STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
COUNCIL ON AFFORDABLE HOUSING
PETITION APPLICATION

This application is a guideline for creating a Housing Element and Fair Share Plan. A completed version of this application must be submitted as part of your petition for substantive certification to COAH. This application will be used by COAH staff to expedite review of your petition. This application can serve as your municipality's Fair Share Plan. A brief narrative component of the Fair Share Plan should be included with this application and can serve primarily to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would include a description of any waivers being requested.

This form reflects COAH's newly adopted procedural and substantive rules and the amendments to those rules adopted on September 22, 2008. Footnotes and links to some helpful data sources may be found at the end of each section. To use this document electronically, use the TAB KEY to navigate from field to field. Enter data or use the Right Mouse Button to check boxes.

MUNICIPALITY	Allendale Borough	**COUNTY PLANNING AREA(S)**	Bergen PA 1
COAH REGION	1		
SPECIAL RESOURCE AREA(S)	No		
PREPARER NAME	Kathleen Grady, PP, AICP	**TITLE**	Planning Consultant
EMAIL	Kgrady@cchnj.com	**PHONE NO.**	609-883-8383
ADDRESS	400 Sullivan Way, Trenton, NJ 08628	**FAX NO.**	609-883-4044
MUNICIPAL HOUSING LIAISON	Gwen McCarthy	**TITLE**	Borough Clerk
EMAIL	Municipal-Clerk@allendalenj.gov	**PHONE NO.**	(201) 818-4400
ADDRESS	500 W Crescent Ave Allendale, New Jersey 07401-179	**FAX NO.**	201-825-1913-

Enter the date(s) that COAH granted Substantive Certification or that the Court granted a Judgment of Compliance (JOC) on the Housing Element and Fair Share Plan.

History of Approvals	COAH	JOC	N/A
First Round	____	2/25/1991	☐
Second Round	10/1/2003	____	☐
Extended Second Round	10/29/2008	____	☐

Does the Petition include any requests for a waiver from COAH Rules? ☐Yes ☒No
If Yes, Please note rule section from which waiver is sought and describe further in a narrative section:_____

FILING/PETITION DOCUMENTS (N.J.A.C. 5:96-2.2/3.2 & N.J.A.C. 5:97-2.3/3.2)

All of the following documents must be submitted in order for your petition to be considered complete. Some documents may be on file with COAH. Please denote by marking the appropriate box if a document is attached to the Housing Element and Fair Share Plan or if you are using a document on file with COAH from your previous third round submittal to support this petition. Shaded areas signify items that must be submitted anew.

Included	On File	Required Documentation/Information
☒		Certified Planning Board Resolution adopting or amending the Housing Element & Fair Share Plan
☒		Certified Governing Body Resolution endorsing an adopted Housing Element & Fair Share Plan and either (check appropriate box): ☐Petitioning ☐Filing ☒Re-petitioning ☐Amending Certified Plan
☒		Service List (in the new format required by COAH)
☒		Adopted Housing Element & Fair Share Plan narrative (including draft and/or adopted ordinances necessary to implement the Plan)
☒ ☐N/A		If applicable, Implementation Schedule(s) with detailed timetable for the creation of units and for the submittal of all information and documentation required by N.J.A.C. 5:97-3.2(a)4
☐ ☒N/A	☐	If applicable, Litigation Docket No., OAL Docket No., Settlement Agreement and Judgment of Compliance or Court Master's Report
☒	☐	Municipal Master Plan (most recently adopted; if less than three years old, the immediately preceding, adopted Master Plan)
☒	☐	Municipal Zoning Ordinance (most recently adopted)[1] Date of Last Amendment: 4/12/07 Date of Submission to COAH: ____
☒	☐	Municipal Tax Maps (most up-to-date, electronic if available) Date of Last Revision: 2/14/01____ Date of Submission to COAH: ____
☒	☐	Other documentation pertaining to the review of the adopted Housing Element & Fair Share Plan (list): Included in housing element and fair share plan._____

FOR OFFICE USE ONLY

Date Received _____ Affidavit of Public Notice _____ Date Deemed Complete/Incomplete _____ Reviewer's Initials _____

[1] Pursuant to N.J.S.A. N.J.S.A. 52:27D-307, as amended by PL 2008 c.46, any residential development resulting from a zoning change made to a previously non-residentially-zoned property, where the change in zoning precedes or follows the application for residential development by no more than 24 months, shall require that a percentage be reserved for occupancy by low or moderate income households.

HOUSING ELEMENT

(N.J.A.C. 5:97-2 & N.J.S.A. 40:55D-1 et seq.)

The following issues and items must be addressed in the Housing Element for completeness review. Where applicable, provide the page number(s) on which each issue and/or item is addressed within the narrative Housing Element.

1. The plan includes an inventory of the municipality's housing stock by[1]:

   ☒ Age;
   ☒ Condition;
   ☒ Purchase or rental value;
   ☒ Occupancy characteristics; and
   ☒ Housing type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated

   ☒ Yes, Page Number: 18-25 ☐ No (incomplete)

2. The plan provides an analysis of the municipality's demographic characteristics, including, but not necessarily limited to[2]:

   ☒ Population trends
   ☒ Household size and type
   ☒ Age characteristics
   ☒ Income level
   ☒ Employment status of **residents**

   ☒ Yes, Page Number: 25-31 ☐ No (incomplete)

3. The plan provides an analysis of existing and future employment characteristics of the **municipality**, including but not limited to[3]:

   ☒ Most recently available in-place employment by industry sectors and number of persons employed;
   ☒ Most recently available employment trends; and
   ☒ Employment outlook

   ☒ Yes, Page Number: 32-33 ☐ No (incomplete)

4. The plan includes a determination of the municipality's present and prospective fair share for low and moderate income housing and an analysis of how existing or proposed changes in zoning will provide adequate capacity to accommodate residential and non-residential growth projections. AND

The analysis covers the following:

- ☒ The availability of existing and planned infrastructure;
- ☒ The anticipated demand for the types of uses permitted by zoning based on present and anticipated future demographic characteristics of the municipality;
- ☒ Anticipated land use patterns;
- ☒ Municipal economic development policies;
- ☒ Constraints on development including State and Federal regulations, land ownership patterns, presence of incompatible land uses or sites needing remediation and environmental constraints; and
- ☒ Existing or planned measures to address these constraints.

☒ Yes, Page Number: 34-38 ☐ No (incomplete)

5. The plan includes a consideration of 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.

☒ Yes, Page Number: 38 ☐ No (incomplete)

6. The plan relies on household and employment projections for the municipality as provided in Appendix F of COAH's rules (if yes check the yes box below and check no in lines 6a-8).

☒ Yes, Page Number: 39-43 ☐ No (go to 6a)

6a. The Plan relies on higher household and employment projections for the municipality as permitted under N.J.A.C. 5:97-2.3(d) (optional - see Fair Share Plan section starting on page 7 of this application).

☐ Yes (go to 7 and 8) ☒ No (go to 6b)

6b. The Plan relies on a request for a downward adjustment to household and employment projections for the municipality as provided in N.J.A.C. 5:97-5.6 (optional - see Fair Share Plan section starting on page 7 of this application).

☐ Yes, Page Number: _____ ☒ No

7. If the municipality anticipates higher household projections than provided by COAH in Appendix F, the plan projects the municipality's probable future construction of housing for fifteen years covering the period January 1, 2004 through December 31, 2018 using the following minimum information for residential development:

- ☐ Number of units for which certificates of occupancy were issued since January 1, 2004;
- ☐ Pending, approved and anticipated applications for development;
- ☐ Historical trends, of at least the past 10 years, which includes certificates of occupancy issued; and
- ☐ The worksheet for determining a higher residential growth projection provided by COAH. (Worksheets are available at www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html)

☐ Yes, Page Number: _____

☐ No (incomplete)

☒ Not applicable (municipality accepts COAH's projections)

8. If the municipality anticipates higher employment projections than provided by COAH in Appendix F, the plan projects the probable future jobs based on the use groups outlined in Appendix D for fifteen years covering the period January 1, 2004 through December 31, 2018 for the municipality using the following minimum information for non-residential development:

   - ☐ Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
   - ☐ Square footage of pending, approved and anticipated applications for development;
   - ☐ Historical trends, of at least the past 10 years, which shall include square footage authorized by certificates of occupancy issued;
   - ☐ Demolition permits issued and projected for previously occupied non-residential space; and
   - ☐ The worksheet for determining a higher non-residential growth projection provided by COAH.

☐ Yes, Page Number: _____ ☐ No (incomplete)

☒ Not applicable (municipality accepts COAH's projections)

9. The plan addresses the municipality's :

   - ☒ Rehabilitation share (from Appendix B);
   - ☒ Prior round obligation (from Appendix C); and
   - ☒ Projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

☒ Yes, Page Number: 44-64_____ ☐ No (incomplete)

10. If applicable, the plan includes status of the municipality's application for plan endorsement from the State Planning Commission.

☐ Yes, Page Number: _____ ☐ No (incomplete) ☒ Not Applicable

Petition date:_____ Endorsement date:_____

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[1] Information available through the U.S. Census Bureau at http://factfinder.census.gov/servlet/ACSSAFFHousing?_sse=on&_submenuId=housing_0

[2] Information available through the U.S. Census Bureau at http://factfinder.census.gov/home/saff/main.html.

[3] Information available through the New Jersey Department of labor at http://www.wnjpin.net/OneStopCareerCenter/LaborMarketInformation/lmi14/index.html

FAIR SHARE PLAN (N.J.A.C. 5:97-3)

Please provide a summary of the Fair Share Plan by filling out all requested information. Enter N/A where the information requested does not apply to the municipality. A fully completed application may serve as the actual Fair Share Plan. A brief narrative should be attached to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would fully describe, under a separate heading, any waivers that are being requested.

Determining the 1987-2018 Fair Share Obligation

The following tables will assist you in determining your overall 1987-2018 fair share obligation. For each cycle of the affordable housing need and rehabilitation share, please use the "need" column to enter the number of units addressed in the municipal petition. Where the municipality has received and/or is proposing any adjustments to its rehabilitation share, prior round and/or growth share obligation, use the footnotes providing rule references and follow the procedures for determining the municipal need and/or for calculating any adjustments applicable to the municipality. Enter the affordable housing need as provided by COAH or that results from the adjustment under the "Need" column.

Line		Need
1	○Rehabilitation Share (From N.J.A.C. 5:97 Appendix B) **OR**	4
2	○Optional Municipally Determined Rehabilitation Share (If a municipally determined rehabilitation share is being used, attach the survey results as an exhibit to this application and indicate that it is attached as Exhibit_____.)	_____
		Need
3	○Prior Round (1987-1999) Affordable Housing Obligation (From N.J.A.C. 5:97 Appendix C)	137
	○Prior Round Adjustments:	
	○20% Cap Adjustment	0
	○1000 Unit Cap Adjustment	0
4	Total Prior Round Adjustments	0
5	**Adjusted Prior Round Obligation:** (Number in Appendix C **minus** Total Prior Round Adjustment(s))	137
	○Prior Round Vacant Land Adjustment (Unmet Need)	_____
6	Realistic Development Potential(RDP)[1]	_____

[1] RDP = Adjusted Prior Round Obligation minus Vacant Land Adjustment

Determining the Growth Share Obligation

All municipalities must complete the "COAH projections" table below. Only municipalities that anticipate higher projections or that are seeking a growth projection adjustment based on a demonstration that insufficient land capacity exists to accommodate COAH projections need complete the corresponding additional table. COAH has published three workbooks in Excel format to assist with preparing this analysis. All municipalities must complete Workbook A. Workbook B must be used when the municipality anticipates that its growth through 2018 is likely to exceed the growth through 2018 that has been projected by COAH and the municipality wants to plan accordingly. Workbook C must be used by municipalities seeking a downward adjustment to the COAH-generated growth projections based on an analysis of municipal land capacity. Workbooks may be found at the following web location:
www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html.

The applicable workbook has been completed and is attach to this application as Exhibit A.

Line ○ ***Required 2004-2018 COAH Projections and Resulting Projected Growth Share***

	Household Growth (From Appendix F)	267	Employment Growth (From Appendix F)	- 3 4 1
	Household Growth After Exclusions (From Workbook A)	1 0 2	Employment Growth After Exclusions (From Workbook A)	- 3 4 1
	Residential Obligation (From Workbook A)	2 0	Non-Residential Obligation (From Workbook A)	0
7	Total 2004-2018 Growth Share Obligation			20

○ ***Optional 2004-2018 Municipal Projections Resulting in Higher Projected Growth Share***

	Household Growth After Exclusions (From Workbook B)	____	Employment Growth After Exclusions (From Workbook B)	____
	Residential Obligation (From Workbook B)	____	Non-Residential Obligation (From Workbook B)	____
8	Total 2004-2018 Projected Growth Share Obligation			____

○ ***Optional Municipal Adjustment to 2004-2018 Projections and Resulting Lower Projected Growth Share***

	Household Growth After Exclusions (From Workbook C)	____	Employment Growth After Exclusions (From Workbook C)	____
	Residential Obligation (From Workbook C)	____	Non-Residential Obligation (From Workbook C)	____
9	Total 2004-2018 Growth Share Obligation			____

10 **Total Fair Share Obligation** (Line 1 or 2 + Line 5 or 6 + Line 7, 8 or 9) 161

Summary of Plan for Total 1987-2018 Fair Share Obligation

(For each mechanism, provide a description in the Fair Share Plan narrative. In the table below, specify the number of completed or proposed units associated with each mechanism.)

	Completed	Proposed	Total
Rehabilitation Share			4
Less: Rehabilitation Credits	0		0
Rehab Program(s)		4	4
Remaining Rehabilitation Share			0
Prior Round (1987-1999 New Construction) Obligation			137
Less: Vacant Land Adjustment (If Applicable)			
(Enter unmet need as the adjustment amount. Unmet need = Prior round obligation minus RDP):			
Unmet Need			
RDP			
Mechanisms addressing Prior Round			
Prior Cycle Credits (1980 to 1986)		0	0
Credits without Controls	0	0	0
Inclusionary Development/Redevelopment	12	25	37
100% Affordable Units	15	0	15
Accessory Apartments	0	0	0
Market-to-Affordable	0	0	0
Supportive & Special Needs	0	10	10
Assisted Living	0	0	0
RCA Units previously approved	44	0	44
Other	0	0	0
Prior Round Bonuses	24	10	34
Remaining Prior Round Obligation-Surplus when built	0	+3	+3
Third Round Projected Growth Share Obligation			20
Less: **Mechanisms addressing Growth Share**			
Inclusionary Zoning	0	0	0
Redevelopment	0	0	0
100% Affordable Development	0	15	15
Accessory Apartments	0	0	0
Market-to-Affordable Units	0	0	0
Supportive & Special Need Units	0	5	5
Assisted Living: post-1986 Units	0	0	0
Other Credits	0	0	0
Compliance Bonuses	0	0	0
Smart Growth Bonuses	0	0	0
Redevelopment Bonuses	0	0	0
Rental Bonuses	0	0	0
Growth Share Total	0	20	20
Remaining (Obligation) or Surplus – Surplus once constructed	0	+3	+3

PARAMETERS[1]

Prior Round 1987-1999			
RCA Maximum	70	RCAs Included	44
Age-Restricted Maximum	24	Age-Restricted Units Included	15
Rental Minimum	35	Rental Units Included	48

Growth Share 1999-2018			
Age-Restricted Maximum	5	Age-Restricted Units Included	5
Rental Minimum	5	Rental Units Included	13
Family Minimum	10	Family Units Included	10
Very Low-Income Minimum[2]	3	Very Low-Income Units Included	3

[1] Pursuant to the procedures in N.J.A.C. 5:97-3.10-3.12

[2] Pursuant to N.J.S.A. 52:27D-329.1, adopted on July 17, 2008, at least 13 percent of the housing units made available for occupancy by low-income and moderate income households must be reserved for occupancy by very low income households.

Summary of Built and Proposed Affordable Housing

Provide the information requested regarding the proposed program(s), project(s) and/or unit(s) in the Fair Share Plan. Use a separate line to specify any bonus associated with any program, project and/or unit in the Plan. As part of completeness review, all monitoring forms must be up-to-date (i.e. 2007 monitoring must have been submitted previously or included with this application) and all proposed options for addressing the affordable housing obligation must be accompanied by the applicable checklist(s) (found as appendices to this application). Enter whether a project is proposed or completed and attach the appropriate form or checklist for each mechanism as appendices to the plan. Please note that bonuses requested for the prior round must have been occupied after December 15, 1986 and after June 6, 1999 for the third round.

Please make sure that a corresponding mechanism checklist is submitted for each mechanism being employed to achieve compliance. Separate checklists for each mechanism are available on the COAH website at www.nj.gov/dca/affiliates/coah/resources/checklists.html.

Table 1. Projects and/or units addressing the Rehabilitation Share

Project/Program Name	Proposed (use Checklists) or Completed(use Rehabilitation Unit Survey Form)	Rental, Owner Occupied or Both	Checklist or Form Appendix Location[1]
1. County	Proposed	Both	Checklist
2.			
3.			

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit Rehabilitation Unit Survey Forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Table 2. Programs, Projects and/or units addressing the Prior Round.

Project/Program Name	Mechanism or Bonus Type	Proposed (use checklists) or Completed (use Project/Unit Program Information Forms)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Number Addressing Rental Obligation)	Number Subject to Age-Restricted Cap	Checklist or Form Appendix Location[1]
1. Regional Contribution Agreement	RCA	Completed	44	0	0	C T M
2. Allendale Brook Estates	Inclusionary	Completed	9	0	0	C T M
3. Saddle Dale	Inclusionary	Completed	3	0	0	C T M
4. Allendale Senior Housing	Municipally Sponsored	Completed	15	15	15	C T M
5. Orchard Commons	Special Needs	Proposed	10 BR	10	0	Checklist
6. Garden Homes/ The Whitney (Freeman)	Inclusionary	Proposed	23	23	0	Checklist
7. Former Farm (Site 1)	Inclusionary	Proposed	2	0	0	Checklist
8. Garden Homes Rental Bonus	Rental Bonus	Proposed	23	0	0	N / A
9. Orchard Commons Rental Bonus	Rental Bonus	Proposed	10	0	0	N / A
10. Allendale Senior Housing Rental Bonus	Rental Bonus	Completed	1	0	0	N / A
11.						
12.						

Subtotal from any additional pages used	0
Total units (proposed and completed)	106
Total rental	48
Total age-restricted	15
Total very-low	0
Total bonuses	34
Total Proposed Credits (units + bonuses)	140

Please add additional sheets as necessary.

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Table 3. Programs, Projects and/or Units Addressing the Third Round.

Project Name	Mechanism or Bonus Type	Proposed (use checklist(s)) or Completed (use Project/Unit Program Information Form)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply	Units Addressing Rental Obligation	Units Addressing Family Obligation	Units Subject to Age-restricted Cap	Checklist or Form Appendix Location[1]
13. Allendale Senior Housing	Municipally Sponsored	Proposed	1	1	0	1	Checklist
14. Foreit Supportive shared living	Special Needs	Proposed	5 B R	5	0	0	Checklist
15. Foreit Municipally Sponsored Site	Municipally Sponsored	Proposed	1 4	7	1 0	4	Checklist
16.							
17.							
18.							
19.							
20.							

Subtotal from any additional pages used	0	**Total units (proposed and completed)**	20
Total family units	10	Total rental units	13
Total age-restricted units	5	Total family rental units	3
Total Supportive/Special Needs units	5 beds	Total very-low units	3
Total Special Needs bedrooms	5	Total bonuses	0
		Total Proposed Credits (units + bonuses)	20

Please add additional sheets as necessary.

[1] If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007monitoring, enter "on file" in this column.

Please answer the following questions necessary for completeness review regarding the municipality's draft and/or adopted implementing ordinances.

AFFORDABLE HOUSING TRUST FUND (N.J.A.C. 5:97-8)

1. Does the municipality have an affordable housing trust fund account? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a fully executed escrow agreement will forfeit the ability to retain development fees.)**

   ☒ Yes, Bank Name Bank of America_____

   (Choose account type) ☒ Separate interest-bearing account

   ☐ State of New Jersey cash management fund

   ☐ No (**Skip to the Affordable Housing Ordinance section**)

2. Has an escrow agreement been executed? ☒Yes ☐No
   (If no, petition is incomplete. Submit an executed escrow agreement.)

3. Is all trust fund monitoring up-to-date as of December 31, 2007? ☒Yes ☐ No
   (If no, petition is incomplete. Submit an updated trust fund monitoring report.)

DEVELOPMENT FEE ORDINANCES (N.J.A.C. 5:97-8.3)

1. Does the Fair Share Plan include a proposed or adopted development fee ordinance? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a development fee ordinance will forfeit the ability to retain non-residential development fees)**

   ☒ Yes,

   ☐ Adopted **OR** ☒Proposed

   ☐ No **Skip to the next category; Payments-in-Lieu**

2. If adopted, specify date of COAH/Court approval here:_____

   - Have there been any amendments to the ordinance since COAH or the Court approved the ordinance?

     ☐Yes, Ordinance Number._____ Adopted on[1]_____

     ☐ No (**Skip to the next category; Payments-in-Lieu**)

   - If yes, is the amended ordinance included with your petition?

   ☐ Yes

   ☐ No, (**Petition is incomplete. Submit ordinance with governing body resolution requesting COAH approval of amended ordinance**)

3. Does the ordinance follow the ordinance model **updated September 2008** and available at www.nj.gov/dca/affiliates/coah/resources/planresources.html? If yes, skip to question 5.

   ☒ Yes ☐ No

4. If the answer to 3. above is no, indicate that the necessary items below are addressed before submitting the Development Fee ordinance to COAH:

Information and Documentation

The ordinance imposes a residential development fee of ____% and a Non-residential fee of 2.5 %

☐ A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);

☐ A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e)

☐ A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d)

☐ A description of collection procedures per N.J.A.C. 5:97-8.3(f)

☐ A description of development fee appeals per N.J.A.C. 5:97-8.3(g)

☐ A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h)

☐ If part of a court settlement, submit court ordered judgment of compliance, implementation ordinances, information regarding period of time encompassed by the judgment of compliance and a request for review by the court

5. Does the ordinance include an affordability assistance provision per N.J.A.C. 5:97-8.8 (**Note: must be at least 30 percent of all development fees plus interest**)?

   ☒ Yes (Specify actual or anticipated amount) $151,234

   ☐ No **Submit an amended ordinance with provisions for affordability assistance along with a governing body resolution requesting COAH approval of the amended ordinance.**)

   - If yes, what kind of assistance is offered?

   Down-payment assistance, rental assistance, security deposit assistance, low interest loans, assistance with homeowners association or condo fees and special assessments, and/or converting low income units to very low income units.

   - Has an affordability assistance program manual been submitted? ☐ Yes ☒ No

[1] Any amendment to a previously approved and adopted development fee ordinance must be submitted to COAH along with a resolution requesting COAH's review and approval of the amendment prior to the adoption of said amendment by the municipality.

PAYMENTS-IN-LIEU OF CONSTRUCTING AFFORDABLE UNITS ON SITE (N.J.A.C. 5:97-8.4)

1. Does the Fair Share Plan include an inclusionary zoning ordinance that provides for payments-in-lieu as an option to the on-site construction of affordable housing?

   ☐ Yes ☒ No (**Skip to the next category; Barrier Free Escrow)**

2. Does the plan identify an alternate site and/or project for the payment-in-lieu funds? **(Optional)**

   ☐ Yes (**attach applicable checklist**)
   ☐ No (identify possible mechanisms on which payment in lieu will be expended in narrative section of plan.)

3. Does the ordinance include minimum criteria to be met before the payments-in-lieu becomes an available option for developers? **(Optional)**

   ☐ Yes (indicate ordinance section)_____
   ☐ No

BARRIER FREE ESCROW/OTHER FUNDS (N.J.A.C. 5:97-8.5/8.6)

1. Has the municipality collected or does it anticipate collecting fees to adapt affordable unit entrances to be accessible in accordance with the Barrier Free Subcode, N.J.A.C. 5:23-7?

   ☐ Yes ☒ No

2. Does the municipality anticipate collecting any other funds for affordable housing activities?

☐ Yes (specify funding source and amount) _____

☒ No

SPENDING PLANS (N.J.A.C. 5:97-8.10)

1. Does the petition include a Spending Plan? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a Spending Plan will forfeit the ability to retain development fees.)**

   ☒ Yes ☐ No

2. Does the Spending Plan follow the Spending Plan model **updated October 2008** and available at www.nj.gov/dca/affiliates/coah/resources/planresources.html? If yes, skip to next section - Affordable Housing Ordinance.

   ☒ Yes ☐ No

3. If the answer to 1. above is no, indicate that the necessary items below are addressed before submitting the spending plan to COAH:

Information and Documentation

☐ A projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historical development activity;

☐ A projection of revenues anticipated from other sources (specify source(s) and amount(s));

☐ A description of the administrative mechanism that the municipality will use to collect and distribute revenues;

☐ A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7;

☐ A schedule for the expenditure of all affordable housing trust funds;

☐ A schedule for the creation or rehabilitation of housing units;

☐ If the municipality envisions being responsible for public sector or non-profit construction of housing, a detailed pro-forma statement of the anticipated costs and revenues associated with the development, consistent with standards required by HMFA or the DCA Division of Housing in its review of funding applications;

☐ If the municipality maintains an existing affordable housing trust fund, a plan to spend the remaining balance as of the date of its third round petition within four years of the date of petition;

☐ The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan;

☐ A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

☐ If not part of the petition, a resolution of the governing body requesting COAH review and approval of spending plan or an amendment to an approved spending plan.

AFFORDABLE HOUSING ORDINANCE (N.J.A.C. 5:80-26.1 *et seq.*)

1. Does the Fair Share Plan include an Affordable Housing Ordinance?

   ☒ Yes ☐ No

2. Does the ordinance follow the ordinance model available at www.nj.gov/dca/affiliates/coah/resources/planresources.html? ☐ Yes ☒ No

3. If the answer to 1. or 2. above is no, indicate that the required items below are addressed before submitting to COAH. If the required items are addressed in ordinances other than an Affordable Housing Ordinance, please explain in a narrative section of the Fair Share Plan.

Required Information and Documentation

☒ Affordability controls

☒ Bedroom distribution

☒ Low/moderate-income split and bedroom distribution

☒ Accessible townhouse units

☒ Sale and rental pricing

☒ Municipal Housing Liaison

☒ Administrative Agent

☒ Reference to the Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

AFFORDABLE HOUSING ADMINISTRATION (As Applicable)

Items that must be submitted with the petition:

☒ Governing body resolution designating a municipal housing liaison (COAH must approve) – previously submitted.

Items that must be submitted prior to COAH's grant of Substantive Certification:

☐ Operating manual for rehabilitation program

☐ Operating manual for affordability assistance

☐ Operating manual for an Accessory Apartment program

☐ Operating manual for a Market-to-Affordable program

☐ COAH approved administrative agent if municipal wide

Items that must be submitted prior to any time prior to marketing completed units:

☐ COAH approved administrative agent(s) is project specific

☐ Operating manual for sale units

☐ Operating manual for rental units

☐ Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

CERTIFICATION

I, Kathleen Grady, have prepared this petition application for substantive certification on behalf of Allendale Borough. I certify that the information submitted in this petition is complete, true and accurate to the best of my knowledge. I understand that knowingly falsifying the information contained herein may result in the denial and/or revocation of the municipality's substantive certification.

_____ _____

Signature of Preparer (affix seal if applicable) Date

_____

Title

N.J.S.A. 2C:21-3, which applies to the certifications, declares it to be a disorderly person offense to knowingly make a false statement or give false information as part of a public record.

Narrative Section

See housing element and fair share plan for additional narrative.

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

A municipality that petitions the Council on Affordable Housing (COAH) for substantive certification or is otherwise participating in COAH's substantive certification process must include an updated service list in order for COAH to review its submittal. At the time it files or petitions for substantive certification a municipality must provide COAH with a Service List which includes the following information (Please print clearly):

1. Current names and addresses of owners of sites included in previously certified or court settled plans that were zoned for low- and moderate-income housing and/or were to pay a negotiated fee(s). Owners of sites that have been completely developed may be excluded;

PROJECT NAME	Allendale Senior Housing	**BLOCK**	1708
		LOT	1, 9
PROPERTY OWNER	Borough of Allendale,	**TITLE**	
EMAIL	pvclerk@mycomcast.net	**PHONE NO.**	201-818-4400
ADDRESS	500 West Crescent Ave Allendale, NJ 07401	**FAX NO.**	201-825-1913

PROJECT NAME	Allendale Senior Housing	**BLOCK**	1708
		LOT	1, 9
PROPERTY OWNER	Allendale Senior Housing Corporation, Christopher J. Greimel	**TITLE**	President
EMAIL	cgreimel@optonline.net	**PHONE NO.**	201-825-7535
ADDRESS	157 Park Avenue Allendale, NJ 07401	**FAX NO.**	201-236-8871

PROJECT NAME	Orchard Commons	**BLOCK**	1806
		LOT	10.01
PROPERTY OWNER	Borough of Allendale	**TITLE**	
EMAIL	pvclerk@mycomcast.net	**PHONE NO.**	201-818-4400
ADDRESS	500 West Crescent Ave. Allendale, NJ 07401	**FAX NO.**	201-825-1913

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

PROJECT NAME	Orchard Commons	**BLOCK**	1806
		LOT	10.01
PROPERTY OWNER	Allendale Housing, Inc., Mayor Vince Barra	**TITLE**	Mayor
EMAIL	pvclerk@mycomcast.net	**PHONE NO.**	201-818-4400
ADDRESS	500 West Crescent Ave. Allendale, NJ 07401	**FAX NO.**	201-825-1913

PROJECT NAME	Garden Homes/The Whitney (formerly Freeman)	**BLOCK**	2101
		LOT	1, 2, 3, 6, 7, 8
PROPERTY OWNER	Freeman, Sanford and Susan	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	106 Chestnut Street Allendale, NJ 07401	**FAX NO.**	

PROJECT NAME	Garden Homes/The Whitney (formerly Freeman)	**BLOCK**	2101
		LOT	5
PROPERTY OWNER	Whitney Lane Corp. A NJ Corp.	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	106 Chestnut Street Allendale, NJ 07401	**FAX NO.**	

PROJECT NAME	Former Farm (Site 1)	**BLOCK**	506
		LOT	4
PROPERTY OWNER	Seward, W. Bandurski, J. Et al.	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	786 S. Maple Ave. Glen Rock, NJ 07452	**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

PROJECT NAME	Episcopal Church Site	**BLOCK**	1604
		LOT	15
PROPERTY OWNER	Church of the Ephiphany	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	55 George Street Allendale, NJ 07401	**FAX NO.**	

PROJECT NAME	Board of Education Site	**BLOCK**	1102
		LOT	14
PROPERTY OWNER	Board of Education	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	105 Hillside Ave. Allendale, NJ 07401	**FAX NO.**	

PROJECT NAME		**BLOCK**	
		LOT	
PROPERTY OWNER		**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS		**FAX NO.**	

PROJECT NAME		**BLOCK**	
		LOT	
PROPERTY OWNER		**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS		**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

2. The names and addresses of owners of all new or additional sites included in the Fair Share Plan;

		BLOCK	904
PROJECT NAME	Foreit Property	**LOT**	10, 11, 12, 13, 31
PROPERTY OWNER	Foreit, Eugene H. & Patrick M	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	303 W. Crescent Ave. Allendale, NJ 07401	**FAX NO.**	

		BLOCK	
PROJECT NAME		**LOT**	
PROPERTY OWNER		**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS		**FAX NO.**	

		BLOCK	
PROJECT NAME		**LOT**	
PROPERTY OWNER		**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS		**FAX NO.**	

		BLOCK	
PROJECT NAME		**LOT**	
PROPERTY OWNER		**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS		**FAX NO.**	

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

3. Except for Mayors, Clerks, Municipal Attorneys and Municipal Housing Liaisons, which are automatically added to every Service List by COAH, the names and addresses of all municipal employees or designees that the municipality would like notified of all correspondence relating to the filing or petition;

NAME	John Yakimik	**TITLE**	Borough Engineer
EMAIL	John.yakimik@hatchmott.com	**PHONE NO.**	973-379-3400
ADDRESS	27 Bleeker Street Millburn, NJ 07041	**FAX NO.**	973-376-1072

NAME	Edward Snieckus, AICP, PP	**TITLE**	Borough Planner
EMAIL	es@burgis.com	**PHONE NO.**	201-666-1811
ADDRESS	25 Westwood Ave. Westwood, NJ 07675	**FAX NO.**	201-666-2599

NAME	Barbara Knapp	**TITLE**	Planning Board Secretary
EMAIL	bknapp@allendalenj.gov	**PHONE NO.**	201-818-4400
ADDRESS	500 West Crescent Ave. Allendale, NJ 07401	**FAX NO.**	201-825-1913

NAME	Timothy Dunn, II, Esq.	**TITLE**	Planning Board Attorney
EMAIL	tdunn@dunnbrowne.com	**PHONE NO.**	201-664-0002
ADDRESS	645 Westwood Avenue, Suite 200 River Dale, NJ 07675	**FAX NO.**	201664-5064

NAME	Planning Board Chair	**TITLE**	
EMAIL		**PHONE NO.**	201-818-4400
ADDRESS	500 West Crescent Ave. Allendale, NJ 07401	**FAX NO.**	201-825-1913

NAME	Mary Beth Lonergan	**TITLE**	Planning Consultant
EMAIL	mblonergan@cchnj.com	**PHONE NO.**	609-883-8383
ADDRESS	400 Sullivan Way Trenton, NJ 08628	**FAX NO.**	609-883-4044

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

4. The names and addresses of relevant County, Regional and/or State entities; AND

NAME	Christine Danis, PP, AICP	**TITLE**	Regional Planner, NJ Highlands Council
EMAIL	chris.danis@highlands.state.nj.us	**PHONE NO.**	908-879-6737 ext. 117
ADDRESS	100 North Road Chester, NJ 07930-2322	**FAX NO.**	908-879-4205

NAME	The Honorable Jonathan N. Harris, J.S.C.	**TITLE**	Superior Court of NJ
EMAIL	_____	**PHONE NO.**	201-527-2650
ADDRESS	Bergen County Justice Center, 10 Main Street, Room 301 Hackensack, NJ 07601	**FAX NO.**	201-752-4415

NAME	Farouk Ahmad, PE	**TITLE**	Division Director, Bergen County Department of Planning and Economic Development
EMAIL	_____	**PHONE NO.**	201-336-6446
ADDRESS	One Bergen County Plaza, 4th Floor Hackensack, NJ 07601	**FAX NO.**	201-336-6449

NAME	Benjamin L. Spinelli	**TITLE**	Executive Director, OSG
EMAIL	Osg_ed@dca.state.nj.us	**PHONE NO.**	609-292-7156
ADDRESS	PO Box 204 Trenton, NJ 08625	**FAX NO.**	_____

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

NAME	Karl Hartkopf	**TITLE**	Director of Planning
EMAIL	karl.hartkopf@dca.state.nj.us	**PHONE NO.**	609-292-7156
ADDRESS	Office of Smart Growth P.O. Box 204, Trenton, NJ 08625	**FAX NO.**	609-292-3292

NAME	_____	**TITLE**	_____
EMAIL	_____	**PHONE NO.**	_____
ADDRESS	_____ _____	**FAX NO.**	_____

MUNICIPALITY, COUNTY SERVICE LIST

N.J.A.C. 5:96-3.7

5. Names of known interested party(ies).

NAME	Krystal Odell	**TITLE**	Allies, Inc.
EMAIL	krystal.odell@alliesnj.org	**PHONE NO.**	609-689-0136
ADDRESS	1262 White Horse-Hamilton Sq. Rd., Building A, Suite 101 Hamilton, NJ 08690	**FAX NO.**	609-581-4891

NAME	Mark E. Gold, Esq.	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	19 Phelps Avenue Tenafly, NJ 07670	**FAX NO.**	

NAME	Ramon and Patricia Alvarez	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	793 West Shore Drive Kinnelon, NJ 07405	**FAX NO.**	

NAME	Jay R. Atkins, Esq.	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	887 Kinderkamack Road River Edge, NJ 07661	**FAX NO.**	

NAME	David M. Watkins, Esq.	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	285 Closter Dock Road, PO Box 304 Closter, NJ 07624	**FAX NO.**	

NAME	Michael D'Antonio	**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS	316 East Allendale Ave. Allendale, NJ 07401	**FAX NO.**	

NAME		**TITLE**	
EMAIL		**PHONE NO.**	
ADDRESS		**FAX NO.**	

Workbook A: Growth Share Determination Using Published Data

(Using Appendix F(2), *Allocating Growth To Municipalities)*

COAH Growth Projections

Must be used in all submissions

Municipality Name: **Allendale Borough**

Enter the COAH generated growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated. Use these figures in the Application for Substantive Certification.

		Residential		Non-Residential	
1	**Enter Growth Projections From Appendix F(2) ***	**268**		**-341**	
2	**Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab**	Click Here to enter Prior Round Exclusions			
	COs for prior round affordable units built or projected to be built post 1/1/04				
	Inclusionary Development	25			
	Supportive/Special Needs Housing	6			
	Accessory Apartments	0			
	Municipally Sponsored or 100% Affordable	0			
	Assisted Living	0			
	Other	0			
	Market Units in Prior Round Inclusionary development built post 1/1/04	135			
3	**Subtract the following Non-Residential Exclusions (5:97-2.4(b)**				
	Affordable units	0			
	Associated Jobs			0	
4	**Net Growth Projection**	102		-341	
5	**Projected Growth Share** (Conversion to Affordable Units Dividing Households by 5 and Jobs by 16)	**20.40**	**Affordable Units**	**0.00**	**Affordable Units**
6	**Total Projected Growth Share Obligation**			**20**	**Affordable Units**

* For residential growth, see Appendix F(2), Figure A.1, Housing Units by Municipality. For non-residential growth, see Appendix F(2), Figure A.2, Employment by Municipality.

Affordable and Market-Rate Units Excluded from Growth

Municipality Name: Allendale Borough

Prior Round Affordable Units NOT included in Inclusionary Developments Built post 1/1/04

Development Type	Number of COs Issued and/or Projected
Supportive/Special Needs Housing	6
Accessory Apartments	
Municipally Sponsored and 100% Affordable	
Assisted Living	
Other	
Total	**6**

Market and Affordable Units in Prior Round Inclusionary Development Built post 1/1/04

N.J.A.C. 5:97-2.4(a)

(Enter Y for yes in Rental column if rental units resulted from N.J.A.C. 5:93-5.15(c)5 incentives)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
Garden Homes	Y	150	127	23	127
Former Farm	N	10	8	2	8
		0			0
		0			0
		0			0
Total		**160**	**135**	**25**	**135**

Jobs and Affordable Units Built as a result of post 1/1/04 Non-Residential Development

N.J.A.C. 5:97-2.4(b)

Development Name		Affordable Units Provided	Permitted Jobs Exclusion
			0
			0
			0
			0
Total		**0**	0

Return To Workbook A Summary

REHABILITATION PROGRAM (N.J.A.C. 5:97-6.2)

General Description

Municipality/County: *Allendale Borough, Bergen County*

Program Name: *County Program*

Number of proposed units to be rehabilitated: 4

Information and Documentation Required with Petition

- ☒ Determination of Rehabilitation Share
- ☒ Accept number in N.J.A.C. 5:97 – Appendix B; **OR**
- ☐ Exterior Housing Survey conducted by the municipality
- ☒ Information regarding the rehabilitation program on forms provided by the Council. (If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)
- ☒ Documentation demonstrating the source(s) of funding
- ☒ Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall
- ☒ Schedule illustrating how the rehabilitation share will be addressed within the period of substantive certification

Information and Documentation Required Prior to Substantive Certification

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted rehabilitation operating manual that includes a description of the program procedures and administration including a copy of sample deed restriction and/or lien.
- ☐ Affirmative Marketing Plan for the re-rental of rehabilitated rental units, in accordance with UHAC

Rehabilitation Narrative Section

See the housing element for additional narrative on the rehabilitation program.

PROJECT / PROGRAM INFORMATION FORM

PART A – PROJECT HEADER

Municipality: Allendale Borough County: Bergen County

Project or Program Name: Rehabilitation Program

Project Status (circle current status and enter date of action for that status)

	Status Date
Proposed/Zoned	12/24/08
Preliminary Approval	
Final Approval	
Affordable Units under Construction	
Completed (all affordable certificates of occupancy (C.O.) issued)	
Deleted from Plan (date approved by COAH))	

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility Alternative Living Arrangement Accessory Apartment

Market to Affordable Credits without Controls ECHO 100 Percent Affordable

Inclusionary Rehabilitation Redevelopment

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site Units constructed off-site Combination Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless Residential Health Care Facility Congregate Living Facility

Group Home Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

Permanent Supportive Housing (unit credit) Supportive Shared Living Housing (bedroom credit)

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Rules that apply to project: Round 1 Round 2 Round 3

Project Address: _____

Project Block/Lot/Qualifier (list all) _____

Project Acreage: _____ **Density:** _____ **Set Aside:** _____

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed Private Developer

Project Sponsor name: _____

Project Developer name: _____

Planning Area (circle all that apply)

1 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type

Prior-cycle (1980 – 1986) Post-1986 completed Proposed/Zoned Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) New (includes reconstruction and converions) Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no **Round waiver was granted** R1 R2 R3

Type of Waiver _____

Number of market units proposed _____ **Number of market units completed** _____

Number of market units with certificates of occupancy issued after 1/1/2004 _____

Number of affordable units under construction _____

Condo Fee percentage (if applicable) _____

Affordability Average Percentage [1] _____

[1] "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

Municipal or RCA funds committed to project _____

Municipal or RCA funds expended _____

Funding Sources (circle all that apply)

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202 HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees Municipal Bond Municipal Funds Payment in Lieu Private Financing RCA Capital Funding Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit HMFA HMFA HOME MONI Section 8 Small Cities Other _____

Effective date of affordability controls _____

Length of Affordability Controls (in years) 10 or Perpetual

Administrative Agent _____

For Redevelopment Projects

Does this project require deed restricted units to be removed? Yes No

If Yes

# of deed restricted units removed _____

# of moderate income units removed _____

# of low income units removed _____

# of very low income units removed _____

# of rental units removed _____

# of for-sale units removed _____

# of one-bedroom units removed _____

# of two-bedroom units removed _____

# of three-bedroom units removed _____

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted _____ Sales _____ Rentals _____ Total age-restricted _____ Sales _____ Rentals _____

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

Low Income	Non-age restricted	Age-restricted
30% of median income [2]	_____	_____
35% of median income [3]	_____	_____
50% of median income	_____	_____
Moderate Income		
80% of median income	_____	_____

Note: 30% = less than or equal to 30 percent of median income
35% = greater than 30 percent and less than or equal to 35 percent of median income
50% = greater than 35 percent and less than or equal to 50 percent of median income
80% = greater than 50 percent and less than 80 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____
Rental units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____

Completed Units

Number of affordable units completed in this project 0_____

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0_____

[2] Pursuant to N.J.AC. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

[3] Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

PART D - (completed by Sending Municipality)

For **Approved** Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____

RCA Receiving Municipality _____ County _____

COAH approval date _____

Number of units transferred _____ Cost per unit _____

Total transfer amount _____ Amount transferred to date _____

For Partnership Program

Sending Municipality _____ County _____

Partnership Receiving Municipality _____ County _____

Name of Project _____

Credits for Sending Municipality _____

Total transfer amount _____ Amount transferred to date _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

_____

_____

_____

_____

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

(Submit separate checklist for each site or project)

General Description

Municipality/County: *Allendale Borough, Bergen County*

Project or Program Name: *Orchard Commons*

Date facility will be constructed or placed into service: 2010

Type of facility: Supportive Shared Housing

For group homes, residential health care facilities and supportive shared housing:

Affordable bedrooms proposed: 10 Age-restricted affordable bedrooms: 0

For permanent supportive housing:

Affordable units proposed:_____ Age-restricted affordable units: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: 10

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 0

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: 0

Compliance bonuses as per N.J.A.C. 5:97-3.17: 0

Date development approvals granted: _____

Information and Documentation Required with Petition or in Accordance with an Implementation Schedule

Is the municipality providing an implementation schedule for this project/program.

☐ Yes. Skip to and complete implementation schedule found at the end of this checklist. NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

☒ No. Continue with this checklist.

☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

☒ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☒ Name and address of owner
- ☒ Name and address of developer
- ☒ Subject property street location
- ☒ Subject property block(s) and lot(s)
- ☒ Subject property total acreage – 0.63 acres
- ☒ Indicate if urban center or workforce housing census tract – not a urban center or workforce housing census tract.
- ☐ Description of previous zoning
- ☒ Current zoning and date current zoning was adopted – Zoned ML-4 (zoning adopted 1/24/1991)
- ☒ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including: - N/A COAH previously certified the site

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints: - N/A COAH previously certified the site

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district

- ☐ Contaminated site(s); proposed or designated brownfield site
- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☒ Pro-forma statement for the project – HMFA committed $2,205,155 dollars
- ☒ RFP or Developer's Agreement – Allendale Housing, Inc. was created to develop project
- ☒ Construction schedule and timetable for each step in the development process
- ☒ Documentation of funding sources
- ☐ Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall

Information and Documentation Required Prior to Marketing the Completed Units or Facility

- ☐ For units not exempt from UHAC, an affirmative marketing plan in accordance with N.J.A.C. 5:97-6.10(c)
- ☐ If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency (including validation of the number of bedrooms or units in which low- or moderate-income occupants reside)

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Acquisition			
RFP Process			

Developer Selection			
Executed Agreement with provider, sponsor or developer			
Development Approvals			
Contractor Selection			
Building Permits			
Construction			
Occupancy			

Supportive/Special Needs Narrative Section

Additional narrative is provided in the housing element and fair share plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

PROJECT / PROGRAM INFORMATION FORM

PART A – PROJECT HEADER

Municipality: Allendale Borough_____ County: Bergen County_____

Project or Program Name: Orchard Commons_____

Project Status (circle current status and enter date of action for that status) Status Date

Proposed/Zoned	12/24/08_____
Preliminary Approval	_____
Final Approval	_____
Affordable Units under Construction	_____
Completed (all affordable certificates of occupancy (C.O.) issued)	_____
Deleted from Plan (date approved by COAH) _____)	_____

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility Alternative Living Arrangement Accessory Apartment

Market to Affordable Credits without Controls ECHO 100 Percent Affordable

Inclusionary Rehabilitation Redevelopment

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site Units constructed off-site Combination Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless Residential Health Care Facility Congregate Living Facility

Group Home Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

Permanent Supportive Housing (unit credit) Supportive Shared Living Housing (bedroom credit)

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Rules that apply to project: Round 1 (Round 2) Round 3

Project Address: 20 W. Orchard Street

Project Block/Lot/Qualifier (list all) Block 1806, Lot 10.01

Project Acreage: 0.63 **Density:** _____ **Set Aside:** _____

Project Sponsor: (circle one) Municipally Developed (Nonprofit Developed) Private Developer

Project Sponsor name: Allendale Housing, Inc.

Project Developer name: Allendale Housing, Inc.

Planning Area (circle all that apply)

(1) 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type

Prior-cycle (1980 – 1986) (Post-1986 completed) Proposed/Zoned Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) (New (includes reconstruction and conversions)) Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no **Round waiver was granted** R1 R2 R3

Type of Waiver _____

Number of market units proposed 0 **Number of market units completed** 0

Number of market units with certificates of occupancy issued after 1/1/2004 0

Number of affordable units under construction 0

Condo Fee percentage (if applicable) _____

Affordability Average Percentage [1] _____

[1] "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

Municipal or RCA funds committed to project _____

Municipal or RCA funds expended _____

Funding Sources (circle all that apply)

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202 HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees Municipal Bond Municipal Funds Payment in Lieu Private Financing RCA Capital Funding Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit HMFA HMFA HOME MONI Section 8 Small Cities Other _____

Effective date of affordability controls _____

Length of Affordability Controls (in years) _____ or Perpetual

Administrative Agent _____

For Redevelopment Projects

Does this project require deed restricted units to be removed? Yes No

If Yes

# of deed restricted units removed _____

# of moderate income units removed _____

# of low income units removed _____

# of very low income units removed _____

# of rental units removed _____

# of for-sale units removed _____

# of one-bedroom units removed _____

# of two-bedroom units removed _____

# of three-bedroom units removed _____

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted 10 Bedrooms Sales 0__ Rentals 10 BR_ Total age-restricted 0____ Sales 0____ Rentals 0____

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

Low Income	Non-age restricted	Age-restricted
30% of median income [2]	_____	_____
35% of median income [3]	_____	_____
50% of median income	_____	_____
Moderate Income		
80% of median income	_____	_____

Note: 30% = less than or equal to 30 percent of median income
35% = greater than 30 percent and less than or equal to 35 percent of median income
50% = greater than 35 percent and less than or equal to 50 percent of median income
80% = greater than 50 percent and less than 80 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____
Rental units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____

Completed Units

Number of affordable units completed in this project 0_____

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0_____

[2] Pursuant to N.J.A.C. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

[3] Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

PART D - (completed by Sending Municipality)

For **Approved** Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____

RCA Receiving Municipality _____ County _____

COAH approval date _____

Number of units transferred _____ Cost per unit _____

Total transfer amount _____ Amount transferred to date _____

For Partnership Program

Sending Municipality _____ County _____

Partnership Receiving Municipality _____ County _____

Name of Project _____

Credits for Sending Municipality _____

Total transfer amount _____ Amount transferred to date _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

_____

_____

_____

_____

ZONING FOR INCLUSIONARY DEVELOPMENT (N.J.A.C. 5:97-6.4)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: *Allendale Borough, Bergen County*

Project Name/Zoning Designation: *Garden Homes/The Whitney (Freeman)*

Block(s) and Lot(s): Block 2101, Lot 1, 2, 3, 5, 6, 7, 8

Total acreage: 34 Proposed density (units/gross acre): 6 unit/acre

Affordable Units Proposed: 23

Family: 23	Sale: 0	Rental: 23
Very low-income units: 0	Sale: 0	Rental: 0
Age-Restricted: 0	Sale: 0	Rental: 0

Market-Rate Units Anticipated: 127

Non-Residential Development Anticipated (in square feet), if applicable: 0

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☒ No

Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5:	23
Rental bonuses as per N.J.A.C. 5:97-3.6(a):	0
Very low income bonuses as per N.J.A.C. 5:97-3.7[1]:	0
Smart growth bonuses as per N.J.A.C. 5:97-3.18:	0
Redevelopment bonuses as per N.J.A.C. 5:97-3.19:	0
Compliance bonuses as per N.J.A.C. 5:97-3.17:	0

Date inclusionary zoning adopted: _____ Date development approvals granted: _____

Information and Documentation Required with Petition

☒ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, check here ☒ in lieu of submitting forms.)

☐ Draft or adopted zoning or land use ordinance, which includes the affordable housing requirement and minimum presumptive density for the site/zone.

☐ Copies of all decisions made on applications for affordable housing development subsequent to adoption of the current zoning

If payments in lieu of on-site construction of the affordable units is an option, submit:

- ☐ Proposed or adopted ordinance establishing the amount of the payments
- ☐ Spending plan

A general description of the site or zone, including: - N/A COAH previously certified site

- ☐ Name and address of owner
- ☐ Name and address of developer(s)
- ☐ Subject property street location
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Previous zoning designation and date previous zoning was adopted
- ☐ Current zoning and date current zoning was adopted
- ☐ Description of any changes to bulk standards intended to accommodate the proposed densities
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including: - N/A COAH previously certified site

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) i.e., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints: - N/A COAH previously certified site

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas

- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site
- ☐ Based on the above, a quantification of buildable and non-buildable acreage

Agreements with developers or approvals for development of specific property, which shall include:

- ☒ Number, tenure and type of units
- ☐ Compliance with N.J.A.C. 5:97-9 and UHAC
- ☐ Progress points at which the developer shall coordinate with the Municipal Housing Liaison

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual
- ☐ An affirmative marketing plan in accordance with UHAC

Zoning Narrative Section

See housing element and fair share plan for additional narrative.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

ZONING FOR INCLUSIONARY DEVELOPMENT (N.J.A.C. 5:97-6.4)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: *Allendale Borough, Bergen County*

Project Name/Zoning Designation: *Former Farm (Site 1)*

Block(s) and Lot(s): Block 506, Lot 4

Total acreage: 4.21 Proposed density (units/gross acre): 2.4 unit/acre

Affordable Units Proposed: 2

Family: 2	Sale: 2	Rental: 0
Very low-income units: 0	Sale: 0	Rental: 0
Age-Restricted: 0	Sale: 0	Rental: 0

Market-Rate Units Anticipated: 8

Non-Residential Development Anticipated (in square feet), if applicable: 0

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☐ Yes ☒ No

Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: 0

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 0

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: 0

Smart growth bonuses as per N.J.A.C. 5:97-3.18: 0

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: 0

Compliance bonuses as per N.J.A.C. 5:97-3.17: 0

Date inclusionary zoning adopted: _____ Date development approvals granted: _____

Information and Documentation Required with Petition

☒ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, check here ☒ in lieu of submitting forms.)

☐ Draft or adopted zoning or land use ordinance, which includes the affordable housing requirement and minimum presumptive density for the site/zone.

☐ Copies of all decisions made on applications for affordable housing development subsequent to adoption of the current zoning

If payments in lieu of on-site construction of the affordable units is an option, submit:

- ☐ Proposed or adopted ordinance establishing the amount of the payments
- ☐ Spending plan

A general description of the site or zone, including: - N/A COAH previously certified site

- ☐ Name and address of owner
- ☐ Name and address of developer(s)
- ☐ Subject property street location
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Previous zoning designation and date previous zoning was adopted
- ☐ Current zoning and date current zoning was adopted
- ☐ Description of any changes to bulk standards intended to accommodate the proposed densities
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including: - N/A COAH previously certified site

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) i.e., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints: - N/A COAH previously certified site

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas

- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site
- ☐ Based on the above, a quantification of buildable and non-buildable acreage

Agreements with developers or approvals for development of specific property, which shall include:

- ☒ Number, tenure and type of units
- ☐ Compliance with N.J.A.C. 5:97-9 and UHAC
- ☐ Progress points at which the developer shall coordinate with the Municipal Housing Liaison

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual
- ☐ An affirmative marketing plan in accordance with UHAC

Zoning Narrative Section

See housing element and fair share plan for additional narrative.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

(Submit separate checklist for each site or project)

General Description

Municipality/County: *Allendale Borough, Bergen County*

Project Name: *Allendale Senior Housing 1 unit expansion*

Block(s) and Lot(s): Block 1708, Lot 1, 9

Affordable Units Proposed: 1

Family: 0	Sale: 0	Rental: 0
Very low-income units: 0	Sale: 0	Rental: 0
Age-Restricted: 1	Sale: 0	Rental: 1

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5:	0
Rental bonuses as per N.J.A.C. 5:97-3.6(a):	0
Very low income bonuses as per N.J.A.C. 5:97-3.7[1]:	0
Smart Growth Bonus as per N.J.A.C. 5:97-3.18:	0
Compliance Bonus as per N.J.A.C. 5:97-3.17:	0

Date zoning adopted: _____ Date development approvals granted: _____

Required Information and Documentation with Petition or in Accordance with an Implementation Schedule

☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

☐ Yes. Skip to and complete implementation schedule found at the end of this checklist. NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

☒ No. Continue with this checklist.

☒ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☒ Name and address of owner – Expansion of completed project
- ☒ Subject property street location 1-16 Ceebak Court
- ☒ Subject property block(s) and lot(s) Block 1708, Lot 1
- ☒ Subject property total acreage 2.570 acres
- ☒ Indicate if urban center or workforce housing census tract – Not an urban center or workforce housing census tract
- ☐ Description of previous zoning
- ☐ Current zoning and date current zoning was adopted
- ☒ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including: - N/A. COAH previously certified the site and the site is already developed.

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints: N/A. COAH previously certified the site and the site is already developed.

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers

- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site
- ☐ Based on the above, a quantification of buildable and non-buildable acreage

☒ RFP or Developer's Agreement – N/A. Documentation on willingness to renovate.

☒ Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process

☐ Pro-forma statement for the project

☒ Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14

☐ Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18

☐ Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC

☐ An affirmative marketing plan in accordance with UHAC

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification			
RFP Process			
Developer Selection			
Executed Agreement with provider, sponsor or developer			
Development Approvals			
Contractor Selection			
Building Permits			
Occupancy			

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	
Site Suitability Description	
Environmental Constraints Statement	

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources		

Project Pro-forma		
Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds		

100% or Municipally Sponsored Narrative Section

The project includes converting a common space area that already exists to an additional senior unit. For additional information, see the housing element and fair share plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

PROJECT / PROGRAM INFORMATION FORM

PART A – PROJECT HEADER

Municipality: Allendale Borough_____ County: Bergen County_____

Project or Program Name: Allendale Senior Housing Expansion_____

Project Status (circle current status and enter date of action for that status)

	Status Date
(Proposed/Zoned)	12/29/08_____
Preliminary Approval	_____
Final Approval	_____
Affordable Units under Construction	_____
Completed (all affordable certificates of occupancy (C.O.) issued)	_____
Deleted from Plan (date approved by COAH) _____)	_____

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility Alternative Living Arrangement Accessory Apartment

Market to Affordable Credits without Controls ECHO (100 Percent Affordable)

Inclusionary Rehabilitation Redevelopment

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site Units constructed off-site Combination Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless Residential Health Care Facility Congregate Living Facility

Group Home Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

Permanent Supportive Housing (unit credit) Supportive Shared Living Housing (bedroom credit)

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Rules that apply to project: Round 1 Round 2 Round 3

Project Address: 1-16 Ceebak Court

Project Block/Lot/Qualifier (list all) Block 1708, Lot 1

Project Acreage: 2.57 **Density:** _____ **Set Aside:** _____

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed Private Developer

Project Sponsor name: Allendale Senior Housing Corporation

Project Developer name: Allendale Senior Housing Corporation

Planning Area (circle all that apply)

1 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type

Prior-cycle (1980 – 1986) Post-1986 completed Proposed/Zoned Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) New (includes reconstruction and conversions) Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no **Round waiver was granted** R1 R2 R3

Type of Waiver _____

Number of market units proposed 0 **Number of market units completed** 0

Number of market units with certificates of occupancy issued after 1/1/2004 0

Number of affordable units under construction 0

Condo Fee percentage (if applicable) _____

Affordability Average Percentage [1] _____

[1] "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

Municipal or RCA funds committed to project _____

Municipal or RCA funds expended _____

Funding Sources (circle all that apply)

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202 HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees Municipal Bond Municipal Funds Payment in Lieu Private Financing RCA Capital Funding Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit HMFA HMFA HOME MONI Section 8 Small Cities Other _____

Effective date of affordability controls _____

Length of Affordability Controls (in years) 30_____ or Perpetual

Administrative Agent _____

For Redevelopment Projects

Does this project require deed restricted units to be removed? Yes No

If Yes

# of deed restricted units removed _____

# of moderate income units removed _____

# of low income units removed _____

# of very low income units removed _____

# of rental units removed _____

# of for-sale units removed _____

# of one-bedroom units removed _____

# of two-bedroom units removed _____

# of three-bedroom units removed _____

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted 0____ Sales 0____ Rentals 0____ Total age-restricted 1____ Sales 0____ Rentals 1____

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

Low Income	Non-age restricted	Age-restricted
30% of median income [2]	_____	_____
35% of median income [3]	_____	_____
50% of median income	_____	_____
Moderate Income		
80% of median income	_____	_____

Note: 30% = less than or equal to 30 percent of median income
35% = greater than 30 percent and less than or equal to 35 percent of median income
50% = greater than 35 percent and less than or equal to 50 percent of median income
80% = greater than 50 percent and less than 80 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____
Rental units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____

Completed Units

Number of affordable units completed in this project 0_____

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0_____

[2] Pursuant to N.J.A.C. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

[3] Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

PART D - (completed by Sending Municipality)

For **Approved** Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____

RCA Receiving Municipality _____ County _____

COAH approval date _____

Number of units transferred _____ Cost per unit _____

Total transfer amount _____ Amount transferred to date _____

For Partnership Program

Sending Municipality _____ County _____

Partnership Receiving Municipality _____ County _____

Name of Project _____

Credits for Sending Municipality _____

Total transfer amount _____ Amount transferred to date _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

_____

_____

_____

_____

Allendale Borough
Draft Project Schedule
December 1, 2008

Project: Allendale Senior Housing Expansion

Anticipated Project Schedule

Activity	Start Date	Completion Date
Site Acquisition	Completed	Completed
Site Plan Preparation	N/A	N/A
Site Plan Approvals	N/A	N/A
Building Design	N/A	N/A
Contractor Selection and Contract Award	February 2009	February 2009
Construction Permits	March 2009	April 2009
Funding	Present	March 2009
Construction	April 2009	June 2009
Occupancy	June 2009	

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

(Submit separate checklist for each site or project)

General Description

Municipality/County: *Allendale Borough, Bergen County*

Project or Program Name: *Foreit - Supportive and Special Needs*

Date facility will be constructed or placed into service: 2011

Type of facility: Supportive Shared Housing

For group homes, residential health care facilities and supportive shared housing:

Affordable bedrooms proposed: 5-10 Age-restricted affordable bedrooms: 0

For permanent supportive housing:

Affordable units proposed:_____ Age-restricted affordable units: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: 0

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 0

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: 0

Compliance bonuses as per N.J.A.C. 5:97-3.17: 0

Date development approvals granted: _____

Information and Documentation Required with Petition or in Accordance with an Implementation Schedule

Is the municipality providing an implementation schedule for this project/program.

☐ Yes. Skip to and complete implementation schedule found at the end of this checklist. NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

☒ No. Continue with this checklist.

☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

☒ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☒ Name and address of owner
- ☒ Name and address of developer
- ☒ Subject property street location
- ☒ Subject property block(s) and lot(s)
- ☒ Subject property total acreage
- ☒ Indicate if urban center or workforce housing census tract – The site is not in an urban center or workforce housing census tract.
- ☐ Description of previous zoning
- ☒ Current zoning and date current zoning was adopted
- ☒ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- ☒ Description of surrounding land uses
- ☒ Demonstration that the site has street access
- ☒ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☒ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☒ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☒ Wetlands and buffers
- ☒ Steep slopes
- ☒ Flood plain areas
- ☒ Stream classification and buffers
- ☒ Critical environmental site
- ☒ Historic or architecturally important site/district

- ☒ Contaminated site(s); proposed or designated brownfield site
- ☒ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ Pro-forma statement for the project
- ☒ RFP or Developer's Agreement
- ☒ Construction schedule and timetable for each step in the development process
- ☒ Documentation of funding sources
- ☐ Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall

Information and Documentation Required Prior to Marketing the Completed Units or Facility

- ☐ For units not exempt from UHAC, an affirmative marketing plan in accordance with N.J.A.C. 5:97-6.10(c)
- ☐ If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency (including validation of the number of bedrooms or units in which low- or moderate-income occupants reside)

SUPPORTIVE AND SPECIAL NEEDS HOUSING (N.J.A.C. 5:97-6.10)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Acquisition			
RFP Process			

Developer Selection			
Executed Agreement with provider, sponsor or developer			
Development Approvals			
Contractor Selection			
Building Permits			
Construction			
Occupancy			

Supportive/Special Needs Narrative Section

For additional narrative, please see the housing element and fair share plan.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

PROJECT / PROGRAM INFORMATION FORM

PART A – PROJECT HEADER

Municipality: Allendale Borough_____ County: Bergen County_____

Project or Program Name: Foreit – Supportive and Special Needs_____

Project Status (circle current status and enter date of action for that status)

	Status Date
Proposed/Zoned	12/29/08_____
Preliminary Approval	_____
Final Approval	_____
Affordable Units under Construction	_____
Completed (all affordable certificates of occupancy (C.O.) issued)	_____
Deleted from Plan (date approved by COAH) _____)	_____

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility Alternative Living Arrangement Accessory Apartment

Market to Affordable Credits without Controls ECHO 100 Percent Affordable

Inclusionary Rehabilitation Redevelopment

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site Units constructed off-site Combination Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless Residential Health Care Facility Congregate Living Facility

Group Home Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

Permanent Supportive Housing (unit credit) Supportive Shared Living Housing (bedroom credit)

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Rules that apply to project: Round 1 Round 2 Round 3

Project Address: Delta Court

Project Block/Lot/Qualifier (list all) Block 904, Lots 10, 11, 12, 13, 31

Project Acreage: 2 **Density:** **Set Aside:**

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed Private Developer

Project Sponsor name:

Project Developer name:

Planning Area (circle all that apply)

1 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type

Prior-cycle (1980 – 1986) Post-1986 completed Proposed/Zoned Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) New (includes reconstruction and conversions) Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no **Round waiver was granted** R1 R2 R3

Type of Waiver

Number of market units proposed 0 **Number of market units completed** 0

Number of market units with certificates of occupancy issued after 1/1/2004 0

Number of affordable units under construction 0

Condo Fee percentage (if applicable)

Affordability Average Percentage [1]

[1] "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

Municipal or RCA funds committed to project _____

Municipal or RCA funds expended _____

Funding Sources (circle all that apply)

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202 HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees Municipal Bond Municipal Funds Payment in Lieu Private Financing RCA Capital Funding Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit HMFA HMFA HOME MONI Section 8 Small Cities Other _____

Effective date of affordability controls _____

Length of Affordability Controls (in years) _____ or Perpetual

Administrative Agent _____

For Redevelopment Projects

Does this project require deed restricted units to be removed? Yes No

If Yes

# of deed restricted units removed _____

# of moderate income units removed _____

# of low income units removed _____

# of very low income units removed _____

# of rental units removed _____

# of for-sale units removed _____

# of one-bedroom units removed _____

# of two-bedroom units removed _____

# of three-bedroom units removed _____

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted 5-10 Beds Sales 0__ Rentals 5-10 BR_ Total age-restricted 0____ Sales 0____ Rentals 0____

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

Low Income	Non-age restricted	Age-restricted
30% of median income [2]	_____	_____
35% of median income [3]	_____	_____
50% of median income	_____	_____
Moderate Income		
80% of median income	_____	_____

Note: 30% = less than or equal to 30 percent of median income
35% = greater than 30 percent and less than or equal to 35 percent of median income
50% = greater than 35 percent and less than or equal to 50 percent of median income
80% = greater than 50 percent and less than 80 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____
Rental units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____

Completed Units

Number of affordable units completed in this project 0_____

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0_____

[2] Pursuant to N.J.A.C. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

[3] Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

PART D - (completed by Sending Municipality)

For **Approved** Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____

RCA Receiving Municipality _____ County _____

COAH approval date _____

Number of units transferred _____ Cost per unit _____

Total transfer amount _____ Amount transferred to date _____

For Partnership Program

Sending Municipality _____ County _____

Partnership Receiving Municipality _____ County _____

Name of Project _____

Credits for Sending Municipality _____

Total transfer amount _____ Amount transferred to date _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

_____

_____

_____

_____

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

(Submit separate checklist for each site or project)

General Description

Municipality/County: *Allendale Borough, Bergen County*

Project Name: *Foreit Property - 100% Affordable*

Block(s) and Lot(s): Block 904, Lots 10, 11, 12, 13, 31

Affordable Units Proposed: 14

Family: 10	Sale: 7	Rental: 3
Very low-income units: 2	Sale: 0	Rental: 2
Age-Restricted: 4	Sale: 0	Rental: 4

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: 0

Rental bonuses as per N.J.A.C. 5:97-3.6(a): 0

Very low income bonuses as per N.J.A.C. 5:97-3.7[1]: 0

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: 0

Compliance Bonus as per N.J.A.C. 5:97-3.17: 0

Date zoning adopted: _____ Date development approvals granted: _____

Required Information and Documentation with Petition or in Accordance with an Implementation Schedule

☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

☐ Yes. Skip to and complete implementation schedule found at the end of this checklist. NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

☒ No. Continue with this checklist.

☒ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☒ Name and address of owner
- ☒ Subject property street location
- ☒ Subject property block(s) and lot(s)
- ☒ Subject property total acreage
- ☒ Indicate if urban center or workforce housing census tract – not urban center or workforce housing
- ☐ Description of previous zoning
- ☒ Current zoning and date current zoning was adopted
- ☒ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- ☒ Description of surrounding land uses
- ☒ Demonstration that the site has street access
- ☒ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☒ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☒ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☒ Wetlands and buffers
- ☒ Steep slopes
- ☒ Flood plain areas
- ☒ Stream classification and buffers
- ☒ Critical environmental site
- ☒ Historic or architecturally important site/district
- ☒ Contaminated site(s); proposed or designated brownfield site

- ☒ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ RFP or Developer's Agreement
- ☒ Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- ☐ Pro-forma statement for the project
- ☒ Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC

MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS (N.J.A.C. 5:97-6.7)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification			

RFP Process			
Developer Selection			
Executed Agreement with provider, sponsor or developer			
Development Approvals			
Contractor Selection			
Building Permits			
Occupancy			

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	
Site Suitability Description	
Environmental Constraints Statement	

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources		
Project Pro-forma		

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds		

100% or Municipally Sponsored Narrative Section

The Foreit site will also include supportive and special needs housing. Information on those units is included in the Foreit special needs checklist. See housing element and fair share plan for additional information.

[1] Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

PROJECT / PROGRAM INFORMATION FORM

PART A – PROJECT HEADER

Municipality: Allendale Borough_____ County: Bergen County_____

Project or Program Name: Foreit – Municipally Sponsored _____

Project Status (circle current status and enter date of action for that status)

	Status Date
Proposed/Zoned	12/29/08_____
Preliminary Approval	_____
Final Approval	_____
Affordable Units under Construction	_____
Completed (all affordable certificates of occupancy (C.O.) issued)	_____
Deleted from Plan (date approved by COAH) _____)	_____

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility Alternative Living Arrangement Accessory Apartment

Market to Affordable Credits without Controls ECHO 100 Percent Affordable

Inclusionary Rehabilitation Redevelopment

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site Units constructed off-site Combination Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless Residential Health Care Facility Congregate Living Facility

Group Home Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

Permanent Supportive Housing (unit credit) Supportive Shared Living Housing (bedroom credit)

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Rules that apply to project: Round 1 Round 2 Round 3

Project Address: Delta Court

Project Block/Lot/Qualifier (list all) Block 904, Lots 10, 11, 12, 13, 31

Project Acreage: 2 **Density:** _____ **Set Aside:** _____

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed Private Developer

Project Sponsor name: _____

Project Developer name: _____

Planning Area (circle all that apply)

1 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type

Prior-cycle (1980 – 1986) Post-1986 completed Proposed/Zoned Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) New (includes reconstruction and conversions) Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no **Round waiver was granted** R1 R2 R3

Type of Waiver _____

Number of market units proposed 0 **Number of market units completed** 0

Number of market units with certificates of occupancy issued after 1/1/2004 0

Number of affordable units under construction 0

Condo Fee percentage (if applicable) _____

Affordability Average Percentage [1] _____

[1] "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

Municipal or RCA funds committed to project _____

Municipal or RCA funds expended _____

Funding Sources (circle all that apply)

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202 HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees Municipal Bond Municipal Funds Payment in Lieu Private Financing RCA Capital Funding Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit HMFA HMFA HOME MONI Section 8 Small Cities Other _____

Effective date of affordability controls _____

Length of Affordability Controls (in years) _____ or Perpetual

Administrative Agent _____

For Redevelopment Projects

Does this project require deed restricted units to be removed? Yes No

If Yes

# of deed restricted units removed _____

# of moderate income units removed _____

# of low income units removed _____

# of very low income units removed _____

# of rental units removed _____

# of for-sale units removed _____

# of one-bedroom units removed _____

# of two-bedroom units removed _____

# of three-bedroom units removed _____

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted 10 Beds Sales 7__ Rentals 3_ Total age-restricted 4____ Sales 0____ Rentals 4____

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

Low Income	Non-age restricted	Age-restricted
30% of median income [2]	_____	_____
35% of median income [3]	_____	_____
50% of median income	_____	_____
Moderate Income		
80% of median income	_____	_____

Note: 30% = less than or equal to 30 percent of median income
35% = greater than 30 percent and less than or equal to 35 percent of median income
50% = greater than 35 percent and less than or equal to 50 percent of median income
80% = greater than 50 percent and less than 80 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____
Rental units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____

Completed Units

Number of affordable units completed in this project 0_____

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0_____

[2] Pursuant to N.J.AC. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

[3] Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

PART D - (completed by Sending Municipality)

For **Approved** Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____

RCA Receiving Municipality _____ County _____

COAH approval date _____

Number of units transferred _____ Cost per unit _____

Total transfer amount _____ Amount transferred to date _____

For Partnership Program

Sending Municipality _____ County _____

Partnership Receiving Municipality _____ County _____

Name of Project _____

Credits for Sending Municipality _____

Total transfer amount _____ Amount transferred to date _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

_____

_____

_____

_____

Borough of Allendale, Bergen County
Draft Development Fee Ordinance

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 a COAH-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 COAH'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 COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. Basic requirements

a) This ordinance shall not be effective until approved by COAH pursuant to N.J.A.C. 5:96-5.1.

b) The Borough of Allendale shall not spend development fees until COAH 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.

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 Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.

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.

4. Residential Development fees

a) Imposed fees

i. Within all zoning district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and a half percent (1.5%) of the equalized assessed value for 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 may be required to pay a development fee of six percent (6.0%) of the equalized assessed value for each additional unit that may be realized. 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 a 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. 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.

iv. Developers of residential structures demolished and replaced as a result of a natural disaster shall be exempt from paying a development fee.

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 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.

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.

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 Borough of Allendale as a lien against the real property of the owner.

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.

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 notifies 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 Borough of Allendale 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 the Borough of Allendale. 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 the Borough of Allendale. 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.

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 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 Borough of Allendale's affordable housing program.

c) Within seven days from the opening of the trust fund account, the Borough of Allendale shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).

d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8 Use of funds

a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Borough of Allendale's 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 Borough of Allendale for past housing activities.

c) At least 30 percent of all development fees collected and interest earned shall 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 shall 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 Borough of Allendale 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 COAH'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.

9. Monitoring

a) The Borough of Allendale 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 Borough of Allendale's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

a) The ability for the Borough of Allendale to impose, collect and expend development fees shall expire with its substantive certification unless the Borough of Allendale has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If the Borough of Allendale fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, 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 Borough of

Allendale 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 Borough of Allendale retroactively impose a development fee on such a development. The Borough of Allendale shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

DRAFT THIRD ROUND FAIR SHARE ORDINANCE
Borough of Allendale, Bergen County

Initial Draft - December 3, 2008 – To be revised per the impending update of COAH's rules and the update to the UHAC

To be adopted within 45 days of the municipality's receipt of a Substantive Certification.

_____. Intent

This section of the Borough Code sets forth regulations regarding the low and moderate income housing units in the Borough consistent with the provisions known as the "Substantive Rules of the New Jersey Council on Affordable Housing for the period beginning June 2, 2008 with amendments through October 20, 2008", N.J.A.C. 5:97 et seq., the Uniform Housing Affordability Controls ("UHAC"), N.J.A.C. 5:80-26.1 et seq. and the Borough's constitutional obligation to provide a fair share of affordable housing for low and moderate income households. In addition, this section applies requirements for very low income housing as established in P.L. 2008, c.46 (the Roberts bill). These regulations are also intended to provide assurances that low and moderate income units (the "affordable units") are created with controls on affordability over time and that low and moderate income people occupy these units. These regulations shall apply except where inconsistent with applicable law.

_____. Proportion of Low and Moderate Income Units by Sale, Rental and by Number of Bedrooms

Except for affordable housing developments constructed pursuant to low income tax credit regulations:

(1) At least half of the "for sale" affordable units within each affordable housing development shall be affordable to low income households.

(2) At least half of the "rental" affordable units within each affordable housing development shall be affordable to low income households. Of the total number of affordable rental units, 13% shall be affordable to very low income households.

(3) At least half of the affordable units in each bedroom distribution within each affordable housing development shall be affordable to low income households.

_____. Bedroom Distribution of Affordable Units

(1) Affordable housing developments which are not limited to age-restricted households shall be structured in conjunction with realistic market demands so that:

(a) The combination of efficiency and one-bedroom units is no greater than 20 percent of the total number of affordable units;
(b) At least 30 percent of all affordable units shall be two-bedroom units.
(c) At least 20 percent of all affordable units shall be three-bedroom units.

(2) Affordable housing developments that are limited to age-restricted households shall at a minimum have a total number of bedrooms equal to the number of age-restricted affordable units within the affordable housing development. The standard may be met by creating all one-bedroom units or by creating a two-bedroom unit for each efficiency unit.

_____. Establishment of Rents and Prices of Units as Related to Household Size and Number of Units

(1) In conjunction with realistic market information the following shall be used to determine maximum rents and sales prices of the affordable units:

(a) Efficiency units shall be affordable to one-person households.
(b) A one-bedroom unit shall be affordable to a one- and one-half person household.
(c) A two-bedroom unit shall be affordable to a three-person household.
(d) A three-bedroom unit shall be affordable to a four- and one-half person household.
(e) A four-bedroom unit shall be affordable to a six-person household.

(2) For assisted living facilities the following standards shall be used:

(a) A studio shall be affordable to a one-person household.
(b) A one-bedroom unit shall be affordable to a one- and one-half person household.
(c) A two-bedroom unit shall be affordable to a two-person household or to two, one-person households.

(3) In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the administrative agent shall strive to:

(a) provide an occupant for each unit bedroom;
(b) provide children of different sex with separate bedrooms; and
(c) prevent more than two persons from occupying a single bedroom.

_____. Establishing Median Income by Household Size

(1) Median income by household size shall be established using a regional weighted average of the uncapped Section 8 income limits published by HUD computed as set forth in N.J.A.C. 5:97-9.2.

_____. Establishing Average Rents of Affordable Units

(1) The maximum rent of affordable units within each affordable housing development shall be affordable to households earning no more than 60 percent of median income. The average rent for low and moderate income units shall be affordable to households earning no more than 52 percent of median income. Restricted rental units shall establish at least one rent for each bedroom type for all low and moderate income units provided at least 13 percent of all low and moderate income units are affordable to households earning no more that 30 percent of median income. For low-income rental units established in a Market to Affordable Rental Program only – the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income.

(2) Low and moderate income units shall utilize the same heating source as market units within an inclusionary development.

(3) Gross rents including an allowance for utilities shall be established for the various size affordable units at a rate not to exceed 30 percent of the gross monthly income of the appropriate household size as set forth in subsection _____ above. The allowance for utilities shall be consistent with the utility allowance approved by NJDCA for use in its Section 8 Program.

(4) No affordable rental units included in the COAH requirement shall be subject to a rent control ordinance which may be adopted or in place in the Borough of Allendale during the time period in which affordable housing COAH controls are effective.

_____. Establishing Average Sales Prices of Affordable Units

(1) The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income. Each affordable development must achieve an affordability average of 55 percent for restricted ownership units. Moderate income ownership units must be available for at least three different prices for each bedroom type and low income ownership units must be available for at least two different prices for each bedroom type. For low-income sale units established in a Market to Affordable Sales Program only – the maximum sales for a low-income unit shall be affordable to households earning no more than 40 percent of median income.

(2) Low and moderate income units shall utilize the same heating source as market units within an inclusionary development.

(3) The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of an appropriate household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3.

_____. Affordable Housing Units: Condominium or Homeowners Association Fees.

(1) If an affordable housing unit is part of a condominium association or homeowner's association, the Master Deed shall reflect that the assessed affordable homeowner's fee be established at one hundred percent of the market rate fee. This percentage assessment shall be recorded in the Master Deed.

_____. Reservation of Units

(1) Low income housing units shall be reserved for households with a gross household income equal to or less than 50 percent of the median income approved by COAH.

(2) *Pending release of COAH's rules implementing P.L. 2008, c.46...* Very low income housing units shall be reserved for households with a gross household income equal to or less than 35 percent of the median income approved by COAH.

(2) Moderate income housing units shall be reserved for households with a gross household income in excess of 50 percent but less than 80 percent of the median income approved by COAH.

_____. Reoccupancy Certificates

(1) Upon resale of an affordable unit, a certificate of reoccupancy shall be required in accordance with N.J.A.C. 5:80-26.10

_____. Phasing Of Construction

(1) Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following phasing schedule for low and moderate income units whether developed in one stage or in two or more stages:

Minimum Percentage of Low & Moderate Income Units Completed	Percentage of Market Housing Units Completed
0	25
10	25 + 1 unit
50	50
75	75
100	90

_____. Control Period for Affordable Housing

(1) Any conveyance of a newly constructed low or moderate income sales unit shall contain the restrictive covenants and liens that are set forth in N.J.A.C. 5:80-26 et seq.

_____. Administration of Affordable Housing Program

(1) Borough of Allendale is ultimately responsible for administering the affordable housing program, including affordability controls and the Affirmative Marketing Plan in accordance with the regulations of COAH pursuant to N.J.A.C. 5:97 et seq. and the UHAC pursuant to N.J.A.C. 5:80-26 et seq.

(2) Borough of Allendale has delegated to the Municipal Housing Liaison, this responsibility for administering the affordable housing program, including administering and enforcing the affordability controls and the Affirmative Marketing Plan of Borough of Allendale in accordance with the provisions of this sub-chapter, the regulations of COAH pursuant to N.J.A.C. 5:96 and 5:97 et seq. and the UHAC pursuant to N.J.A.C. 5:80-26 et seq. Borough of Allendale shall by resolution appoint the Borough Clerk as the Municipal Housing Liaison.

(3) Subject to COAH approval, Borough of Allendale may contract with one or more administrative agents to administer some or all of the affordability controls and/or the Affirmative Marketing Plan in accordance with this sub-chapter, the regulations of COAH pursuant to N.J.A.C. 5:97 and 5:96 et seq. and the UHAC pursuant to N.J.A.C. 5:80-26 et seq. If Borough of Allendale enters into such a contract, the Municipal Housing Liaison shall supervise the contracting administrative agent(s) and shall serve as liaison to the contracting administrative agent(s).

(4) The Borough of Allendale intends to contract with an experienced affordable housing administrator to be the administrator of the sale and rental of all new affordable housing. The experienced affordable housing administrator will also oversee and administer income qualification of low and moderate income households; place income eligible households in low and moderate income units upon initial occupancy; place income eligible households in low and moderate income units as they become available during the period of affordability controls and enforce the terms of the required deed restrictions and mortgage loans. The experienced affordable housing administrator will specifically administer and implement:

(a) An administrative plan and program, and related monitoring and reporting requirements as outlined in N.J.A.C. 5:80-26.15 et seq. and Chapter ____ of the Land Development Ordinances of the Borough of Allendale.

(b) A plan for certifying and verifying the income of low and moderate income households as per N.J.A.C. 5:80-26.16

(c) Procedures to assure that low and moderate income units are initially sold or rented to eligible households and are thereafter similarly re-sold and re-rented during the period while there are affordability controls as per N.J.A.C. 5:80-26 et seq.

(d) The requirement that all newly constructed low and moderate income sales or rental units contain deed restrictions with appropriate mortgage liens as set forth in Appendices in N.J.A.C. 5:80-26 et seq.

(e) The several sales/purchase options authorized under N.J.A.C. 5.80-26 et seq. except that the Borough retains the right to determine by resolution whether or not to prohibit, as authorized under N.J.A.C.5:80-26 et seq., the exercise of the repayment option.

(f) The regulations determining 1) whether installed capital improvements will authorize an increase in the maximum sales price; and 2) which items of property may be included in the sales price as per N.J.A.C.5:80-26.9.

(5) The developers/owners of any inclusionary site shall be responsible for the experienced affordable housing administrator's administrative fee, affirmative marketing and advertising and such shall be a condition of Planning or Zoning Board approval. Subsequent to the initial sale of an affordable sale unit, the seller of an affordable sale unit shall be responsible for the experienced affordable housing administrator's administrative fee, affirmative marketing and advertising and such shall be a condition of any affordable housing deed restriction governing the affordable unit.

(6) Borough of Allendale reserves the right to replace the experienced affordable housing administrator with another municipal authority or other agency authorized by COAH or the Superior Court to carry out the administrative processes outlined above.

_____. Time Period For Controls

(1) Newly constructed low and moderate income "rental" units shall remain affordable to low and moderate income households for a period of 30 years.

(2) Newly constructed low and moderate income "for sale" units shall remain affordable to low and moderate income households for a period of 30 years.

(3) Rehabilitated owner-occupied single family housing units that are improved to code standard shall be subject to affordability controls for 10 years.

(4) Rehabilitated renter-occupied housing units that are improved to code standard shall be subject to affordability controls for at least 10 years.

(5) Housing units created through conversion of a non-residential structure shall be considered a new housing unit and shall be subject to affordability controls for new housing units as designated in items 1 and 2 above.

(6) Affordability controls on accessory apartments shall be for a period of 10 years.

(7) Affordability controls for units in alternative living arrangements shall be for a period of 30 years.

(8) Affordability controls on market to affordable units shall be for a period of 30 years.

____ Selection of Occupants of Affordable Units

(1) The administrative agent shall use a random selection process to select occupants of low- and moderate-income housing.

(2) A waiting list of all eligible candidates will be maintained in accordance with the provisions contained in N.J.A.C. 5:80-26 et seq.

_____. Affirmative Marketing Plan

(1) In accordance with the regulations of COAH pursuant to N.J.A.C. 5:96 and 5:97 et seq. and the New Jersey UHAC pursuant to N.J.A.C. 5:80-26 et seq., Borough of Allendale adopted an Affirmative Marketing Plan.

(2) All affordable housing units shall be marketed in accordance with the provisions therein.

(3) The Borough of Allendale has a Third Round Growth Share obligation. This subsection shall apply to all developments that contain proposed low and moderate income units and any future developments that may occur.

(4) In implementing the marketing program, the administrative agent shall undertake all of the following strategies:

- Publication of one advertisement in a newspaper of general circulation within the housing region.
- Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region
- At least one additional regional marketing strategy using one of the other sources listed below.

(5) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the period of deed restriction. The Borough of Allendale is in the housing region consisting of Bergen, Hudson, Passaic and Sussex counties. The affirmative marketing program is a continuing program and shall meet the following requirements:

(a) All newspaper articles, announcements and requests for applications for low and moderate income units shall appear in the following daily regional newspaper/publications: Bergen Record

(b) The primary marketing shall take the form of at least one press release sent to the above publication and a paid display advertisement in the above newspaper. Additional advertising and publicity shall be on an "as needed" basis. The advertisement shall include a description of the:

i. Location of the units;
ii. Direction to the units;
iii. Range of prices for the units;
iv. Size, as measured in bedrooms, of units;
v. Maximum income permitted to qualify for the units;
vi. Location of applications;
vii. Business hours when interested households may obtain an application; and

viii. Application fees, if any.

(c) All newspaper articles, announcements and requests for applications for low and moderate income housing shall appear in the following neighborhood oriented weekly newspaper within the region: none

(d) The following regional cable television station shall be used: none

(e) The following is the location of applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program:

i. Allendale Municipal Building
ii. Lee Memorial Library
iii. Borough of Allendale Website

(f) The following is a listing of community contact person(s) and/or organizations(s) in Bergen, Hudson, Passaic and Sussex counties that ill aid in the affirmative marketing program with particular emphasis on contracts that will reach out to groups that are least likely to apply for housing within the region:

i. Bergen County United Way
ii. Allendale Senior Housing Corp.
iii. Bergen County Division of Community Development

(g) Quarterly flyers and applications.

i. Quarterly flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:

Bergen County Board of Realtors
Hudson County Board of Realtors
Passaic County Board of Realtors
Sussex County Board of Realtors

ii. Applications shall be mailed to prospective applicants upon request.

iii. Additionally, quarterly informational circulars and applications shall be sent to the chief administrative employees of each of the following agencies in the counties of Bergen, Hudson, Passaic and Sussex:

Welfare or Social Service Board
Rental Assistance Office (local office of DCA)
Office on Aging
Housing Agency or Authority
Library

Area Community Action Agencies

(h) A random selection method to select occupants of low and moderate income housing will be used by the experienced affordable housing administrator in conformance with N.J.A.C.5:80-26.16 (l).

i. An experienced affordable housing administrator will be selected to administer the program. The experienced affordable housing administrator has the responsibility to income qualify low and moderate income households; to place income eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units which income qualified households; to continue to qualify households, for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C 5:80-26. The Borough Clerk within the Borough of Allendale is the designated municipal housing liaison to act as liaison to the experienced affordable housing administrator. The experienced affordable housing administrator shall provide counseling services to low and moderate income applicants on subject such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law.

ii. All developers of low and moderate income housing units shall be required to assist in the marketing of the affordable units in their respective developments.

iii. The marketing program shall commence at least 120 days before the issuance of either temporary or permanent certificates of occupancy. The marketing program shall continue until all low income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or reoccupancy of units continues to be necessary.

iv. The experienced affordable housing administrator will comply with monitoring and reporting requirements as per N.J.A.C.5:80-26.

__. Adaptable and Accessible Units (per N.J.A.C. 5:97-3.14)

(1) The first floor of all townhouse dwelling units and of all other multistory dwelling units which are affordable to low or moderate households shall be subject to the technical design standards of the Barrier Free Subcode (N.J.A.C. 5:23-7).

(2) Each affordable townhouse unit or other affordable multistory dwelling unit that is attached to at least one other dwelling unit shall have the following features:

i. An adaptable toilet and bathing facility on the first floor;

ii. An adaptable kitchen on the first floor;

ii. An accessible route of travel;

(a) An interior accessible route of travel shall not be required between stories.

iv. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and

v. Accessible entranceways.

(a) The developer shall provide an accessible entranceway as set forth at N.J.A.C. 5:97-3.14 for each affordable townhouse unit or other affordable multistory dwelling unit and is attached to at least one other dwelling unit; or

(b) The developer shall provide funds sufficient to make 10% of the adaptable entrances in the development accessible as set forth at N.J.A.C. 5:97-3.14.

vi. The developer of the project shall submit a conversion plan indicating the steps necessary to convert the unit from being adaptable to accessible. Said plan shall be submitted at the time of issuance of a building permit.

vii. Where the developer will provide funds sufficient to make 10% of the adaptable entrances in the development accessible, the developer of the project shall submit the following to the Borough, at the time of issuance of the building permit, in order to determine the required funds:

(a) Funds sufficient to make 10% of the adaptable entrances in the development accessible; and

(b) A cost estimate for conversion of 10% of the adaptable entrances in the development to accessible.

viii. In the case of an affordable unit or units which are constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed by the Borough.