

**Module 3: December 8, 2009 Submission
To the New Jersey Highlands Water
Protection and Planning Council**

**Town of Clinton, Hunterdon County, New Jersey
December 2009**

Prepared for the Town of Clinton by:



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MODULE 3 – TOWN OF CLINTON, HUNTERDON COUNTY

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Architecture

Planning

Landscape Architecture

Introduction

Pursuant to the Highlands Water Protection and Planning Act (“Highlands Act” – *N.J.S.A. 13:20-1 et seq.*), Executive Order 114, and the October 30, 2008 Memorandum of Understanding between the New Jersey Highlands Water Protection and Planning Council (“Highlands Council”) and the New Jersey Council on Affordable Housing (“COAH”), a municipality seeking conformance with the Highlands Regional Master Plan (“RMP”) is required to prepare a housing element and fair share plan that utilizes COAH’s August 12, 2009 Guidance for Municipalities that Conform to the Highlands Regional Master Plan as well as the August 2009 Highlands Council “Module 3: Housing Element and Fair Share Plan Instructions”. The Highlands Module 3 Instructions established a submission schedule and instructions for the preparation of Module 3. The schedule established three submission dates and corresponding submission requirements – December 8, 2009, March 1, 2010, and June 8, 2010. For the December 8, 2009 deadline, the Highlands Council requires a municipality seeking RMP conformance to submit the following:

- A Summary of the Housing Obligation, including the prior round obligation and the final projected growth share obligation as calculated by the Highlands RMP Adjusted Growth Projection using the Highlands Workbook D or COAH Projected Growth Share Obligation using COAH’s Workbook A. For this submission requirement, the municipality is required to select either the COAH Projected Growth Share Obligation or the Highlands RMP Adjusted Growth Share Projection based on Land Capacity;
- A Summary and Consistency Review of proposed Prior Round Sites using the Highlands Site Consistency Review Standards and COAH’s site suitability standards per *N.J.A.C. 5:97-3.13*; and
- A narrative regarding the municipality’s interest in participating in the Housing Partnership Program as either a sending or receiving municipality and the justification for utilizing the partnership.

This document will serve to meet the Highlands Council’s December 8, 2009 submission requirements.



Summary of Housing Obligations

There are three components to a municipality’s affordable housing obligation: the rehabilitation share, the prior round obligation and the third round obligation. The Appendices to COAH’s substantive rules, *N.J.A.C. 5:97 et seq.*, provide each municipality’s rehabilitation and prior round affordable housing obligation. For municipalities in the Highlands Region and who are choosing to conform their Planning Area land use regulations to the Highlands Regional Master Plan (hereinafter the “RMP”), the third round obligation is composed of the growth share obligation generated between January 1, 2004 and December 31, 2008 and the growth share obligation from housing and employment projections prepared by the Highlands Council as part of Module two of the Plan Conformance Process. This calculation of the obligation was solidified by the Memorandum of Understanding between COAH and the Highlands Council, as well as guidance subsequently issued by both parties.

Each component of the obligation is discussed in detail below. However, the Town’s total affordable housing obligation can be summarized as the following:

- ✓ Rehabilitation Obligation: 0 units
- ✓ Prior Round Obligation: 51 units
- ✓ Third Round Obligation: 33 units (Highlands RMP)

The Rehabilitation Obligation

The rehabilitation obligation is defined as the number of deficient housing units occupied by low and moderate income households within a municipality (*N.J.A.C. 5:97-1.4*). COAH calculates this figure using indices such as overcrowding of units constructed prior to 1950, incomplete kitchen facilities, incomplete plumbing facilities and the estimated number of low and moderate income households in the municipality. COAH has calculated Clinton’s rehabilitation obligation to be 0 units. Please see Table 1. *Calculation of the Rehabilitation Obligation*, for additional information.



Table 1. Calculation of the Rehabilitation Obligation.

Overcrowding of units constructed prior to 1950	0
Incomplete plumbing facilities	+ 0
Incomplete kitchen facilities	+ 0
Low and moderate income share	*0.691
Rehabilitation share credit	- 0
<i>Rehabilitation Obligation</i>	<i>0 units</i>

The Prior Round Obligation

The prior round obligation can be defined as the cumulative 1987 through 1999 affordable housing obligation (*N.J.A.C. 5:97-1.4*). This time period corresponds to the first and second rounds of affordable housing. COAH has calculated Clinton’s prior round obligation to be 51 units (Appendix C. to *N.J.A.C. 5:97*).

In addition to satisfying the total obligation, the Town must also adhere to a minimum rental obligation and maximum number of age-restricted units.

- Minimum Rental Obligation = 12 units
 $.25$ (prior round obligation – prior cycle credits– impact of the 20% cap – impact of the 1000 unit cap) = $.25$ (51-4-0-0) = 11.75, rounded up to 12
 - A rental unit available to the general public receives one rental bonus;
 - An age-restricted unit receives a .33 rental bonus, but no more than 50 percent of the rental obligation shall receive a bonus for age-restricted units; and
 - No rental bonus is granted in excess of the rental obligation.

- Maximum Age Restricted = 12 units
 $.25$ (prior round obligation + rehabilitation share – prior cycle credits – rehabilitation credits – impact of the 20% cap – impact of the 1,000 unit cap – transferred or proposed prior round RCAs) = $.25$ (51+0-4-0-0-9) = 11.75, rounded up to 12

**The Third Round Obligation**

COAH has taken a very different approach to calculating third round affordable housing obligations. The COAH third round obligation is initially based solely on COAH's household and job projections for each municipality during the third round. For every five households, or units, projected during the third round, one affordable housing unit must be provided. For every 16 jobs projected, the Town must provide one affordable housing unit. Municipalities within the Highlands that are conforming with the RMP are required to use the aforementioned affordable housing ratios; however, they may elect to utilize either COAH's household and employment projections or the projections based on the RMP build-out under Module 2. The following sections describe the methodology for the affordable housing obligations.

Obligation Based on COAH's Projections

COAH's substantive rules require that a municipality plan for the affordable housing obligation generated by the projections; however, a municipality must provide affordable housing in proportion to its actual growth (*N.J.A.C. 5:97-2.2(e)*). COAH has projected the creation of 60 households and 1,544 jobs in Clinton Town during the third round (*N.J.A.C. 5:97 Appendix F, Allocating Growth to Municipalities*).

COAH's substantive rules, *N.J.A.C. 5:97-2.4*, permit municipalities to exclude certain market and affordable units from the third round household projections. Specifically, municipalities may exclude the following:

- Affordable units which received credit in a first or second round plan and have been or will be constructed during the third round.
- Market rate units in an inclusionary development which 1) received credit in a first or second round plan or are eligible for credit in the prior round and 2) have been or will be constructed during the third round.

The Town is not eligible for these exclusions. See Table 2, *Calculation of COAH's Projected Third Round Obligation*, for additional information.



Table 2. Calculation of COAH’s Projected Third Round Obligation

Residential	
Projected Units	60
Exclusions	
None	0
<i>Total</i>	0
Units Creating Growth Share	60
<i>Residential Growth Share</i>	12.00
Nonresidential	
Projected Jobs	1,544
Exclusions	
None	0
<i>Total</i>	0
Jobs Creating Growth Share	1,544
<i>Nonresidential Growth Share</i>	96.50
Total Third Round Obligation	108.50

Obligation based on Highlands RMP Projections

In preparing the housing element and fair share plan, a municipality seeking RMP conformance may rely on COAH’s August 12, 2009 resolution granting a waiver to permit a Highlands municipality to use an adjusted growth projection. Rather than utilizing the household and employment projections delineated in Appendix F of COAH’s substantive rules, the municipality may utilize Highlands Workbook D to calculate its Highlands RMP Adjusted Growth Projection. The Highlands RMP Adjusted Growth Projection is based on the following two components:

- Growth share obligation from actual growth between January 1, 2004 and December 31, 2009; and
- Growth share obligation from the Highlands projections developed as part of Module 2 of the Plan Conformance Process.



To determine the growth share obligation, the following ratios must be applied to the actual growth to date and the projections:

- For residential development, the affordable housing ratio is 1 affordable unit for every 4 market rate residential units. The Highlands Council presumes the necessary affordable housing units are included in the projections; thus, the municipality must divide its total housing units built to date and projected by 5 to determine the residential growth share obligation;
- For non-residential development, the affordable housing ratio is 1 affordable unit for every 16 new jobs created as expressed in new square footage of non-residential space issued a certificate of occupancy. The Highlands Council’s build out analysis does not project the square footage of non-residential development and instead projects the number of jobs that are able to be created. The municipality is to apply the 1 in 16 affordable housing ratio to the jobs projected as the results of the Module 2 build out analysis. See the Table 3. *Non-residential Actual Growth Share Calculation* for additional detail on how the affordable housing obligation generated by actual growth is calculated.

Table 3. Non-residential Growth Share Calculation

Use Group	Description	Square Feet Generating One Affordable Unit	Jobs Per 1,000 Square Feet
B	Office buildings	5,714	2.8
M	Mercantile uses	9,412	1.7
F	Factories where people make, process, or assemble products	13,333	1.2
S	Storage uses, excluding parking garages	16,000	1.0
H	High hazard manufacturing, processing, generation and storage uses	10,000	1.6
A1	Assembly uses, including concert halls and TV studios	10,000	1.6
A2	Assembly uses, including casinos, night clubs, restaurants and taverns	5,000	3.2



Use Group	Description	Square Feet Generating One Affordable Unit	Jobs Per 1,000 Square Feet
A3	Assembly uses, including libraries, lecture halls, arcades, galleries, bowling alleys, funeral parlors, gymnasiums and museums but excluding houses of worship	10,000	1.6
A4	Assembly uses, including arenas, skating rinks and pools	4,706	3.4
A5	Assembly uses, including bleachers, grandstands, amusement park structures and stadiums	6,154	2.6
E	Schools K – 12	Exclude	Exclude
I	Institutional uses such as hospitals, nursing homes, assisted living facilities and jails. I group includes I1, I2, I3 and I4.	6,154	2.6
R1	Hotels and motels; continuing care facilities classified as R2	9,412	1.7
U	Miscellaneous uses, including fences tanks, barns, agricultural buildings, sheds, greenhouses, etc.	Exclude	Exclude

Growth Share Obligation Generated from January 1, 2004 and December 31, 2008

Table 4 below represents the number of certificates of occupancy issued to new homes from January 1, 2004 through December 31, 2008. COAH’s substantive rules (N.J.A.C. 5:97-2.5) state that one affordable unit must be provided for every four market housing units created. An exception exists for teardowns that meet certain criteria (N.J.A.C. 5:97-2.5.(a)I.v.). In 2005, Clinton Town had one unit which met this criteria and therefore, it does not generate a growth share obligation (documentation on this unit is attached). The Town’s data differs from that reported by the NJ Department of Community Affairs (DCA). The DCA reports that no new units were constructed during this time; however, research by the Town’s construction office indicates that three new units were created, of



which one does not generate a growth share obligation because it meets COAH’s teardown criteria.

While COAH’s rules require the actual residential growth to be divided by four (one affordable unit for every four market rate units developed), the Highlands Council *Module 3 Housing Element and Fair Share Plan Instructions* state that actual growth and projected growth must be divided by five. Dividing the total by five allows for the projections to account for any affordable units that may need to be developed during the third round in order to satisfy the obligation generated from 2004 through 2008.

Table 4. 2004 through 2008 Actual Residential Development

	2004	2005	2006	2007	2008
Certificates of Occupancy	0	1	0	1	0
<i>Total Units</i>	2				
<i>Growth Share Obligation</i>	$2/5 = 0.40$				

Table 5 below details the nonresidential development which occurred from 2004 through 2008. All nonresidential development during this time period was for retail floor area. This data differs from that reported by the DCA. The DCA reports that 4,208 square feet was developed in 2005 and that no other nonresidential development occurred during the four year time period. The DCA has acknowledged an inaccuracy in the reporting for 2005, stating that two certificates of occupancy for retail space were issued that year – one for 1,466 square feet and one for 1,027 square feet. However, the certificate of occupancy for 1,027 square feet does not generate a growth share obligation since an occupied building was replaced after a fire (*N.J.A.C. 5:97-2.5(b)2.iv.*). Documentation on these topics is attached to this report.



Table 5. Actual Non-residential Development

Retail Developments	Year of Certificate of Occupancy				
	2004	2005	2006	2007	2008
10 Main Street	0	1,466	0	0	0
12 Main Street	0	0	0	0	0
14-16 Main Street (Lot 3)	0	0	0	3,131	0
11 Main Street (Hallmark Addition)	0	0	0	1,920	0
<i>Total Floor Area</i>	0	1,466	0	5,051	0
Jobs / 1,000 square Feet	1.7	1.7	1.7	1.7	1.7
<i>Total Jobs</i>	0	2.49	0	8.59	0
<i>Growth Share Obligation</i>	0	0.16	0	0.54	0

The tables above represent certificate of occupancy data for new housing units and non-residential floor area developed in the Town between 2004 and 2008. During this time, there were 2 units and 11.08 jobs created, which equates to a 1 unit growth share obligation ($[2 / 5 = 0.40] + [11.08 \text{ jobs} / 16 = 0.69] = 1.09$).

Growth Share Obligation Generated by the RMP Build-out

The Town worked with the Highlands Council as part of preparing Modules 1 and 2 to complete a build-out analysis for the Town. The result of Module 2 is known as the “RMP Build-out” and it includes the following projections:

- ✓ Residential Projection: 18 units
 - Wastewater Area: 15 units
 - Planning Area: 15 unit
 - Preservation Area: 0 units
 - Septic System Area: 3 unit
 - Planning Area: 3 unit
 - Preservation Area: 0 units



- ✓ Employment Projection: 463 jobs
 - Wastewater Area: 463 jobs
 - Planning Area: 463 jobs
 - Preservation Area: 0 jobs
 - Septic System Area: 0 jobs

To determine the growth share obligation the projected residential units must be divided by five and the projected jobs must be divided by 16. As discussed above, the Town is not eligible for exclusions pursuant to N.J.A.C. 5:97-2.4(a)1. Accordingly, the Town's growth share obligation from the RMP Build-out is 34 affordable units.

The third round obligation which the Town must satisfy in the Housing Element and Fair Share Plan is 34 affordable units. Table 6 shows what the third round obligation is composed of:



Table 6. Calculation of Highlands’ Projected Third Round Obligation

Residential	
Actual Residential Growth (Units) (2004-2008)	2
RMP Residential Build-out (Units)	18
Permitted COAH Exclusions	
None	0
<i>Total</i>	0
Units Creating Growth Share	20
<i>Residential Growth Share</i>	4.00
Nonresidential	
Actual Non-Residential Growth (Jobs)(2004-2008)	11.08
RMP Non-Residential Build-out (Jobs)	463
Permitted COAH Exclusions	
None	0
<i>Total</i>	0
Jobs Creating Growth Share	474.08
<i>Nonresidential Growth Share</i>	29.63
Total Third Round Obligation	33.63

In addition to satisfying the total obligation, the Town must also adhere to standards pertaining to minimum total family units, minimum rental obligation, minimum family rental units, a maximum age-restricted units, maximum bonus credits and minimum very low income units.

- Minimum Family Obligation = 17 units
 $.50(\text{third round affordable units}) = .50(34) = 17$
- Minimum Rental Obligation = 9 units
 $.25(\text{third round obligation}) = .25(37) = 8.50, \text{ rounded up to } 9$
- Minimum Family Rental Obligation = 5 units
 $.50(\text{third round rental obligation}) = .50(9) = 4.50, \text{ rounded up to } 5$



- Maximum Age-restricted Units = 8 units
.25 (third round obligation) = .25 (34) = 8.50, rounded down to 8
- Maximum Bonus Credits = 8 credits
.25 (third round obligation) = .25 (34) = 8.50, rounded down to 8
- Minimum Very Low Income = 3 units
COAH permits the municipality to choose the formula which is most beneficial to it. The Town will not determine which formula is most beneficial until the third round affordable housing mechanism have been chosen.
 - Method 1: $= 0.13(\text{Growth share obligation} - \text{bonuses}) = .13(34-8) = 3.38$, rounded up to 4
Assumes the Town will obtain the maximum number of bonus credits – 2.
 - Method 2: $= 0.13(\text{Number of units created after July 17, 2009}) = .13(34-12) = 2.86$, rounded up to 3
Assumes the Town will carry over 12 credits from Alton Place into the third round.

Selection of the Highlands RMP’s Growth Projections

Highlands Module 3 guidelines require a municipality to choose to address either the Highlands RMP Adjusted Growth Projection or COAH’s Projected Growth Share Obligation. It is in Clinton Town’s best interest to utilize the Highlands RMP projected growth share obligation of 34 affordable housing units.

Prior Round Affordable Housing Site

The Town has several prior round mechanisms which are in place. The largest program is an inclusionary housing project known as Alton Place. Additionally, the Town has two special needs facilities and three accessory apartments. Since all of these programs are in place, a Highlands consistency review is not necessary.

Alton Place is an inclusionary development located on Block 31.01 and portions of Block 31 in the Planned Residential Development (PRD) zone district. The site received approval in May 1988 but the approval was amended in December 1995. The May 1988 approval provided for 24 single family lots, plus 193 condominium apartments, including 44 low and moderate income units. The revised December 1995 approval



provided for 24 single family lots, 135 townhouses and 44 low and moderate income for-sale units, for a total unit count of 203. This site, in accordance with the 1995 approval, has been built and occupied with the final certificate of occupancy issued in 2000.

The first special needs facility, Nami House, is operated by Hunterdon Alliance and licensed by the Division of Mental Health Services (DMHS). The site is located at 23 ½ West Main Street on Block 25, Lot 17 in the R-3 zone district. The facility has 4 bedrooms and has been in operation since 1995. There was also an additional alternative living facility in the Town that was in operation from September 1980 through 2002. This facility, hereinafter referred to as Hunterdon ARC, had 4 bedrooms. While the facility is no longer in existence, it is eligible for prior cycle credit since it was in operation during the first and second rounds of affordable housing.

The Town has 3 approved accessory apartments that will contribute toward satisfaction of the prior round. Two of the accessory apartments will be located at 102 West Main Street, Block 1, Lot 33. One of these units was converted from an illegal apartment and the other was an existing apartment. The units were approved by the Town of Clinton Board of Adjustment on June 27, 2005. Additionally, one accessory apartment will be constructed on Block 11, Lots 6 & 7 at 19-21 Main Street. This unit was approved by the Town of Clinton Planning Board on April 4, 2006.

Partnership in the Regional Affordable Housing Development Partnership Program

The Town of Clinton proposes to send a portion of its affordable housing obligation to a receiving municipality in the Highlands Council's RAHDP program. The following information is submitted pursuant to *Appendix C* of the *Highlands Plan Conformance Module 3 – Housing Element and Fair Share Plan*.

Total Municipal Obligation for Affordable Housing

The Town's total new construction obligation is 86 units: 52 unit prior round obligation + 34 unit third round obligation; the Town does not have a rehabilitation obligation. Using existing affordable housing programs, the Town has satisfied the prior round obligation and has 12 family sale credits from the Alton Place inclusionary development that will satisfy a portion of the third round.



Since January 1, 2009, the Town has incurred an affordable housing obligation of 0.50 units. This obligation is a result of two new residential units being issued a certificate of occupancy. As detailed earlier in this report, the growth that took place between 2004 and 2008 generated an obligation of 1.09 units¹.

Despite the Town’s small third round obligation generated to date, the Town will face a substantial third round affordable housing obligation. The Town has three approved but unbuilt residential projections and five approved but unbuilt nonresidential projects. These projects generate an obligation of 51 affordable units. See Tables 8 and 9 for additional information on these approved projects.

Table 8. Approved but Unbuilt Residential Developments

Development	Units
Hunterdon Capital	4
Clinton Garden Apartments	20
Latino (2 of 4 remaining)	2
<i>Total</i>	<i>26</i>
<i>Growth Share Obligation</i>	<i>6.5</i>

¹ Note that when calculating actual growth, the number of market rate residential units issued a certificate of occupancy is divided by four.



Table 9. Approved but Unbuilt Nonresidential Developments

Development	Floor Area	Jobs per 1,000 square feet	Jobs
Ansuya Restaurant	7,740	3.2	24.77
Ansuya Office	20,000	2.8	56.00
Ansuya Hotel	61,485	1.7	104.52
Clinton Management Office	57,527	2.8	161.08
Eastern Hill Office	24,570	2.8	68.80
Fallone Office	100,000	2.8	280.00
George Lee Office	5,545	2.8	15.53
<i>Total</i>	<i>276,867</i>	<i>n/a</i>	<i>710.69</i>
<i>Growth Share Obligation</i>			<i>44.42</i>

Discussion of Affordable Housing Options

Clinton Town is constrained in its ability to satisfy the third round obligation within its municipal boundaries. The Town has 15% of its land area, 141 acres, within the Highlands Preservation Area and 85 % of its land area, 781 acres, in the Planning Area. The Preservation Area lands of Clinton are entirely within the permanently preserved Spruce Run Reservoir Wildlife Management Area.

The majority, approximately 78%, of the Town of Clinton is located in the Existing Community Zone or the Lake Community Sub-Zone. These designations represent areas of the municipality which are already developed or are served by infrastructure. Of the remaining lands, 22% are included in the Protection Zone, the most highly environmentally constrained zone. Clinton has no lands in the Conservation Zone. The Wildlife Management Subzone totals .07% with all of this acreage located on preserved open space lands adjacent to the Spruce Run Reservoir. As such, much of the open lands remaining in the Town are environmentally constrained. The development of affordable housing, especially inclusionary development, will therefore be limited.



The South Branch of the Raritan River runs through the Town and is the dominant feature in both its environment and culture. The lands adjacent to the South Branch of the Raritan River have not been identified by the Highlands Council mapping as environmentally constrained. The Town will be requesting a map update to indicate the open water buffers associated with the stream corridor.

Adjacent to the South Branch in the northeast section of the Town, an area of vacant land has been incorrectly designated as the Existing Community Zone. This land is an important link between the upstream waters of the South Branch and the Spruce Run Reservoir. It serves to link vital bird flyways and wildlife corridors with other forested areas in the larger Spruce Run Reservoir region. This area has been designated by the Highlands Council as Existing Community Zone; however, this land provides important ground water recharge in an area of serious ground water deficit. In addition, the area is underlain by Carbonate Rock, is constrained by steep slopes, and is listed as important grass land habitat by the NJ DEP Landscapes Project. In contrast, the Highlands mapping has indicated similar lands adjacent to the South Branch in the southern end of Town with Protection Area designation. To be consistent, Clinton is proposing a Map Adjustment to remove the areas adjacent to the river in the north from the Existing Community Zone and change the designation to Protection Zone.

Another area in the northeastern section of the Town has been identified as a potential TDR receiving area. This designation will also require a map update to eliminate this designation as the parcel has final local development and outside agency approvals for the construction of an office complex.

Feasible options for development of affordable housing in the Planning Area are therefore extremely limited. These facts severely limit the ability of the Town to locate affordable housing.

Additionally, it is important to note that the Town's remaining obligation of 73 units ([34 unit third round – 12 third round credits = 22 unit remaining third round] + [51 unit projected third round]) exceeds the Highlands RMP residential build out of only 18 units.

The following is a description of the applicability and appropriateness of COAH's affordable housing methods in Clinton Town.

- *Inclusionary Development.* There are few places in the Township where inclusionary development is possible, based on the Highlands RMP, and appropriate, based on the character of the area. As discussed, all developable lands of sufficient size for



inclusionary development is located either in the Protection subzone or is the subject of a Map Adjustment to correct the subzone to be the Protection Subzone. This is largely due to the presumptive densities specified by COAH: lands in Planning Area 3, 4 and 5 that are not served by public sewer must provide a 40% density increase, lands in Planning Area 3, 4 and 5 served by public sewer must have a density of 4 dwelling units per acre and lands in Planning Area 1 or 2 served by sewer must have a density of 6 dwelling units per acre. Additionally, the Town does not have the water capacity to fulfill any substantial portion of the third round obligation.

- *Municipally Sponsored Construction (100% affordable)*. In order for this program to be cost effective, and therefore interest developers and obtain outside sources of funding, it must be of a significant size – typically a minimum of 40 units. The Planning Area is the only place in the Town where multi-family 100% affordable projects are possible, based on the Highlands RMP. However, this area may only accommodate 18 units based on the Highlands RMP Build-out Analysis. Furthermore, this program type is expensive for municipalities. Nearly every project requires the donation of land – as such, the municipality must purchase the land. Also, it has become common for a municipality to further subsidize the project to not only make it more competitive in funding programs but to make the project economically feasible.
- *Market to Affordable*. This program is technically viable in Clinton Town in that homes are sold every year. However, this is a very expensive program. The median home price in the Town at that time was \$222,100; the 2006-2008 median home price in Hunterdon County is \$479,400 (2006-2008 American Community Survey). With the average sales price for a two bedroom affordable unit at approximately \$97,500 and the average sales price for a three bedroom affordable unit at approximately \$112,600, the necessary subsidy for a market to affordable sale unit would far exceed \$100,000. Note that the subsidy required for a rental unit would be greater. The enormous subsidies needed for this program prevent a municipality from using this program to satisfy a significant portion of the obligation. Additionally, these programs are not commonly provided outside sources of funding.
- *Redevelopment / Reuse*. There are only a small number of sites that may be subject to redevelopment during the third round. However, the development potential of these sites is constrained by the Town's limited water capacity.



- *Supportive / Special Needs Housing.* Special needs housing is appropriate in Clinton Town; however the Town is constrained in its ability to utilize this housing type since COAH's rules require that 50% of the third round obligation and 50% of the third round rental obligation be fulfilled with family housing.
- *Extension of Expiring Controls.* There are no units in Clinton Town eligible for this program.

Funding Sources

The only funding sources currently available to the Town are the Affordable Housing Trust Fund and general revenue. Outside sources of funding are limited. For example, tax credits as part of the Low Income Housing Tax Credit program (administered by the New Jersey Housing and Mortgage Finance Agency) have been significantly devalued over the last few years. Additionally, there is very limited money available in New Jersey's Balanced Housing fund.

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Summary of Adjusted Growth Share Projection Based On Land Capacity
(Introduction to Workbook D)

Municipality Code:

[Muni Code Lookup](#)

Municipality Name:

This workbook is to be used for determining the projected Municipal Growth Share Obligation by comparing growth projected by COAH with actual growth based on certificates of occupancy that have been issued from 2004 through 2008 and the RMP build-out analysis conducted under Module 2 of the Highlands RMP conformance process. Data must be entered via the "tabs" found at the bottom of this spreadsheet which may also be accessed through the highlighted links found throughout the spreadsheet. This workbook consists of five worksheets that, when combined on this introduction page, provide a tool that allows the user to enter exclusions permitted by N.J.A.C. 5:97-2.4 to determine the projected Growth Share Obligation. COAH-generated Growth Projections included in Appendix F(2) of the revised Third Round Rules, Highlands Council build-out figures based on Mod 2 Reports and actual growth based on COs as published by the DCA Division of Codes and Standards in The Construction Reporter are imported automatically upon entry of the Municipal Code.

[Click Here to enter COAH and Highlands Council data](#)

Municipalities seeking to request a revision to the COAH-generated growth projections based on opting in to the Highlands RMP may do so by providing this comparative analysis of COAH and RMP build-out projections. After completing this analysis, the growth projections may be revised based on the Highlands RMP build-out analysis. Actual growth must first be determined using the Actual Growth worksheet. The RMP adjustment applies only to RMP capacity limitations that are applied to growth projected from 2009 through 2018.

[Click Here to Enter Actual Growth to Date](#)

[Click Here to Enter Permitted Exclusions](#)

[Click Here to View Detailed Results from Analysis](#)

Summary Of Worksheet Comparison

	COAH Projected Growth Share	Growth Share Based on Highlands RMP
Residential Growth	60	20
Residential Exclusions	0	0
Net Residential Growth	60	20
Residential Growth Share	12.00	4.00
Non-Residential Growth	1,544	474
Non-Residential Exclusions	0	0
Net Non- Residential Growth	1,544	474
Non-Residential Growth Share	96.50	29.63
Total Growth Share	109	34

The Highlands RMP analysis results in a revision to the COAH-generated growth projection. Clinton Town may file this Workbook and use a Residential Growth Share of 4 plus a Non-residential Growth Share of 29.63 for a total Highlands Adjusted Growth Share Obligation of 34 affordable units

Growth Projection Adjustment - Actual Growth

Actual Growth 01/01/04 to 12/31/08

Municipality Name: Clinton Town

Residential COs Issued

As Published by D C S	0
Per Municipal Records (if different)	3
Qualified Residential Demolitions	1

Note: To **qualify** as an offsetting residential demolition, the unit must be the primary residence of the household for which the demolition permit has been issued, it had to be occupied by that owner for at least one year prior to the issuance of the demolition permit, it has to continue to be occupied by that household after the re-build and there can be no change in use associated with the property. (See [N.J.A.C. 5:97-2.5\(a\)1.v.](#)) A Certification Form must be completed and submitted for each qualifying demolition.

[Get Demolition Certification Form](#)

Non-residential CO's by Use Group	Square Feet Added (COs Issued) As Published by D C S	Square Feet Added (COs Issued) per Municipal Records (if different)	Square Feet Lost Demolition Permits Issued)	Jobs Per 1,000 SF	Total Jobs
B	0	0		2.8	0.00
M	4,208	7,544	1,027	1.7	11.08
F	0	0		1.2	0.00
S	0	0		1.0	0.00
H	0	0		1.6	0.00
A1	0	0		1.6	0.00
A2	0	0		3.2	0.00
A3	0	0		1.6	0.00
A4	0	0		3.4	0.00
A5	0	0		2.6	0.00
E	0	0		0.0	0.00
I	0	0		2.6	0.00
R1	0	0		1.7	0.00
Total	4,208	7,544	1,027		11.08

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[Proceed to COAH Data and RMP Module 2 Build-out Data](#)

[Proceed to Exclusions Tab](#)

Affordable and Market-Rate Units Excluded from Growth

Municipality Name: Clinton Town

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	
Accessory Apartments	
Municipally Sponsored and 100% Affordable	
Assisted Living	
Other	
Total	0

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 affordable units are rentals)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
		0			0
		0			0
		0			0
		0			0
		0			0
Total		0	0	0	0

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

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[Return to Actual Growth](#)

[View Detailed Results from Analysis](#)

COAH Growth Projections and Highlands Buildout Data

Must be used in all submissions

Municipality Name: Clinton Town

The COAH columns have automatically been populated with growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. The Highlands RMP Build-out columns have automatically been populated with residential and non-residential build-out figures from the municipal build-out results with resource and utility constraints found in Table 4 of the RMP Module 2 report. Always check with the Highlands Council for updates. If figures have been updated, enter updated build-out results. Use the Tabs at the bottom of this page or the links within the page to toggle to the exclusions worksheet of this workbook. After entering all relevant exclusions, toggle back to the introduction page to view the growth share obligation that has been calculated based on each approach.

COAH Projections

From Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq.
Allocating Growth To Municipalities

Residential	Non-Residential
60	1,544

Highlands RMP Buildout Analysis

From Module 2
Table 4 – Municipal Build-Out Results With Resource and Utility Constraints
Updated as of October 2, 2009

	Preservation Area	Planning Area	Totals
Residential units – Sewered	0	15	15
Septic System Yield	0	3	3
Total Residential Units	0	18	18
Non-Residential Jobs – Sewered	0	463	463

Note: Always check with the Highlands Council for updated municipal Build-out numbers. Enter build-out figures in the appropriate boxes only if revised figures have been provided by the Highlands Council.

[Click Here to link to current Mod 2 Build-Out Reports](#)

[Proceed to Enter Prior Round Exclusions](#)
[Retrun to Enter Actual Growth](#)
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Comparative Analysis Detail For Clinton Town

The following chart applies the exclusions permitted pursuant to N.J.A.C 5:97-2.4 to both the COAH growth projections and the projected growth that results from the Highlands RMP build-out analysis plus actual growth for the period January 1, 2004 through December 31, 2008.

	COAH			Highlands	
	Residential	Non-Residential		Residential	Non-Residential
Projected Growth From COAH Appendix F(2)	60	1,544			
Residential Exclusions per 5:97-2.4(a) from "Exclusions" tab COs for prior round affordable units built or projected to be built					
Inclusionary Development	0		Inclusionary Development	0	
Supportive/Special Needs Housing	0		Supportive/Special Needs Housing	0	
Accessory Apartments	0		Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0		Municipally Sponsored or 100% Affordable	0	
Assisted Living	0		Assisted Living	0	
Other	0		Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0		Market Units in Prior Round Inclusionary development built post 1/1/04	0	
Subtract the following Non-Residential Exclusions per 5:97-2.4(b) from "Exclusions" tab			Subtract the following Non-Residential Exclusions per 5:97-2.4(b) from "Exclusions" tab		
Affordable units	0		Affordable units	0	
Associated Jobs		0	Associated Jobs		0
Net Growth Projection	60	1,544	Net Growth Projection	20	474
Projected Growth Share (Residential divided by 5 and jobs divided by 16)	12.00	96.50	Projected Growth Share (Residential divided by 5 and jobs divided by 16)	4.00	29.63
Total Projected Growth Share Obligation	109	Affordable Units		34	Affordable Units

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[Return to Actual Growth](#)
[Return to Exclusions](#)

Elizabeth K. McManus

From: Lago, John [jlago@DCA.state.nj.us]
Sent: Friday, August 07, 2009 12:02 PM
To: Town of Clinton
Cc: Elizabeth K. McManus
Subject: RE: Updated Information

Allison,

Thank you for your email and data corrections. This email is to acknowledge the data adjustments and to inform you that these changes will not be reflected on our website, because they affect historic data. Still, the corrections should be made, and you should use this email as confirmation for the Council on Affordable Housing that modifications are needed to construction data for Clinton Town.

As we discussed, the modifications to the 2005 CO data for nonresidential uses should be considered:

4,208 square feet of new retail space was reported from certificates issued in 2005. The actual number should be 2,493 sf. This is from two COs, one for 1,466 sf (permit number 03-144) and one for 1,027 (03-148). From our telephone conversation, you indicated that new structures replace fire-damaged building. You should notify COAH, as the pre-existing structures may affect the growth share calculation.

For 2007, you indicated that new retail space should be reported. Permit number 05-162 was reported as a "U" use and should be an "M" use for a mercantile or retail structure. Please use this email as confirmation of the change. The sf for the retail space should be 3,131 sq ft.

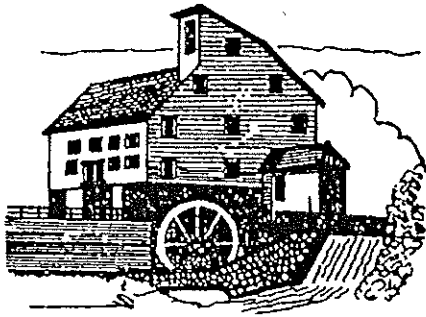
If you have any questions, feel free to call me at 609-292-7898.

Sincerely,

John Lago

From: Town of Clinton [mailto:construction1005@earthlink.net]
Sent: Friday, August 07, 2009 11:05 AM
To: Lago, John
Cc: Beth McManus
Subject: Updated Information

Allison McGinley-Witt
Land Use Administrator
Town of Clinton
908-735-2275
908-735-6206 Fax



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

43 Leigh St., P.O. Box 5194

Clinton, N.J. 08809-5194

(908) 735-8616 FAX (908) 735-8082

August 4, 2009

Mr. John Lago
Department of Community Affairs
101 South Broad Street
Po Box 802
Trenton, NJ 08625-0802

Dear Mr. Lagos.

Please be advised that it has come to my attention that the following information for the Town of Clinton (1005) was not recorded correctly on the DCA Reporter Data. The incorrect data reflects that 4,208 square feet was built in 2005, the corrections should be noted as follows:

2005

Non-Residential- 2 Certificates of Occupancy were issued in 2005:

- a. 10 Main Street- Block 10 Lot 2- Permit # 03-147
1,466 Square feet Retail Space.
- b. 12 Main Street- Block 10 Lot 3- Permit # 03-148
1,027 Square feet of retail space


2007

Non-Residential- 2 Certificates of Occupancy were issued in 2007:

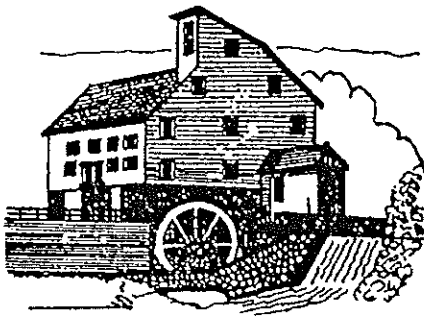
- a. 14-16 Main Street- Block 10 Lot 4- Permit # 05-162
3,131 square feet of retail space
- b. 11 Main Street- Block 11 Lot 4- Permit # 06-144
1,920 square feet of retail space

If you should require any further information please feel free to contact me .

Sincerely,


Kevin Fleming
Construction Official

Cc: Beth McManus



TOWN OF CLINTON

INCORPORATED APRIL 5, 1865

43 Leigh St., P.O. Box 5194

Clinton, N.J. 08809-5194

(908) 735-8616 FAX (908) 735-8082

Construction Official Certification:

Block 10 Lot 3- 12 Main Street-

1. Date of Fire- May 2003

2. Retail and Condo was occupied one year prior to fire damage. Retail Store "Good Toys" owner Marylou & Bart Carhart

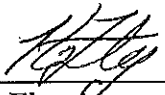
3. Condo was owner occupied prior to the fire damage.
Owner name- MaryLou & Bart Carhart

4. Permit for the rebuild was issued on 10/30/2003

5. Certificate of Occupancy issued on March 31, 2005

6. No Change of Use occurred for the residence between the demolition permit and Certificate of Occupancy. Unit is owner occupied by same owner. Owner Name- MaryLou & Bart Carhart

Certified by



Kevin Fleming
Construction Official

Date

