

Third Round Midpoint Review Summary Report

Borough of Glen Ridge Essex County, NJ

Prepared by:



Prepared Date: June 30, 2020

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.



Jeffrey L. Janota, PP, AICP #33LJ00582700

Introduction

In accordance with the Fair Housing Act (FHA), The Borough of Glen Ridge adopted a 2018 Housing Element and Fair Share Plan (HEFSP) to plan for the provision of their "fair share" of affordable housing for low and moderate income persons and households for the Third Round. For the purposes of this report, the Third Round Obligation shall include the Gap Period present need (1999-2025), but the Third Round is generally identified as the period from 2015 to 2025.

The Borough executed a Settlement Agreement with the Court and Fair Share Housing Center in declaratory judgment proceedings under Docket No. ESX-L-4173-15 In the Matter of the Application of the Borough of Glen Ridge for a Determination of Mount Laurel Compliance. At the Compliance and Fairness Hearing held on December 7, 2018, the Borough received approval of its Settlement Agreement on January 7, 2019. The Borough is working towards obtaining a "Final Judgement of Repose" at this time, acting as what was formally known as Substantive Certification.

Now, at the midpoint of the Third Round (July 1, 2020), the Borough of Glen Ridge offers the following Midpoint Realistic Opportunity Review ("Midpoint Review") and corresponding Monitoring Form (see excel).

In accordance with the Settlement Agreement, this Midpoint Review is posted on the municipal website and has been provided to Fair Share Housing Center. Any interested party in this matter is invited to submit comments to the Borough:

Erik DeLine, Municipal Housing Liaison
825 Bloomfield Avenue
Glen Ridge, NJ 07028

Adam M. Gordon, Esq.
Fair Share Housing Center
510 Park Boulevard
Cherry Hill, NJ 08002

Conditions of Compliance

1. What conditions from the court's approval of the municipal housing element and fair share plan and judgment of compliance and repose, if any, have not yet been satisfied? Explain the reasons for any delay and the steps the municipality is taking to satisfy the condition(s).

The Glen Ridge Housing Element and Fair Share Plan (HEFSP) was adopted by the Planning Board on August 28, 2018 and endorsed by Borough Council on September 24, 2018. Following the adoption and endorsement of the plan, former Court Master Elizabeth McKenzie (now retired) provided the Borough with a review letter dated December 4, 2018 of recommended conditions to be fulfilled prior to the Borough receiving Final Judgement of Compliance. Since that time, the Borough has been working to fulfill those conditions. H2M submitted the required documentation to the new Court Master Elizabeth K. McManus, PP, AICP on June 22, 2020 and it is currently under review. The original conditions letter and the H2M response letter is attached to this Midpoint Review report (**Attachment 1**).

The Borough's Prior Round and Third Round Unmet Need is being addressed through rezoning of the Glen Ridge Country Club (PRD Zone). While the Borough has adopted the amended zoning, no applications for development have been submitted at this time.

The Borough adopted an Affordable Housing Ordinance (April 8, 2019) within 120-days of the Court's approval of the Settlement Agreement (January 7, 2019). Mandatory Set-Aside language was added to the ordinance as a condition of Elizabeth McKenzie's Judgement of Repose letter. The ordinance has been revised and is currently being reviewed by the current Court Master Elizabeth McManus. Once approved, the Borough will readopt the ordinance with the revised language.

On the date of the Court's approval of the Spending Plan, the Borough will provide annual reporting of trust fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website.

The Borough will provide annual reporting of all affordable housing activity on the anniversary of the date of the Court's approval of the Settlement Agreement (originally approved January 7, 2019), by posting on the municipal website and providing a copy to Fair Share Housing Center.

Within 30 days of the third anniversary of the Settlement Agreement, and every third year thereafter, the Borough will post on its municipal website and provide a copy to Fair Share Housing Center, a status report as to its satisfaction of its very low income requirements.

As described above, all conditions are on track to meet the requirements of the Court.

Developments that Are Not Completed

2. For each court-approved inclusionary development project that is not yet constructed, please provide a narrative as to its status and any progress towards construction.

The Baldwin Street inclusionary development project is currently under construction with permits issued in April 2019. Prior to the COVID-19 pandemic, the project was on track for completion by September 2020. Out of an abundance of caution and due to construction limitations, that may have occurred during the pandemic, the project is more likely to be completed next year, with signage, landscaping and other amenities projected for installation by March 1, 2021 (**Attachment 2**).

3. Have any non-inclusionary development projects (including 100% affordable projects, group homes, accessory apartments, market-to-affordable, extensions of affordability controls, etc.) included in the court-approved plan not yet been built/converted to affordable housing/controls extended? If yes, explain how many units, if any, have been built for each non-inclusionary project or mechanism and when construction is expected to be completed on the remaining units.

Other non-inclusionary development projects identified in the Borough's court-approved plan includes the Project Live III Special Needs Housing. The Borough is currently working with the organization to extend the affordability controls. The special needs housing facility currently has three (3) bedrooms.

4. Are there any projects that have missed any construction deadline established in the court-approved Settlement Agreement, or other mechanisms (e.g. market-to-affordable, accessory apartments, extensions of affordability controls) that have not met the completion schedule set forth in the Settlement Agreement or Housing Element and Fair Share Plan? If yes, what steps is the municipality taking to complete construction and what is the current timetable?

Soon the Borough's 28-unit Prior Round obligation will be met, upon completion of the inclusionary Family Rental Baldwin Street project, with one remaining unit being attributed to Unmet Need.

The Borough is currently working with Project Live III to extend the affordability controls for the 3-bedroom special needs housing facility.

As described above, all projects and mechanisms are on track to meet the completion requirements set forth in the Settlement Agreement and Housing Element and Fair Share Plan.

5. Are all unbuilt developments currently in a sewer service area, and if not what has the municipality done to incorporate the site into a sewer service area? Are there any barriers to obtaining water or sewer for any unbuilt site? Are there any other regulatory conditions that make it not possible to complete any site as originally contemplated?

All unbuilt projects are within a sewer service area. Future development within the PRD Zone would require new water and sewer infrastructure but would not prohibit development.

Rehabilitation Obligation

6. Is the rehabilitation program being administered by a municipality, county, or both? Do the program(s) include rental rehabilitation? If the municipality has not met at least half of its rehabilitation obligation by this midpoint review, what affirmative steps is the municipality taking to meet the obligation and to facilitate participation by homeowners and/or landlords?

The Borough of Glen Ridge is administering its rehabilitation program. The Settlement Agreement states that the Borough will contract directly with the Essex County Improvement Program to meet its rehabilitation obligation. However, the Borough has instead contracted with a program administrator, CGP&H LLC, to implement the rehabilitation program. The program includes rental rehabilitation.

While the Borough has not met at least half of its rehabilitation obligation, the Borough intends to meet its full 4-unit rehabilitation obligation by the end of the Third Round in 2025. The homeowner outreach flyer was distributed on the Borough's webpage and was pushed out via Facebook, Twitter, and the Borough's email list (**Attachment 3**). As of writing, 27 homeowners had responded to program marketing. All were invited to apply except those determined ineligible during intake with seven (7) homeowner applications received thus far. Two (2) determined eligible homeowner applications are currently in the preconstruction phase (cases 2002, 2003), four (4) are under eligibility review (cases 2001, 2005, 2006, 2007) and one (1) application was terminated due to income (case 2004).

Prior Round and/or Third Round Vacant Land Adjustment

7. If the municipality's court-approved Prior and/or Third Round plan includes Unmet Need:
- a. Has there been any development, proposal for development received by the municipality (even if ultimately rejected), adoption of rezoning or a redevelopment plan for of any parcel larger than 0.5 acres since the settlement was approved by the court on a parcel that was neither previously identified in calculating the municipality's RDP nor included in an inclusionary overlay zone? If so:
 - i. Please describe the development(s), development proposal(s), rezoning(s) or redevelopment plans(s)?
 - ii. Is any affordable housing included in any of the development(s) proposals(s), and/or rezoning(s) or redevelopment plan(s) referenced?
 - iii. If the municipality has a mandatory set-aside ordinance, was that applied to the development(s) and/or rezoning(s) or redevelopment plan(s)?

There has been no proposed, approved, or rejected development, no adopted redevelopment plan, and no rezoning that was not previously identified in calculating Glen Ridge's RDP nor included in an inclusionary overlay zone since the settlement was approved by the Court.

- b. Has any development occurred or been proposed to occur within any inclusionary overlay zone or for which a mandatory set-aside ordinance would apply since the settlement? If so:
 - i. What is that development or developments?
 - ii. Does that proposed or actual development include any affordable housing? What percentage of the development is affordable?

The Borough's Third Round Unmet Need (1999-2025) is being addressed through rezoning of the Glen Ridge Country Club (PRD Zone). While the Borough has adopted the amended zoning, no applications for development have been submitted at this time. While the Borough adopted a Mandatory Set-Aside

Ordinance, no development has been proposed or constructed for which this ordinance would apply.

- c. Have any changed circumstances occurred that result in additional parcels becoming available for development that were neither previously identified in calculating the municipality's RDP nor included in an inclusionary overlay zone? If yes, please identify the parcel(s) and describe how the municipality plans to address the changed circumstances.

The Borough remains fully built-out with no available land for development that was not previously identified in calculating Glen Ridge's RDP, nor included in an inclusionary overlay zone. **Attachment 4** compares tax class changes from 2019 (the most recently available data) and 2015 (the dataset used in the HEFSP VLA in calculating RDP). Of the 159 properties showing tax class changes, none are realistically developable.

Attachments

1. **Attachment 1** - Q1 – Court Master Elizabeth McKenzie (now retired) review letter dated December 4, 2018 and H2M response letter sent June 22, 2020
2. **Attachment 2** - Q2 – Clarus Glen Ridge Draft Construction Schedule
3. **Attachment 3** - Q6 – Rehabilitation Outreach Flyer
4. **Attachment 4** - Q7c – Tax Class Changes