

**WARREN TOWNSHIP**

**46 MOUNTAIN BOULEVARD, WARREN, NEW JERSEY 07059**

## **PRESS RELEASE**

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**TO:** Echoes Sentinel, Courier News, Star Ledger, Independent Press, Warren Township Committee, Warren Cablevision, Warren Webmaster, Recorder Newspapers, Alternative Press, Renna Media, Warren Patch, Warren Showcase, Warren-Watchung Connection, Greater Media NJ, NJN Publishing, Town Square Media, NJ Press Media, WKXW 101.5, WMGQ 98.3, WMTR 1250 AM

**DATE: March 23, 2018**

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### **FOR IMMEDIATE RELEASE**

#### **Affordable Housing in Warren — How we got here and where we're going**

In 1975, New Jersey launched an effort to force municipalities across the state to provide affordable housing to low- and moderate-income families.

From the outset, Warren Township has worked hard to help shape debate around the issue and influence the rules that have determined state mandates.

The New Jersey Supreme Court's first Mt. Laurel ruling (in 1975) established the initial mandate. As the result of litigation involving Warren Township, the state adopted methodology to determine each community's affordable housing obligation.

Based on that lawsuit (AMG Skytop vs. Warren Township), municipalities were required to provide one unit of "affordable" housing for every five new market-rate units. The same court decision established Warren Township's overall affordable housing obligation to be 900 affordable units. That ruling would have resulted in 4,500 condo-style homes in what is now Greenwood Meadows.

Over time, decisions in lawsuits involving other municipalities shaped the affordable housing debate and the state mandate. In 1985, the legislature's Fair Share Housing Act created the Council on Affordable Housing (COAH), the entity that established the rules and judged the efficacy of municipal affordable housing plans. The Fair Share Housing Act requires New Jersey municipalities to provide a "realistic opportunity" for the construction of low- and moderate- income housing in their communities.

In 1988, the Warren Township Committee received approval from COAH for an affordable housing plan that met the state's mandate while maintaining our community's character and our residents' quality of life. That plan resulted in 57 units at Woodland Acres, 60 apartments at Whispering Hills, and 28 apartments at Liberty Village. The plan also followed COAH rules to transfer 166 units of our obligation to New Brunswick, and rehabilitate 60 additional units, which also count toward our obligation.

A 1996 COAH decision enabled us to transfer 85 additional units of our obligation to the City of Perth Amboy while not requiring us in exchange to construct any new affordable housing here.

A series of legal challenges that began at the end of the 20<sup>th</sup> Century undermined the affordable housing process, and in 2015, the NJ Supreme Court declared COAH invalid and initiated a new process to finally determine how many affordable housing units each municipality will be required to provide through 2025.

That process requires municipalities to negotiate a final number of affordable units with a housing advocacy group called the Fair Share Housing Center, which some believe to be aligned with developers and builders.

That negotiated settlement must be approved by a Special Court Master appointed by the Court to handle the negotiations between the Township and the development.

In recent years, the Superior Court in Somerset County has had jurisdiction over the town's affordable housing obligation.

Under the guidance of Township Attorney Jeffrey Lehrer and Township Planner John Chadwick, the Warren Township Committee has consistently taken steps to protect the Township from "Builder's Remedy" lawsuits, which might have required an increase in overall residential housing far beyond what was initially required.

For example, all residential developments approved by the Planning Board over the past 10 years feature an affordable housing set-aside to accommodate future obligations, including:

- The Promenade (off Washington Valley Road) — 42 affordable units
- Mt. Bethel Village (Mt. Bethel Road) — 41 units
- Bright View (Mt. Bethel Road) — 11 units
- Chelsea (Mt. Bethel Road) — 8 units

The Township has also donated property to non-profit housing entities (such as Cooperative Housing Corporation and Cerebral Palsy of NJ) that have constructed affordable housing within the Township. A large portion of our affordable housing obligation will be satisfied through the construction of a development on Township-owned land on Lindbergh Avenue.

Also counting toward our obligation, the Township has rehabilitated 65 housing units since 1989.

The American Property site on Mt. Bethel Road is proceeding through the Planning Board process. Additionally, the Township has designated Pirhl Developers to develop the Township-sponsored project on Lindberg Avenue. The remainder of potential affordable housing sites are still under negotiation.

The goal of the Township Committee is to keep new housing to a minimum, and we have been negotiating with the State's Fair Share Housing Center under the Court's guidance to do so. As a result of those hard negotiations, we anticipate that Warren's ultimate affordable housing obligation will be significantly less than the number we first faced in 1978.

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