture funds;
6. proceeds from the sale of affordable units; and
7. any other funds collected in connection with the Town of Westfield's affordable housing program.

§22.8 Use of funds

- a) The expenditure of all funds shall conform to a spending plan approved by the Superior Court. Funds deposited in the housing trust fund may be used for any activity so approved by to address the Town of Westfield fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.
- b) Funds shall not be expended to reimburse the Town of Westfield for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned may be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected may be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners

association or condominium fees and special assessments, and assistance with emergency repairs.

- ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) The Town of Westfield may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with the Department's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

§22.9. Monitoring

The Town of Westfield shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from

residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Town of Westfield's housing program, as well as to the expenditure of revenues and implementation of the plan as approved by the court. All monitoring reports shall be completed on forms designed by COAH.

§22.10. Ongoing collection of fees

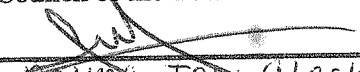
The ability for the Town of Westfield to impose, collect and expend development fees shall expire with its judgment of compliance unless the Town of Westfield has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned a judgement of compliance and has received the court's approval of its development fee ordinance. If the Town of Westfield fails to renew its ability to impose and collect development fees prior to the expiration of judgment of compliance, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). The Town of Westfield shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the Town of Westfield retroactively impose a development fee on such a development. The Town of Westfield shall not expend development fees after the expiration of its judgment of compliance.

II. All ordinances or parts of ordinances in conflict or inconsistent with any part of this ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

III. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

IV. This ordinance shall not be effective until approved hereunder by the Superior Court pursuant to N.J.A.C. 5:96-5.1 and after final passage and publication in accordance with law.

This is to certify that the within Ordinance is
a true and exact copy of the Ordinance adopted
on 8/9/16 by the
Town Council of the Town of Westfield


Acting Town Clerk

APPENDIX G

SPENDING PLAN

TOWN OF WESTFIELD SPENDING PLAN

INTRODUCTION

The Town of Westfield had previously adopted a growth share ordinance for affordable housing which included a development fee contribution towards affordable housing and created an affordable housing trust fund consistent with the Third Round Rules adopted by the Council on Affordable Housing (COAH). The Town repealed the growth share ordinance in 2013 with the New Jersey Appellate Court's decision to invalidate the Third Round "Growth Share" methodology adopted by COAH. The Appellate Court's decision was subsequently upheld by the New Jersey Supreme Court In re Adoption of N.J.A.C. 5:96 & 5:97, 221 N.J. 1 (2015) on March 10, 2015. The New Jersey Supreme Court's decision stripped the Council on Affordable Housing (COAH) of its administrative duties relating to the affordable housing certification process and mandated a judicial process for certifying affordable housing plans through the courts.

In response to the Supreme Court's March 10, 2015 decision, Westfield filed a declaratory judgment action with the Superior Court on July 2, 2015, titled In re Town of Westfield Compliance with Third Round Mount Laurel Affordable Housing Obligations, Docket No. UNN-L-2391-15 (the "DJ Action"). The DJ Action sought a judicial determination of compliance with the Town's Third Round affordable housing obligation. The DJ Action was settled and the settlement was reviewed and approved by the Superior Court of New Jersey (the Honorable Karen Cassidy, A.J.S.C., presiding) after a Fairness Hearing, which approval is memorialized in an amended order entered by the court on October 30, 2017 and filed by the court on November 1, 2017 (the "Settlement Approval Order"). To implement the Settlement Approval Order, the Planning Board has prepared a Housing Element and Fair Share Plan dated February 22, 2018 (the 2018 HE&FSP) which also requires the preparation of a Spending Plan consistent with the order.

Town of Westfield adopted a Development Fee Ordinance on August 9, 2016 which is incorporated into the 2018 HE&FSP for Court approval. The ordinance reestablished the affordable housing fee and trust account that was repealed in 2013. This Spending Plan has been prepared to implement the 2018 HE&FSP in accordance with COAH regulations and the Settlement Approval Order referenced herein.

1. REVENUES FOR CERTIFICATION PERIOD

As of January 30, 2018, the Town of Westfield had a balance of \$510,804.15 from its development fee ordinance, development fees, interest earned and other income which represents the balance of funds collected under the prior Growth Share Ordinance. All development fees, payments in lieu of constructing affordable units on site and interest generated by the fees are deposited into an interest-bearing account with Two River Community Bank with headquarters at 1250 Highway 35 South, Middletown, New Jersey, 07748.

All affordable housing trust funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9, as described in the sections that follow.

To calculate a projection of revenue anticipated during the period of Third Round substantive certification, the Town of Westfield considered the following:

(a) Development fees:

1. Residential and nonresidential projects which require building permit approval through the Town Building Department;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows:

The Town of Westfield anticipates a PIL of \$111,000.00 as a result of settlement with Peter Francis for development of Block 3007, Lots 3,4 & 5 referred to as the “Ross Place Site.”

The Town does not expect to collect such payments from other developers during the remainder of the Third Round housing cycle. The Town prefers developers construct affordable housing on-site rather than utilizing the PIL option, although the Town retains its authority to adjust its response depending on the facts relating to a particular site.

(c) Other funding sources:

None

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate.

SOURCE OF FUNDS									
	2018	2019	2020	2021	2022	2023	2024	2025	Total
(a) Development fees:	\$102,000	\$102,000	\$102,000	\$102,000	\$102,000	\$102,000	\$102,000	\$102,000	\$816,000
Approved Development									
Development Pending Approval									
Projected Development									
(b) Payments in Lieu of Construction		\$55,500	\$55,500						\$111,000
(c) Other Funds (Specify source(s))									
Collection of Loan from Rehabilitation program									
(d) Interest	\$765	\$765	\$765	\$765	\$765	\$765	\$765	\$765	\$6,120
Total	\$102,765	\$158,765	\$158,765	\$102,765	\$102,765	\$102,765	\$102,765	\$102,765	\$933,120

The Town of Westfield projects a total of \$933,120 in revenue to be collected between January 1, 2018 and December 31, 2025. This projected amount, when added to Westfield's trust fund balance as of January 30, 2018, results in an anticipated total revenue of

\$1,443,924 available to fund and administer its affordable housing plan. All interest earned on the account shall be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Town of Westfield:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Westfield's development fee ordinance for both residential and non-residential developments in accordance with the Department's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

Distribution of funds out of the affordable housing trust fund will only occur after authorization from the Mayor and Council. Each request for funds will need to identify the type of project, the cost of the proposed improvement and the property involved.

Requests for security assistance, rental assistance or converting low-income units to very low-income rental units will be available only to qualified, affordable households. The Town's administrative agent will process and monitor all such requests.

Should the amount of funds in Westfield's affordable housing trust fund be less than anticipated, Westfield will reduce anticipated future expenditures so the total amount of funds in the affordable housing trust fund does not drop below \$0.00. Westfield anticipates it will periodically need to update and refine the Spending Plan in order to insure expenditures never outstrip the resources contained within the affordable housing trust fund.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)

Westfield will establish a rehabilitation program in conjunction with the Union County Home Improvement Program. Westfield's rehabilitation share has been established as fifteen (15) units for the Third Round. Recognizing that a small number of dwellings may require maintenance, Westfield will provide \$150,000 available for the rehabilitation of existing housing units during the course of the Third Round.

Rehabilitation program: \$150,000.00

- (b) New construction project(s):** The Town of Westfield has designated property it owns on Myrtle Avenue for development as a 100% affordable housing project for special needs housing. Partnering with a nonprofit agency, it is anticipated that this housing will produce six (6) affordable special needs rental units and the Town will provide \$250,000.00 towards funding the project.

New construction: \$250,000.00

(c) Affordability Assistance (N.J.A.C. 5:97-8.8)

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

AFFORDABILITY ASSISTANCE CALCULATION

Existing Balance of Trust Fund as of 1/30/2018		\$ 510,804.15
Development fees projected 2018-2025	+	\$ 816,000.00
Interest projected 2018-2025	+	\$ 6,120.00
Payment in Lieu		\$ 111,000.00
Total	=	\$ 1,443,924.15
Calculate 30 percent	x .30 =	\$ 436,477.00
Less Affordability assistance expenditures through 01/30/2018	-	\$ -0-
PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2018 through 12/31/2025	=	\$ 436,477.00
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2012 through 12/31/2018	÷ 3 =	\$ 145,492.33

The Town of Westfield will dedicate \$436,477.00 from the affordable housing trust fund to render units more affordable, including \$145,492.33 to render units more affordable to households earning 30 percent or less of median income by region, as follows: converting low-income units to very low-income units, security deposit assistance and rental assistance. This will include working with non-profit affordable housing organizations in the development of affordable housing in Westfield to help reach the Town's goal to provide 20 additional affordable housing units, half for families, by December 31, 2015. This assistance is incorporated into the table below.

(b) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

ADMINISTRATIVE EXPENSE CALCULATION

Existing Balance of Trust Fund as of 1/30/2018		\$ 510,804.15
Development fees projected 2018-2025	+	\$ 816,000.00
Interest projected 2018-2025	+	\$ 6,120.00
Payment in Lieu		\$ 111,000.00
Total	=	\$ 1,443,924.15
Calculate 20 percent	x .20 =	\$ 288,784.83
Less admin expenditures thru 01/30/2018	-	\$ 0
PROJECTED MAXIMUM available for administrative expenses 1/1/2016 thru 12/31/2025	=	\$ 288,784.83

The Town of Westfield projects that \$288,784.83 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

Westfield anticipates administrative expenditure withdrawals from the affordable housing trust fund will be used to cover the planning expenses of preparing a housing element and fair share plan, participating in the Declaratory Judgement process, legal fees associated with both activities, office supplies, the cost of preparing ancillary planning documents associated with the Judgement of Compliance and Repose and the costs of services provided by the administrative agent retained by the Town.

4. EXCESS OR SHORTFALL OF FUNDS

In the event more funds than anticipated are collected, projected funds exceed the amount necessary to implement the Fair Share Plan, or Town of Westfield is reserving funds for affordable housing projects to meet a future affordable housing obligation, these excess funds will be used to subsidize security deposits of low-and moderate-income households and to make low-income units affordable to very low-income households. If there is less money captured in the affordable housing trust fund than anticipated, then this spending plan will be revised to reduce affordable housing spending in order to insure the money spent by Westfield on affordable housing purposes is never greater than the resources contained within the affordable housing trust fund.

5. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with the Town of Westfield's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

SUMMARY

The Town of Westfield intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the Westfield Housing Plan and Fair Share Element dated February 22, 2018. Westfield recognizes that its housing stock is limited and there are few opportunities to create new affordable housing units in the Town due to its unique land use patterns. In response to these constraints, Westfield will employ a flexible spending approach focusing on rehabilitation of existing affordable units, creation of special needs affordable housing, and working with non-profit affordable housing agencies to create affordable housing units.

Westfield has a balance of \$ 510,804.15 in its affordable housing trust fund as of January 31, 2018, and anticipates an additional \$933,120.00 in revenues through 2025 for a total of \$1,443,924.15. The municipality will dedicate \$ 150,000.00 towards rehabilitation, \$250,000 towards the Myrtle Avenue Special Needs 100 percent affordable project, \$436,477.00 towards low income housing assistance and 288,784.83 to administrative costs. A reserve is maintained to allow the Town flexibility in developing additional affordable housing programs as opportunities present themselves or because of amendments to the plan. Any shortfall of funds will be offset by appropriate reductions in spending. The municipality will dedicate any excess funds or remaining balance toward making low income dwellings affordable to very low-income households and additional affordability assistance.

SPENDING PLAN SUMMARY	
Balance as of January 30, 2018	\$ 510,804.15
PROJECTED REVENUE 2016-2025	
Development fees	+ \$ 816,000.00
Payments in lieu of construction	+ \$ 111,000.00
Other funds	+ \$ 0
Interest	+ \$ 6,120.00
TOTAL REVENUE	= \$ 1,443,924.15
PROJECTED EXPENDITURES 2012-2018	
Funds used for Rehabilitation	- \$ 150,000
Funds used for New Construction	
1. Myrtle Avenue Special Needs Housing	- \$ 250,000
2.	- \$
3.	- \$
4.	- \$
5.	- \$
6.	- \$
7.	- \$
8.	- \$
9.	- \$
Affordability Assistance	- \$ 436,477
Administration	- \$ 288,784
Excess Funds or Remaining Balance Reserved for Additional Affordable Housing Activity	= \$ 318,663
TOTAL PROJECTED EXPENDITURES	= \$ 1,443,924
REMAINING BALANCE	= \$0.00