



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
P.O. BOX 820
TRENTON, NEW JERSEY 08625-0820

PHILIP D. MURPHY
Governor

THOMAS K. WRIGHT
Chairman

SHEILA Y. OLIVER
LT. GOVERNOR

DONNA A. RENDEIRO
Executive Director/Secretary

MEMORANDUM TO: Plan Implementation Committee

FROM: Donna Rendeiro, Executive Director

RE: Petition for Map Amendment-Holmdel Township

DATE: November 18, 2020

The Office of Planning Advocacy received a Petition to amend the State Plan Policy Map on September 8, 2020. The Petition seeks to request an amendment to Block 57, Lot 2 in the Township of Holmdel in order to develop an affordable housing project on the site. Staff performed a completion review and a review of the merits of the request and is in a position to present its findings.

Attached you will find a staff memorandum that details the review and the recommendation, along with the justification for the recommendation. I support the recommendations of staff for the following reasons:

- While the Petition requested a map amendment for a single block and lot, it is not the practice of the Office to designate single lot planning area changes. It is neither good planning practice, nor consistent with the State Plan and Redevelopment Plan to designate small planning areas.
- Staff has reviewed the current surrounding planning areas, the current characteristics of the on-the-ground land use in the area identified in the attached map, and the existing relevant zoning and I believe that the recommended planning area change is both consistent with the State Development and Redevelopment Plan and is a warranted and rational change.
- As part of the review of the proposed amendment, staff reviewed existing Critical Environmental Sites and made adjustments to those areas to better reflect current on-the-ground circumstances.
- I agree that the boundaries of the CES within the proposed map amendment area be realigned to remove areas that have largely been developed, except for a portion of the CES encompassing a less developed stream segment that staff and NJDEP recommend be left in place, as reflected in the enclosed "Proposed State Plan Mapping."

- I believe that the realignment of the CES overlay, as well as the recommended ordinance to further restrict development in the area identified as wetlands and associated habitat will protect the environmentally sensitive area within the proposed planning area change and be a condition of SPC approval. Additionally, this CES is consistent with the CES currently identified in Hazlet, north of the proposed amendment.

In the attached materials, you will find the staff recommendations that will be discussed in detail at the November 24th PIC meeting, the current map, the proposed map amendment and three letters of support. We do anticipate receiving additional comments from the Township of Hazlet and I will forward those comments as soon as the Office receives them. Please keep in mind that the public comment period does not end until December 22nd, so further comment may be received.

Pending your approval to move the action to the State Planning Commission, this map amendment is not anticipated to be presented to the full State Planning Commission until after the public comment period ends.

Please let me know if you have any questions.



State of New Jersey

DEPARTMENT OF STATE
BUSINESS ACTION CENTER
OFFICE OF PLANNING ADVOCACY
PO Box 820
TRENTON, NJ 08625-0820

PHILIP D. MURPHY
Governor

TAHESHA WAY
Secretary of State

SHEILA Y. OLIVER
LT. GOVERNOR

DONNA A. RENDEIRO
Executive Director

MEMORANDUM TO: Donna Rendeiro, Executive Director

FROM: Lisa Avichal, MCRP
Matt Blake, PP, AICP

RE: Holmdel Township: State Plan Policy Map
Amendment

DATE: November 17, 2020

The Office of Planning Advocacy received a petition from a private Petitioner, The Walters Group, for a State Plan Policy Map amendment on September 8, 2020. The Petition seeks to amend the State Plan Policy Map for Block 57, Lot 2 in Holmdel Township from Suburban Planning Area (PA-2) to Metropolitan Planning Area (PA-1). Enclosed along with the petition was a planning report prepared by Paul A. Phillips, P.P., AICP, of Phillips Preiss Grygiel Leheny Hughes, LLC. A supplemental submission was received by the Office on September 25, 2020. The map amendment is supported by the Township of Holmdel. A comment provided by Joe Barris, Director from the Monmouth County Department of Planning and Economic Development states, "The County does not take a formal position regarding the interpretation of the State Plan." Currently, Holmdel Township is neither Plan Endorsed nor in the process to become Plan Endorsed.

A completion review was commenced by the Office. The Office found the proposed map amendment petition to be complete and complied with subchapter *NJAC 5:85-8.3* and *NJAC 5:85-8.4*.

The following analysis comes from Matthew Blake's qualitative review of the petitioner's proposed State Plan Policy Map amendment:

The proposed amendment is requested to support a municipally sponsored, approximately 50 unit 100% affordable housing family rental project, which received a preliminary major site plan approval from the Township Planning Board on August 18, 2020, pursuant to Ordinance 2020-06, and the Township's 2019 Housing Element, Fair Share Plan, and Settlement Agreement with the Fair Share Housing Center (FSHC). The project was predicated on the Petitioner and Township's understanding that a 1.5-acre portion of the vacant 3.87-acre property that is the subject of this petition, was located within Metropolitan Planning Area (PA-1) as part of a split designation with Suburban Planning Area (PA-2). In subsequent correspondence with the Office of Planning Advocacy (OPA), the Petitioner and Township were advised that the subject property is wholly within PA-2, as reflected in the State Plan Policy Map.

The property is located along Holmdel's municipal border with the Township of Hazlet; the boundary of which aligns with the northern extent of the Suburban Planning Area (PA-2) within Holmdel. Approximately 900 linear feet of the property's frontage share direct adjacency with the Metropolitan Planning Area (PA-1) that is located directly across Holmdel's shared municipal boundary with Hazlet. The CAFRA zone overlays a very small portion of Holmdel, which is relegated to the northeast corner of the Township, extending southward to where its jurisdictional boundary terminates along the property's southern boundary with Middle Road.

The *Consistency with State, Regional and Local Plans* section of the Petitioner's report addresses existing land use as it relates to the property and surrounding area of Holmdel, which is broadly described as extending north of the Garden State Parkway (GSP), and generally coterminous with the sewer service area boundaries of the Bayshore Regional Utility Authority, where both public sewer and water are uniformly available. The Report accurately characterizes the many commonalities between the described area and that of the surrounding Metropolitan Planning Area (PA-1) to the north and east of the subject property, in terms of land use patterns, intensity, and environmental features.

Further, in review of that portion of Holmdel, north of the GSP, and inclusive of the property, the Report accurately notes land use changes that have taken place since the State Plan Policy Map was adopted. Over this period, the described area has undergone increased development and land use changes at greater intensities; particularly with respect to the expansion of new housing, including numerous larger scale townhouse developments, as well big box retail strips along Route 35. Given the existing development in place and zoning matrix underpinning the area as outlined in the enclosed table, it is apparent that Holmdel has consciously targeted a denser mix of growth in the northernmost portion of the Township; particularly north of the NJ TRANSIT Railroad, along Route 35 and proximate to the surrounding Metropolitan Planning Area (PA-1) encompassing Hazlet and Middletown.

These land use considerations, taken together with the proposed project, general area and context, are viewed for consistency with the State Plan, and the Planning Area redesignation requested by this Petition. Affordable housing is viewed by the State as an inherently beneficial use that addresses multiple goals and policies of the State Plan for equity and the provision of adequate housing at a reasonable cost for all residents. Furthermore, the proposed use and associated density, conform with the underlying zoning and variety of housing types and dispersed format already present and well-established in the described area. The property is currently vacant and, like the area immediately surrounding it, would benefit from its redevelopment. Moreover, the property is not mapped as environmentally sensitive or identified as ranked habitat under the NJDEP's Landscape Program. For these and the above-stated reasons, the project as proposed, represents sound and integrated planning that serves to advance the goals and policies of the State Plan.

As for consistency with the Metropolitan Planning Area (PA-1), while the property and proposed use is compatible with the criteria and intent of PA-1, the Office of Planning Advocacy does not believe a parcel-specific approach adequately advances the policy objectives and implementation strategy as set forth for PA-1 in the State Plan. Instead, it is OPA's recommendation that the State Planning Commission consider including a larger geographic area should it determine to approve the petition.

OPA is in agreement with NJDEP that SPC approval be conditioned upon the Township agreeing to enact an overlay ordinance to further protect a stream segment and associated wetlands and habitat within the proposed Metropolitan Planning Area (PA-1) that is subject to an existing Critical Environmental Site (CES). NJDEP further commented that due to recent development patterns, other portions of the CES can be removed. OPA Staff agreed with these recommendations and the boundaries of the CES were realigned, as reflected in the enclosed "Proposed State Plan Mapping."

RECOMMENDATION

As a result of the foregoing, OPA staff recommends the following actions be considered:

- Amend the State Plan Policy Map to redesignate the area (proposed area) from the NJ TRANSIT Railroad north to Holmdel's municipal boundary with Hazlet and Middletown Townships, from Suburban Planning Area (PA-2) to Metropolitan Planning Area (PA-1), as reflected in the enclosed OPA map depicting the proposed area.
- Amend the State Plan Policy Map to realign the boundaries of the existing Critical Environmental Site (CES).
- Condition SPC approval on the Township agreeing to enact an overlay ordinance that recognizes and protects that portion of the CES proposed to remain in place that encompasses the less developed stream segment, associated wetlands and habitat.

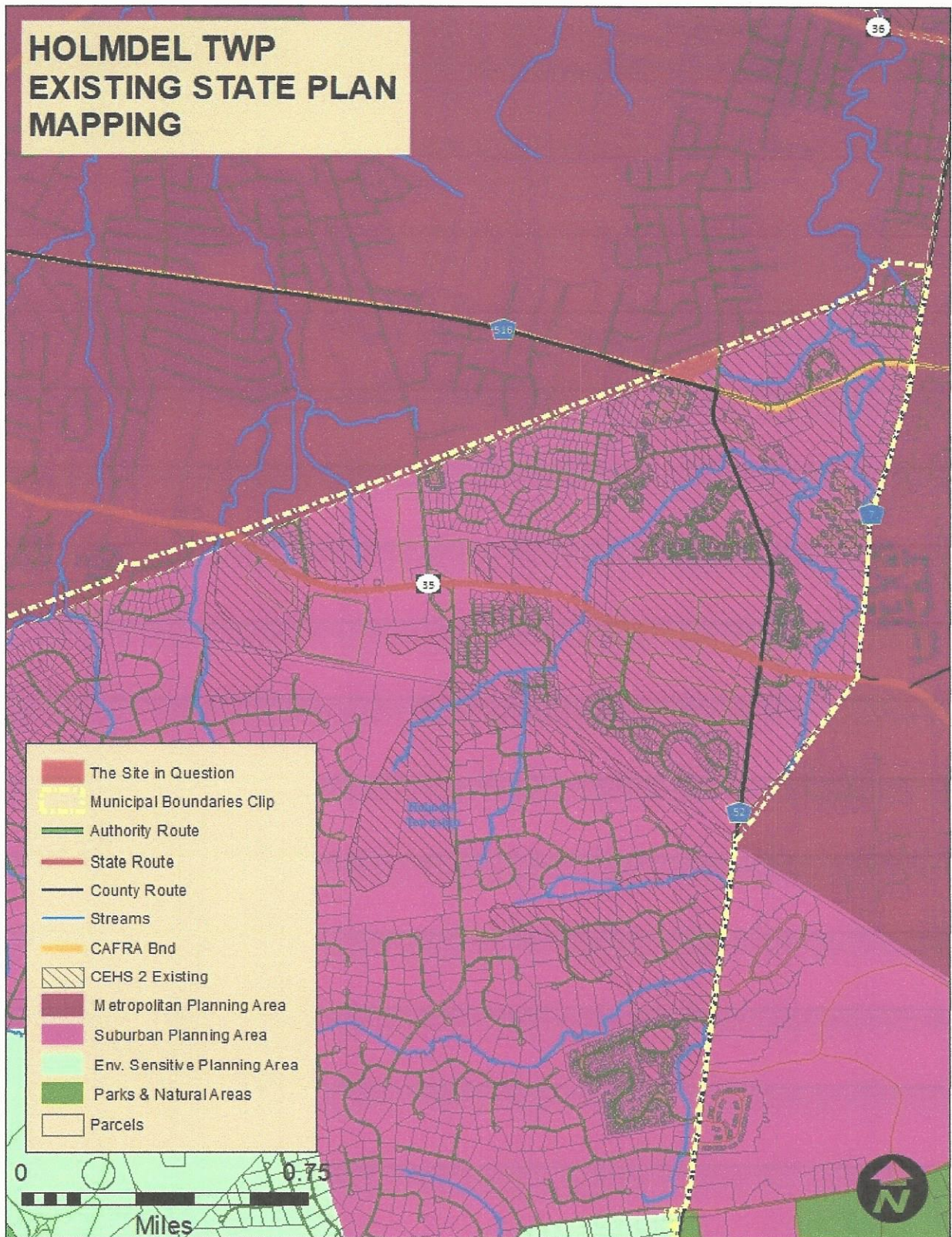
Holmdel Zoning Table north of RR

Zoning District	Purpose	Permitted uses	Minimum Lot Area/ Sq. Ft.
R-11, R-15, R-30, R-30SC, and R-TH Districts.	To provide a variety of housing development opportunities by permitting a wider choice of lot sizes. These areas are located to be serviceable by water and sewer facilities and closer to major highway access. The construction of rental housing as set forth in subsection 133.3b1, 2, 3 and 4 to provide lower income housing	Townhouses, atrium houses and quadplexes in the R-11, R-30, R-30SC and R-TH Districts. Garden apartments in the R-11, R-30, R-30SC, and R-TH Districts when developments incorporate lower income units	R-11 = 11,000 and 3 units per acre R-15 and R-TH 15,000 and 2 units per acre R-30 and R-30SC = 1.2 R-30 SC (1) Overlay = 4.5 units per acre R-TH also permits garden apartments for low- and moderate-income rental units at 5.7 units/acres
AH-MU Affordable Hous. MU	The zone is located off Route 35, adjacent to a shopping center that could provide future residents with convenient access to everyday shopping needs. While the primary purpose of the zone is to create an additional opportunity for the construction of inclusionary affordable housing in Holmdel, it is also to support mixed-use, compact and accessible development where adjacent commercial and residential uses within the zone and adjacent to the zone support one another, and are reachable for pedestrians and vehicles alike	Multifamily dwelling unit apartment buildings with a minimum low- and moderate-income unit set aside of 18% of the total number of units. Retail sales and service uses conforming to C-1 District regulations.	Maximum tract density: 15 units/acre.
R-40	The purpose of the R-40A and R-40B districts is to zone existing low density areas in a manner consistent with existing development in the R-40A District.	Single Family and Agricultural. In all residential developments, allowance shall be made for participating in the production of lower income housing. *Note. Constrained wetlands.	43,000 square feet
Single Family & Townhouse (R-TH)	Overlay District. Construction of senior housing shall have a bonus density to bring the gross density to a maximum of 12 units per acre and to provide the opportunity to provide lower income housing	Patio homes. Detached single family dwellings. Garden apartments for low- and moderate-income rental units	Maximum tract density - 4.4 units/acre provided that no more than 32 market units are developed. Maximum lot coverage - 40% The following area yard and building requirements shall apply to the low- and moderate-income, rental garden apartments. Maximum tract density - 5.7 units/acre, provided that at least eight rental units are developed. Maximum lot coverage - 22%

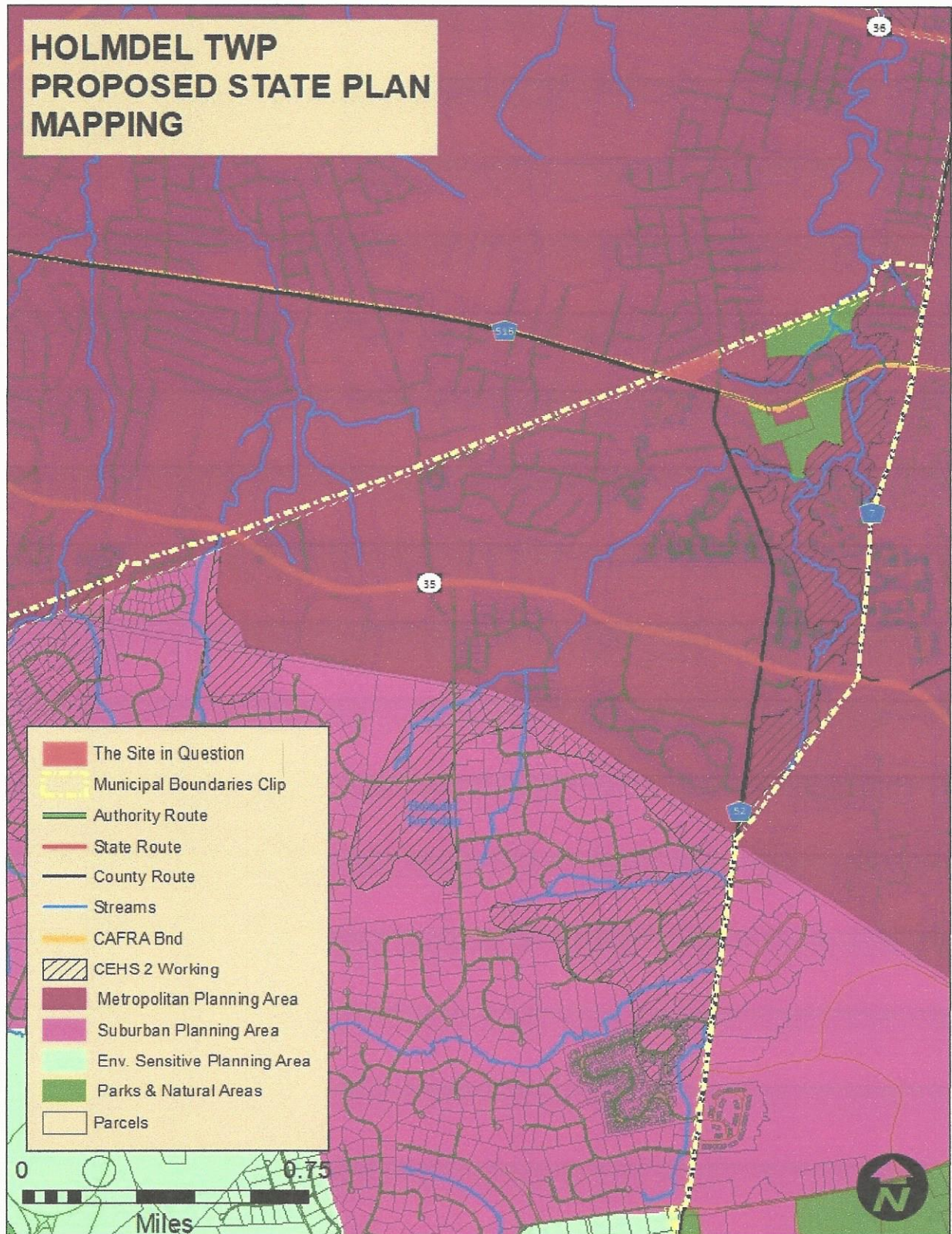
Transition MU HWY (TMHO 3)	The purpose of this district is to provide for a mix of uses as well as a scale of development that is compatible with adjacent residential neighborhoods and limits traffic generation. The district is designed to provide greater flexibility for less intensive highway oriented uses along the Route 35 corridor and to provide appropriate transitions between retail, office and other uses.	<ul style="list-style-type: none"> a. Retail sales establishments, etc. b. Retail service establishments, etc. c. Banks and fiduciary institutions. d. Garden centers and nurseries. e. Indoor recreational facilities, etc. f. Farms as regulated in R-40A District. g. Restaurants, excluding fast food restaurants and cafeterias. h. Buildings, structures and premises for use and occupancy by the Township for any purpose. i. Childcare centers and adult day-care centers. j. Retail farm market. k. Assisted living residences (limited to between 75 and 150 rooms). l. Third Generation Self-Storage Facilities. m. Planned obsolescence villages, etc. 	<ul style="list-style-type: none"> a. Offices devoted exclusively to professional, executive, etc. b. Scientific research laboratories devoted exclusively to research, product development and testing, engineering, etc. c. Limited light industrial uses, including the manufacture, fabrication, etc. d. Conference center. e. Farms. f. Indoor recreation facilities limited to skating rinks, etc. g. Restaurants, excluding fast-food restaurants, etc. h. Banks. i. Planned Retirement Communities. j. Buildings, structures and premises for munic. purposes. k. Child care centers. 	<ul style="list-style-type: none"> a. Limited industrial uses, manufacture, fabrication, etc. b. Scientific and research laboratories. c. Office buildings for business, professional, etc. d. Warehouses and wholesale distribution centers. e. Retail sales and service uses. f. Farms. g. Accessory uses customary incidental, subordinate, etc. h. Public utility uses. i. Hospitals or veterinarian offices, etc. j. New car dealers. k. Indoor recreational facilities, limited to skating rinks, racquet clubs, health clubs, miniature golf, etc. 	<ul style="list-style-type: none"> Single-family detached dwellings Duplexes Quadrplexes Assisted living residences 	<ul style="list-style-type: none"> a. Churches, public and private schools and libraries. b. Buildings used for municipal purpose. c. Firehouses and first aid and rescue facilities. d. Public utility offices. e. Banks and fiduciary institutions. f. Professional and business offices, etc. g. Retail sales establishments, etc. h. Retail service establishments, etc. i. Counseling services, etc. j. Restaurants. k. Funeral homes. l. Single family dwellings. m. Child care centers. 	<p>Maximum floor area ratio (FAR) - 15%</p> <p>Maximum lot coverage - 50%.</p>
Low Impact HWY (LIH)	The purpose of this district is to provide an area for light or moderate intensity office, laboratory, light industrial, and community service development or retirement housing with major highway access and water and sewer service.						<p>Maximum building height, 45 feet 45 (3 stories)</p> <p>Maximum building coverage, 15 percent</p> <p>Maximum FAR 0.15</p> <p>Maximum lot coverage, 35 percent</p>
Commercial/Industrial	The purpose of this district is to provide an area for either commercial or industrial development in an area with major highway access, water and sewer service, and an existing regional industrial/commercial development characteristic. It is also intended, along with other zoning districts, that the provision for assisting in the development of lower income housing as set forth below and in subsection 30-70.2f be a required element of designated new development in this district.						<p>Maximum building height: 45 feet.</p> <p>Maximum building coverage: 15%.</p> <p>Maximum floor area ratio: 15%.</p> <p>Maximum lot coverage: 60%</p>
Planned Retirement Com. Dev. (LIH PUD)							<p>Max density 4 units/acre</p> <p>Max build. Coverage 20%</p> <p>Max impervious coverage 35%</p> <p>S.F. = 5,000</p> <p>Twin = 8,000</p>
Residential & Mobile Home (R-MH)	To zone appropriate sites for mobile home parks recognizing both the existing uses in the neighborhood as well as providing an alternate form of housing development.						
Neighborhood Business (B2)	The purpose of this district is to recognize small areas of commercial services offering neighborhood conveniences.						<p>Maximum building height: 30 feet.</p> <p>Maximum floor area ratio: 0.2.</p> <p>Maximum lot coverage: 60%.</p>

Office (O-30)	<p>The purpose of this district is to recognize the changing character and impact of traffic improvements at the southeast corner of Route 35 and Laurel Avenue. In addition to continuing to permit the existing residential uses, this district permits low-intensity office uses in response to the reduced desirability of residential uses at this heavily used intersection. The O-3 District further provides for banks and financial institutions in appropriate locations with adequate means of access.</p>	<p>a. Single-family residential dwellings. b. Professional and business offices. c. Buildings, structures and premises for municipal uses d. Farms as regulated in the R-40A District. e. Child care centers. f. Retail farm markets. g. Banks and financial institutions</p>	<p>Minimum lot area - 30,000 square feet. Maximum floor area ratio - 15%. Maximum lot coverage - 45%.</p>
Retail/Office RO-3	<p>The purpose of this district is to provide a convenient location for the development of moderately sized retail and office uses. The district is intended to provide shopping and employment opportunities oriented to retail sales and service and office developments. The district is designed to respond to the favorable location along Route 35, and to provide an alternative development opportunity to the community scale shopping which currently exists on Route 35.</p>	<p>a. Retail sales establishments, etc. b. Retail service establishments, etc c. Professional and business offices. d. Banks and fiduciary institutions. e. Garden centers and nurseries. f. Indoor recreational facilities, etc. g. Farms as regulated in the R-40A District. h. Restaurants, excluding fast food restaurants and cafeterias. i. Buildings, structures and premises for use and occupancy by the Township for any purpose. j. Child care centers. k. Retail farm markets.</p>	<p>Maximum floor area ratio: 15%. Maximum lot coverage: 50%.</p>
Park			

HOLMDEL TWP EXISTING STATE PLAN MAPPING



HOLMDEL TWP PROPOSED STATE PLAN MAPPING





Thomas Wright, Chair (tom@rpa.org)
Donna Rendeiro, Executive Director (donna.rendeiro@sos.nj.gov)
New Jersey State Planning Commission
Department of State
225 W. State Street
P.O. Box 820
Trenton, New Jersey 08625-0820

September 26, 2020

Dear Madams/Sirs:

The Latino Action Network, the Latino Coalition of New Jersey, and the Latino Action Network Foundation (collectively, "LAN") write in enthusiastic support of The Walters Group's September 8, 2020 petition to designate Block 57, Lot 2 at the intersection of Middle Road and South Laurel Avenue in the Township of Holmdel as Metropolitan Planning Area PA-1. This designation would enable the development of 50 new homes that will be affordable to working families – families that are disproportionately Latino.

LAN, founded in 2009, seeks to be the voice for all Latinos in New Jersey, and it is a grassroots coalition of individuals and organizations that are committed to engaging in collective action at the local, state, and national level in order to advance the equitable inclusion of the diverse Latino communities in all aspects of society. Its members include parents, community leaders, student leaders, religious leaders, law enforcement professionals, entrepreneurs, and business professionals.

LAN works to advance the key policy agendas affecting its members, one of which is to ensure that affordable housing is available to Latinos in communities that will provide them with equal access to educational and economic opportunities. It believes in a vision of New Jersey in which people of all races and ethnicities live together in integrated communities and in which rich and poor are not isolated from each other, but live as neighbors sharing schools, parks, town halls, churches, and institutions of government.

LAN strongly supports The Walters Group's petition to the State Planning Commission to designate Block 57, Lot 2 as PA-1. Designating the Middle Road site as PA-1 would help create a meaningful opportunity for working families,

Thank you for your consideration.

Sincerely,

Christian Estevez
President, Latino Action Network

Frank Argote-Freyre
Director, Latino Coalition of New Jersey
Chair, Latino Action Network Foundation



Peter J. O'Connor, Esq.
Adam M. Gordon, Esq.
Laura Smith-Denker, Esq.
David T. Rammler, Esq.
Joshua D. Bauers, Esq.
Bassam F. Gergi, Esq.

September 14, 2020

Via Email and Mail

New Jersey State Planning Commission
Department of State
225 W. State Street – P.O. Box 820
Trenton, New Jersey 08625-0820
Thomas Wright, Chair (tom@rpa.org)
Donna Rendeiro, Executive Director
(donna.rendeiro@sos.nj.gov)

**Re: FSHC Supports The Walters Group's Petition to Designate Block 57, Lot 2
in the Township of Holmdel as Metropolitan Planning Area (PA-1)**

Dear Mr. Wright and Ms. Rendeiro:

Please accept this letter from Fair Share Housing Center (FSHC) in strong support of the petition submitted by The Walters Group on September 8, 2020, to designate Block 57, Lot 2 on Middle Road in the Township of Holmdel as Metropolitan Planning Area (PA-1).

As you know, FSHC is a non-profit that is dedicated to defending the housing rights of New Jersey's working families. In particular, FSHC has worked for more than 40 years to enforce the Mount Laurel doctrine, which requires each town in New Jersey to provide for its "fair share" of the regional need for low- and moderate-income housing.

In March 2015, the New Jersey Supreme Court recognized FSHC's critical role in enforcing Mount Laurel and supporting the provision of affordable housing in the State when it designated FSHC as the class representative for lower-income households and held that FSHC is entitled "to protect its and third parties' interests in municipal compliance with constitutional affordable housing obligations."¹

Since then, FSHC has reached agreements with over 300 towns as to how they will satisfy their constitutional obligations. These agreements have led and will lead to desperately needed new housing that is affordable to working families, seniors, and those with disabilities.

Specifically, in January 2019, FSHC and the Township of Holmdel entered into a settlement agreement that detailed how the Township will satisfy its Mount Laurel obligations. Central to the agreement is the Township's commitment to sponsor the development of 50 affordable homes on a nearly 4-acre parcel that is located on Block 57, Lot 2 in Holmdel at the intersection of Middle Road and South Laurel Avenue, which is near the Holmdel border with its neighbor the Township of Hazlet.

The development of these 50 affordable homes that will be available to working families of all income levels has been the subject of several hearings before the Superior Court of New Jersey, and the site has been approved each time by the court as suitable for the proposed affordable housing.

¹ In re N.J.A.C. 5:96 & 5:97, 221 N.J. 1, 19 (2015) (Mount Laurel IV).

Demonstrating its commitment, Holmdel has made sizeable investments to ensure that the 50 affordable homes will be constructed soon, including the expenditure of about \$1.5 million to acquire the site through condemnation and thereafter conveying it to The Walters Group for the 100% affordable development. The Township recently agreed to provide an additional soft loan in the amount of about \$1 million to The Walters Group in order to ensure that the community has all necessary funding.

The Walters Group is one of the most respected developers of affordable housing in New Jersey, and like the Township, it has made significant investments to prepare for the construction of the affordable housing promised, including developing a thoughtful site plan that was approved by the Holmdel Planning Board.

Until recently, it was the understanding of Holmdel, FSHC, and The Walters Group that Block 57, Lot 2 was split between Metropolitan Planning Area (PA-1) and Suburban Planning Area (PA-2) on the State Plan Policy Map.

As explained in the September 4, 2020 letter of Holmdel Planner Paul Phillips, P.P., A.I.C.P., which is attached to The Walters Group's petition, this understanding was based on publicly available Geographic Information System (GIS) mapping from the New Jersey Department of Environmental Protection (DEP), as well as discussions that The Walters Group had with officials at DEP in 2019.

More recently, FSHC has been informed that the GIS mapping may have inaccuracies and that Block 57, Lot 2 may be in PA-2. The significance of this is that PA-2 only permits a 30 percent impervious coverage while PA-1 allows for an 80 percent impervious coverage.

In order to develop the 50 affordable homes in a manner that will be best suited for the working families who will live on the site as well as consistent with the thoughtful plan that The Walters Group has put together, it was necessary for the developer and the Township to apply to the State Planning Commission to ask that the site be designated as Metropolitan Planning Area (PA-1).

FSHC strongly supports this petition, and we hope that the State Planning Commission will allow the project to proceed as proposed. In addition to the reasons provided in the petition itself, FSHC would emphasize the following:

The State of New Jersey has a longstanding and well-established commitment to supporting the provision of affordable housing. Designating Block 57, Lot 2 as PA-1 is consistent with that commitment.

Through the Mount Laurel decisions, New Jersey's State Constitution has been held to be

plain beyond dispute that proper provision for adequate housing of all categories of people is certainly an absolute essential in promotion of the general welfare required in all local land use regulation.²

² S. Burlington Cty. NAACP v. Mount Laurel, 67 N.J. 151, 179 (1975) (Mount Laurel I).

As a result, courts across New Jersey recognize that “[t]he public policy of this State has long been that persons with low and moderate incomes are entitled to affordable housing. . . . ‘There cannot be the slightest doubt that shelter, along with food, are the most basic human needs.’”³

Likewise, the New Jersey Fair Housing Act, which was enacted by the New Jersey Legislature in 1985 to implement the Mount Laurel decisions and which has been amended and affirmed on multiple occasions over the past thirty-plus years, expressly finds that it is in the State’s interest “to maximize the number of low and moderate units by creating new affordable housing . . . in the State.”⁴

And as the New Jersey Supreme Court has stressed, “[a]ffordable housing is a goal that is no longer merely implicit in the notion of the general welfare. It has been expressly recognized as a governmental end and codified under the FHA.”⁵ Indeed, even before the Mount Laurel decisions, the Court had recognized that the provision of “safe, decent and attractive housing that [working families] can afford serves the community’s interest in achieving an integrated, just and free society and promotes the general welfare of all citizens.”⁶

Here, the above-quoted public policy principles enunciated by the New Jersey Supreme Court and enactments of the New Jersey Legislature heavily favor designating Block 57, Lot 2 as PA-1.

Holmdel and FSHC spent almost five years working on a plan that would allow the Township to meet its constitutional obligations to provide its fair share of affordable housing. This fair share plan was the result of a deliberative process that involved public notice and judicial review at every stage, and Block 57, Lot 2 has been repeatedly found to be a suitable site to provide the 50 affordable homes promised.

If the State Planning Commission were to deny the petition, it would likely delay – and perhaps substantially delay – these 50 affordable homes from being built, and it would be contrary to the commitment the State has made to maximizing opportunities for affordable housing.

Further, the rules that were issued by the Council on Affordable Housing as to what sites should be viewed as most suitable for affordable housing highlight that the sites of former nurseries, such as Block 57, Lot 2, are high priorities.⁷

And from a planning perspective, the site’s placement in PA-2 appears to be an anomaly of sorts, and FSHC is unaware of any legitimate, compelling reason why the site should be designated PA-2 when most – if not all – of the adjoining sites in the Township of Hazlet are PA-1. We do not believe that there are any physical characteristics that would justify such a

³ Homes of Hope, Inc. v. Eastampton Tp. Land Use Planning Bd., 409 N.J. Super. 330, 337 (App. Div. 2009) (quoting Mount Laurel I, 67 N.J. at 178).

⁴ N.J.S.A. 52:27D-302.

⁵ Holmdel Builders Ass’n v. Holmdel, 121 N.J. 550, 567 (1990).

⁶ De Simone v. Greater Englewood Hous. Corp., 56 N.J. 428, 441 (1970).

⁷ N.J.A.C. 5:93-4.2(d) (“The Council shall review the existing land use map and inventory to determine which sites are most likely to develop for low and moderate income housing. . . . Such sites include, but are not limited to: . . . nurseries.”).

distinction. Indeed, we have been informed that the property itself was at one time part of the land that was developed in Hazlet that is in PA-1.

In addition, the alternatives to developing the 50 affordable homes on Block 57, Lot 2 may be less desirable from both a planning and quality of life vantage point. For example, if this 50-unit 100% affordable development were to be stymied this might require Holmdel to agree to much larger inclusionary developments on farmland which, while not part of CAFRA, are farther from commercial corridors and overall would use up far more land. This is not a situation of homes being built way out in a distant site; Block 57, Lot 2 is along a major highway corridor close to other similar development.

Finally, if the State Planning Commission does choose to designate the site PA-1, it will be opening up doors of opportunity that might transform lives and help New Jersey become a fairer and more equal place.

Providing working families with opportunities to live in wealthy, historically exclusionary towns like Holmdel has a meaningful impact – especially on the children – because it provides access to the large and growing supply of good jobs; excellent public services; and high-performance schools, which are, invariably, available in wealthier municipalities.

Indeed, there is a growing body of empirical research that has documented that providing such affordable housing in higher-opportunity communities like Holmdel leads to tremendous benefits for children from lower-income backgrounds who moved at a young age, including:

- Decreased chances of asthma, obesity, and neurodevelopmental disorders.
- Reduced likelihood of placement in special education, repeating a grade, dropping out, or suspension or expulsion.
- Improved educational performance and higher likelihood of attending college.
- Substantially higher incomes as adults, an average annual income of 31 percent higher.
- Reduction in the intergenerational persistence of poverty and large positive returns for taxpayers.⁸

The State Planning Commission has a chance here to help open the doors of opportunity to those who need that opportunity most, which will transform lives for the better. FSHC respectfully urges you to seize it and approve The Walters Group's petition.

Please let FSHC know if there are any questions we can answer or further information we can provide. Thank you for your attention to this matter.

⁸ Raj Chetty, Nathaniel Hendren, and Lawrence Katz, "The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment," American Economic Review 106 (4) (2016), available at <https://scholar.harvard.edu/hendren/publications/effects-exposure-better-neighborhoods-children-new-evidence-moving-opportunity>.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Gordon', written in a cursive style.

Adam M. Gordon, Esq.
Executive Director of Fair Share Housing Center



14 South Clifton Avenue-Lakewood, New Jersey 08701

New Jersey State Planning Commission
Department of State
225 W. State Street – P.O. Box 820
Trenton, New Jersey 08625-0820

Thomas Wright, Chair (tom@rpa.org)
Donna Renderio, Executive Director
(donna.rendeiro@sos.nj.gov)

October 13, 2020

**Re: STEPS Letter of Support for The Walters Group's Petition to Designate Block 57,
Lot 2 in the Township of Holmdel as Metropolitan Planning Area (AA-1)**

Dear Mr. Wright and Ms. Rendeiro:

On behalf of Solutions To End Poverty Soon (STEPS), we ask that you accept this letter of strong support to The Walters Group to petition to designate Block 57, Lot 2 on Middle Road in the Township of Holmdel, New Jersey as Metropolitan Planning Area (AA-1).

For more than twenty-seven years, the STEPS organization has worked to improving the lives of New Jerseyans. Our work is challenging, yet rewarding and greatly assisted by the passion and energy of collaborative partners such as The Walters Group.

STEPS is a private , non-profit agency dedicated to assisting low-moderate income individuals and families who find themselves in need of food, housing , utility assistance, access to healthcare and decent wages. Our agency was born out of a relationship with Legal Services in Ocean County and has been providing resource and referral services to residents of Ocean County since 1993. STEPS believe that when people from various organizations come together to create solutions to reduce and end poverty issues in communities, neighborhoods are build,

not just a group of people living in the same area, but a commonality designed to providing hopes and aspirations for people sharing one common goal that is to improve the lives of the people within the community.

The Walters Group project, Designate Block 57, Lot 2 in the Township of Holmdel as Metropolitan Planning Area (AA-1), is an essential project that will provide working families an opportunity to have a safe and affordable housing community. STEPS is confident that The Walters Group will successfully deliver the affordable housing for residents of New Jersey with low to moderate incomes. For these reasons, Solutions To End Poverty Soon (STEPS), fully supports and urges the State Planning Commission to fully support and approve The Walters Group petition.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael McNeil", written in a cursive style.

Michael McNeil

Executive Director of Solutions To End Poverty Soon (STEPS)

New Jersey State Conference –NAACP, Chair of Housing