
Housing Plan Element and Fair Share Plan

Township of Bedminster
Somerset County, New Jersey

Addendum April 16, 2009

***Based on Housing Plan and Fair Share Plan prepared and approved by
the Bedminster Township Planning Board***

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Introduction

This is an addendum to Bedminster’s amended Third Round Housing Plan Element (HPE) and Fair Share Plan (FSP).

After the HPE & FSP was deemed complete by COAH the Council identified some issues with the distribution of existing affordable units within the Plan. Specifically, the issue has to do with the expiration of controls on the Parkside rental and sale units before 2018, the end period of growth share as expressed in N.J.A.C. 5:97-1.1 (d). This resulted in COAH’s direction that these units should be utilized to address the Township’s prior round obligation.

To rectify this decision and to advance the Township’s HPE & FSP for substantive certification the distribution of existing units between the prior round and growth share round was revised.

Fair Share Plan Summary

Bedminster has previously accommodated 698 affordable housing units in the Township, far exceeding any obligation ever imposed by COAH. Bedminster’s amended Fair Share Plan acknowledged this performance as it responded to the requirements of New Jersey’s Municipal Land Use Law (MLUL) and Fair Housing Act (FHA) and COAH rules.

Bedminster funded a rehabilitation program that provided for the rehabilitation of 4 housing units according to COAH requirements. Bedminster also participated in an affordable housing partnership that resulted in the creation of 50 affordable senior citizen apartments, and approved major inclusionary developments that produced over 3,000 total housing units with considerable impacts on neighborhood character and community services. The affordable units created are identified on Table 1.

**Table 1
Bedminster Township’s Affordable Housing Production**

	Hills			Timberbrooke	Pluckemin Park Senior Housing	Rehabilitation	Total
	Parkside	Village Green	Cortland				
Rental	54	0	48	0	50	0	152
Sales	162	260	96	24	0	4	546
Total	216	260	144	24	50	4	698

COAH and Statutory Affordable Housing Requirements

Table 2

Table 2
Third Round Affordable Housing Obligation

Components of Third Round Obligation	
Recalculated Prior round new construction obligation (1987-1999)	154
Number of affordable units based upon projected residential growth to Year 2018	92
Number of affordable units based upon projected non-residential growth to Year 2018	157
Total Growth Share	249
Rehabilitation Obligation: 2004-2018	0
Total 3rd Round Obligation	403

Under the COAH rule as adopted, Bedminster has been forecast to accrue a growth share obligation of 249 units between January 1, 2004 and December 31, 2018. For this forecast to be correct, between January 1, 2008 and December 31, 2018 Bedminster would have to incur an additional 240 units of new growth share obligation, accruing 21.8 affordable units each year.

COAH-Certified Second Round Units and Credits

Bedminster Township has been a participant in the COAH process and has seen its housing plan certified by the Council. The Substantive Certification issued by COAH on May 1, 1996 cited the 177-unit cumulative 12-year obligation (1987-1999). Bedminster’s affordable housing performance to date has included the compliance elements shown in Table 1 above, which have provided 698 affordable units in Bedminster to date.

Meeting the Recalculated Prior Round Obligation

The 4 units rehabilitated during the 1990 have addressed a prior need that has been fully satisfied, based on the 2000 Census. As a result, Bedminster has no rehabilitation requirement at present.

After subtracting the 4 rehab units from the 698 total affordable unit productions, Bedminster has 694 affordable housing units applicable to prior rounds and the Third Round according to COAH rules.

Table 3 illustrates how these 694 units, and associated bonus rental credits, were applied to the 154-unit recalculated prior round obligation in the HPE & FSP approved by the Planning Board.

**Table 3
Summary of Bedminster Township’s Recalculated Prior Round
Affordable Housing Compliance**

Project Name	Total Units Constructed	Affordable Units Applied to Prior Round Obligation	Rental Bonus Credits*	Total Affordable Units and Bonus Credits Applied to Prior Round	Affordable Units Carried Forward to Third Round
Hills rental units	102	38	38	76	64
Hills for sale units	518	16		16	502
Pluckemin Park (age-restricted rental units)	50	38		38	12
Timberbrooke	24	24		24	
Total	694	116	38	154	578

Table 4 demonstrates the redistribution of meeting the prior round by utilizing units from Parkside only.

**Table 4
Summary of Bedminster Township’s Recalculated Prior Round
Affordable Housing Compliance Redistributed**

Project Name	Total Units Constructed	Affordable Units Applied to Prior Round Obligation	Rental Bonus Credits*	Total Affordable Units and Bonus Credits Applied to Prior Round	Affordable Units Carried Forward to Third Round
Hills rental units	102	54	38	92	48
Parkside	54	54	38	92	0
Cortland	48	0	0	0	48
Hills for sale units	518	162		162	
Parkside	162	162	0	0	0
Cortland	96	0	0	0	96
Village Green	260	0	0	0	260
Pluckemin Park (age-restricted rental units)	50	0	0	0	50
Timberbrooke	24	0		0	24
Total	694	216	38	254	478

As noted the application of all of the Parkside units to the prior round results in providing 100 additional units and 100 units less (478) to be applied to the 3rd round growth share.

Meeting the Third Round COAH Obligation

COAH rules permit municipalities to meet Third Round growth share obligations with a combination of techniques, and also specify how the growth share must be satisfied, including:

- up to 25% of growth share may be age-restricted units (62);
- at least 25% of growth share must be rental units (rental obligation or 63 units);
- at least 50% of the 63-unit rental obligation (31 units) must be family units;
- rental bonuses are not available for age-restricted units;
- rental bonuses for non-age restricted units only apply after the rental obligation has been met.
- at least 13% of growth share must be provided for affordable to households earning 30% or less of median income.
- 2:1 bonus credits for any rental unit are applicable only to family units.

The Plan as submitted showed *not counting the Parkside extensions*, 591 units and credits available at this time to be applied against the Third Round growth share obligation,

which is estimated by COAH at 249 affordable units. This resulted in a surplus of 342 affordable units and credits, if all forecast growth actually occurs. .

Table 5
Calculating Bedminster’s Units and Credits for the Third Round

Project Name	Rental Units	Applied to Rental Obligation	Rental Bonus Credits	For Sale Units	Total Units and Credits
Hills rental units	64	51	13		77
Hills for sale units				502	502
Pluckemin Park	12	12	0		12
Parkside extensions*	102				102
Total	178	63	13	502	693

In redistributing the surplus units to address growth share certain factors are include.

1. The Parkside extension of controls is not included.
2. The surplus number of units is 478 units as opposed to 578.
3. The 13 rental bonuses are not eligible since they do not meet the criteria of N.J.A.C. 5:97-3.6 (a) 3 (i) which states, “The unit was or will be created and occupied in the municipality or received preliminary or final approval, after June 6, 1999.”

Table 6 provides the redistribution including the factors.

Table 6
Redistributing Bedminster’s Units and Credits for the Third Round

Project Name	Rental Units	Applied to Rental Obligation	Rental Bonus Credits	For Sale Units	Total Units and Credits
Hills rental units (Cortland)	48	32	0		32
Hills for sale units Cortland				96	96
Timberbrooke				24	24
Village Green				260	66
Pluckemin Park	50	31	0		31
Total	98	63	0	380	249

Table 6 shows that the Township’s growth share is addressed as well as its rental obligation including family rental and family minimum. The table also shows that Township carries a future round surplus of 35 rental units and 194 sale units (229 units).