Housing Element and Fair Share Plan

Borough of Bradley Beach
Monmouth County, New Jersey

September 12, 2016

Burgis Associates, Inc.

BURGIS
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COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
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HOUSING ELEMENT AND FAIR SHARE PLAN

BOROUGH OF BRADLEY BEACH
MONMOUTH COUNTY, NEW JERSEY

PREPARED FOR:
BOROUGH OF BRADLEY BEACH PLANNING BOARD

BA# 3141.00

The original document was appropriately signed and sealed on September 12, 2016 in accordance with the State Board of Professional Planners.

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Introduction

The following section provides a brief introduction to the 2016 Housing Element and Fair Share Plan (HE&FSP) for the Borough of Bradley Beach, and includes: a historic overview of affordable housing in New Jersey as governed by the Courts and Council on Affordable Housing (COAH); the Borough's historic responses to its affordable housing obligations; and, the Borough's Third Round affordable housing obligation and response.

Historic Overview of the Courts and COAH

The history of affordable housing in New Jersey can be traced back to 1975, when the Supreme Court first decided in So. Burlington Cty. NAACP v. Borough of Mount Laurel (known as Mount Laurel I) that every developing municipality throughout the state has an affirmative obligation to provide for its fair share of affordable housing. In a subsequent decision in 1983 (known as Mount Laurel II), the Court acknowledged that the vast majority of municipalities had ignored their constitutional obligation to provide affordable housing. As such, the Court refined this obligation to focus primarily on those municipalities that had portions of their boundaries within the growth area as delineated by the State Development Guide Plan. The Court also called on the state legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. The result of this decision was the adoption of the Fair Housing Act in 1985 and the creation of the New Jersey Council on Affordable Housing (COAH), which became the state agency responsible for overseeing the manner in which New Jersey's municipalities address their low and moderate income housing needs.

COAH proceeded to adopt regulations for the First Round obligation, which covered the years 1987 to 1993. It also established the Second Round housing-need numbers that cumulatively covered the years 1987 through 1999. Under both the First and Second Rounds, COAH utilized what is commonly referred to as the "fair share" methodology. COAH utilized a different methodology, known as "growth share," beginning with its efforts to prepare Third Round housing-need numbers. The Third Round substantive and procedural rules were first adopted in 2004. These regulations were challenged and in January 2007, the Appellate Division invalidated various aspects of them and remanded considerable portions of the rules to COAH with the directive to adopt revised rules.

In May 2008, COAH adopted revised Third Round regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendments to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged, and in an October 2010 decision the Appellate Division invalidated the Growth Share methodology, and also indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in the First and Second Rounds. The Supreme Court affirmed this decision in September 2013, which invalidated the third iteration of the Third Round regulations and sustained the invalidation of growth share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in the First and Second Rounds.

Deadlocked with a 3-3 vote, COAH failed to adopt its newly revised Third Round regulations on October 20, 2014. The Fair Share Housing Center, who was a party in both the 2010 and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015, and issued its ruling

on March 20, 2015. The Court ruled that COAH was effectively dysfunctional, and consequently returned jurisdiction of affordable housing issues back to the trial courts as it had been originally prior to the creation of COAH in 1985.

In accordance with the newly prescribed process, participating municipalities were instructed to file declaratory judgments by July 8, 2015 in order to secure temporary immunity from exclusionary zoning suits while preparing housing plans over a defined period of time. This period was initially limited to five months though many participating municipalities have received extensions of immunity as the Court has yet to establish affordable housing-need numbers as of the adoption of this Plan. While the Borough has not filed a declaratory judgment, Bradley Beach has independently prepared a Housing Element and Fair Share Plan in compliance with the criteria set forth in the Supreme Court's March 2015 decision. Through its Borough Attorney, Bradley Beach intends to submit its adopted HE&FSP to the Court, COAH, or other entity as may be required, for review and substantive certification.

The Borough's Historic Response to Its Affordable Housing Obligation

As noted above, COAH had originally adopted a 'fair share' methodology in 1987 (First Round) and again in 1994 (Second Round) to determine housing need numbers for all municipalities in the state. The combined First and Second Round need numbers for the Borough of Bradley Beach covering the years 1987 to 1999 indicated the Borough had a 20 unit affordable housing obligation.

Initially, COAH issued Bradley Beach a pre-credited need of zero (0) units for the period 1987-1993. On August 19, 1988, Bradley Beach adopted its First Round HE&FSP which received substantive certification by COAH on November 28, 1988. The Borough's Second Round obligation included 20 units of new construction and 24 rehabilitation units. This obligation and the preparation of a vacant land adjustment were addressed in Bradley Beach's Second Round HE&FSP, filed with COAH on July 21, 1996. The vacant land adjustment indicated there were no qualifying developable properties in the Borough which therefore resulted in a realistic development potential of zero (0) units. Three (3) affordable units had also been rehabilitated since April 1, 1990 as reported by the Monmouth County Community Development Office reducing the Borough's rehabilitation obligation to 21 units.

On March 4, 1998, the Borough of Bradley Beach received project plan approval from COAH to enter into a Regional Contribution Agreement (RCA) for the rehabilitation of 95 units (see appendix) with funding of approximately $1.9 million. The project plan was later amended to allow the Borough to implement the RCA program in-house which was subsequently approved by COAH and the Executive Director of the New Jersey Housing and Mortgage Finance Agency in July 1999. Through this program, as of February 24, 2016, 100 qualifying affordable housing units have been rehabilitated as indicated by COAH's Tracking and Monitoring (CTM) system.

In this manner, the Borough's 21-unit Rehabilitation obligations was affirmatively addressed. The mechanisms by which Bradley Beach will satisfy its 20-unit Prior Obligation area detailed herein.

THE THIRD ROUND AFFORDABLE HOUSING OBLIGATION AND THE BOROUGH'S RESPONSE

The state of the Third Round affordable housing obligations for municipalities throughout New Jersey is presently a fluid one, given the fact that neither the Courts, COAH, nor the legislature has yet to develop a definitive set of housing-need numbers which have been universally accepted. Initially, two sets of numbers were promulgated and widely discussed, inclusive of numbers in COAH's proposed 2014 regulations prepared by Dr. Robert Burchell of Rutgers University, and numbers prepared by David Kinsey, P.P., A.I.C.P. in July 2015 on behalf of Fair Share Housing Center. Their statewide numbers varied dramatically, with Dr. Burchell estimating the need for approximately 52,000 affordable housing units statewide, and Mr. Kinsey estimating the need for approximately 201,000 affordable housing units statewide.

In June 2015, approximately 270 New Jersey municipalities entered into a Shared Services Agreement ("SSA") to retain Rutgers University so that Dr. Burchell could prepare an expert report containing updated fair share calculations for all municipalities by September 30, 2015. Before the report was finalized, Dr. Burchell experienced health issues which precluded the continuation of his involvement in the process and subsequently caused Rutgers University to terminate the SSA contract with the municipalities on September 11, 2015.

In an effort to address this unforeseen occurrence, the consortium of municipalities then entered into a contract with Econsult Solutions, Inc. ("Econsult") to prepare a second report – the "Solutions Report" – to calculate fair share obligations for all of the municipalities in the State. Their initial report was released on December 30, 2015. Econsult later released revised reports on March 24, 2016 and again on May 16, 2016 to address several outstanding issues and concerns. The following table compares the latest Econsult report's need numbers for Bradley Beach against those assigned to the Borough by Kinsey:

Table 1: Third Round Affordable Housing Obligation
Borough of Bradley Beach, New Jersey

	Econsult	Kinsey
1. Rehabilitation (Present Need) Obligation:	14	42
2. Prior Round Obligation (1987-99):	20	162
3. Prospective Need Obligation:		
▪ 1999-2025:	----	215
▪ 2000-2025:	33	----

As evidenced above, the Econsult numbers more accurately reflect the Borough's fully developed character. Furthermore, Econsult's statewide housing need calculations are derived from the sum of regional housing need numbers as compared to Kinsey's "top down" approach which first estimates statewide need, divides that need by region, and then further to yield individual municipal obligations. For these reasons, and others, this Plan relies upon Econsult's numbers at this time. It is recognized that there will most likely be an adjustment to the figures presented herein which may necessitate future revisions to the Plan. The Borough of Bradley Beach will respond accordingly to any such adjustments.

The HE&FSP set forth herein includes an assessment of vacant land in the Borough pursuant to the vacant land adjustment (VLA) process set forth in the Second Round Rules in order to determine the Borough's realistic development potential (RDP) and adjusted affordable housing obligation. This analysis reveals that of the 4.10 acres of vacant land in the Borough, there are no qualifying lots of minimally 0.83 acres in size. Bradley Beach therefore has an RDP of zero (0) units. This is consistent with the Borough's previously prepared vacant land assessments which have also acknowledged the municipality's fully developed character and lack of vacant developable land. The vacant land adjustment and realistic development potential calculations are provided in the body of this report.

With an RDP of zero (0) units, Bradley Beach's Prior Round obligation of 20 units and Prospective Round obligation of 33 units translates to an unmet need of 53 units. The Borough intends to adopt a comprehensive affordable housing ordinance and affordable accessory dwelling unit ordinance in specified zones. The Borough is entitled to receive up to 10 credits for these affordable accessory units, the maximum permitted under the Second Round Rules, which may be applied to its unmet need. The municipal funding required for this program will be supported through the adoption of a development fee ordinance. Bradley Beach will also implement an affordable housing overlay zone requiring a 10 percent set-aside for new development consisting of five (5) or more residential units in existing zones where multifamily housing is permitted. These draft ordinances are attached as appendices. The Borough's Rehabilitation obligation of 14 units has been addressed in full through the municipality's Regional Contribution Agreement which resulted in the rehabilitation of at least 100 qualifying units.

The following Plan is organized into three sections. Section 1: Housing Element contains background data on the Borough's population and housing characteristics. Section 2: Fair Share Obligation describes the Borough's obligation for the provision of affordable housing. Section 3: Fair Share Plan contains the Borough's Plan for meeting its affordable housing obligation. As noted above, the process followed in this Plan is a fluid one. As such, it is recognized that this Plan may require future adjustments as the Courts respond to the myriad of issues that still need to be addressed.

The Borough's Housing Element and Fair Share Plan should be viewed in recognition of its character as a fully developed coastal community which experiences a substantial population influx during the summer months that exerts significant pressures, financial and otherwise, on the municipality.

Section I: Housing Element

A. Community Overview

The Borough of Bradley Beach is a coastal community located in east-central Monmouth County confined to the east by the Atlantic Ocean. Bradley Beach is bordered by three municipalities: Avon-by-the-Sea, Neptune City, and Neptune Township. Regional access is provided directly via Route 71 (Main Street) with several highways located in close proximity including Routes 18 and 35 and the Garden State Parkway. The Borough also has a train station on Memorial Drive between Brinley and La Reine Avenues serviced by NJ Transit's North Jersey Coast line linked to New York City and Secaucus Junction, among other destinations.

Bradley Beach occupies an area of approximately 0.63 square miles consisting of a range of land uses with commercial and office uses primarily situated along its Main Street corridor. Single and multifamily residential uses exist throughout the municipality. The beachfront provides a large area of environmentally sensitive open space and recreation which serves as a focal point of the community generating tourism primarily in the summer months. Estimates indicate the off-season population of Bradley Beach increases nearly seven times during the summer to approximately 30,000 inhabitants. Given the demand for coastal property in New Jersey, the municipality has been fully developed for decades and is generally devoid of vacant developable land to support substantial residential growth.

B. Inventory of Municipal Housing Stock

The following section of the Housing Element provides an inventory of the Borough's housing stock, as required by the Municipal Land Use Law (MLUL). This inventory details a number of housing characteristics such as age, condition, purchase/rental value, and occupancy.

1. Number of Dwelling Units. As shown in Table 2, the Borough experienced its greatest housing growth between 1960 and 1980 ending nearly 40 years ago. The reduced rate of growth thereafter is attributable to lack of developable land in the municipality. Since 1990, the number of dwelling units has increased slightly and generally stabilized at an average rate of nearly 1 percent.

Table 2: Dwelling Units (1960-2014)
Borough of Bradley Beach, New Jersey

Year	Total Dwelling Units	Numerical Change	Percentage Change
1960	2,279	-	-
1970	2,639	360	15.8%
1980	3,003	364	13.8%
1990	3,122	119	4.0%
2000	3,132	10	0.3%
2010	3,180	48	1.5%
2014	3,225	45	1.4%

Source: Decennial Census; American Community Survey 5-Year Estimates: 2010-2014.

Table 3 provides additional details of the Borough's housing stock regarding tenure and occupancy. As shown below, only 28.9 percent of the housing stock was owner-occupied in 2014 while another 33.3 percent was vacant. These figures have remained somewhat consistent since 1990 and are primarily the result of the municipality's number of vacation properties for summer tourism.

Table 3: Housing Units by Tenure and Occupancy Status (1990-2014)
Borough of Bradley Beach, New Jersey

	1990		2000		2014	
Category	**No. Units**	**Percent**	**No. Units**	**Percent**	**No. Units**	**Percent**
Owner-Occupied Units	841	26.9%	967	30.9%	933	28.9%
Renter-Occupied Units	1,168	37.4%	1,330	42.5%	1,219	37.8%
Vacant Units	1,113	35.7%	835	26.7%	1,073	33.3%
Total Units	3,122	100.0%	3,132	100.0%	3,225	100.0%

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.

2. Housing Characteristics. The following tables provide additional housing stock data including the numbers of units in structures and bedrooms per unit. Bradley Beach's housing stock is predominantly characterized by single-family detached units at 51.8 percent with significant numbers of two family dwellings (16.3 percent) and multifamily developments with 20 units or more (15.5 percent).

Table 4: Units in Structures (1990-2014)
Borough of Bradley Beach, New Jersey

	1990		2000		2014	
Units in Structure	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
1-unit, detached	1,517	48.6%	1,603	51.2%	1,672	51.8%
1-unit, attached	135	4.3%	80	2.6%	127	3.9%
2 units	345	11.1%	395	12.6%	527	16.3%
3 or 4 units	178	5.7%	146	4.7%	100	3.1%
5 to 9 units	146	4.7%	126	4.0%	46	1.4%
10 to 19 units	270	8.6%	283	9.0%	254	7.9%
20 or more units	430	13.8%	499	15.9%	499	15.5%
Mobile home	0	0.0%	0	0.0%	0	0.0%
Boat, RV, van, etc.	-	-	0	0.0%	0	0.0%
Other	103	3.3%	-	-	-	-
Total	3,122	100.0%	3,132	100.0%	3,225	100.0%

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.

Table 5: Number of Bedrooms in Housing Units (2000-2014)
Borough of Bradley Beach, New Jersey

Bedrooms	2000 Number	2000 Percent	2014 Number	2014 Percent
Zero	86	2.7%	21	0.7%
One	943	30.1%	733	22.7%
Two	906	28.9%	1,077	33.4%
Three	774	24.7%	860	26.7%
Four	266	8.5%	385	11.9%
Five or More	157	5.0%	149	4.6%
Total	3,132	100.0%	3,225	100.0%

Source: U.S. Census 2000; American Community Survey 5-Year Estimates: 2010-2014.

3. Housing Age. The following table details the age of the Borough's housing stock and indicates that approximately 50 percent of the municipality's housing was built prior to 1950 while 78 percent was constructed prior to 1980. This data is consistent with the information provided in Table 2, showing that new home construction in the Borough has been limited since 1980. Similarly, the data shows that between 1980 and 2014 an average of 20 dwellings per year were built. From 2010 to 2014, only 43 units were constructed. If this trend remains, it will result in the least number of homes built compared to any other decade listed by at least half.

Table 6: Year Structure Built
Borough of Bradley Beach, New Jersey

Year Units Built	# of Units	Percent
2010 or later	43	1.3%
2000 to 2009	264	8.2%
1990 to 1999	194	6.0%
1980 to 1989	203	6.3%
1970 to 1979	337	10.4%
1960 to 1969	340	10.5%
1950 to 1959	215	6.7%
1940 to 1949	348	10.8%
1939 or earlier	1,281	39.7%
Total	3,225	100.0%

Source: American Community Survey 5-Year Estimates: 2010-2014.

4. Housing Conditions. An inventory of the Borough's housing conditions is presented in Tables 7 and 8. The first table identifies the extent of over-crowding in the Borough, defined as housing units with more than one occupant per room. The data indicates the number of occupied housing units considered to be overcrowded has been negligible since 1990 with insignificant change.

Table 7: Occupants per Room (1990-2014)
Borough of Bradley Beach, New Jersey

Occupants Per Room	1990 Number	1990 Percent	2000 Number	2000 Percent	2014 Number	2014 Percent
1.00 or less	1,956	97.4%	2,246	97.8%	2,095	97.4%
1.01 to 1.50	38	1.9%	35	1.5%	36	1.7%
1.51 or more	15	0.7%	16	0.7%	21	1.0%
Total	2,009	100.0%	2,297	100.0%	2,152	100.0%

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.

Table 8 presents additional details the presence of complete plumbing and kitchen facilities as well as the type of heating equipment used in the Borough's housing. As shown, nearly all of the Borough's dwelling units contain complete plumbing and kitchen facilities and utilize standard means of heating as categorized by the Census.

Table 8: Equipment and Plumbing Facilities (1990-2014)
Borough of Bradley Beach, New Jersey

Facilities	1990 Number	1990 Percent	2000 Number	2000 Percent	2014 Number	2014 Percent
Kitchen:						
With Complete Facilities	1,992	99.2%	2,287	99.6%	2,152	100.0%
Lacking Complete Facilities	17	0.8%	10	0.4%	0	0.0%
Plumbing:						
With Complete Facilities	1,976	98.4%	2,297	100.0%	2,152	100.0%
Lacking Complete Facilities	33	1.6%	0	0.0%	0	0.0%
Heating Equipment:						
Standard Heating Facilities	2,000	99.6%	2,270	98.8%	2,126	98.8%
Other Means, No Fuel Used	9	0.4%	27	1.2%	26	1.2%

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.

5. Purchase and Rental Values. The Borough has historically experienced rentals values slightly lower than the County median since 1990 though this figure was only about 1 percent less than that of the County in 2014. The minimum rent in the Borough has increased to between $750 and $999 with 17.3 percent of rental units generating rents of $1,500 or more and the median gross rent nearly doubling since 1990.

Table 9: Gross Rent of Specified Renter-Occupied Housing Units (1990-2014)
Borough of Bradley Beach, New Jersey

	1990		2000		2014	
Rent	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
Less than $200	34	2.9%	22	1.7%	0	0.0%
$200 to $299	18	1.5%	0	0.0%	0	0.0%
$300 to $499	183	15.7%	53	4.0%	0	0.0%
$500 to $749	546	46.7%	621	46.7%	0	0.0%
$750 to $999	230	19.7%	327	24.6%	299	24.5%
$1,000 to $1,499	96*	8.2%	272	20.5%	709	58.2%
$1,500 or More	-	-	0	0.0%	211	17.3%
No Cash Rent	61	5.2%	34	2.6%	0	0%
Total	1,168	100.0%	1,329	100.0%	1,219	100.0%
Median Gross Rent		$628		$729		$1,231
Monmouth County Median Gross Rent		$689		$759		$1,241

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.
** represents values of $1,000 or more per previous Census data categorization.*

In 2014, the median value of owner-occupied units in Bradley Beach was 37 percent higher than that of the county where it was previously less than that of the County in 1990 and 2000. Between 2000 and 2014, the number of homes valued at $500,000 or more has increased from 2.1 percent of the owner-occupied housing stock to 54.2 percent. 49 homes are valued at over $1,000,000 where in 2000 there were none.

Table 10: Value of Specified Owner-Occupied Housing Units (1990-2014)
Borough of Bradley Beach, New Jersey

	1990		2000		2014	
Value Range	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
Less than $50,000	8	12.1%	8	1.1%	0	0.0%
$50,000 to $99,999	66	9.9%	114	15.7%	24	2.6%
$100,000 to $149,999	227	34.0%	203	28.0%	19	2.0%
$150,000 to $199,999	207	31.0%	178	24.6%	9	1.0%
$200,000 to $299,999	141	21.1%	153	21.1%	106	11.4%
$300,000 to $499,999	14	2.1%	54	7.4%	270	28.9%
$500,000 to $999,999	4*	0.6%	15	2.1%	456	48.9%
$1,000,000 or More	-	-	0	0.0%	49	5.3%
Total	667	100.0%	725	100.0%	933	100.0%
Median Value		$156,800		$161,200		$530,700
Monmouth County Median Value		$218,800		$203,100		$386,900

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.
** denotes values $500,000 or more per previous Census data categorization.*

6. Number of Units Affordable to Low- and Moderate-Income Households. Bradley Beach is in COAH Region 4, which is comprised of Mercer, Monmouth and Ocean counties. Based on the most current COAH regional income limits, the median household income for a three-person household is $83,353. A three-person moderate-income household, which is defined as a household earning no more than 80 percent of the median income of the region, would have a maximum income of $66,682.

   An affordable sales price for a three-person moderate-income household earning 80 percent of the median income is estimated at approximately $166,700. This estimate is based upon the UHAC affordability controls outlined in N.J.A.C. 5:80-26.3. In 2014, the percentage of housing units in the Borough valued at less than $200,000 was 5.6 percent.

   For renter-occupied housing, an affordable monthly rent for a three-person household is estimated at approximately $1,650. According to the most recent US Census data, approximately 83 percent of the Borough's rental units had a gross rent less than $1,500.

7. Substandard Housing Capable of Being Rehabilitated. Bradley Beach has a rehabilitation obligation, or present need, of 14 units pertaining to the number of dwelling units in a community that are in need of rehabilitation and are not likely to experience "spontaneous rehabilitation." This component is further explained in the Fair Share Plan section of this document.

C. Population Analysis

The following section addresses the MLUL requirement that a Housing Element provide data on the municipality's population, including population size, age and income characteristics.

1. Population Size. The Borough experienced its greatest rate of population growth between 1970 and 1980 increasing by 14.6 percent. This coincides with the period between 1960 and 1980 when 20.9 percent of the municipality's housing stock was built as shown in Table 6. Since 2000, when the Borough reached its peak population of 4,793, its population has declined by 10.4 percent.

Table 11: Population Growth
Borough of Bradley Beach, New Jersey

Year	Population	Population Change	Percent Change
1930	3,306	-	-
1940	3,468	162	4.9%
1950	3,911	443	12.8%
1960	4,204	293	7.5%
1970	4,163	(41)	(1.0%)
1980	4,772	609	14.6%
1990	4,475	(297)	(6.2%)
2000	4,793	318	7.1%
2010	4,298	(495)	(10.3%)
2014	4,290	(8)	(0.2%)

Source: U.S. Decennial Census; American Community Survey 5-Year Estimates: 2010-2014.

2. Age Characteristics. The Borough's age characteristics are outlined in Table 12. Since 1990, the median age of Bradley Beach's population has increased from 33 to 41 years old. The cohort which experienced the most change from 1990 to 2014 represents ages 25 to 34 having declined nearly 10 percent in that period. Conversely, during that time, the cohorts representing ages 45 to 64 has increased by a total 11 percent. The remainder of the age groups generally remained stable over the past couple of decades.

Table 12: Age Characteristics (1990-2014)
Borough of Bradley Beach, New Jersey

	1990		2000		2014	
Age	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
Under 5 years	285	6.4%	265	5.5%	226	5.3%
5 to 19 years	676	15.1%	695	14.5%	709	16.5%
20 to 24 years	354	7.9%	287	6.0%	263	6.1%
25 to 34 years	1,065	23.8%	961	20.1%	579	13.5%
35 to 44 years	630	14.1%	887	18.5%	669	15.6%
45 to 54 years	379	8.5%	671	14.0%	593	13.8%
55 to 64 years	373	8.3%	437	9.1%	601	14.0%
65 to 74 years	367	8.2%	318	6.6%	381	8.9%
75 to 84 years	270	6.0%	189	3.9%	189	4.4%
85 years and over	76	1.7%	83	1.7%	80	1.9%
Total		4,475		4,793		4,290
Median Age		33.4		36.9		41.0

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.

3. Average Household Size. From 1990 to 2013, the average household size of the Borough has decreased slightly from 2.2 people per household to 2.0. This change results from both the decrease in total population and net increase in the number of households during this period.

Table 13: Average Household Size (1980-2014)
Borough of Bradley Beach, New Jersey

Year	Total Population	Number of Households	Average Household Size
1990	4,475	2,009	2.2
2000	4,793	2,297	2.1
2010	4,298	2,098	2.0
2014	4,290	2,152	2.0

Source: Decennial Census; American Community Survey 5-Year Estimates: 2010-2014.

4. Household Income. Detailed household income figures are shown in Table 14 below. The data indicates the Borough's median household income nearly doubled from 1989 to 2014 outpacing that of Monmouth County which increased approximately 86 percent during that period. In 2014, the median household income of Monmouth County was $85,605, which was 30 percent higher than that of Bradly Beach at $60,216. From 1990 to 2014 the percentage of households with incomes below $10,000 decreased from 17.6 percent to 5.1 percent. During that time, the percentage of households with incomes greater than $150,000 increase from 0 percent to over 12 percent.

Table 14: Household Income Distribution (1989-2014)
Borough of Bradley Beach, New Jersey

Income Category	1989 Number	1989 Percent	1999 Number	1999 Percent	2014 Number	2014 Percent
Less than $10,000	348	17.6%	147	6.4%	109	5.1%
$10,000 to $14,999	152	7.7%	170	7.4%	37	1.7%
$15,000 to $24,999	274	13.8%	317	13.8%	266	12.4%
$25,000 to $34,999	404	20.4%	283	12.4%	232	10.8%
$35,000 to $49,999	382	19.3%	475	20.7%	206	9.6%
$50,000 to $74,999	329	16.6%	471	20.6%	437	20.3%
$75,000 to $99,999	46	2.3%	196	8.6%	333	15.5%
$100,000 to $149,999	47*	2.4%	156	6.8%	271	12.6%
$150,000 to $199,999	-	-	54	2.4%	89	4.1%
$200,000 or more	-	-	21	0.9%	172	8.0%
Total	1,982	100.0%	2,290	100.0%	2,152	100.0%
Median Household Income		$30,339		$40,878		$60,216
Monmouth County Median		$45,912		$64,271		$85,605

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.
** denotes values $100,000 or more per previous Census data categorization.*

5. Housing Cost-Burden. Households that pay more than 30 percent of their income for housing are considered cost burdened, and may have difficulty affording basic necessities such as food, clothing, transportation, and medical care. The 2013 American Community Survey reveals that 37 percent of home owners and 51 percent of renters living in Bradley Beach allocate 30 percent or more of their income toward housing.

Table 15: Housing Cost as Percentage of Income (2013)
Borough of Bradley Beach, New Jersey

Percentage of Income	Owner-occupied Number	Owner-occupied Percent	Renter Number	Renter Percent
Less than 20 percent	284	29.4%	414	36.7%
20 to 29.9 percent	305	31.6%	140	12.4%
30 percent or more	361	37.4%	574	50.9%
Occupied Units	965*	100.0%	1,128	100.0%

Sources: American Community Survey 5-Year Estimates, 2009 – 2013.
** Excludes 15 occupied housing units per available Census data.*

D. Employment Analysis

The MLUL requires that a housing plan include data on employment levels with respect to its community. As such, the following tables present information detailing the Borough's employment characteristics.

1. Employment Status. Table 16 provides information on the employment status of Borough residents ages 16 and over. It indicates that in 2013, 67 percent of this population was included in the labor force which has remained consistent since 1990. There has been relatively little change pertaining the employment status of the Bradley Beach population though unemployment has increased from 7.4 percent in 1990 to 9.5 percent in 2013.

Table 16: Employment Status- Population 16 & Over (1990-2014)
Borough of Bradley Beach, New Jersey

Employment Status	1990 Number	1990 Percent	2000 Number	2000 Percent	2014 Number	2014 Percent
In labor force	2,354	66.4%	2,714	67.3%	2,306	67.0%
Civilian labor force	2,354	100.0%	2,714	100.0%	2,306	100.0%
Employed	2,180	92.6%	2,537	93.5%	2,088	90.5%
Unemployed	174	7.4%	177	6.5%	218	9.5%
Armed Forces	0	0.0%	0	0.0%	0	100.0%
Not in labor force	1,191	33.6%	1,317	32.7%	1,136	33.0%
Total Population 16 and Over		3,545		4,031		3,442

Source: U.S. Census 1990, 2000, American Community Survey 5 Year Estimates, 2010-2014.

2. Employment Characteristics of Employed Residents.

The following two tables provide details of employment characteristics of Bradley Beach residents by occupation and industry. Approximately 39 percent of the Borough's employed residents work in management, professional and related occupations while another 27 percent work in sales and office occupations. Educational, health and social services ranks as the industry category in which the highest number of residents were employed in 2014 at 23 percent of employed residents age 16 and over.

Table 17: Employed Residents Age 16 and Over, By Occupation (1990-2014)
Borough of Bradley Beach, New Jersey

Occupation	1990 Number	1990 Percent	2000 Number	2000 Percent	2014 Number	2014 Percent
Management, Professional and related occupations	641	29.4%	825	32.5%	811	38.8%
Service Occupations	386	17.7%	431	17.0%	354	17.0%
Sales and Office Occupations	667	30.6%	759	29.9%	565	27.1%
Farming, fishing and forestry occupations	17	0.8%	0	0.0%	-	-
Construction, extraction and maintenance occupations	194	8.9%	247	9.7%	205	9.8%
Production, transportation and material moving occupations	275	12.6%	275	10.8%	153	7.3%
Total	2,180	100.0%	2,537	100.0%	2,088	100.0%

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.

Table 18: Employed Residents Age 16 and Over, By Industry (1990-2014)
Borough of Bradley Beach, New Jersey

Industry	1990 Number	1990 Percent	2000 Number	2000 Percent	2014 Number	2014 Percent
Agriculture, forestry, fishing, hunting and mining	26	1.2%	8	0.3%	18	0.9%
Construction	217	10.0%	183	7.2%	158	7.6%
Manufacturing	201	9.2%	135	5.3%	128	6.1%
Wholesale trade	86	3.9%	152	6.0%	123	5.9%
Retail trade	471	21.6%	274	10.8%	199	9.5%
Transportation and warehousing, and utilities	109	5.0%	108	4.3%	162	7.8%
Information	-	-	176	6.9%	96	4.6%
Finance, insurance, real estate and rental and leasing	168	7.7%	254	10.0%	180	8.6%
Professional, scientific, management, administrative and waste management services	191	8.8%	300	11.8%	210	10.1%
Educational, health and social services	370	17.0%	449	17.7%	478	22.9%
Arts, entertainment, recreation, accommodation and food services	39	1.8%	233	9.2%	180	8.6%
Other services	152	7.0%	133	5.2%	91	4.4%
Public administration	150	6.9%	132	5.2%	65	3.1%
Total	2,180	100.0%	2,537	100.0%	2,088	100.0%

Source: U.S. Census 1990, 2000; American Community Survey 5-Year Estimates: 2010-2014.

** Includes figures for entertainment and recreation. Other employment categories not specifically represented in Census data.*

E. Housing and Employment Projections

The following section identifies the extent to which recent development has occurred in the community, which will assist in the determination of future residential and employment projections.

1. Probable Future Employment and Regional or Community Factors Impacting Upon Future Municipal Employment. Employment in the Borough has declined significantly from 2004 to 2014, roughly a net decrease of 42 percent. From 2004 to 2006, job growth increased steadily in Bradley Beach and sharply declined from 2007 to 2008 by 49 percent, attributable to the economic recession of that period. Job growth has increased a net 11 percent from 2008 to 2014 indicative of a slow uneven economic recovery.

Table 19: Covered Employment Trends (2004-2014)
Borough of Bradley Beach, New Jersey

Year	Number of Jobs	Change in Number of Jobs	Percent Change
2004	1,575	-	-
2005	1,604	29	1.8%
2006	1,674	70	4.4%
2007	1,616	(58)	3.5%
2008	823	(793)	(49.1%)
2009	872	49	6.0%
2010	849	(23)	(2.6%)
2011	818	(31)	(3.7%)
2012	891	73	8.9%
2013	929	38	4.3%
2014	913	(16)	1.7%

Source: Department of Labor and Workforce Development.

2. Projection of the Municipality's Housing Stock. Since 2000, the Borough has issued 246 certificates of occupancy and 87 demolition permits resulting in a net increase of 159 units at an average of 10.6 per year. With limited developable acreage in the Borough, it is anticipated that the municipality's residential growth shall remain modest and will likely include renovations of existing structures and redevelopment moving forward.

Table 20: Trend in Residential Development
Analysis of Certificates of Occupancy and Demolition Permits (2000 – 2014)
Borough of Bradley Beach, New Jersey

Year	COs Issued	Demo Permits Issued	Net Growth
2000	13	3	10
2001	9	3	6
2002	13	8	5
2003	13	13	0
2004	37	8	29
2005	40	6	34
2006	26	5	21
2007	15	7	8
2008	8	5	3
2009	2	14	(12)
2010	49	2	47
2011	9	3	6
2012	7	0	7
2013	3	8	(5)
2014	2	2	0
15 YR Total	246	87	159
15 YR Avg.	16.4	5.8	10.6
Yearly Average			

Source: New Jersey Department of Community Affairs – Certificates of Occupancy Yearly Summary Data, 2015; Demolition Permits Yearly Summary, 2015.

3. Probable Future Construction of Housing Affordable to Low- and Moderate-Income Households (2014-2024). As detailed in this plan, there are limited opportunities in the Borough for the development of new housing. The overlay zone will require a 10 percent setaside for low- and moderate-income units for new residential development consisting of 5 or more residential units. Previous housing data indicates future residential growth will likely be modest and therefore so to the construction of affordable housing. It is anticipated that new residential development will occur as redevelopment with multifamily housing only permitted in certain zones within the municipality.

4. Historical Trends in Non-Residential Development. From 2000 to 2013, Bradley Beach experienced little non-residential development restricted primarily to office, retail, assembly, hazardous and utility uses. As indicated by the data, there has been no hotel/motel, education, industrial, institutional or storage development in the Borough since 2000, and no office development in over 12 years.

Table 21: Trend in Non-Residential Development
Analysis of Certificates of Occupancy by Square Footage (2000 – 2013)
Borough of Bradley Beach, New Jersey

Year	Office	Retail	A-1 thru A-5	Hotel/ Motel	Education	Industrial	Hazardous	Storage	Signs, Fences, Utility & Misc.
2000	0	0	0	0	0	0	0	0	1,120
2001	3,650	0	0	0	0	0	0	0	120
2002	2,500	0	0	0	0	0	0	0	0
2003	10,182	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	572
2005	0	0	0	0	0	0	0	0	740
2006	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	480
2008	0	0	0	0	0	0	0	0	0
2009	0	0	0	0	0	0	0	0	0
2010	0	669	0	0	0	0	0	0	396
2011	0	0	12,230	0	0	0	4,116	0	396
2012	0	0	0	0	0	0	0	0	0
2013	0	0	0	0	0	0	0	0	240
Total	16,332	669	12,230	0	0	0	4,116	0	4,064

Source: New Jersey Department of Community Affairs – Certificates of Occupancy Yearly Summary, 2015.

Office space represents the largest non-residential use category for which the most demolition permits were issued from 2000 to 2013, excluding signs, fences, utilities, etc. There have been a few demolition permits issued for storage and assembly uses.

Table 22: Trend in Non-Residential Development
Analysis of Demolition Permits (2000 – 2013)
Borough of Bradley Beach, New Jersey

Year	Office	Retail	A-1 thru A-5	Hotel/ Motel	Education	Industrial	Hazardous	Storage	Signs, Fences, Utility & Misc.
2000	1	0	0	0	0	0	0	0	37
2001	1	0	0	0	0	0	0	0	32
2002	2	0	0	0	0	0	0	0	42
2003	1	0	0	0	0	0	0	0	49
2004	0	0	0	0	0	0	0	0	41
2005	0	0	0	0	0	0	0	0	41
2006	0	0	0	0	0	0	0	0	31
2007	1	0	1	0	0	0	0	1	24
2008	0	0	0	0	0	0	0	0	15
2009	1	0	0	0	0	0	0	0	12
2010	0	0	0	0	0	0	0	0	15
2011	1	0	1	0	0	0	0	1	6
2012	0	0	0	0	0	0	0	0	5
2013	0	0	0	0	0	0	0	0	6
Total	8	0	2	0	0	0	0	2	356

Source: New Jersey Department of Community Affairs – Demolition Permits Yearly Summary Data, 2015.

Section II: Fair Share Obligation

SUMMARY OF FAIR SHARE OBLIGATION

As noted in the Introduction, the State's Third Round of affordable housing obligations is currently under the jurisdiction of the Courts with official housing-need numbers having yet to be established. The Borough is participating in the consortium of municipalities which hired Econsult Solutions, Inc. in 2015 to calculate statewide affordable housing obligations. Bradley Beach is relying on the housing-need numbers presented in Econsult's latest report, dated May 16, 2016, as they more accurately reflect the Borough's fully developed character in contrast to those assigned to the Borough by David Kinsey, P.P., A.I.C.P., among other significant disparities between both reports.

The following table compares the latest Econsult report's affordable housing-need numbers for Bradley Beach against those assigned to the Borough by Kinsey:

	Econsult	Kinsey
1. Rehabilitation (Present Need) Obligation:	14	42
2. Prior Round Obligation (1987-99):	20	162
3. Prospective Need Obligation:		
▪ 1999-2025:	----	215
▪ 2000-2025:	33	----

Given the fluidity of the current process, it is recognized that there most likely will be an adjustment to the figures presented herein which may necessitate future revisions to the Plan. The Borough of Bradley Beach will respond accordingly to any such adjustments.

The HE&FSP set forth herein includes an assessment of vacant land in the Borough pursuant to the vacant land adjustment (VLA) process in order to determine the Borough's realistic development potential (RDP) and adjusted affordable housing obligation. This analysis reveals that of the 4.10 acres of vacant land in the Borough, there are no qualifying lots of minimally 0.83 acres in size. As a result, this translates to an RDP of zero (0) units pursuant to the methodology set forth in the Second Round Rules. This is consistent with previously prepared vacant land assessments which have also identified the fully developed character of the Borough and lack of vacant developable land. The vacant land adjustment and realistic development potential calculations are set forth in the body of this report.

With an RDP of zero (0) units, Bradley Beach therefore has an unmet need of 53 units based on its Prior Round obligation of 20 units and Prospective Round obligation of 33 units. The Borough will address its unmet need by implementing a comprehensive affordable housing ordinance, affordable accessory dwelling unit ordinance, a development fee ordinance and an affordable housing overlay (AHO) zone which will require a 10 percent set-aside for any new development consisting of five (5) or more residential units. These Plan components are discussed in further detail in the Borough's Fair Share Plan (Section III).

Vacant Land Adjustment

The Borough's affordable housing obligation is also informed by a vacant land adjustment (VLA) and the imposition of a realistic development potential (RDP) analysis which was undertaken pursuant to COAH's Second Round Rules. The VLA identified all vacant sites of minimally 0.83 acres in size, imposed environmental constraints including wetlands, steep slope and flood plain information in accordance with the applicable regulations, and calculated the remaining acreage that is to be utilized to determine the Borough's RDP.

The analysis revealed that there are 4.10 total acres of land categorized as vacant in Borough tax records. Only one site, identified as Block 32 Lots 6, 7 and 8 in Borough tax records, currently owned by TNT Realty Group, LLC, would have qualified for RDP analysis in terms of area comprising a total 1.18 acres. However, as of the adoption of this Plan, the Borough is a contract purchaser of these parcels with the intention to use the site for DPW, recreation, storage and other community facilities. The site should therefore not be considered for the RDP analysis. All other vacant parcels in the Borough are undersized. As a result, Bradley Beach has an RDP of zero (0) units. Bradley Beach's Prior Round obligation of 20 units and Prospective Round obligation of 33 units then constitutes 53 units of unmet need. The Borough must create a realistic opportunity for the development of affordable housing to address this unmet need, the Plan mechanisms for which are detailed in Section III.

The following Vacant Land Adjustment Map and accompanying table provide an overview of the assessment of all parcels identified as vacant in Borough tax records as well as any constraints or other considerations affecting these properties, as deemed necessary and appropriate.

Map 1: Vacant Land Adjustment

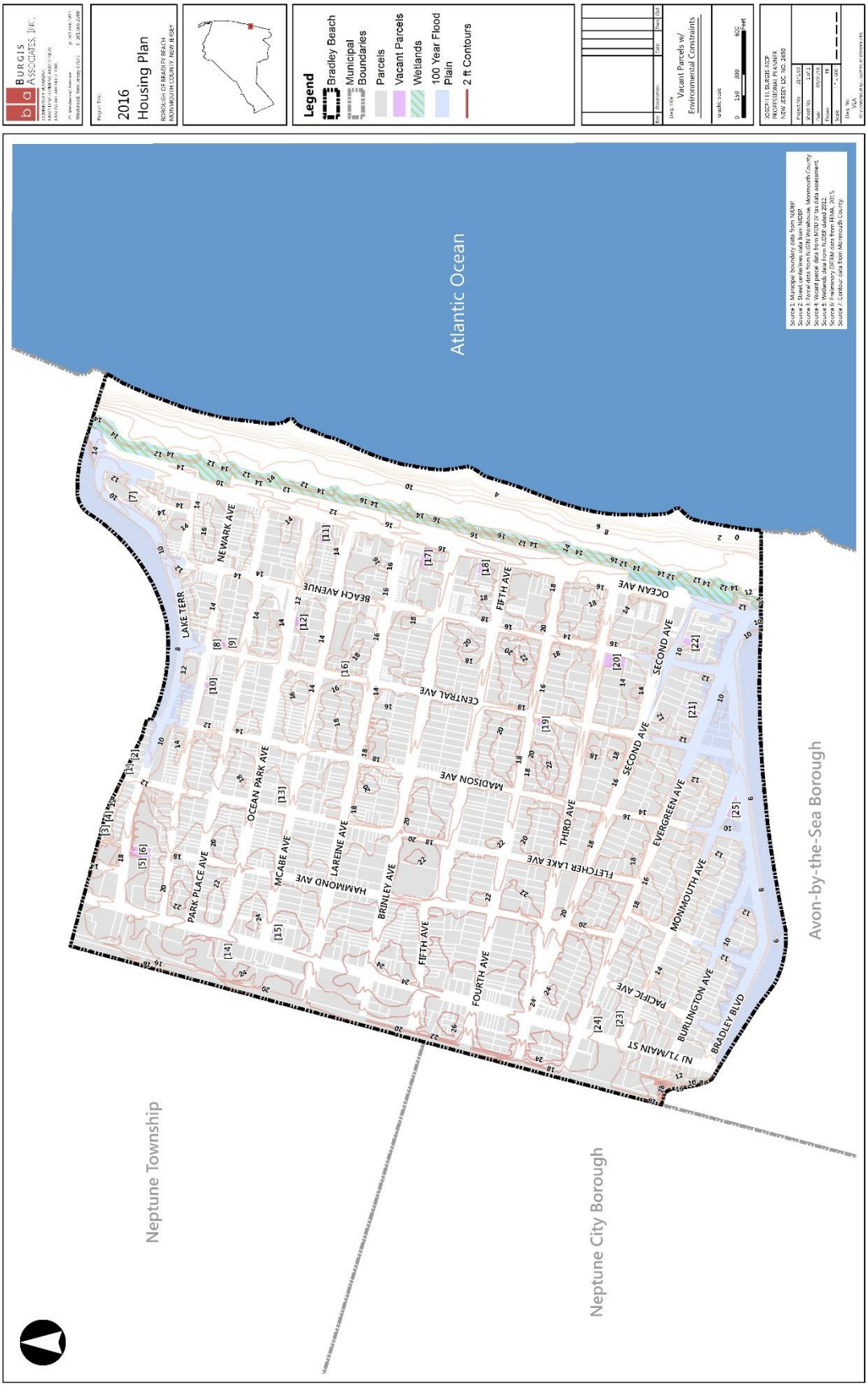


Table 23: Vacant Land Adjustment
Borough of Bradley Beach, New Jersey

ID	Block	Lot	Property Location	Owner	Comments	Area (ac)	Developable Area (ac)	Developable?
1	2	1	LAKE TERR	OCEAN GROVE CAMPMEETING ASSOCIATION	Lot too small to qualify for RDP analysis. Owned by adjacent Ocean Grove property owner.	0.010	0.00	No
2	2	2	LAKE TERR	OCEAN GROVE CAMPMEETING ASSOCIATION	Lot too small to qualify for RDP analysis. Owned by adjacent Ocean Grove property owner.	0.008	0.00	No
3	4.02	1	LAKE TERR	OCEAN GROVE CAMPMEETING ASSOCIATION	Lot too small to qualify for RDP analysis. Owned by adjacent Ocean Grove property owner.	0.037	0.00	No
4	4.02	2	LAKE TERR	STRASSBURGER, ALBERT & LINDA	Lot too small to qualify for RDP analysis. Owned by adjacent Ocean Grove property owner.	0.041	0.00	No
5	7	2.01	LAKE TERR	MACINNES, JANET & MONTEDORO, M	Lot too small to qualify for RDP analysis.	0.129	0.14	No
6	7	2.02	LAKE TERR	MACINNES, JANET	Lot too small to qualify for RDP analysis.	0.139	0.14	No
7	11	23	111 LAKE TERR	AFRICANO,MGT&JOS & IMBRIACCO,MARY A	Lot too small to qualify for RDP analysis. Same owner as adjacent Block 11 Lot 22. Environmental Constraints: 100 Year Flood Plain. Approximately 43 sf are constrained.	0.070	0.07	No
8	15	1	221 NEWARK AVE	LAKESIDE AT BRADLEY B. CONDO ASSOC.	Lot is developed with multifamily housing.	0.115	0.00	No
9	15	17	1002 CENTRAL AVE	1002 CENTRAL AVE CONDO ASSOC.	Lot is developed with single family home.	0.115	0.00	No
10	16	4	315 NEWARK AVE	BRADLEY NEWARK PROPERTY LLC	Lot is developed with single family home.	0.115	0.00	No
11	26	9	807 OCEAN AVE	807 OCEAN AVENUE, LLC	Lot is developed with single family home.	0.170	0.00	No
12	27	7	209 OCEAN PARK AVE	209 OCEAN PARK CONDOMINIUMS	Lot is developed with multifamily housing.	0.172	0.00	No
13	29	25	414 MCCABE AVE (REAR)	UNKNOWN	Lot too small to qualify for RDP analysis. Landlocked parcel.	0.003	0.00	No
14	32	15	817 MAIN ST	STONE REALTY, LLC	Lot too small to qualify for RDP analysis. Paved parking area.	0.149	0.15	No
15	33	2	617 MCCABE AVE	617 MCCABE AVENUE, LLC	Lot too small to qualify for RDP analysis.	0.059	0.06	No
16	37	45	706 CENTRAL AVE	HOLLANDER, JOS E & BARBARA	Lot too small to qualify for RDP analysis.	0.060	0.06	No
17	39	41	609 OCEAN AVE	BEACHVIEW CONDOMINIUM	Lot is developed with multifamily housing.	0.244	0.00	No
18	51	12	506 OCEAN AVE	WATERSIDE ESTATES CONDO. ASSOC, INC	Lot is developed with multifamily housing.	0.173	0.00	No
19	63	10.02	301 FOURTH AVE	DURSKI, ROBERT T & PATRICIA	Lot too small to qualify for RDP analysis.	0.115	0.11	No
20	67	7.02	203 THIRD AVE	OSBORNE, ROBERT W & LISA A	Lot is developed with single family home.	0.344	0.00	No
21	75	16	210 EVERGREEN AVE	CRITELLI, DAVID F	Lot too small to qualify for RDP analysis. Environmental Constraints: 100 Year Flood Plain. Approximately 105 sf is constrained.	0.086	0.08	No
22	76	5.01	111 SECOND AVE	BARDIS, SPYROS & ANGELA,CO-TRUSTEES	Lot too small to qualify for RDP analysis.	0.175	0.17	No
23	81	13	48 MAIN ST (REAR)	48 MAIN STREET REALTY L.L.C.	Lot too small to qualify for RDP analysis. Parking area for adjacent Block 81 Lot 15. Same owner.	0.066	0.00	No
24	81	18	58 MAIN ST	G & D PROPERTIES, LLC	Lot is developed with restaurant.	0.075	0.00	No

ID	Block	Lot	Property Location	Owner	Comments	Area (ac)	Developable Area (ac)	Developable?
28	86	2	300 BRADLEY BLVD	MANHASSET FAMILY LTD PARTNERSHIP	Lot too small to qualify for RDP analysis. Triangle-shaped parcel owned by adjacent property owner of Block 86 Lot 1. Environmental Constraints: 100 Year Flood Plain. Entirety of lot is constrained.	0.252	0.00	No

VLA Analysis Component	Yield
Total Vacant Land	2.92 ac
Total Vacant Land of Minimally 0.83 Acres	0.00 ac
Total Developable Area Qualifying for RDP Analysis	0.00 ac
Realistic Development Potential (RDP)	0 units

Section III: Fair Share Plan

A. Plan Summary

The Housing Element and Fair Share Plan details the mechanisms which the Borough may utilize to satisfy its affordable housing obligation. As determined through the Borough's Vacant Land Analysis, Bradley Beach has a realistic development potential (RDP) of 0-units. The municipality's Prior Round obligation of 20 units and Prospective obligation of 33 units translates to an unmet need of 53 units with an outstanding Rehabilitation obligation of 14 units, which are addressed below.

1. Rehabilitation Share. Econsult has allocated the Borough a Present Need (Rehabilitation) obligation of 14 units while the Kinsey report has projected this figure to be 42 units. As noted previously, the Borough's Regional Contribution Agreement (RCA) resulted in the rehabilitation of 100 affordable housing units in the municipality which more than satisfies its Rehabilitation obligation of 14 units. In addition, 3-units were rehabilitated in the municipality after April 1990 and prior to the RCA Agreement as reported by the Monmouth County Community Development Office. The Borough maintains a surplus of 65 rehabilitation credits.

2. Prior Round Obligation. Bradley Beach has a Prior Round obligation of 20 units for the period extending from 1987 to 1999. The Borough's Vacant Land Analysis reveals the municipality has a realistic development potential of 0 units. Should the Court conclude that the Borough has an obligation with respect to an unmet need, the Borough would be required to create a realistic opportunity to address this obligation and generate up to 20 units of affordable housing.

   Bradley Beach intends to adopt a comprehensive affordable housing ordinance, affordable accessory dwelling unit ordinance, development fee ordinance and affordable housing overlay zone ordinance, as detailed in the Plan Components section below to address its unmet need.

3. 2000-2025 Prospective/Third Round Obligation Econsult has assigned the Borough a Prospective obligation of 33-units for the period 2000 to 2015, while the Borough's vacant land analysis resulted in a realistic development potential of 0 units. Should the Court assign the Borough a Prospective Need greater than 0 units, the Borough will address this obligation by adopting an affordable housing overlay zone as detailed below.

4. Unmet Need. The Borough's Prior Round obligation of 20 units and Prospective Round obligation of 33 units constitutes an unmet need of 53 units given the municipality's RDP of 0 units, subject to any adjustments by the courts, COAH or other entity. Bradley Beach intends to address its unmet need with the plan components detailed in Section B.

B. Plan Components

The Borough of Bradley Beach proposes to satisfy its unmet need via the adoptions of an affordable accessory dwelling unit ordinance and affordable housing overlay zone ordinance. In addition, the Borough maintains 65 surplus rehabilitation credits from its RCA Agreement which may be applied to a future rehabilitation obligation assigned to the Borough.

1. Affordable Housing Ordinance: The Borough's draft Affordable Housing Ordinance establishes requirements for the administration and development of affordable housing based on COAH's model ordinance. In accordance with the Second Round Rules, this includes provisions for required unit distribution and phasing, affirmative marketing, eligibility, and property controls, among other recommended components. The ordinance also includes protocols for designating an agent to oversee the implementation of the Borough's various affordable housing programs.

2. Affordable Accessory Dwelling Unit Ordinance: Bradley Beach intends to adopt an Affordable Accessory Dwelling Unit Ordinance to permit such units in the R-1 Residential Single-Family Zone, R-T Residential Transition Zone and R-B Residential Beachfront Zone wherein garage apartments are already permitted accessory uses. The Borough will be entitled to receive 10 credits for the affordable accessory dwelling units to apply to its unmet need as determined by the Courts, COAH or other entity.

3. Development Fee Ordinance: The Borough intends to adopt a Development Fee Ordinance to support the funding required for its affordable accessory dwelling unit program, up to 10 units. The attached draft ordinance specifies the standard assessment of fees, conditions and exemptions pursuant to the Second Round regulations. These funds will be maintained in an affordable housing trust fund to be established by the Borough. In general, a fee of 1 ½ percent of the equalized assessed value shall be required of residential development which does not result in a density increase and 2 ½ percent of same for non-residential development.

4. Affordable Housing Overlay Zone: Bradley Beach intends to adopt an Affordable Housing Overlay (AHO) Zone Ordinance which shall require a 10 percent affordable housing set-aside for new residential development of five (5) or more units. The overlay zone will encompass existing zones which already permit multifamily housing in various forms including the GB General Business Zone, GBW General Business West Zone and O-P Office-Professional Zone. The appendix includes the draft ordinance and proposed zone map.

Appendices

A-1: Draft Affordable Housing Ordinance

A-2: Draft Affordable Accessory Dwelling Ordinance

A-3: Draft Development Fee Ordinance

A-4: Draft Affordable Housing Overlay (AHO) Zone Ordinance

A-5: Draft Affordable Housing Overlay (AHO) Zone Map

A-6: COAH Tracking and Monitoring (CTM) Report, Borough of Bradley Beach

A-7: 2nd Round Housing Plan (1996), Borough of Bradley Beach

A-8: Resolution adopting 2nd Round Housing Plan, June 6, 1996.

A-9: Resolution authorizing petition of 2nd Round HE&FSP with COAH for substantive certification

A-10: RCA Amendment and Borough Rehabilitation Program

A-11: COAH 1st Round Certification Table

A-12: COAH Proposed and Completed Units, March 1, 2011

A-1: Draft Affordable Housing Ordinance

BOROUGH OF BRADLEY BEACH

ORDINANCE No. _____

AN ORDINANCE TO REGULATE THE DEVELOPMENT AND MANAGEMENT OF LOW- AND MODERATE-INCOME HOUSING UNITS TO ADDRESS THE BOROUGH'S AFFORDABLE HOUSING OBLIGATION PURSUANT TO THE FAIR HOUSING ACT OF 1985.

Section 1. Affordable Housing Obligation

(a) This Ordinance is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Ordinance shall apply except where inconsistent with applicable law.

(b) The Borough of Bradley Beach ("the Borough") Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan, endorsed by the governing body, describes the ways Bradley Beach shall address its fair share for low- and moderate-income housing as determined by the Department of Community Affairs (the Department) and documented in the Housing Element.

(c) This Ordinance implements and incorporates the Fair Share Plan and addresses the requirements of N.J.A.C. 5:93, as may be amended and supplemented.

(d) The Borough shall file monitoring reports with the Department in accordance with N.J.A.C. 5:93, tracking the status of the implementation of the Housing Element and Fair Share Plan. Any plan evaluation report of the Housing Element and Fair Share Plan and monitoring prepared by the Department in accordance with N.J.A.C. 5:93 shall be available to the public at the Bradley Beach Municipal Building, Municipal Clerk's Office, 701 Main Street, Bradley Beach, New Jersey, or from the Department at 101 South Broad Street, Trenton, New Jersey and on the Department's website, www.nj.gov/dca.

Section 2. Definitions

The following terms when used in this Ordinance shall have the meanings given in this Section:

"Accessory apartment" means a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.

"Act" means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

“Administrative agent” means the entity responsible for the administration of affordable units in accordance with this ordinance, N.J.A.C. 5:93 and N.J.A.C. 5:80-26.1 et seq.

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:93; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable development” means a housing development all or a portion of which consists of restricted units.

“Affordable housing development” means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act, credited pursuant to N.J.A.C. 5:93, and/or funded through an affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Assisted living residence” means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“The Department” means the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a non-residential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the median household income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable county, as adopted annually by the Department.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one

applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

"Regional asset limit" means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by the Department's adopted Regional Income Limits published annually by the Department.

"Rehabilitation" means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

"Rent" means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

"Restricted unit" means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

"UHAC" means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

"Very low-income household" means a household with a total gross annual household income equal to 30 percent or less of the median household income.

"Very low-income unit" means a restricted unit that is affordable to a very low-income household.

"Weatherization" means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

Section 3. Affordable Housing Programs

The Borough of Bradley Beach has determined that it will use the following mechanisms to satisfy its affordable housing obligations:

(a) An Affordable Accessory Apartment program.

1. All affordable accessory apartments, as distinguished from market-rate "garage apartments" in the Zoning Ordinance, shall meet the following conditions:

   i. Accessory apartments are permitted by the Zoning Ordinance in the Borough's R-1, R-T and R-B Zones. Affordable accessory apartments shall also be permitted in these zones provided the units are affordable to low- and moderate-income households. Affordable accessory apartments may be developed as low-income or moderate-income units (accessory apartments may be limited to only low- or only moderate-income units as determined in the Fair Share Plan).

   ii. Affordable accessory apartments shall comply with all applicable statutes and regulations of the State of New Jersey in addition to all building codes.

iii. At the time of initial occupancy of the unit and for at least ten years thereafter, the affordable accessory apartment shall be rented only to a household which is either a low- or moderate-income household.

iv. Rents of affordable accessory apartments shall be affordable to low- or moderate-income households as per the Department and UHAC regulations.

v. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the affordable accessory apartment is located running with the land and limiting its subsequent rental or sale of the unit and the affordable accessory apartment.

vi. The appropriate utility authority must certify that there is water and sewer infrastructure with sufficient capacity to serve the proposed accessory apartment. Where the proposed location is served by an individual well and/or septic system, the additional capacity necessitated by the new unit must meet the appropriate NJDEP standards.

vii. The Borough of Bradley Beach affordable accessory apartment program shall not restrict the number of bedrooms in any affordable accessory apartment.

viii. No affordable accessory apartment created as a result of this article or these regulations shall exceed the gross floor area of the existing principal dwelling on the lot.

2. The maximum number of creditable accessory apartments shall be equal to no more than 10 or an amount equal to 10 percent of the Borough of Bradley Beach's fair share obligation, whichever is greater (additional units may be approved by the Department if the municipality has demonstrated successful completion of its affordable accessory apartment program.).

3. The Borough of Bradley Beach shall designate an administrative entity to administer the affordable accessory apartment program that shall have the following responsibilities:

i. The Administrative Agent shall administer the affordable accessory apartment program, including advertising, income qualifying prospective renters, setting rents and annual rent increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the affordable accessory apartment program in accordance with the UHAC.

ii. The administrative entity shall only deny an application for an affordable accessory apartment if the project is not in conformance with the Department's requirements and/or the provisions of this section/article. All denials shall be in writing with the reasons clearly stated.

iii. In accordance with the Department requirements, the Borough of Bradley Beach shall provide at least $25,000 per unit to subsidize the creation of each low-income accessory apartment or $20,000 per unit to subsidize the creation of each moderate-income accessory apartment. Subsidy may be used to fund

actual construction costs and/or to provide compensation for reduced rental rates.

4. Property owners wishing to apply to create an affordable accessory apartment shall submit to the administrative entity:

   i. A sketch of floor plan(s) showing the location, size and relationship of both the affordable accessory apartment and the primary dwelling within the building or in another structure;

   ii. Rough elevations showing the modifications of any exterior building façade to which changes are proposed; and

   iii. A site development sketch showing the location of the existing dwelling and other existing buildings; all property lines; proposed addition, if any, along with the minimum building setback lines; the required parking spaces for both dwelling units; and any man-made conditions which might affect construction.

Section 3. Inclusionary Development

(a) **Phasing.** In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

(b) **Design.** In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.

(c) **Payments-in-lieu and off-site construction.** The standards for the collection of Payments-in-Lieu of constructing affordable units or standards for constructing affordable units off-site, shall be in accordance with N.J.A.C. 5:93.

(d) **Utilities.** Affordable units shall utilize the same type of heating source as market units within the affordable development.

Section 4. New Construction

The following general guidelines apply to all newly constructed developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

(a) Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:

1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit.

2. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.

3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:

   i. The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;

   ii. At least 30 percent of all low- and moderate-income units shall be two bedroom units;

   iii. At least 20 percent of all low- and moderate-income units shall be three bedroom units; and

   iv. The remaining units may be allocated among two and three bedroom units at the discretion of the developer.

4. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

(b) Accessibility Requirements:

1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:93.

2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:

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

   ii. An adaptable kitchen on the first floor;

   iii. An interior accessible route of travel on the first floor;

   iv. An interior accessible route of travel shall not be required between stories within an individual unit;

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

   vi. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:93, or evidence that the Borough of Bradley Beach has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:

      A. Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.

B. To this end, the builder of restricted units shall deposit funds within the Borough of Bradley Beach's affordable housing trust fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.

C. The funds deposited under paragraph B. above shall be used by the Borough of Bradley Beach for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.

D. The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of the Borough of Bradley Beach.

E. Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, and that the cost estimate of such conversion is reasonable, payment shall be made to the Borough of Bradley Beach's affordable housing trust fund in care of the Municipal Treasurer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.

F. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.

(c) Maximum Rents and Sales Prices

1. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC and in the Department, utilizing the regional income limits established by the Department.

2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.

3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units.

   i. At least 10 percent of all low- and moderate-income rental units shall be affordable to households earning no more than 30 percent of median income.

   **NOTE: N.J.S.A. 52:27D-329.1 (P.L. 2008, C. 46) includes the requirement that all municipal fair share plans provide for the reservation of at least 13% of the affordable units for very low income households, i.e. households earning

30% or less of the median income. The new statute states that the requirement is not project-specific. Each municipality's version of this ordinance must reflect the determinations made in the Fair Share Plan as to the percentage of units necessary for very low income units in rental projects. Additional incentives to subsidize the creation of affordable housing available to very-low income households may be included in the zoning section of this ordinance or specified in a developer's or redeveloper's agreement.

4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.

5. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:

   i. A studio shall be affordable to a one-person household;

   ii. A one-bedroom unit shall be affordable to a one and one-half person household;

   iii. A two-bedroom unit shall be affordable to a three-person household;

   iv. A three-bedroom unit shall be affordable to a four and one-half person household; and

   v. A four-bedroom unit shall be affordable to a six-person household.

6. In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:

   i. A studio shall be affordable to a one-person household;

   ii. A one-bedroom unit shall be affordable to a one and one-half person household; and

   iii. A two-bedroom unit shall be affordable to a two-person household or to two one-person households.

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

8. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
9. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
10. The rent of low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.
11. Utilities. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

The following general guidelines apply to all developments that contain low-and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

Section 5. Affirmative Marketing Requirements

(a) The Borough of Bradley Beach shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Department, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.

(b) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the Department Housing Region 4 and covers the period of deed restriction.

(c) The affirmative marketing plan shall provide a regional preference for all households that live and/or work in the Department Housing Region 4 comprised of Mercer, Monmouth and Ocean Counties.

(d) The Administrative Agent designated by the Borough shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.

(e) In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

(f) The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.

(g) The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the Borough of Bradley Beach.

Section 6. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

(a) Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance until the Borough of Bradley Beach elects to release the unit from such requirements however, and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.

(b) The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.

(c) Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.

(d) At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

(e) The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.

(f) A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

Section 7. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

(a) The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.

(b) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.

(c) The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners.

(d) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

Section 8. Buyer Income Eligibility

(a) Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.

(b) The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's certified monthly income.

Section 9. Limitations on indebtedness secured by ownership unit; subordination

(a) Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.

(b) With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with N.J.A.C.5:80-26.6(b).

Section 10. Control Periods for Restricted Rental Units

(a) Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance until the [*insert name of municipality*] elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, and prior to such an election, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.

(b) Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of [*insert name of county*]. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.

(c) A restricted rental unit shall remain subject to the affordability controls of this Ordinance, despite the occurrence of any of the following events:

1. Sublease or assignment of the lease of the unit;
2. Sale or other voluntary transfer of the ownership of the unit; or
3. The entry and enforcement of any judgment of foreclosure.

Section 11. Price Restrictions for Rental Units; Leases

(a) A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.

(b) No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.

(c) Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

Section 12. Tenant Income Eligibility

(a) Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:

1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.
2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.

3. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.

(b) The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:

1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
3. The household is currently in substandard or overcrowded living conditions;
4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
5. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.

(c) The applicant shall file documentation sufficient to establish the existence of the circumstances in (b)1 through 5 above with the Administrative Agent, who shall counsel the household on budgeting.

Section 13. Administration

(a) The position of Municipal Housing Liaison (MHL) for the Borough of Bradley Beach is established by this ordinance. The Borough of Bradley Beach Council shall make the actual appointment of the MHL by means of a resolution.

1. The MHL must be either a full-time or part-time employee of the Borough of Bradley Beach.
2. The person appointed as the MHL must be reported to the Department.
3. The MHL must meet all the Department requirements for qualifications, including initial and periodic training.

   **NOTE: if the MHL position is one that will always be included in the job description for a particular position in the local staff, e.g. Township Clerk, that position can be named in this ordinance.

4. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Borough of Bradley Beach, including the

following responsibilities which may not be contracted out to the Administrative Agent:

i. Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;

ii. The implementation of the Affirmative Marketing Plan and affordability controls.

iii. When applicable, supervising any contracting Administrative Agent.

iv. Monitoring the status of all restricted units in the Borough of Bradley Beach's Fair Share Plan;

v. Compiling, verifying and submitting annual reports as required by the Department;

vi. Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and

vii. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by the Department.

(b) The Borough of Bradley Beach shall designate by resolution of the Borough Council, subject to the approval of the Department, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:96, N.J.A.C. 5:97 and UHAC.

(c) An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Department. The Operating Manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).

**NOTE: If it is decided that an employee of the municipality will act as administrative agent or if the Housing Affordability Service (HAS) of the Agency is selected, the determination of such can be included in this ordinance.

(d) The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which includes:

1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Department;

2. Affirmative Marketing;

2. Household Certification;

3. Affordability Controls;

4. Records retention;

5. Resale and re-rental;

6. Processing requests from unit owners; and
7. Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.
8. The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

Section 14. Enforcement of Affordable Housing Regulations

(a) Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

(b) After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the court:

   i. A fine of not more than $100 or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;

   ii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Borough of Bradley Beach Affordable Housing Trust Fund of the gross amount of rent illegally collected;

   iii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.

2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.

(c) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.

(d) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

(e) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.

(f) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.

(g) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with

such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.

(h) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

Section 15. Appeals

Appeals from all decisions of an Administrative Agent designated pursuant to this Ordinance shall be filed in writing with the Commissioner of the Department.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

A-2: Draft Affordable Accessory Dwelling Unit Ordinance

BOROUGH OF BRADLEY BEACH

ORDINANCE No. _____

AN ORDINANCE TO PERMIT THE DEVELOPMENT OF AFFORDABLE ACCESSORY DWELLING UNITS IN APPROPRIATE ZONES TO ADDRESS A PORTION OF THE BOROUGH OF BRADLEY BEACH"S AFFORDABLE HOUSING OBLIGATION.

Section 1. Affordable Accessory Dwelling Unit Ordinance

The Borough of Bradley Beach has determined that it will use the following mechanisms to satisfy in part, its affordable housing obligations:

(a) An Affordable Accessory Apartment program.

1. All affordable accessory apartments, as distinguished from market-rate "garage apartments" in the Zoning Ordinance, shall meet the following standards:

   i. Market-rate accessory apartments are permitted by the Zoning Ordinance in the Borough's R-1, R-T and R-B Zones. Owners of property containing an affordable accessory apartment shall comply with all provisions contained within the Borough of Bradley Beach's Affordable Housing Ordinance. Affordable accessory apartments may be developed as low-income or moderate-income units.

   ii. Affordable accessory apartments shall comply with all applicable statutes and regulations of the State of New Jersey in addition to all building codes.

   iii. At the time of initial occupancy of the unit and for at least ten years thereafter, the affordable accessory apartment shall be rented only to a household which is either a low- or moderate-income household.

   iv. Rents of affordable accessory apartments shall be affordable to low- or moderate-income households as per the Department and UHAC regulations.

   v. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the affordable accessory apartment is located running with the land and limiting its subsequent rental or sale of the unit and the affordable accessory apartment.

   vi. The appropriate utility authority must certify that there is water and sewer infrastructure with sufficient capacity to serve the proposed accessory apartment. Where the proposed location is served by an individual well and/or septic system, the additional capacity necessitated by the new unit must meet the appropriate NJDEP standards.

   vii. The Borough of Bradley Beach affordable accessory apartment program shall not restrict the number of bedrooms in any affordable accessory apartment.

   viii. No affordable accessory apartment created as a result of this article or these regulations shall exceed the gross floor area of the existing principal dwelling on the lot.

2. The maximum number of creditable accessory apartments shall be equal to no more than 10 or an amount equal to 10 percent of the Borough of Bradley Beach's fair share obligation, whichever is greater (additional units may be approved by the Department if the municipality has demonstrated successful completion of its affordable accessory apartment program.).

3. The Borough of Bradley Beach shall designate an administrative entity to administer the affordable accessory apartment program that shall have the following responsibilities:

   i. The Administrative Agent shall administer the affordable accessory apartment program, including advertising, income qualifying prospective renters, setting rents and annual rent increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the affordable accessory apartment program in accordance with the UHAC.

   ii. The administrative entity shall only deny an application for an affordable accessory apartment if the project is not in conformance with the Department's requirements and/or the provisions of this section/article. All denials shall be in writing with the reasons clearly stated.

   iii. In accordance with the Department requirements, the Borough of Bradley Beach shall provide at least $25,000 per unit to subsidize the creation of each low-income accessory apartment or $20,000 per unit to subsidize the creation of each moderate-income accessory apartment. Subsidy may be used to fund actual construction costs and/or to provide compensation for reduced rental rates.

4. Property owners wishing to apply to create an affordable accessory apartment shall submit to the administrative entity:

   i. A sketch of floor plan(s) showing the location, size and relationship of both the affordable accessory apartment and the primary dwelling within the building or in another structure;

   ii. Rough elevations showing the modifications of any exterior building façade to which changes are proposed; and

   iii. A site development sketch showing the location of the existing dwelling and other existing buildings; all property lines; proposed addition, if any, along with the minimum building setback lines; the required parking spaces for both dwelling units; and any man-made conditions which might affect construction.

A-3: Draft Development Fee Ordinance

BOROUGH OF BRADLEY BEACH

ORDINANCE No. ____

AN ORDINANCE AMENDING CHAPTER 450: ZONING TO ADD SECTION _____ ESTABLISHING DEVELOPMENT FEES TO SUPPORT THE BOROUGH'S AFFORDABLE HOUSING PROGRAM

1. Purpose

a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.

b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.

d) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:93.

2. Basic requirements

a) This ordinance shall not be effective until approved by COAH or the Court pursuant to N.J.A.C. 5:93.

b) The Borough of Bradley Beach shall not spend development fees until COAH or the Court has approved a plan for spending such fees in conformance with N.J.A.C. 5:93.

3. Definitions

a) The following terms, as used in this ordinance, shall have the following meanings:

i. "**Affordable housing development**" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

ii. "**COAH**" or the "**Council**" means the New Jersey Council on Affordable Housing established under the Fair Housing Act which previously had primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State. Pursuant to the Executive Reorganization Act of 1969, P.L. 1969, c. 203 (C. 52:14C-1 et seq.), the Governor abolished the Council and transferred all functions, powers, and duties to the Commissioner of the Department of Community Affairs, effective August 29, 2011. As such, any and all references to COAH shall mean the Department.

iii. "**Development fee**" means money paid by a developer for the improvement of property as permitted in N.J.A.C. 5:93.

iv. "**Developer**" means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

v. "**Equalized assessed value**" means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).

4. Residential Development fees

a) Imposed fees

i. Within all zoning districts, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1 ½ percent of the equalized assessed value for residential development provided no increased density is permitted.

ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 6 percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has

changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

[***Example**: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one and a half percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.*]

b) Eligible exactions, ineligible exactions and exemptions for residential development

i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.

ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

5. Non-residential Development fees

a) Imposed fees

i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2 ½ percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2 ½ percent of the increase

in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2 ½ shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

b) Eligible exactions, ineligible exactions and exemptions for non-residential development

i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the 2 ½ percent development fee, unless otherwise exempted below.

ii. The 2 ½ percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.

iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.

v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Borough of Bradley Beach as a lien against the real property of the owner.

6. Collection procedures

a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.

b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.

d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.

e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

g) Should the Borough of Bradley Beach fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).

h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

i) Appeal of development fees

1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Borough of Bradley Beach. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Borough of Bradley Beach. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. Affordable Housing trust fund

a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.

b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
1. payments in lieu of on-site construction of affordable units;
2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
3. rental income from municipally operated units;
4. repayments from affordable housing program loans;
5. recapture funds;
6. proceeds from the sale of affordable units; and
7. any other funds collected in connection with the Borough of Bradley Beach's affordable housing program.

c) Within seven days from the opening of the trust fund account, the Borough of Bradley Beach shall provide the Department with written authorization, in the form of a three-party escrow agreement between the municipality, the bank and

COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:93.

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

8 Use of funds

a) The expenditure of all funds shall conform to a spending plan approved by COAH or the Court. Funds deposited in the housing trust fund may be used for any activity approved by COAH or the Court to address the Borough of Bradley Beach*'s* fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:93 and specified in the approved spending plan.

b) Funds shall not be expended to reimburse the Borough of Bradley Beach for past housing activities.

c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.

i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.

ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.

iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

d) The Borough of Bradley Beach may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:93.

e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. Monitoring

a) The Borough of Bradley Beach shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Borough of Bradley Beach's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH or the Court. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

a) The ability for the Borough of Bradley Beach to impose, collect and expend development fees shall expire with its substantive certification unless the Borough of Bradley Beach has filed an adopted Housing Element and Fair Share Plan with COAH or the Court, has petitioned for substantive certification, and has received COAH's or the Court's approval of its development fee ordinance. If the Borough of Bradley Beach fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund"

established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). The Borough of Bradley Beach shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the Borough of Bradley Beach retroactively impose a development fee on such a development. The Borough of Bradley Beach shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

A-4: Draft Affordable Housing Overlay (AHO) Zone Ordinance

BOROUGH OF BRADLEY BEACH

ORDINANCE No. _____

AN ORDINANCE AMENDING CHAPTER 450: ZONING TO ADD SECTION _____ ESTABLISHING AN AFFORDABLE HOUSING OVERLAY (AHO) ZONE IN THE BOROUGH IN COMPLIANCE WITH BRADLEY BEACH'S CONSTITUTIONAL OBLGIATION TO PROVIDE AFFORDABLE HOUSING

DRAFT

Section 1. Purpose

This Affordable Housing Overlay (AHO) Zone Article is hereby enacted for the purpose of creating additional realistic opportunities for the construction of low- and moderate-income housing in the Borough of Bradley Beach.

Section 2. Geographic Parameters

The AHO Zone shall encompass and overlay the following existing Borough zones: G-B, GBW, O-P and B-O-R.

Section 3. Affordable Housing Requirements

The Planning Board, Zoning Board of Adjustment, or governing body shall, after the effective date of this section, approve an application for development or redevelopment plan for any residential or mixed-use development in the AHO Zone with five or more dwelling units only when the following requirements are complied with:

A. The development must comply with all aspects of the Borough of Bradley Beach's Affordable Housing Ordinance.

B. Ten (10) percent of the total number of units shall be affordable to low- and moderate-income households. Any computation resulting in a fraction of a required affordable housing unit shall be rounded up.

C. Required low- and moderate-income housing units shall be constructed on site.

D. Residential development shall adhere to the area and bulk requirements of the zone in which the units are proposed with the following exceptions:

1. Residential development which complies with all other aspects of this section shall have a maximum permitted density of 14 dwelling units per acre.

2. Pursuant to the regulations of the AHO Zone, maximum permitted building and impervious coverages shall be in accordance with the following table:

Zone	Max. Building Coverage	Max. Impervious Coverage
G-B	90%	100%
GBW	90%	100%
O-P	90%	100%
B-O-R	55%	85%

3. Maximum permitted building heights shall be 1 story, not more than 12 feet, greater than that permitted in the underlying zone district wherein the development is located.

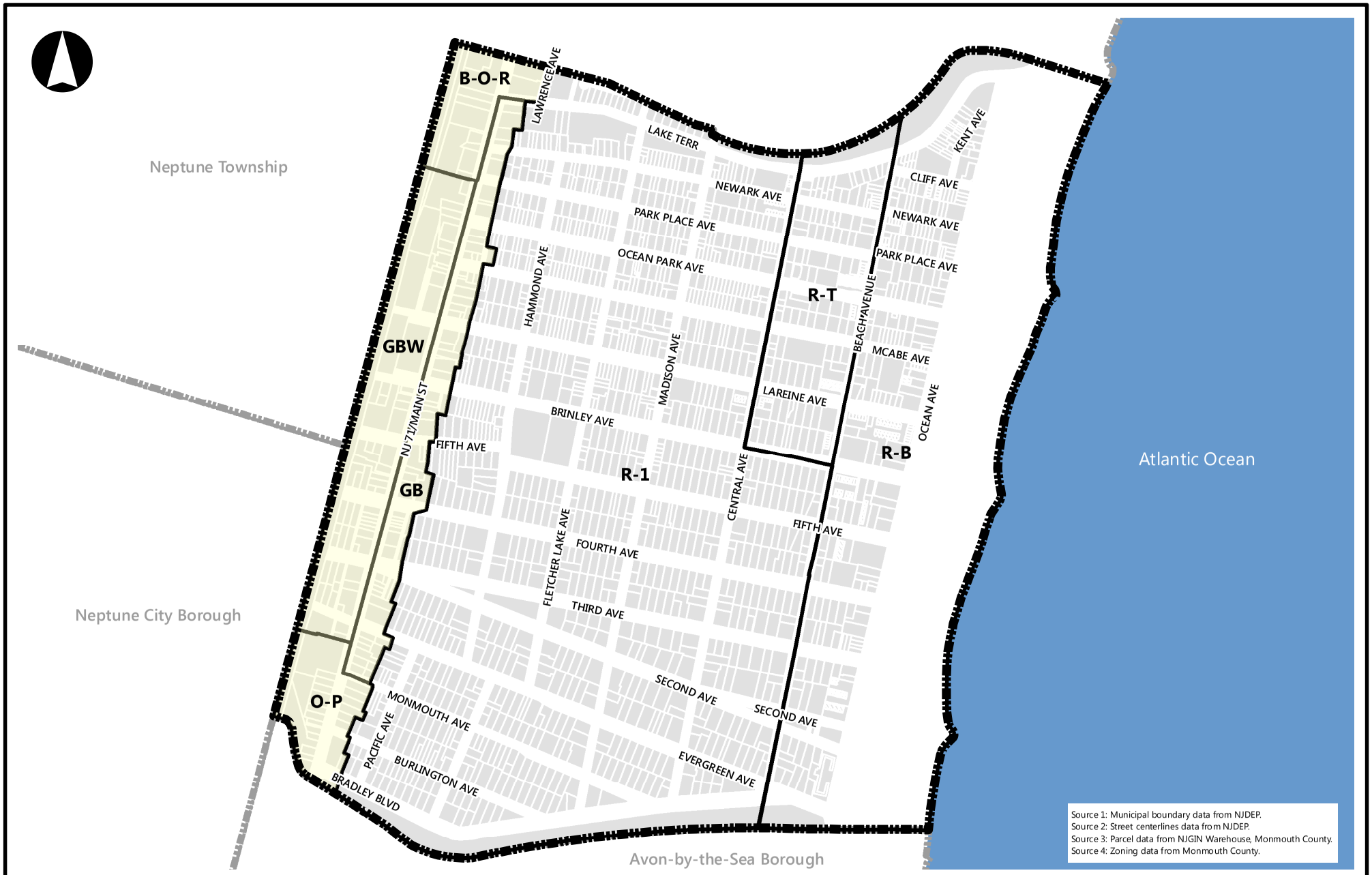
4. Parking requirements shall comply with Residential Site Improvement Standards (RSIS) N.J.A.C. 5:21. However, the reviewing Board may take into consideration the proximity of public transportation amenities such as train stations and bus stops as well as on-street parking in approving any reductions in parking requirements.

E. Affordable dwelling units shall comply with all applicable regulations of the State of New Jersey in addition to all building codes, including but not limited to Council on Affordable Housing (COAH) and Uniform Housing Affordability Controls (UHAC).

F. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the affordable dwelling unit(s) is located, pursuant to COAH and UHAC regulations.

DRAFT

A-5: Draft Affordable Housing Overlay (AHO) Zone Map



Dwg. Title

Affordable Housing Overlay (AHO) Zone

Project No.	Date	Drawn
3141.00	05/31/16	TB

Legend

- BradleyBeach
- Municipal Boundaries
- Zone Boundaries
- AHO Zone
- Parcels

BURGIS ASSOCIATES, INC.
COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
25 Westwood Avenue
Westwood, New Jersey 07675
p: 201.666.1811
f: 201.666.2599

Project Title

2016 Housing Plan

BOROUGH OF BRADLEY BEACH | MONMOUTH COUNTY, NEW JERSEY

Scale: 1 " = 800 '

Dwg. No.: AHO

2016 COPYRIGHT BA - NOT TO BE REPRODUCED

A-6: COAH Tracking and Monitoring (CTM) Report, Borough of Bradley Beach

Council on Affordable Housing
Unit Information - Rehabilitation

BRADLEY BEACH BORO,MONMOUTH

Project Name: Wall RCA / Bradley Beach Rehab Program -- Project ID : 11995

Unit Address	Blk/Lot/ Qual/Unit	Final Inspection Date	Funds Expended on Hard Costs	Develop-ment Fees Expended	Funds Re-Captured	Effect. Date of Affordability Controls	Per-petual Lien	Length of Afford-ability Controls	Date Afford-ability Controls Removed	Completed /Credit worthy	Major System Repaired	Unit Categories	Unit Flags
1102 MADISON AVE	B: 9-; L: 2-; Q: ; Unit: 1	11/23/99	$17,525.00	$0.00	$16,773.92	11/23/99	N	6	11/23/05	1/1		Low Income	Raised to Code
111 OCEAN PARK AVE	B: 26-; L: 5-; Q: ; Unit: 1	11/23/99	$10,550.00	$0.00	$0.00	11/23/99	N	6	11/23/05	1/1	Roof	Low Income	Expiration of Controls Raised to Code
115 FIFTH AVE	B: 52-; L: 3-; Q: ; Unit: 1	08/14/01	$19,000.00	$0.00	$0.00	08/14/01	N	6	08/14/07	1/1	Roof	Low Income	Raised to Code
115 NEWARK AVE	B: 14-; L: 13-; Q: ; Unit: 1	03/09/99	$16,250.00	$0.00	$0.00	03/09/99	N	6	03/09/05	1/1	Roof	Low Income	Expiration of Controls Raised to Code
116 MCCABE AVE	B: 26-; L: 1-; Q: ; Unit: 1	12/14/99	$17,450.00	$0.00	$7,755.60	12/14/99	N	6	12/14/05	1/1	Roof	Low Income	Raised to Code
117 NEWARK AVE	B: 14-; L: 12-; Q: ; Unit: 1	05/22/01	$15,945.00	$0.00	$0.00	05/22/01	N	6	05/22/07	1/1	Heating		Expiration of Controls Raised to Code
118 NEWARK AVE	B: 13-; L: 26-; Q: ; Unit: 1	11/27/01	$17,600.00	$0.00	$0.00	11/27/01	N	6	11/27/07	1/1	Roof		Raised to Code
200 MCCABE AVE	B: 15-; L: 27-; Q: ; Unit: 1	09/28/04	$16,900.00	$0.00	$0.00	09/28/04	N	6	09/28/10	1/1	Roof	Low Income	Raised to Code
204 PARK PLACE AVE	B: 15-; L: 10-; Q: ; Unit: 1	09/14/99	$12,500.00	$0.00	$0.00	09/14/99	N	6	09/14/05	1/1	Roof		Raised to Code

Council on Affordable Housing
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206 FOURTH AVE	B: 53-; L: 14-; Q: ; Unit: 1	02/12/02	$17,200.00	$0.00	$0.00	02/12/02	N	6	02/12/07	1/1	Heating		Expiration of Controls Raised to Code
207 BRINLEY AVE	B: 50-; L: 7-; Q: ; Unit: 1	02/13/07	$10,600.00	$0.00	$0.00	02/13/07	N	6	02/13/13	1/1	Heating	Low Income	Raised to Code
207 SECOND AVE	B: 74-; L: 4-; Q: ; Unit: 1	02/08/00	$19,425.00	$0.00	$0.00	02/08/00	N	6	02/08/06	1/1	Roof		Expiration of Controls Raised to Code
210 FIFTH AVE	B: 50-; L: 18-; Q: ; Unit: 1	10/24/06	$19,000.00	$0.00	$0.00	10/24/06	N	6	10/24/12	1/1	Roof		Raised to Code
214 PARK PLACE AVE	B: 15-; L: 14-; Q: ; Unit: 1	09/13/05	$22,040.00	$0.00	$0.00	09/13/05	N	6	09/13/11	1/1	Roof		Raised to Code
215 PARK PLACE AVE	B: 24-; L: 3-; Q: ; Unit: 1	04/08/03	$19,322.90	$0.00	$0.00	04/08/03	N	6	04/08/09	1/1	Heating	Low Income	Raised to Code
215 PARK PLACE AVE	B: 24-; L: 3-; Q: ; Unit: 2		$16,922.90	$0.00	$0.00		N	0		1/1	Heating	Low Income Rental	Raised to Code
216 EVERGREEN AVE	B: 75-; L: 19-; Q: ; Unit: 1	03/27/01	$18,190.00	$0.00	$0.00	03/27/01	N	6	03/27/07	1/1	Weatherization (Insulation, Siding, Windows/Door)	Low Income	Expiration of Controls Raised to Code
217 NEWARK AVE	B: 15-; L: 3-; Q: ; Unit: 1	11/28/00	$16,300.00	$0.00	$0.00	11/28/00	N	6	11/28/06	1/1	Roof		Expiration of Controls Raised to Code

Council on Affordable Housing
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Project Name: Wall RCA / Bradley Beach Rehab Program -- Project ID : 11995

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217 Park Place Ave	B: 24-; L: 2-; Q: ; Unit:	08/13/14	$14,180.00	$0.00	$0.00	08/26/14	N	6	08/26/20	1/1	Roof		
220 LAKE TERRACE	B: 10-; L: 2-; Q: ; Unit: 1	02/12/02	$16,535.00	$0.00	$13,779.20	02/12/02	N	6	02/12/02	1/1	Weatherization (Insulation, Siding, Windows/Door)		Raised to Code
301 THIRD AVE	B: 6-; L: 68-; Q: ; Unit: 1	11/18/03	$17,000.00	$0.00	$0.00	11/18/03	N	6	11/18/09	1/1			Raised to Code
301 Third Ave	B: 68-; L: 6-; Q: ; Unit:	08/13/14	$0.00	$0.00	$0.00	08/26/14	N	6	08/26/20	1/1	Electrical Sanitary/Septic/Sewer Hookup Weatherization (Insulation, Siding, Windows/Door)		
303 THIRD AVE	B: 68-; L: 5-; Q: ; Unit: 1	02/12/02	$15,354.00	$0.00	$0.00	02/12/02	N	6	02/12/08	1/1	Roof	Low Income	Raised to Code
305 1/2 OCEAN PARK AVE	B: 28-; L: 13-; Q: ; Unit: 1	08/10/04	$12,250.00	$0.00	$0.00	08/10/04	N	6	08/10/10	1/1	Heating		Raised to Code
305 OCEAN PARK AVE	B: 28-; L: 14-; Q: ; Unit: 1	04/12/05	$12,900.00	$0.00	$0.00	04/12/05	N	6	04/12/11	1/1	Roof	Low Income	Raised to Code
306 THIRD AVE	B: 63-; L: 16-; Q: ; Unit: 1	11/26/02	$18,600.00	$0.00	$0.00	11/26/02	N	6	11/26/08	1/1	Weatherization (Insulation, Siding, Windows/Door)		Raised to Code

Council on Affordable Housing
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Unit Address	Blk/Lot/ Qual/Unit	Final Inspection Date	Funds Expended on Hard Costs	Develop-ment Fees Expended	Funds Re-Captured	Effect. Date of Affordability Controls	Per-petual Lien	Length of Afford-ability Controls	Date Afford-ability Controls Removed	Completed /Credit worthy	Major System Repaired	Unit Categories	Unit Flags
307 THIRD AVE	B: 68-; L: 4-; Q: ; Unit: 1	11/12/02	$18,300.00	$0.00	$0.00	11/12/02	N	6	11/12/08	1/1	Roof		Raised to Code
307 Third Ave	B: 68-; L: 4-; Q: ; Unit:	09/03/14	$0.00	$0.00	$0.00	08/26/14	N	6	08/26/20	1/1	Sanitary/Septic/Sewer Hookup Weatherization (Insulation, Siding, Windows/Door)		
309 MCCABE AVE	B: 36-; L: 8-; Q: ; Unit: 1	01/23/01	$16,475.00	$0.00	$0.00	01/23/01	N	6	01/23/07	1/1	Roof		Expiration of Controls Raised to Code
309 OCEAN PARK AVE	B: 28-; L: 10-; Q: ; Unit: 1	08/24/04	$11,425.00	$0.00	$8,092.72	08/24/04	N	6	08/24/10	1/1	Roof		Raised to Code
310 1/2 BRINLEY AVE	B: 41-; L: 16-; Q: ; Unit: 1	05/13/03	$11,280.00	$0.00	$0.00	05/13/03	N	6	05/13/09	1/1	Roof		Raised to Code
313 FIFTH AVE	B: 54-; L: 6-; Q: ; Unit: 1	04/27/99	$14,640.00	$0.00	$0.00	04/27/99	N	6	04/27/05	1/1	Roof		Expiration of Controls Raised to Code
315 1/2 OCEAN PARK AVE	B: 28-; L: 3-; Q: ; Unit: 1	10/19/04	$12,550.00	$0.00	$0.00	10/19/04	N	6	10/19/10	1/1	Roof		Raised to Code
320 MCCABE AVE	B: 28-; L: 32-; Q: ; Unit: 1	04/13/99	$9,600.00	$0.00	$0.00	04/13/99	N	6	04/13/05	1/1	Roof		Expiration of Controls Raised to Code

Council on Affordable Housing
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Project Name: Wall RCA / Bradley Beach Rehab Program -- Project ID : 11995

Unit Address	Blk/Lot/ Qual/Unit	Final Inspection Date	Funds Expended on Hard Costs	Develop-ment Fees Expended	Funds Re-Captured	Effect. Date of Affordability Controls	Per-petual Lien	Length of Afford-ability Controls	Date Afford-ability Controls Removed	Completed /Credit worthy	Major System Repaired	Unit Categories	Unit Flags
322 MCCABE AVE	B: 28-; L: 33-; Q: ; Unit: 1	12/09/03	$15,100.00	$0.00	$0.00	12/09/03	N	6	12/09/09	1/1		Low Income	Raised to Code
402 MCCABE AVE	B: 29-; L: 14-; Q: ; Unit: 1	08/10/04	$14,700.00	$0.00	$0.00	08/10/04	N	6	08/10/10	1/1	Heating		Raised to Code
402 PARK PLACE AVE	B: 17-; L: 13-; Q: ; Unit: 1	06/28/05	$11,900.00	$0.00	$0.00	06/28/05	N	6	06/28/11	1/1			Raised to Code
403 BRINLEY AVE	B: 48-; L: 8-; Q: ; Unit: 1	03/14/00	$18,500.00	$0.00	$2,061.04	03/14/00	N	6	03/14/06	1/1	Heating	Low Income	Raised to Code
405 MCCABE AVE	B: 35-; L: 7-; Q: ; Unit: 1	02/23/99	$19,760.00	$0.00	$4,116.92	02/23/99	N	6	02/23/05	1/1	Weatherization (Insulation, Siding, Windows/Door)	Low Income	Raised to Code
405 NEWARK AVE	B: 17-; L: 8-; Q: ; Unit: 1	04/12/04	$12,850.00	$0.00	$0.00	04/12/04	N	6	04/12/10	1/1	Roof	Low Income	Raised to Code
405 NEWARK AVE REAR	B: 17-; L: 8-; Q: ; Unit: 1	04/12/04	$13,000.00	$0.00	$0.00	04/12/04	N	10	04/12/14	1/1	Roof	Rental	Raised to Code
406 FLETCHER LAKE	B: 55-; L: 1-2; Q: ; Unit: 1	12/11/01	$15,900.00	$0.00	$0.00	12/11/01	N	6	12/11/07	1/1	Roof	Low Income	Raised to Code
407 HAMMOND AVE	B: 57-; L: 17-; Q: ; Unit: 1	01/28/00	$12,100.00	$0.00	$6,217.90	01/28/00	N	6	01/28/06	1/1	Roof	Low Income	Raised to Code
409 FOURTH AVE	B: 62-; L: 4-; Q: ; Unit: 1	01/22/02	$18,900.00	$0.00	$0.00	01/22/02	N	6	01/22/08	1/1		Low Income	Raised to Code

Council on Affordable Housing
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Unit Address	Blk/Lot/ Qual/Unit	Final Inspection Date	Funds Expended on Hard Costs	Develop- ment Fees Expended	Funds Re- Captured	Effect. Date of Affordability Controls	Per- petual Lien	Length of Afford- ability Controls	Date Afford- ability Controls Removed	Completed /Credit worthy	Major System Repaired	Unit Categories	Unit Flags
409 FOURTH AVE REAR	B: 62-; L: 4-; Q: ; Unit: 1	01/22/02	$15,700.00	$0.00	$0.00	01/22/02	N	10	01/22/12	1/1	Roof	Low Income Rental	Raised to Code
411 1/2 LAREINE AVE	B: 42-; L: 5-; Q: ; Unit: 1	08/08/00	$11,725.00	$0.00	$0.00	08/08/00	N	6	08/08/06	1/1	Roof	Low Income	Expiration of Controls Raised to Code
411 FIFTH AVE	B: 55-; L: 3-; Q: ; Unit: 1	10/28/03	$17,580.00	$0.00	$0.00	10/28/03	N	6	10/28/09	1/1	Roof	Low Income	Raised to Code
413 LAREINE AVE	B: 42-; L: 4-; Q: ; Unit: 1	03/14/06	$18,153.00	$0.00	$0.00	03/14/06	N	6	03/14/12	1/1			Raised to Code
413 NEWARK AVE	B: 17-; L: 2-; Q: ; Unit: 1	03/12/02	$17,650.00	$0.00	$0.00	03/12/02	N	6	03/12/08	1/1	Roof		Raised to Code
415 FOURTH AVE	B: 62-; L: 1-; Q: ; Unit: 1	08/13/02	$15,990.00	$0.00	$0.00	08/13/02	N	6	08/13/08	1/1	Roof	Low Income	Raised to Code
421 EVERGREEN AVE	B: 79-; L: 2-; Q: ; Unit: 1	10/14/03	$15,400.00	$0.00	$0.00	10/14/03	N	6	10/14/09	1/1	Roof		Raised to Code
500 LAREINE AVE	B: 34-; L: 15-; Q: ; Unit: 2	11/25/03	$9,525.00	$0.00	$0.00	11/25/03	N	10	11/25/13	1/1	Heating	Rental	Raised to Code
500 LAREINE AVE	B: 34-; L: 15-; Q: ; Unit: 1	02/10/04	$20,250.00	$0.00	$0.00	02/10/04	N	6	02/10/10	1/1	Roof		Raised to Code
502 1/2 LAREINE AVE	B: 34-; L: 16-; Q: ; Unit: 1	04/23/02	$17,750.00	$0.00	$0.00	04/23/02	N	10	04/23/12	1/1		Rental	Raised to Code

Council on Affordable Housing
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502 LAREINE AVE	B: 34-; L: 16-; Q: ; Unit: 1	12/14/99	$16,550.00	$0.00	$0.00	12/14/99	N	6	12/14/05	1/1		Low Income	Expiration of Controls Raised to Code
503 MCCABE AVE	B: 34-; L: 8-; Q: ; Unit: 1	11/23/99	$18,520.00	$0.00	$0.00	11/23/99	N	6	11/23/05	1/1		Low Income	Expiration of Controls Raised to Code
504 1/2 FLETCHER LAKE	B: 48-; L: 21-; Q: ; Unit: 1	09/13/05	$10,011.00	$0.00	$0.00	09/13/05	N	6	09/13/11	1/1	Roof		Raised to Code
505 1/2 OCEAN PARK AVE	B: 30-; L: 9-; Q: ; Unit: 1	08/12/03	$13,550.00	$0.00	$8,662.00	08/12/03	N	6	08/12/09	1/1	Heating	Low Income	Raised to Code
505 FIFTH AVE	B: 56-; L: 5-; Q: ; Unit: 1	08/08/00	$14,185.00	$0.00	$0.00	08/08/00	N	6	08/08/06	1/1	Roof		Expiration of Controls Raised to Code
505 MADISON AVE	B: 48-; L: 11-; Q: ; Unit: 1	03/27/01	$10,750.00	$0.00	$0.00	03/27/01	N	6	03/27/07	1/1		Low Income	Expiration of Controls Raised to Code
506 MADISON AVE	B: 49-; L: 26-; Q: ; Unit: 1	01/26/99	$20,000.00	$0.00	$8,000.00	01/26/00	N	6	01/26/06	1/1		Low Income	Raised to Code
506 PARK PLACE AVE	B: 18-; L: 14-; Q: ; Unit: 1	03/27/01	$17,325.00	$0.00	$0.00	03/27/01	N	6	03/27/07	1/1	Roof		Expiration of Controls Raised to Code
508 FOURTH AVE	B: 56-; L: 14-; Q: ; Unit: 1	09/24/04	$9,700.00	$0.00	$0.00	09/24/04	N	6	09/24/10	1/1	Roof		Raised to Code

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508 PARK PLACE AVE	B: 18-; L: 16-; Q: ; Unit: 1	11/28/00	$18,465.00	$0.00	$0.00	11/28/00	N	6	11/28/06	1/1	Heating		Expiration of Controls Raised to Code
509 1/2 NEWARK AVE	B: 18-; L: 5-; Q: ; Unit: 1	11/25/03	$13,380.00	$0.00	$0.00	11/25/03	N	6	11/25/09	1/1	Roof	Low Income	Raised to Code
509 BURLINGTON AVE	B: 88-; L: 7-; Q: ; Unit: 1	09/14/99	$12,600.00	$0.00	$0.00	09/14/99	N	6	09/14/05	1/1	Heating	Low Income	Expiration of Controls Raised to Code
509 FIFTH AVE	B: 56-; L: 3-; Q: ; Unit: 1	02/09/99	$17,600.00	$0.00	$0.00	02/09/99	N	6	02/09/05	1/1	Roof	Low Income	Expiration of Controls Raised to Code
510 FOURTH AVE	B: 56-; L: 15-; Q: ; Unit: 1	08/28/01	$21,000.00	$0.00	$0.00	08/28/01	N	6	08/28/07	1/1	Roof		Expiration of Controls Raised to Code
510 PARK PLACE AVE	B: 18-; L: 18-; Q: ; Unit: 1	12/11/01	$21,725.00	$0.00	$0.00	12/11/07	N	0		1/1		Low Income	Raised to Code
511 FIFTH AVE	B: 56-; L: 2-; Q: ; Unit: 1	03/12/02	$13,360.00	$0.00	$0.00	03/12/02	N	6	03/12/08	1/1	Weatherization (Insulation, Siding, Windows/Door)	Low Income	Raised to Code
513 NEWARK AVE	B: 18-; L: 3-; Q: ; Unit: 1	04/08/03	$17,000.00	$0.00	$0.00	04/08/03	N	6	04/08/09	1/1	Roof	Low Income	Raised to Code

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514 BRINLEY AVE	B: 43-; L: 19-; Q: ; Unit: 1	09/14/99	$12,405.00	$0.00	$0.00	09/14/99	N	6	09/14/05	1/1		Low Income	Expiration of Controls Raised to Code
514 NEWARK AVE	B: 7-; L: 10-; Q: ; Unit: 1	01/23/01	$18,300.00	$0.00	$11,691.58	01/23/01	N	6	01/23/07	1/1	Heating	Low Income	Raised to Code
514 PARK PLACE AVE	B: 18-; L: 20-; Q: ; Unit: 1	11/12/02	$15,000.00	$0.00	$12,083.38	11/12/02	N	6	11/12/08	1/1	Roof		Raised to Code
600 1/2 NEWARK AVE	B: 7-; L: 13-; Q: ; Unit: 1	02/22/00	$14,800.00	$0.00	$0.00	02/22/00	N	6	02/22/06	1/1	Roof	Low Income	Expiration of Controls Raised to Code
600 FOURTH AVE	B: 57-; L: 13-; Q: ; Unit: 1	08/14/01	$12,487.00	$0.00	$0.00	08/14/01	N	6	08/14/07	1/1	Roof	Low Income	Expiration of Controls Raised to Code
600 MONMOUTH AVE	B: 81-; L: 8-; Q: ; Unit: 1	10/11/05	$15,100.00	$0.00	$0.00	10/11/05	N	6	10/11/11	1/1	Roof	Low Income	Raised to Code
602 1/2 NEWARK AVE	B: 7-; L: 16-; Q: ; Unit: 1	06/27/00	$16,050.00	$0.00	$0.00	06/27/00	N	6	06/27/06	1/1	Heating	Low Income	Expiration of Controls Raised to Code
602 MADISON AVE	B: 41-; L: 21-; Q: ; Unit: 1	05/23/00	$18,840.00	$0.00	$0.00	05/23/00	N	6	05/23/06	1/1			Expiration of Controls Raised to Code

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Project Name: Wall RCA / Bradley Beach Rehab Program -- Project ID : 11995

Unit Address	Blk/Lot/ Qual/Unit	Final Inspection Date	Funds Expended on Hard Costs	Develop-ment Fees Expended	Funds Re-Captured	Effect. Date of Affordability Controls	Per-petual Lien	Length of Afford-ability Controls	Date Afford-ability Controls Removed	Completed /Credit worthy	Major System Repaired	Unit Categories	Unit Flags
602 NEWARK AVE	B: 7-; L: 15-; Q: ; Unit: 1	04/27/99	$17,575.00	$0.00	$0.00	04/27/99	N	6	04/27/05	1/1		Low Income	Expiration of Controls Raised to Code
604 1/2 FIFTH AVE	B: 46-; L: 21-; Q: ; Unit: 1	09/10/02	$19,996.00	$0.00	$0.00	09/10/02	N	6	09/10/07	1/1	Roof	Low Income	Expiration of Controls Raised to Code
604 PARK PLACE AVE	B: 19-; L: 12-; Q: ; Unit: 1	06/28/05	$13,005.00	$0.00	$0.00	06/28/05	N	6	06/28/11	1/1	Roof		Raised to Code
606 FIFTH AVE	B: 46-; L: 22-; Q: ; Unit: 1	03/19/99	$17,125.00	$0.00	$0.00	03/19/99	N	6	03/19/05	1/1			Expiration of Controls Raised to Code
606 PARK PLACE AVE	B: 19-; L: 13-; Q: ; Unit: 1	05/14/02	$17,950.00	$0.00	$0.00	05/14/02	N	6	05/14/08	1/1	Roof		Raised to Code
607 1/2 PARK PLACE AVE	B: 20-; L: 4-; Q: ; Unit: 1		$14,800.00	$0.00	$0.00		N	0		1/1	Heating		Raised to Code
607 OCEAN PARK AVE	B: 31-; L: 6-; Q: ; Unit: 1	08/10/99	$17,394.00	$0.00	$0.00	08/10/99	N	6	08/10/05	1/1	Roof		Expiration of Controls Raised to Code
607 PARK PLACE AVE	B: 20-; L: 5-; Q: ; Unit: 1	10/23/01	$15,850.00	$0.00	$15,200.00	10/23/01	N	6	10/23/07	1/1		Low Income	Raised to Code
608 NEWARK AVE	B: 7-; L: 19-; Q: ; Unit: 1	10/10/00	$19,700.00	$0.00	$0.00	10/10/00	N	6	10/10/06	1/1	Roof	Low Income	Expiration of Controls Raised to Code

Council on Affordable Housing
Unit Information - Rehabilitation

BRADLEY BEACH BORO,MONMOUTH

Project Name: Wall RCA / Bradley Beach Rehab Program -- Project ID : 11995

Unit Address	Blk/Lot/ Qual/Unit	Final Inspection Date	Funds Expended on Hard Costs	Develop-ment Fees Expended	Funds Re-Captured	Effect. Date of Affordability Controls	Per-petual Lien	Length of Afford-ability Controls	Date Afford-ability Controls Removed	Completed /Credit worthy	Major System Repaired	Unit Categories	Unit Flags
610 FOURTH AVE	B: 57-; L: 23-; Q: ; Unit: 1	04/30/04	$12,450.00	$0.00	$0.00	04/30/04	N	6	04/30/10	1/1	Roof	Low Income	Raised to Code
611 2ND AVE	B: 71-; L: 9-; Q: ; Unit: 1	05/18/03	$13,200.00	$0.00	$11,551.02	05/18/03	N	6	05/18/09	1/1	Roof	Low Income	Raised to Code
612 BRINLEY AVE	B: 44-; L: 18-; Q: ; Unit: 1	08/10/04	$14,180.00	$0.00	$0.00	08/10/04	N	6	08/10/10	1/1	Weatherization (Insulation, Siding, Windows/Door)		Raised to Code
612 OCEAN PARK AVE	B: 20-; L: 15-; Q: ; Unit: 1	10/19/04	$16,400.00	$0.00	$0.00	10/19/04	N	6	10/19/10	1/1	Roof		Raised to Code
612 THIRD AVE	B: 60-; L: 17-; Q: ; Unit: 1	12/15/99	$18,846.52	$0.00	$11,346.25	12/15/99	N	6	12/15/05	1/1	Roof	Low Income	Raised to Code
614 FIFTH AVE	B: 46-; L: 27-; Q: ; Unit: 1	04/11/06	$16,370.00	$0.00	$0.00	04/11/06	N	6	04/11/12	1/1	Roof	Low Income	Raised to Code
616 THIRD AVE	B: 60-; L: 19-; Q: ; Unit: 1	11/28/00	$17,500.00	$0.00	$0.00	11/28/00	N	6	11/28/06	1/1	Roof	Low Income	Expiration of Controls Raised to Code
617 OCEAN PARK AVE	B: 31-; L: 2-; Q: ; Unit: 1	04/27/99	$16,174.00	$0.00	$7,750.90	04/27/99	N	6	04/27/05	1/1	Weatherization (Insulation, Siding, Windows/Door)	Low Income	Expiration of Controls Raised to Code
621 FOURTH AVE	B: 60-; L: 2-; Q: ; Unit: 1	08/28/01	$16,425.00	$0.00	$0.00	08/28/01	N	6	08/28/07	1/1		Low Income	Expiration of Controls Raised to Code

Council on Affordable Housing
Unit Information - Rehabilitation

BRADLEY BEACH BORO,MONMOUTH

Project Name: Wall RCA / Bradley Beach Rehab Program -- Project ID : 11995

Unit Address	Blk/Lot/ Qual/Unit	Final Inspection Date	Funds Expended on Hard Costs	Develop- ment Fees Expended	Funds Re- Captured	Effect. Date of Affordability Controls	Per- petual Lien	Length of Afford- ability Controls	Date Afford- ability Controls Removed	Completed /Credit worthy	Major System Repaired	Unit Categories	Unit Flags
706 FOURTH AVE	B: 58-; L: 13-; Q: ; Unit: 1	12/14/04	$16,900.00	$0.00	$0.00	12/14/04	N	6	12/14/10	1/1	Roof	Low Income	Raised to Code
802 FLETCHER LAKE	B: 29-; L: 24-; Q: ; Unit: 1	02/13/01	$16,625.00	$0.00	$0.00	02/13/01	N	6	02/13/07	1/1	Roof		Expiration of Controls Raised to Code
805 CENTRAL AVE	B: 28-; L: 18-; Q: ; Unit: 1	06/28/05	$13,290.00	$0.00	$0.00	06/28/05	N	6	06/28/11	1/1		Low Income	Raised to Code

Total Units	Total Hard Costs	Total Development Fees Expended	Total Funds Recaptured	Total Completed/ Credit Worthy
100	$1,546,701.32	$0.00	$145,082.43	100 / 100

A-7: 2nd Round Housing Plan (1996), Borough of Bradley Beach

HOUSING PLAN ELEMENT

BOROUGH OF BRADLEY BEACH

Monmouth County, New Jersey

Prepared By:

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HOUSING PLAN ELEMENT
AND FAIR SHARE PLAN
BOROUGH OF BRADLEY BEACH

The Housing Plan Element and Fair Share Plan for the Borough of Bradley Beach is based upon the requirements of the Fair Housing Law as provided in the "mandatory contents of a Housing Element" (N.J.S.A. 52:27D-310) and the Municipal Land Use Law (N.J.S.A. 40:55D-28). The Housing Plan Element and Fair Share Plan has also been prepared in accordance with the New Jersey Council on Affordable Housing effective on June 6, 1994 as amended through January 6, 1996 and specifically N.J.A.C. 5:93-5 "Preparing a Housing Element.

The Borough of Bradley Beach adopted its first Housing Plan Element and Fair Share Plan on August 19, 1988 for the period 1987-1993. The Precredited Need established by the Council on Affordable Housing for Bradley Beach for 1987-1993 was zero (0). The Borough applied for and received Substantive Certification from COAH on November 28, 1988.

The New Jersey Council on Affordable Housing (COAH) is the state agency established by the New Jersey legislature to be responsible for identifying housing regions, estimating low and moderate income housing needs for the State and allocating these needs to municipalities. COAH has identified Monmouth, Ocean and Mercer counties as the East Central Housing Region for the period 1993-1999. The Council on Affordable Housing developed a methodology in 1986 which was revised in 1993 for determining "housing need" for low and moderate income households for the State and Housing Regions and procedures for allocating this calculated need to individual municipalities throughout the state.

On June 6, 1994 COAH adopted new Substantive Regulations (N.J.A.C. 5:93-1 et seq.) pertaining to affordable housing programs and established 12 year cumulative affordable housing allocations for municipalities for the period 1987-1999. The Borough of Bradley Beach was given a cumulative 12 year allocation of 44 units of "calculated need" to be addressed during the period 1987-1999.

The revised COAH regulations (N.J.A.C. 5:93-4.2) include provisions for an adjustment of the calculated need for construction of new low and moderate income housing units where a municipality has a lack of available land capacity. Based on the updated COAH regulations, Bradley Beach is entitled to a vacant land adjustment which results in a fair share calculation of no new units of low and moderate income housing for the 12 year period. COAH has, however, identified 24 existing units of indigenous need to be rehabilitated between 1990 and 1999.

This Housing Plan Element and Fair Share Plan for the Borough of Bradley Beach continues and incorporates the components of the Fair Share Plan previously adopted by the Planning Board and the Borough Council which are consistent with the revised COAH regulations approved on June 6, 1994 as N.J.A.C. 5:91-1 et seq. and 5:93-1 et. seq, amended November 7, 1994, June 5, 1995 and January 6, 1996. The Housing Plan also includes credits and a vacant land adjustment in accordance with N.J.A.C. 5:93-1 et seq. which are applicable to the Borough of Bradley Beach.

A Housing Plan is required by N.J.S.A. 52:27D-310, the New Jersey Fair Housing Law, to identify the municipal housing stock characteristics, projections of housing stock, demographic characteristics, existing and future employment characteristics, a determination of the pre-credited present and prospective fair share need and how the municipality will meet its calculated fair share of the Housing Region's present and prospective housing need for low and moderate income households. These requirements are addressed in this Housing Plan Element.

The Housing Plan Element is divided into the following sections: Housing Stock Characteristics; Projections of Housing Stock; Demographic Characteristics; Employment Characteristics; Determination of Pre-Credited Present and Prospective Fair Share Need; Compliance with the 1987-1999 Affordable Housing Obligation and Documentation for the Fair Share Plan.

HOUSING STOCK CHARACTERISTICS

Housing stock characteristics include the number and type of housing units, occupancy/household characteristics, age (the year the structure was built), condition of units, purchase or rental value of units and units affordable to low and moderate income housing. Table 1, "Housing Characteristics - 1990 Borough of Bradley Beach," summarizes these characteristics which are based on the 1990 U.S. Census of Housing. Each of the characteristics is described below.

Number, Type and Ownership of Housing Units

Bradley Beach had a total of 3,122 housing units according to the 1990 Census. This is an increase of 119 units since the 1980 Census which recorded a total of 3,003 units. In 1990, 1,113 units were listed as vacant. A vacant housing unit is defined by the Census as a habitable housing unit with no one living in it at the time of enumeration (April 1, 1990), unless its occupants are only temporarily absent. If, at the time of enumeration, the unit is temporarily occupied solely by persons who have a usual residence elsewhere, it is also classified as vacant. In Bradley Beach the high number of "vacant units" recorded on April 1, 1990 are due to the large number of summer residences which exist in the Borough.

In 1990, 41.9 percent of the 2,009 occupied housing units in the Borough of Bradley Beach were owner occupied and 1,168 or 58.1 percent of the occupied housing units were renter occupied. A total of 620 units were listed as seasonal, recreational or occasional use housing units.

Occupancy/Household Characteristics

According to the 1990 Census, Bradley Beach had a total of 2,009 occupied households. Of the total number of occupied households 1,086 or 54.1 percent were single family households and 923, or 45.9 percent were non-family households, defined as two or more unrelated householders living together. Householders 65 years of age or older accounted for 248 or 35.6 percent of the households in the Borough of Bradley Beach.

Age of Housing

The Borough Housing stock is relatively old with 47.4 percent of the housing constructed in 1939 or earlier, between 1940 and 1949, a total of 295 units were constructed which accounts for 9.4 percent of the current housing stock. Between 1950 and 1959, a total of 417 units were constructed which accounts for 13.4 percent of the current housing stock. Between 1960 and 1969 a total of 367 units were constructed which accounts for 11.8 percent of the housing stock. Between 1970 and 1979, 148 units were constructed or 4.7 percent of the total. Between 1989 and March 1990, 414 units were constructed, accounting for 13.3 percent of the total.

Condition of Units

The housing stock in Bradley Beach had a small number of substandard units according to the 1990 Census. The 1990 Census indicates that Bradley Beach had 33 units lacking complete plumbing facilities, and 17 units lacking complete kitchen facilities.

Owner Occupied Housing Value and Rental Rates

The 1990 median value of the reported 593 owner occupied housing units in Bradley Beach was $156,800. Of this total, 74 or 11.1 percent had a value of less than $100,000, 227 units or 34 percent had a value between $100,000 and $149,000, 207 or 31 percent had a value between $150,000 and $199,000, 141 or 21.1 percent had a value between $200,000 and $299,000 and 18 or 2.7 percent had a value of $300,000 or more.

The 1990 median gross monthly rent was $550 for year-round rental housing units in Bradley Beach. Of the 1,118 renter occupied units reporting monthly rental rates, 39 units had a monthly rental rate less than $250; 328 units had a monthly rental rate between $250 and $499; 626 units had a monthly rental rate between $500 and $749; 115 units had a monthly rental rate of $750 an $999; and 10 had a monthly rental rate of $1,000 or greater.

TABLE 1
HOUSING CHARACTERISTICS – 1990
BOROUGH OF BRADLEY BEACH

	Number	Percent of Total
I. HOUSING UNITS		
Number of units	3,122	N/A
Occupied Housing Units	2,009	N/A
Number of units (1980)	3,003	N/A
Vacant Housing Units	1,113	12.8%
II. OCCUPANCY/HOUSEHOLD CHARACTERISTICS		
Number of Households	2,009	N/A
Persons Per Household	2.22	N/A
Family Households	1,086	54.1%
Non–Family Households	923	45.9%
Householders 65 +	248	35.6%
Seasonal, Recreational or Occasional Use	620	N/A
Owner Occupied	841	41.9%
Renter Occupied	1,168	58.1%
III. YEAR STRUCTURE BUILT		
1939 or earlier	1,481	47.4%
1940–1949	295	9.4%
1950–1959	417	13.4%
1960–1969	367	11.8%
1970–1979	148	4.7%
1980–March 1990	414	13.3%
TOTAL	3,122	100.0%
IV. CONDITION OF UNITS		
Units lacking complete plumbing facilities	33	
Units lacking complete kitchen facilities	17	

TABLE 1 (Continued)
HOUSING CHARACTERISTICS – 1990
BOROUGH OF BRADLEY BEACH

	Number	Percent of Total
V. HOME VALUE – (Owner Occupied Units)		
$300,000 and up	18	2.7%
$200,000 – $299,999	141	21.1%
$150,000 – $199,999	207	31.0%
$100,000 – $149,999	227	34.0%
$50,000 – $99,999	66	9.9%
$0 – $49,999	8	1.2%
TOTAL	667	100.0% *
Median Value	$156,800	

** Percentages due not total 100 percent due to rounding error.*

VI. RENTAL VALUE – (Rental Occupied Units)		
$1,000 & +	10	0.9%
$750 – $999	115	10.3%
$500 – $749	626	56.0%
$250 – $499	328	29.3%
Less than $250	39	3.5%
TOTAL	1,118	100.0%
Median Monthly Rent	$550	

SOURCE: U.S Bureau of Census 1990

COMPILED BY: T&M Associates, April 1996

Affordability of Existing Housing for Low and Moderate Income Households

Rental and owner occupied housing which was affordable to low and moderate income households was calculated using the 1996 COAH regulations and 1990 U.S. Census data. The 1996 COAH regulations defined Monmouth, Ocean and Mercer Counties as the East Central Housing Region. Based on 1990 Census data and using the current definition of the East Central Housing Region, the average household income in 1989 for the Region was $49,862. This was calculated by multiplying the mean household income by the number of households for each county in the Region and dividing that total by the total number of households in the Region.

Moderate income households are defined by COAH as households earning between 50 percent and 80 percent of the median household income in the Housing Region. For the East Central Housing Region comprised of Ocean, Monmouth and Mercer Counties, "moderate" incomes ranged from $24,931 to $39,890 for a four (4) person household in 1989 based on the 1990 Census data. Low income households are defined by COAH as households earning 50 percent or less of the median household income within the Region. Low income households in the East Central Housing Region earned $24,931 or less in 1989 based on the 1990 Census data.

Rental housing which was affordable to low and moderate income households in 1990 can be extrapolated from the 1990 Census data assuming rental households spend a maximum of 30 percent of their household income for rent and an adjustment for utilities based on COAH regulations. There were 674 units of renter occupied housing in Bradley Beach in 1990 which were affordable to low income households in the East Central Housing Region and approximately 1,107 units of the renter occupied units in Bradley Beach were affordable to moderate income households in 1990 in the East Central Housing Region. The maximum rental rates for low and moderate income households based on household size for 1996 are presented in Table A-1, "Rental Housing Rates for Low and Moderate Income Households", in Appendix A."

Owner occupied housing which was affordable to low and moderate income households in 1990 can be extrapolated from the 1990 Census data based on several assumptions. Owner occupied households should spend a maximum of 28 percent of their income for housing costs based on COAH regulations (N.J.A.C. 5:93-7.4.4(e)) which provides that the initial price of a low and moderate income owner-occupied single family housing unit be established so that after a downpayment of five (5) percent, the monthly principal, interest, insurance, property taxes and condominium or homeowners fees do not exceed twenty eight (28) percent of the eligible gross monthly income. For purposes of calculating affordability limits in Bradley Beach, a 30 year amortized mortgage at a 9.0 percent interest rate plus a general tax rate of 3.107 per $100 of assessed value can be utilized.

Based on the COAH methodology, approximately 32 units in Bradley Beach in 1990 were affordable to low income households in the East Central Housing Region. Based on the same assumptions approximately 97 units of the owner occupied units in Bradley Beach in 1990 were affordable to moderate income households in the East Central Housing Region.

Affordable housing calculations based upon the COAH regulations indicate that in 1996 sales housing for a family of four can be a maximum of $59,938 for low income households and $97,037 for moderate income household. The impact of household size on affordability is illustrated in Table A-2, "Sales Prices for Single Family Detached Housing Units for Low and Moderate Income Household" for the Borough of Bradley Beach in Appendix A.

Housing Construction: 1980 - 1993

Table 2, "Residential Construction and Demolition Permits", lists the number of building permits and demolition permits reported to the New Jersey Department of Labor annually since 1980 in Bradley Beach.

A review of building and demolition permits from 1980 through 1994 indicates that a total of 259 building permits and 33 demolition permits were authorized for a net gain of 226 units. The peak construction year for this time period was 1988 when 79 building permits were authorized. In the same year, 19 demolition permit were authorized resulting in a net gain of 60 units. The lowest construction year for this time period was 1991 when 2 building permits were authorized. In the same year, 6 demolition permits were authorized resulting in a loss of 4 units as shown in Table 2.

PROJECTIONS OF HOUSING STOCK

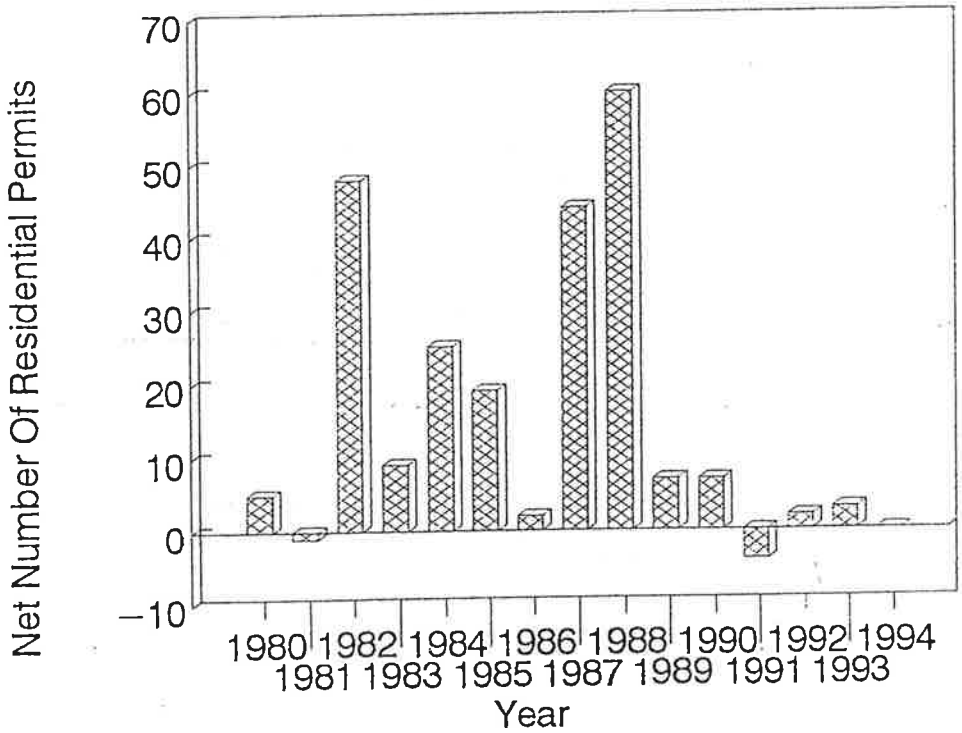
The total number of year-round housing units in Bradley Beach increased 4.0 percent from 3,003 units in 1980 to 3,122 units in 1990. From 1990 through 1994 the number of dwelling units increased to 3,130. Regression analyses for 1980-1994, 1984-1994, and 1988-1994 projected mean yearly changes of 18, 15, and 2 units respectively. See Table 3, "Housing Stock Projections 1994-2000."

Actual housing construction is dependent on a variety of factors over which the Borough has little control including financing, marketing and builder timing. The lack of developable land and higher interest rates have a direct negative impact on new housing construction. These and other factors can modify growth trends and housing development in Bradley Beach.

TABLE 2
RESIDENTIAL CONSTRUCTION AND DEMOLITION PERMITS
BOROUGH OF BRADLEY BEACH

Year	Construction Permits	Demolition Permits	Net Change
1980	6	1	5
1981	1	2	(1)
1982	48	0	48
1983	10	1	9
1984	25	0	25
1985	19	0	19
1986	2	0	2
1987	44	0	44
1988	79	19	60
1989	7	0	7
1990	8	1	7
1991	2	6	(4)
1992	4	2	2
1993	3	0	3
1994	1	1	0
TOTAL	259	33	226

SOURCE: New Jersey Department of Labor, Building Permit Summaries – 1980–1994.
COMPILED BY: T&M Associates, April 1996



COMPILED BY: T&M Associates. April 1996

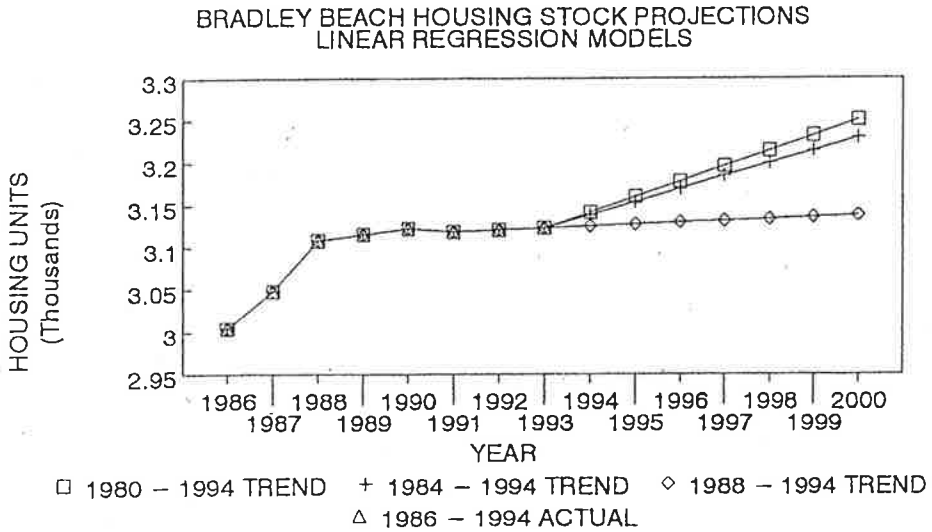
TABLE 3
HOUSING STOCK PROJECTIONS – 1994 – 2000
BOROUGH OF BRADLEY BEACH

		TRENDS		
	YEAR	1980–1994	1984–1994	1988–1994
Existing Housing Stock	1980	3,003	3,003	3,003
	1986	3,004	3,004	3,004
	1987	3,048	3,048	3,048
	1988	3,108	3,108	3,108
	1989	3,115	3,115	3,115
	1990	3,122	3,122	3,122
	1991	3,118	3,118	3,118
	1992	3,120	3,120	3,120
	1993	3,123	3,123	3,123
	1994	3,141	3,138	3,125
Projected Housing Stock	1995	3,160	3,154	3,127
	1996	3,178	3,169	3,129
	1997	3,196	3,184	3,131
	1998	3,214	3,200	3,134
	1999	3,233	3,215	3,136
	2000	3,251	3,230	3,138

REGRESSION TRENDS	PROJECTED MEAN YEARLY CHANGE
1980–1994	18
1984–1994	15
1988–1994	2

SOURCES: Trends based upon New Jersey Department of Labor, Division of Planning & Research, "Residential Building Permits: Yearly Summaries 1980 – 1993"

COMPILED BY: T&M Associates, April 1996



COMPILED BY: T&M Associates, April 1996

DEMOGRAPHIC CHARACTERISTICS

Table 4, "Demographic Characteristics - 1990 Bradley Beach" presents total population by age cohort and income level by household.

Population

Bradley Beach had a total of 4,475 permanent residents in 1990. Of this total, 285 persons or 6.4 percent were classified as pre-school aged 0-4 years. School age children aged 5-17 years accounted for 600 persons or 13.4 percent of the total. Working age 18-64 year old persons accounted for 2,877 persons or 64.3 percent of the Borough population. Seniors aged 65 and older accounted for 713 persons or 15.9 percent of the Borough population.

Income Level

Per capita income within the Borough in 1989 was $15,819 while the median household income was $30,339.

EMPLOYMENT CHARACTERISTICS

Employment Classification

Private Sector Covered Employment refers to employed persons who are covered by the New Jersey Unemployment Compensation Insurance Program as reported to the New Jersey Department of Labor. In 1990, Bradley Beach had 422 private sector covered employment jobs. The number of jobs declined to 413 in 1991, and then increased to 440 in 1992, 477 in 1993 and 511 in 1994. No adjustments are made to these released employment statistics which may have been incompletely or incorrectly reported by an employer.

In 1990 the U.S. Census Bureau reported a total employment of 2,180 persons; 641 were managerial and professional specialty occupations; 667 were technical sales and administrative support; 385 were sales occupations; 18 were farming, forestry and fishing occupations; 274 were precision production, craft and repair occupations; and 195 were operators, fabricators, and laborers.

TABLE 4
DEMOGRAPHIC CHARACTERISTICS
BOROUGH OF BRADLEY BEACH

	Number	Percent of Total
POPULATION AGE– 1990		
Preschool (0 – 4 Yrs.)	285	6.4%
School Age (5 – 17 Yrs.)	600	13.4%
Working Age (18 – 64 Yrs.)	2,877	64.3%
Seniors 65 +	713	15.9%
Total	4,475	100.0%

SOURCE: U.S Bureau of Census
COMPILED BY: T&M Associates, April 1996

INCOME LEVEL (HOUSEHOLDS)– 1989

Median household income = $30,339
Per capita income = $15,819

SOURCE: U.S Bureau of Census
COMPILED BY: T&M Associates, April 1996

Employment Projections

The number of private sector covered employment jobs within Borough is expected to continue to increase through 1999. Although there was a decline between 1990 and 1991, the Bradley Beach private sector covered employment increased 23.7 percent between 1991 and 1994. Based upon a regression analysis for private sector covered employment jobs for the period 1990 through 1994, Bradley Beach could gain an additional 120 jobs between 1995 and 1999. This would be an increase of 209 jobs from 1990 to 1999 or an increase of approximately 50 percent over the nine year period.

DETERMINATION OF PRE-CREDITED PRESENT AND PROSPECTIVE FAIR SHARE NEED

Bradley Beach was allocated a calculated fair share need of 44 units for the 12 year period of 1987-1999 by the New Jersey Council on Affordable Housing. The calculations for this allocation are presented in a report prepared by COAH entitled "Municipal Present, Prospective, and Pre-Credited Need" dated October 11, 1993. The methodology established by the New Jersey Council on Affordable Housing in 1993 allocated present and prospective housing needs for all municipalities within New Jersey. The COAH methodology states that "housing need" is comprised of three major components: (1) indigenous need; (2) reallocated present need; and (3) prospective need. Indigenous need and reallocated present need constitute "present need".

- "Indigenous need" consists of existing housing units with physical deficiencies such as heating, plumbing, roofing, etc., which are occupied by low and moderate income households within a municipality based upon statistical data from the U.S. Census of Housing in 1990.

- "Reallocated present need" is the portion of the housing region's total number of deficient housing units occupied by low and moderate income households that have been redistributed from urban aid municipalities to designated suburban municipalities.

- "Prospective need" is a projection of low and moderate income housing needs based on development and growth which is likely to occur in the East Central Housing Region.

When the indigenous, reallocated present and prospective housing need components are summed, Bradley Beach has a total need of 52 low and moderate income housing units as calculated by COAH. This includes an indigenous need of 25 units, a reallocated present need of 2 units and a prospective need of 25 units. COAH added to this total a prior cycle prospective need (1993-1999) of 28 units.

COAH calculated "pre-credited need" as a total need of 52 units plus the prior cycle need of 28 units minus 46 filter down units, minus 10 conversion units, minus 1 spontaneous rehabilitation units, plus 20 units which were demolished to yield a pre-credited need of 44 units.

The resulting calculated affordable housing need for which Bradley Beach is responsible under the COAH regulations is 20 units of new construction and 24 units of rehabilitation for a total of 44 units. Table 5, "Pre-credited Low and Moderate Income Housing Need - 1987-1999", provides a summary of affordable housing calculations for Bradley Beach.

TABLE 5
PRECREDITED AND CALCULATED LOW AND MODERATE INCOME HOUSING NEED
1987 – 1999
BOROUGH OF BRADLEY BEACH

A. PRECREDITED NEED

Indigenous Need		25
Reallocated Present Need	+	2
Present Need (1993)	=	27
Prospective Need (1993 – 1999)	+	25
Total Need (1993–1999)	=	52
Prior Cycle Prospective Need	+	28
Demolitions	+	20
Filter	–	46
Conversions	–	10
Sponatneous Rehabilitation	–	1
Precredited Need (1987–1999)		44

B. CALCULATED NEED (1987 – 1999 = 44

SOURCE: New Jersey Council on Affordable Housing. October, 1993
COMPILED BY: T&M Associates

COMPLIANCE WITH THE 1987-1999 AFFORDABLE HOUSING OBLIGATION

The Bradley Beach 1987-1999 obligation of 44 low and moderate income units based upon the 12-year COAH calculations is comprised of two basic components:

- Rehabilitation of 24 units of net indigenous need units for the period 1990 to 1999.

- Addressing 20 units of calculated need for the period 1987 to 1999.

COAH regulations require that all municipalities address their indigenous need units. Bradley Beach was allocated 25 indigenous need units by COAH for the period 1990 to 1999 based on a statistical analysis of the 1990 Census. COAH credited the Borough with one (1) spontaneous rehabilitation unit which yields a current rehabilitation obligation of 24 units. Since April 1, 1990, three (3) units have been reported to have been rehabilitated by the Monmouth County Community Development Office leaving 21 units to be rehabilitated by 1999. It is anticipated that the Community Development Office will continue to rehabilitate units in Bradley Beach. It is also anticipated private rehabilitation will also occur. Bradley Beach has also determined that it will accept Regional Contribution Agreement (RCA) funds for rehabilitation of older substandard housing from municipalities that are authorized to obtain credit for a portion of their fair share obligation by providing an average of $20,000 per unit for existing eligible low and moderate income housing units.

In terms of inclusionary or new affordable housing units for the period 1987 through 1999, Bradley Beach will adjust its calculated inclusionary component of 20 units to zero through a vacant land adjustment. The 12 year calculations, based on COAH regulations, are presented in Table 6, "Fair Share Calculation, Bradley Beach Borough: 1987-1999". The components of the calculation are described below:

I. PRE-CREDITED NEED

The pre-credited need for the 12 year period 1987-1999 is 44 units based upon the COAH methodology contained in the COAH Municipal Summary dated October 11, 1993. This includes an inclusionary component of 20 units and a net rehabilitation component of 21 existing units.

II. REHABILITATION COMPONENT

The rehabilitation component reflects an indigenous need of 25 units minus 1 spontaneous rehabilitation units minus 3 units rehabilitated since April 1, 1990 for a current net rehabilitation obligation of 21 units.

III. INCLUSIONARY COMPONENT.

Inclusionary housing is newly constructed affordable housing units and/or credits for such units. Bradley Beach has a precredited inclusionary need of 20 affordable housing units. The Borough can address this number through a "vacant land adjustment" which is described below. Credits for inclusionary units from the pre-credited need and a vacant land adjustment can be applied and can be applied to the precredited inclusionary component of 20 units.

A. VACANT LAND ADJUSTMENT

COAH regulations recognize that a municipality may have exhausted an entire resource (land, water, or sewer) and thus not be able to provide a realistic opportunity for addressing its affordable housing need as calculated by COAH. Consequently, standards and procedures are outlined in the COAH rules, N.J.A.C. 5:93-4.1 et seq., that permit municipalities such as Bradley Beach to demonstrate that its ability to address its housing obligation is limited by the lack of land, water, or sewer and to reduce or defer its obligation. Municipalities cannot, however, reduce or defer its rehabilitation component.

The 1994 COAH rules for vacant land adjustment have been revised to require that a municipality inventory all vacant land parcels and review the extent to which each parcel is suitable, approvable, and developable. In addition to vacant sites, other sites devoted to a specific use which involve low density development that could create an opportunity for affordable housing if inclusionary zoning were in place may also be considered. Such sites include, but are not limited to, golf courses not owned by members, farms, golf driving ranges, nurseries and non-conforming uses.

Sites which have a realistic development potential for new inclusionary housing development are presumed to be able to support a minimum density of six (6) units per acre with a set-aside of 20 percent of the units for low and moderate income households. If, for example, a community has two sites, one of ten and one of five acres, its realistic development potential would be 18 low and moderate income units.

Example:

10 x 6 units/acre = 60 x .2 =	12
5 x 6 units/acre = 30 x .2 =	6
	18

TABLE 6
FAIR SHARE PLAN CALCULATION
BOROUGH OF BRADLEY BEACH: 1987 – 1999

I. TOTAL 1987 – 1999 PRECREDITED NEED – 44 UNITS

From COAH Municipal Number Summary October 11, 1993

			Inclusionary Component Total	Rehabilitation Component Total
A. Precredited Need (44) = Inclusionary (20) & Rehabilitation (24) Components			20	24
II. REHABILITATION COMPONENT (1993)				
A. Indiginous Need (25) – Spontaneous Rehab. (1) = Rehab. Comp. (24)	–	1	N/A	24
B. Rehabilitation Units Completed After April 1, 1990 Census	–	3	N/A	21
III. INCLUSIONARY COMPONENT				
A. VACANT LAND ADJUSTMENT (N.J.A.C 5:93–4.2)	–	20	0	N/A
IV. FAIR SHARE NEED 1993 – 1999			0	21

Prepared By: T&M Associates April 1996

If the realistic development potential is less than the municipal calculated need minus credits, then areas that may be developed or redeveloped must be reviewed. Such areas could include, but are not limited to publicly owned land; downtown mixed use areas; a housing stock appropriate for accessory apartments; a private club owned by its members; and properties that may be subdivided and support additional development. In such situations, the following may be considered to address the housing obligation:

1. Zoning amendments that permit apartments or accessory apartments.

2. Overlay zoning to require inclusionary development or to impose a development fee to produce affordable housing. In an overlay zone, the existing use may continue and expand as a conforming use. However, if the existing use is changed, then the site must produce low and moderate income housing or a development fee.

3. Zoning amendments that impose a development fee to produce affordable housing.

Adjustment Process

The COAH rules specify that when a municipality receives an adjusted obligation, any inclusionary sites that are identified must be zoned at a minimum density of six (6) units per acre with a 20 percent set aside. To address the 1987 to 1999 affordable housing obligation, a current (1995) vacant land inventory was compiled for Bradley Beach in accordance with COAH Rules. This inventory confirmed that the Borough lacks sufficient vacant land to address the obligation calculated by COAH for reallocated new and prospective need. It was found that the Borough has a total of 7.15 acres of vacant land with no vacant parcels over 1 acre. Most of the parcels are scattered 4,000 to 5,000 square foot parcels in single-family residential neighborhoods. There are nine parcels which are 10,000 feet or greater. Of these nine parcels, four are owned by the Ocean Grove Camp Meeting Association along Lake Terrace. The inventory of vacant land and adjustments is presented in Table 7.

The adjustment process consists of four basic steps:

Step One - Compile an inventory of all vacant land parcels by lot and block that includes the acreage and owner of each lot.

Step Two - Exclude parcels based upon factors provided for in the COAH regulations.

Revised 3-10-96

TABLE 7
VACANT LAND INVENTORY
BOROUGH OF BRADLEY BEACH, NEW JERSEY

Site Identification					Site Area		Area Exclusions							Exclusion	Capacity for Inclusionary Units			
							Sec. 4.2(d)2 Exclusions			Sec. 4.2(d).1, (d)3, and (d)4,(d)5								
							Environmentally Sensitive											
Tax Map Sheet #	Block &	Lot	Location	Owner	Lot (acres)	Vacant (acres)	Wet	Floodpln.	Other	Public	Non-Profit	Proposed Conserv.	Not Suitable	Codes & Remarks	Net Available Acres	Density (Units per Acre)	Total Units	Total ML Units
2	1	All	Lake Terrace	Lake Shore at Bradley Inc./	0.22	0.22	0.00	0.00	0.00	0.00	0.00	0.00	0.22	Approved for Development	0.00			
2	2	All	Lake Terrace	Lake Shore at Bradley Inc./ Ocean Grove Camp Meeting Assoc.	0.46	0.46	0.00	0.00	0.00	0.00	0.00	0.00	0.46	Approved for Development	0.00			
1	3	All	Lake Terrace	Lake Shore at Bradley Inc./	0.51	0.51	0.00	0.00	0.00	0.00	0.00	0.00	0.51	Approved for Development	0.00			
1	4	All	Lake Terrace	Lake Shore at Bradley Inc./ Ocean Grove Camp Meeting Assoc.	0.58	0.58	0.00	0.00	0.00	0.00	0.00	0.00	0.58	Approved for Development	0.00			
1	7	9	W. Newark Ave.	Mac Innes Watson & Janet	0.07	0.07	0.00	0.00	0.00	0.00	0.00	0.00	0.07	S, NC	0.00			
2	9	1	Madison Ave.	Bouton Hazel	0.11	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.11	S, NC	0.00			
2	10	25.01	Newark Ave.	Quixley Chas A.	0.11	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.11	S, NC	0.00			
2	10	25.02	Newark Ave.	Quixley Chas A.	0.11	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.11	S, NC	0.00			
3	11	23	Lake Terrace	Africano Margaret	0.07	0.07	0.00	0.00	0.00	0.00	0.00	0.00	0.07	S, NC	0.00			
2	16	6.02	Newark Ave.	Panek Stephen	0.07	0.07	0.00	0.00	0.00	0.00	0.00	0.00	0.07	S, NC	0.00			
1	18	10	Newark Ave.	Russell James	0.11	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.11	S, NC	0.00			
5	29	25	Mccabe Ave.	Unknown	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	S, NC	0.00			
6	31	5	Ocean Park Ave.	VanBuren W.	0.04	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.04	S, NC	0.00			
1	32	6	Main St.	Delisa Thomas W.	0.89	0.89	0.00	0.00	0.00	0.00	0.00	0.00	0.89	S, NC	0.00			
6	33	2	Mccabe Ave.	Yanowitz Philip	0.05	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.05	S, NC	0.00			
6	33	23	Lareine	Nesheiwat David S.	0.08	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.08	S, NC	0.00			
6	34	11	Fletcher Lake Ave.	Swift Agnes C.	0.05	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.05	S, NC	0.00			
5	35	23	Madison Ave.	Endrady Kalman	0.09	0.09	0.00	0.00	0.00	0.00	0.00	0.00	0.09	S, NC	0.00			
4	38	20	Lareine Ave.	Oceanside North	0.06	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.06	S, NC	0.00			
8	42	16	Madison Ave.	Unknown	0.06	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.06	S, NC	0.00			
8	42	16	Madison Ave.	Wiener Dorothy	0.06	0.06	0.00	0.00	0.00	0.00	0.00	0.00	0.06	S, NC	0.00			
7	44	20	Brinley Ave.	Guarini Louis	0.10	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.10	S, NC	0.00			
7	44	28	Main St.	Abbatemarco Frank	0.05	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.05	S, NC	0.00			
7	45	5	Main St.	H M Associates	0.11	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.11	S, NC	0.00			
7	45	7	Main St.	H M Associates	0.11	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.11	S, NC	0.00			
7	45	9	Main St.	Neptune Air Condition	0.23	0.23	0.00	0.00	0.00	0.00	0.00	0.00	0.23	S, NC	0.00			
8	50	2	Brinley Ave.	Brown & Lester	0.17	0.17	0.00	0.00	0.00	0.00	0.00	0.00	0.17	S, NC	0.00			
8	50	5	Brinley Ave.	Rosenberg Frank	0.17	0.17	0.00	0.00	0.00	0.00	0.00	0.00	0.17	S, NC	0.00			
9	51	13	Ocean Ave.	Bradis Spyros	0.17	0.17	0.00	0.00	0.00	0.00	0.00	0.00	0.17	S, NC	0.00			
9	52	19	Ocean Ave.	Cicalese	0.17	0.17	0.00	0.00	0.00	0.00	0.00	0.00	0.17	S, NC	0.00			
11	58	5	5th Ave.	Desantis Joseph	0.07	0.07	0.00	0.00	0.00	0.00	0.00	0.00	0.07	S, NC	0.00			
11	60	25	Main St.	Grill Sonya	0.04	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.04	S, NC	0.00			
13	67	15	2nd Ave.	Gargan Joyce	0.21	0.21	0.00	0.00	0.00	0.00	0.00	0.00	0.21	S, NC	0.00			
13	67	16	Central Ave.	Gargan Joyce	0.12	0.12	0.00	0.00	0.00	0.00	0.00	0.00	0.12	S, NC	0.00			
13	67	17	Central Ave.	Musialowicz Ann	0.17	0.17	0.00	0.00	0.00	0.00	0.00	0.00	0.17	S, NC	0.00			
12	71	29	Main St.	Unknown	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	S, NC	0.00			
13	75	16	Evergreen Ave.	McDermott Florence	0.09	0.09	0.00	0.00	0.00	0.00	0.00	0.00	0.09	S, NC	0.00			
14	76	5.01	2nd Ave.	Bardis Spyros	0.17	0.17	0.00	0.00	0.00	0.00	0.00	0.00	0.17	S, NC	0.00			
14	76	10	Evergreen Ave.	Lefkowitz	0.21	0.21	0.00	0.00	0.00	0.00	0.00	0.00	0.21	S, NC	0.00			
15	77	10	Central Ave.	Schimel Ernest	0.12	0.12	0.00	0.00	0.00	0.00	0.00	0.00	0.12	S, NC	0.00			
12	81	13	Main St.	Merlino Angelo	0.07	0.07	0.00	0.00	0.00	0.00	0.00	0.00	0.07	S, NC	0.00			
15	86	2	Bradley Blvd.	Zakaria Carl	0.47	0.47	0.00	0.00	0.00	0.00	0.00	0.00	0.47	S, NC	0.00			
16	88	19	Bradley Blvd.	Marden Bruce	0.11	0.11	0.00	0.00	0.00	0.00	0.00	0.00	0.11	S, NC	0.00			
16	89	6	Bradley Blvd.	Nussbaum Siegfried	0.12	0.12	0.00	0.00	0.00	0.00	0.00	0.00	0.12	S, NC	0.00			
16	89	7	Bradley Blvd.	Fabiano Mark	0.10	0.10	0.00	0.00	0.00	0.00	0.00	0.00	0.10	S, NC	0.00			
		5/4/96		TOTALS	7.15	7.15	0.00	0.00	0.00	0.00	0.00	0.00	7.15		0.00	0.00	0.00	0.00

Distributed 5/13/96

TABLE 7
VACANT LAND INVENTORY
BOROUGH OF BRADLEY BEACH, NEW JERSEY

Site Identification					Site Area		Area Exclusions								Capacity for Inclusionary Units			
Tax Map Sheet #	Block &	Lot	Location	Owner	Lot (acres)	Vacant (acres)	Sec. 4.2(d)2 Exclusions Environmentally Sensitive Wet	Floodpln.	Other	Sec. 4.2(d).1, (d)3, and (d)4,(d)5 Public	Non-Profit	Proposed Conserv.	Not Suitable	Exclusion Codes & Remarks	Net Available Acres	Density (Units per Acre)	Total Units	Total ML Units

ENVIRONMENTALLY SENSITIVE EXCLUSIONS:
WET - FRESHWATER WETLANDS
FLOODPLN - 100-YEAR FLOODPLAIN

NOT SUITABLE:
S - INADEQUATE LOT SHAPE, FRONTAGE, OR AREA
IA - INADEQUATE ACCESS
NC - NEIGHBORHOOD CHARACTER

Subtotals may not add to total due to rounding

PREPARED BY: T&M Associates, April 1996

Step Three - Assign a maximum potential density to each parcel and then apply a twenty percent set aside to the total unit yield in order to calculate the lower income housing yield on each site. The lower income yields of all sites are added to arrive at the total adjusted fair share obligation of the Borough for the reallocated present and prospective housing need.

Step Four - Review existing land use for areas that may develop or redevelop.

A. **Step One - Vacant Land Identification**

The Vacant Land Inventory for the Borough of Bradley Beach lists vacant parcels in Bradley Beach Borough by block and lot based on 1995 assessment records (Table 7).

1. Tax assessment records and existing land use information was used to identify vacant land parcels in Bradley Beach. The acreage of vacant parcels is based on Bradley Beach Borough tax records.

2. A listing of the vacant parcels by block and lot was compiled.

B. **Step Two - Exclusion of Parcels**

A process of excluding certain parcels, or portions of parcels, based on COAH regulations (N.J.A.C. 5:93-4.1) was undertaken. The acreage of each excluded area is estimated based upon tax map calculations.

1. N.J.A.C. 5:93-4.2(d)2 permits municipalities to exclude environmentally sensitive lands, including wetlands (column labeled "Wet" on the Vacant Land Inventory), steep slopes in excess of 15 percent (column labeled "Slope" on the Vacant Land Inventory), from consideration for affordable housing development. In addition, the State Permit Program Rules (N.J.A.C. 7:7-1) and the Coastal Resources and Development Rules (N.J.A.C. 7:7E-1) can be applied to exclude sites in Bradley Beach since the Borough is located in the coastal zone and COAH is required to adhere to the coastal zone development policies. However, no specific screening of sites using coastal development policies was applied if the site could be excluded for other reasons.

   Estimated acreages of environmentally sensitive parcels or portions of parcels in floodplain or wetlands were not considered if the parcels could be excluded for other reasons in accordance with COAH regulations.

2. N.J.A.C. 5:93-4.2(d)4i permits the exclusion of additional lands (three percent of the total developed and developable acreage in the municipality) to be reserved for municipal recreation and also the exclusion of vacant lands owned by non-profit organizations, counties and the state or federal government when such lands are precluded from development at the time of substantive certification. No exclusions have been taken by Bradley Beach Borough under this category.

3. N.J.A.C. 5:93-4.2(d)5 allows COAH to eliminate sites that are determined not suitable for low and moderate income housing. Bradley Beach has excluded sites that are one acre or less in area based upon surrounding land uses, existing neighborhood character, and the inability of small sites to be developed and yield a set aside of affordable income units.

4. COAH regulations specify that potential sites must be available, approvable, developable and suitable for the development of low and moderate income housing. Sites in Bradley Beach Borough adjacent to incompatible land uses, and/or without appropriate access were excluded from the total acreage available for affordable housing development and are identified as "Not Suitable" in the Vacant Land Inventory. N.J.A.C. 5:93-1.3 defines "available site", "approvable site", developable site" and "suitable site" as follows:

   Available Site - means a site with a clear title, free of encumbrances which preclude development for low and moderate income housing.

   Developable Site - means a site that has access to appropriate water and sewer infrastructure, and has received water consistency approvals from the New Jersey Department of Environmental Protection or its designated agent authorized by law to issue such approvals.

   Suitable Site - means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.

   Approvable Site - means a site that may be developed for low and moderate income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing.

The Vacant Land Inventory identifies exclusions in this category as follows:

a. Sites were evaluated for the adequacy and suitability of access. Sites with inadequate access are labeled "NA" on the Vacant Land Inventory.

b. Sites were evaluated for the compatibility of affordable housing development with the surrounding land use. Sites which abut land uses incompatible with affordable housing development are excluded from the Vacant Land Inventory as noted in the "Remarks" column.

C. **Step Three - Determination of Adjusted Obligation**

1. After identifying the land area to be excluded under COAH guidelines, the remaining acreage available for affordable housing development was determined. This figure is located on the Vacant Land Inventory in the column labeled "Net Available Acres".

2. Parcels were looked at on a case by case to determine whether density of 6.0 units per acre could be applied to the net available acres of each parcel to determine the total number of units possible ("Total Units" on the Vacant Land Inventory).

3. The total number of units was multiplied by twenty (20) percent in order to determine the number of Mount Laurel units possible ("Total ML Units" on the Vacant Land Inventory).

4. After review of items C.1, C.2, and C.3, the adjusted Borough obligation of its fair share of the regional reallocated present and prospective lower income housing need is zero (0) dwelling units.

5. The Borough continues to have an indigenous need obligation to address its net rehabilitation of 21 units (see Table 6).

D. **Step Four - Review Existing Land Use for Areas that may Develop or Redevelop**

The potential for further development or redevelopment in Bradley Beach is extremely limited. The Borough population declined from 4,772 residents in 1980 to 4,475 residents in 1990. Since 1990 there has been only been eight new residential construction permits. This increase was related to minor building activity on scattered lots within established single-family residential neighborhoods.

Based upon a review of vacant land and existing land use, the Borough has concluded that there are no sites within the Borough that are available, approvable, suitable, or developable for inclusionary development at the presumptive densities and inclusionary set-asides required by COAH regulations. Moreover, given the established character of development, there are no sites where overlay zoning requiring inclusionary development would be appropriate.

IV. CALCULATED NEED

Calculated need is the result of subtracting credits, reductions and retroactive bonuses from the precredited need based upon the COAH regulations. The calculated need includes the inclusionary component and rehabilitation component. The result of the calculated need, is an inclusionary component of zero (0) units for the period 1987-1999 and a rehabilitation component of 21 units for the period 1996-1999.

APPENDIX A - RENTAL AND SALES PRICES FOR LOW AND MODERATE INCOME HOUSEHOLDS

TABLE A–1
BRADLEY BEACH
1996 RENTAL HOUSING RATES
FOR LOW AND MODERATE INCOME HOUSEHOLDS

1996 Affordable Income Limits
Region 4 (Monmouth, Mercer and Ocean)

Income	1 Person	1.5 Person	2 Person	3 Person	4 Person	4.5 Person	5 Person	6 Person	7 Person	8 Person
Median	$39,200	$42,000	$44,800	$50,400	$56,000	$58,240	$60,480	$64,959	$69,439	$73,919
Moderate (1)	$31,360	$33,600	$35,840	$40,320	$44,800	$46,592	$48,384	$51,968	$55,552	$59,136
Low (2)	$19,600	$21,000	$22,400	$25,200	$28,000	$29,120	$30,240	$32,480	$34,720	$36,960
57.5% AVG.(3)	$22,540	$24,150	$25,760	$28,980	$32,200	$33,488	$34,776	$37,351	$39,927	$42,503

(1) 80 Percent of Median Income
(2) 50 Percent of Median Income
(3) 57.5% Avg. (NJAC 5:93–7.4 (b))
Source: New Jersey Council on Affordable Housing 1996 Regional Median Income – adopted April 3, 1996

Monthly Maximum Affordable Rental Rates (1)

	1 Person	1.5 Person	2 Person	3 Person	4 Person	4.5 Person	5 Person	6 Person	7 Person	8 Person
Moderate	$784.00	$840.00	$896.00	$1,008.00	$1,120.00	$1,164.80	$1,209.60	$1,299.20	$1,388.80	$1,478.40
Low	$490.00	$525.00	$560.00	$630.00	$700.00	$728.00	$756.00	$812.00	$868.00	$924.00
57.5% AVG.	$563.50	$603.75	$644.00	$724.50	$805.00	$837.20	$869.40	$933.79	$998.19	$1,062.59

(1) Assume 30 percent of monthly gross income.

Prepared By: Townplan Associates April 19, 1996

BRADLEY BEACH
1996 SALES PRICES FOR SINGLE FAMILY DETACHED HOUSING UNITS FOR LOW AND MODERATE INCOME HOUSEHOLDS

1996 Affordable Income Limits
Region 4 (Monmouth, Mercer and Ocean)

Income	1 Person	1.5 Person	2 Person	3 Person	4 Person	4.5 Person	5 Person	6 Person	7 Person	8 Person
Median	$39,200	$42,000	$44,800	$50,400	$56,000	$58,240	$60,480	$64,959	$69,439	$73,919
Moderate (1)	$31,360	$33,600	$35,840	$40,320	$44,800	$46,592	$48,384	$51,968	$55,552	$59,136
Low (2)	$19,600	$21,000	$22,400	$25,200	$28,000	$29,120	$30,240	$32,480	$34,720	$36,960
57.5% AVG.(3)	$22,540	$24,150	$25,760	$28,980	$32,200	$33,488	$34,776	$37,351	$39,927	$42,503

(1) 80 Percent of Median Income
(2) 50 Percent of Median Income
(3) 57.5% Avg. (NJAC 5:93–7.4 (b))
Source: New Jersey Council on Affordable Housing 1996 Regional Median Income – adopted April 3, 1996

Maximum Moderate Income Affordable Unit Sales Prices

	1 Person	1.5 Person	2 Person	3 Person	4 Person	4.5 Person	5 Person	6 Person	7 Person	8 Person
Moderate *	$731.73	$784.00	$836.27	$940.80	$1,045.33	$1,087.15	$1,128.96	$1,212.59	$1,296.21	$1,379.84
(–) Property Insurance (1)	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00
Mortgage/Month (2)	$514.88	$552.69	$590.50	$666.12	$741.74	$771.99	$802.24	$862.74	$923.23	$983.73
(–) Mortg. Ins./Month (3)	$22.45	$24.10	$25.75	$29.05	$32.35	$33.66	$34.98	$37.62	$40.26	$42.90
(–) Property Tax/Month (4)	$174.40	$187.21	$200.02	$225.63	$251.25	$261.49	$271.74	$292.23	$312.72	$333.21
5% Downpayment Required	$3,368	$3,615	$3,863	$4,357	$4,852	$5,050	$5,248	$5,643	$6,039	$6,435
Max. Sales Price	$67,358	$72,305	$77,251	$87,144	$97,037	$100,994	$104,951	$112,866	$120,780	$128,695

Maximum Low Income Affordable Sales Unit Prices

	1 Person	1.5 Person	2 Person	3 Person	4 Person	4.5 Person	5 Person	6 Person	7 Person	8 Person
Low *	$457.33	$490.00	$522.67	$588.00	$653.33	$679.47	$705.60	$757.87	$810.13	$862.40
(–) Property Insurance (1)	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00	$20.00
Mortgage/Month (2)	$316.37	$340.01	$363.64	$410.90	$458.16	$477.07	$495.97	$533.78	$571.60	$609.41
(–) Mortg. Ins./Month (3)	$13.80	$14.83	$15.42	$17.92	$19.98	$20.80	$21.63	$23.28	$24.93	$26.57
(–) Property Tax/Month (4)	$107.16	$115.17	$119.78	$139.18	$155.19	$161.59	$168.00	$180.81	$193.61	$206.42
5% Downpayment Required	$2,069	$2,224	$2,313	$2,688	$2,997	$3,121	$3,244	$3,492	$3,739	$3,986
Max. Sales Price	$41,389	$44,481	$46,264	$53,755	$59,938	$62,412	$64,885	$69,831	$74,778	$79,724

** Assume 28 percent of gross income per month*

(1) Assume property owners insurance of $20.00/month
(2) Assume a 9 percent interest rate on mortgage over 30 years.
(3) Assume mortgage insurance of $4.00/$1,000 property value.
(4) Assume a general tax rate of 3.107 @ 100.00% equalization ratio for Bradley Beach in 1995.

Prepared By: Townplan Associates April 19, 1996

A-8: Resolution adopting 2nd Round Housing Plan, June 6, 1996.

RESOLUTION OF BOROUGH OF BRADLEY BEACH ADOPTING HOUSING PLAN ELEMENT OF THE MASTER PLAN

WHEREAS, the Planning Board of the Borough of Bradley Beach, County of Monmouth, State of New Jersey adopted a Housing Plan Element of the Borough Master Plan on August 19, 1988 pursuant to the provisions of N.J.S.A. 40:55D-28 and N.J.A.C. 5:92-1 et seq. and received Substantive Certification of its adopted Housing Plan Element; and

WHEREAS, the New Jersey Council on Affordable Housing adopted new regulations and established an affordable housing obligation for the period 1993 - 1999 which requires the preparation of a new Housing Plan Element; and

WHEREAS, the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey authorized the Planning Board to undertake the preparation of a revised Housing Plan Element of its Master Plan pursuant to the provisions of N.J.S.A. 40:55D-28 and N.J.A.C. 5:92-1 et. seq.; and

WHEREAS, pursuant to the direction of the Mayor and Council of Bradley Beach, Thomas A. Thomas, P.P., A.I.C.P., a professional planner with T&M Associates, was authorized to prepare a Housing Plan Element and was presented to and reviewed by the Planning Board; and

WHEREAS, pursuant to the N.J.S.A 40:55D-11 and 40:55D-13, a public hearing was conducted on June 6, 1996, at which time input from the public was received; and

WHEREAS, the Planning Board of the Borough of Bradley Beach has determined the Housing Plan Element prepared by T & M Associates addresses the provisions of N.J.S.A 40:55D-28 and N.J.A.C. 52:27D-310; and

WHEREAS, the Housing Plan provides an inventory of the Borough housing stock and projects the housing stock for the next six (6) years; provides an analysis of the Borough demographic and existing and future employment characteristics; determines the present and prospective fair share for low and moderate income housing; and determines that the Borough does not have available land capacity to accommodate its present and prospective need and has included an adjustment for the new housing component requirement; and

WHEREAS, at the conclusion of the public hearing, it was determined to adopt the Housing Plan Element prepared by T & M Associates in accordance with the provisions of N.J.S.A. 40:55D-28 and N.J.A.C. 52:27D-310; and

THEREFORE BE IT RESOLVED that the Planning Board of the Borough of Bradley Beach accept the Housing Plan Element as submitted and hereby adopts the Housing Plan

Element; and

BE IT FURTHER RESOLVED that the Secretary of the Planning Board is authorized and directed to forward copies of this Resolution, certified to be a true copy, and copies of the adopted Housing Plan Element to the Borough Clerk; Mayor and Borough Council of Bradley Beach; the Monmouth County Planning Board; New Jersey Council on Affordable Housing; and all adjoining municipalities who have received notice of this hearing.

DATE OF ADOPTION: June 6, 1996

ROLL CALL VOTE: Motion: Janet Mac Innes
Seconded: Chairman Garfunkle

AYE: Chairman Garfunkle, Vice-Chairwoman Mac Innes, Mayor Schueler, John Guinco, Charles Quixley, Robert Pearsall, Rita Blanco

NAY: None Recorded

ABSENT: William Gray

I certify this to be a true copy of the Resolution duly adopted by the Planning Board of the Borough of Bradley Beach on this 6th day of June, 1996.

Joyce M. Wilkins
PLANNING BOARD SECRETARY

A-9: Resolution authorizing petition of 2nd Round HE&FSP with COAH for substantive certification

RESOLUTION -1996-151

BOROUGH COUNCIL
BOROUGH OF BRADLEY BEACH
Monmouth County, New Jersey

Council President Galassetti offered the following resolution:

WHEREAS the Borough of Bradley Beach, Monmouth County, New Jersey received Substantive Certification from the New Jersey Council on Affordable Housing on November 28, 1988 for its Housing Plan Element and Fair Share Plan adopted on August 19, 1988 for the period 1987 - 1993; and

WHEREAS the New Jersey Council on Affordable Housing approved new Substantive Regulations on June 6, 1994 as contained in N.J.A.C. 5:93-1 et seq.; and

WHEREAS the Bradley Beach Borough Planning Board adopted a Housing Plan Element on June 6, 1996 in accordance with the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; the Fair Housing Law, N.J.S.A. 52:27D-316; and New Jersey Council on Affordable Housing Procedural and Substantive Regulations N.J.A.C. 5:91-1 et seq. and 5:93-1 et seq.; and

WHEREAS Bradley Beach Borough desires to continue to participate in the Substantive Certification process under the jurisdiction of the New Jersey Council on Affordable Housing;

NOW THEREFORE BE IT RESOLVED that the Bradley Beach Mayor and Borough Council hereby approves the continued participation in the Substantive Certification process established by the New Jersey Council on Affordable Housing; and

BE IT FURTHER RESOLVED that the Mayor and Borough Council approve the Housing Plan Element adopted by the Borough Planning Board and the recommended Fair Share Plan contained in the Housing Plan Element; and

BE IT FURTHER RESOLVED that the Borough of Bradley Beach hereby petitions the New Jersey Council on Affordable Housing for Substantive Certification of its updated Housing Plan Element and Fair Share Plan, pursuant to N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:91-3.1 et seq.; and

BE IT FURTHER RESOLVED that the Borough Attorney is directed to file the Housing Plan Element and Fair Share Plan and other supporting documentation as may be required by N.J.A.C. 5:91-1 et seq. and 5:93-1 et seq. or by the New Jersey Council on Affordable Housing as part of the Substantive Certification process and to notice and to distribute such documents as may be required in conjunction with said Substantive Certification process; and

BE IT FURTHER RESOLVED THAT the Mayor and Borough Council hereby requests approval of the Bradley Beach Borough Housing Plan Element and Fair Share Plan and other such documents which may be required for Substantive Certification from the New Jersey Council on Affordable Housing.

Seconded by Councilman De Nardo and adopted on roll call by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. DeNardo	✓			
Mr. Galassetti	✓			
Mr. Pearsall	✓			
Mr. Riley	✓			✓
MAYOR SCHUELER				

A-10: RCA Amendment and Borough Rehabilitation Program

PART 1 (FRONT)

PRINGLE & QUINN

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

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TELEPHONE (732) 280-2400
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KENNETH E. PRINGLE
ALSO ADMITTED D.C. BAR

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TELEPHONE (732) 681-7244
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BURLINGTON COUNTY OFFICE
467 HIGH STREET, 2ND FLOOR
BURLINGTON, NJ 08016-4501
TELEPHONE (609) 239-6969
TELECOPIER (609) 387-7425

March 31, 1998

RECEIVED
APR - 1 1998
BOROUGH OF BRADLEY BEACH

Stephen Schueler, Mayor
Borough of Bradley Beach
701 Main Street
Bradley Beach, New Jersey 07720-1089

RE: Regional Contribution Agreement

Dear Mayor Schueler:

This letter will serve to update you on the status of this matter.

As you know Council On Affordable Housing (COAH) has given their approval to the Project Plan for the Regional Contribution Agreement (RCA) at their March 4, 1998 meeting. Preliminary Court approval was given by Judge Serpentelli on February 17, 1998. The last step in this process is final court approval based on the March 4, 1998 Council On Affordable Housing (COAH) ruling. I have spoken to Mr. Surenian's office and understand that he is attempting to get this final approval.

Please feel free to contact me if you have any questions.

Very truly yours,

Joseph P. Quinn

JOSEPH P. QUINN

JPQ:jm
cc: Phyllis A. Quixley, Borough Administrator
Richard Simonson, Grants Coordinator

COAH REVIEW REPORT
REGIONAL CONTRIBUTION AGREEMENT
AMENDMENT TO ADMINISTRATIVE ENTITY
IN PROJECT PLAN

Wall Township/Monmouth County
And
Bradley Beach Borough/Monmouth County
July 12, 1999

INTRODUCTION

Wall Township in Monmouth County has a precredited need obligation of 1,127 units for its cumulative second round obligation. Wall Township proposed to transfer 95 units of its obligation to Bradley Beach Borough in Monmouth County. Wall Township is under the jurisdiction of the court.

On March 4, 1998 the Council on Affordable Housing (COAH) recommended approval to the court of the regional contribution agreement (RCA) between Wall Township/Monmouth County and Bradley Beach Borough/Monmouth County. The RCA was for 95 units: all scattered site rehabilitation. Included in the recommended approval to the court was a designated administrative entity with a track record in the rehabilitation field. Now, Bradley Beach is proposing an administrative change to implement the RCA program in-house with an experienced staff and supervision.

On July 12, 1999, the Executive Director of the New Jersey Housing and Mortgage Finance Agency (HMFA) approved this amendment to the administrative entity component of the approved project plan. Since this is a project plan amendment to an existing RCA, no county planning board approval of the amendment is necessary.

HMFA PROJECT PLAN REVIEW

The HMFA review is favorable. Bradley Beach will implement the 95 unit RCA program with in-house experienced staff and supervision to replace the previous administrator. Bradley Beach has four staff members including a supervisor and a program administrator.

RECOMMENDATION

At its July 7, 1999 meeting, the Council delegated the approval of the RCA amendment to the COAH Executive Director if the HMFA recommendation was favorable.

COAH staff reviewed the amendment to the administrative component of the project plan in light of the favorable HMFA recommendation and then determined that the RCA project plan amendment provides a realistic opportunity for the implementation of the RCA. The amendment is approved.

RESOLUTION APPROVING PROJECT PLAN
AMENDMENT TO REGIONAL CONTRIBUTION AGREEMENT NO.

WHEREAS, N.J.S.A. 52:27D-312 allows a municipality to transfer up to 50 percent of its fair share obligation to another municipality within its housing region by means of a contractual agreement, designated as a regional contribution agreement (RCA), into which the municipality voluntarily enters; and

WHEREAS, the Council on Affordable Housing (COAH) recommended approval of a 95 unit RCA between Wall Township/Monmouth County and Bradley Beach Borough/Monmouth County on March 4, 1998; and

WHEREAS, the court has directed COAH to monitor the implementation of the RCA; and

WHEREAS, Bradley Beach Borough submitted to HMFA and to COAH a project plan amendment that involves a change in the RCA program administration; and

WHEREAS, the HMFA review requires that any changes in the project plan must be reviewed by the executive director of HMFA when requested by COAH; and

WHEREAS, COAH requested of HMFA such a review of the proposed amendment; and

WHEREAS, HMFA conducted a feasibility review of the proposed administrative entity which found that the amendment was feasible and said recommendation of feasibility was recommended for approval by the HMFA executive director; and

WHEREAS, COAH finds no basis to differ with the HMFA findings and hereby concurs with the HMFA findings that the project plan amendment is feasible as set forth in the COAH Review Report, attached hereto as Exhibit A and incorporated by reference herein; and

WHEREAS, COAH has reviewed the change in RCA administration and has determined that the proposed administration provides a realistic opportunity for the implementation of the RCA.

NOW THEREFORE BE IT RESOLVED that COAH hereby approves the administrative amendment to the project plan in the Bradley Beach Borough RCA program; and

BE IF FURTHER RESOLVED that all other conditions set forth in the original recommended approval shall remain in place.

Shelley Bech

COAH Executive Director

July 1999

Date

BOROUGH OF BRADLEY BEACH RCA PROGRAM
701 MAIN STREET
BRADLEY BEACH, NJ 07720-1089
732-776-2973 OR 2974

BRADLEY BEACH/WALL TOWNSHIP REGIONAL CONTRIBUTION AGREEMENT HOMEOWNER REHABILITATION PROGRAM

PROCEDURAL MANUAL

PROGRAM GUIDELINES

The Bradley Beach housing rehabilitation program is open to homeowner-occupied housing units located in the Borough of Bradley Beach, Monmouth County, New Jersey. All applicants must be income-eligible. Participants need to be identified as Low Income or Moderate Income households as defined by the New Jersey Council on Affordable Housing (COAH). All household members are required to submit income verification so that program staff may make a reasonable estimation of gross annual household income to determine program eligibility. At a minimum, fifty percent of all program participants must qualify as Low Income households at or below 50% of the current median income guide by household size approved for use by COAH for Monmouth County.

Income eligibility is determined by the number of persons living in the housing unit whether or not they are related to one another and the gross amount of regular income each occupant receives. This includes benefits paid to adults on behalf of children and income received by adult children living in the house whether or not they are contributing to the household expenses. Regular income does not always correspond to taxable income.

Applicants who are seeking funds to rehabilitate rental units included in the primary residence must persuade tenants to submit income verification for eligibility. In addition, a minimum of a one year lease shall be required. A rental unit, however, shall be considered as separate from the primary unit in terms of occupancy and total rehabilitation cost and must qualify accordingly.

Rental units that are limited to summer occupancy shall not be eligible for RCA funding. If the homeowner's unit qualifies in a 1-4 family structure that contains summer rentals, the homeowner shall be required to contribute that percentage of the cost of rehabilitating any housing deficiency that is also common to the summer rentals.

Housing condition is also a consideration of eligibility. All homes must be inspected by program staff and determined to have a minimum of one substandard condition in need of repair. A substandard house is defined as a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes a roof, plumbing (including wells), heating, electrical, sanitary plumbing (including septic), and/or deficiencies in the load bearing structural system. Funds may also be allocated to repair or replace other major structural problems including weatherization improvements. Housing needs such as siding deterioration, insulation, and windows and doors that are in a deteriorated state can be included. Detached structures such as garages are not eligible for rehabilitation funding. New appliances shall not be eligible except for malfunctioning stoves. All houses must require a minimum of $8,000.00 in rehabilitation costs to repair or replace a major system as defined above by COAH.

Once the $8,000.00 minimum has been met, homeowners may utilize additional program funds to repair or replace other housing deficiencies up to the program maximum of $20,000.00 per unit including administrative costs or an average per contract cost of $16,000.00. Program staff may make cost adjustments on a unit by unit basis to keep expenditures within the allowed budgetary guidelines. In addition, homeowners may want to finance cosmetic repairs separately on their own. The cost of any work negotiated between the homeowner and the contractor that exceeds the limit of the program's contracted amount shall not be the responsibility of the program.

The program must, however, distribute its funds over a broad base and some houses may require such extensive repairs that the program will not be able to accommodate these needs through their limited funding. Houses needing in excess of $20,000.00 to bring substandard conditions into compliance with minimum code standards may not be eligible for this program. Each individual unit will be considered with respect to the available program funding, the condition of the housing unit, and the availability to the homeowner of an additional means of financing.

AFFORDABILITY CONTROLS

The purpose of the Regional Contribution Agreement Homeowner Rehabilitation Program is to provide municipalities with funding to bring substandard housing owned and occupied by eligible Low or Moderate Income Households in their communities into standard condition. A condition of the receipt of this funding is that recipients agree to reside in their rehabilitated unit for at least six years after completion of the rehabilitation work or pay back the money with no interest at a rate that decreases annually should the owner/occupant transfer title to the house, die, or otherwise vacate the unit. In order to provide assurance that the Borough will receive notice of any sale or transfer of title, a Mortgage will be filed with the Monmouth County records office that is a subordinate lien on the housing unit for six years after the work has been completed. At the end of the six year period, this mortgage will be canceled from the records and no further responsibility will be required of the owner/occupant. This Mortgage is known as an "Affordability Control".

In cases where a rental unit exists within the owner/occupied unit, an additional amount of funding may be available if the renter is also income-eligible, there is a minimum of an annual lease in place, and the unit qualifies under the eligible cost limitations. Renters must apply and submit income verification for an eligibility ruling. If a rental unit is funded separately from the owner unit in a 1-4 family unit, the entire unit must be secured by a Mortgage and Mortgage Note that is in effect for ten (10) years. The note shall indicate that the owner is obligated to rent the unit to a low or moderate income household for the ten (10) year restricted period and the gross rent for the unit shall not exceed 30% of the Low or Moderate Income annual gross income levels by family size as determined by COAH. Owners shall be required to submit names and income information for each new tenant for an eligibility determination and approval of the gross rent (rent + utilities) prior to the receipt of a CO. The Mortgage Note shall also state the payoff terms over the ten (10) year timetable should the owner sell, die or vacate the unit during the period of affordability controls.

APPLICATION INTAKE

Public outreach efforts will include advertising in the Asbury Park Press, distribution of Brochures and Flyers at the Borough municipal complex, especially the Senior Citizen Center, articles in the Coaster and other local newspapers and through communication with local religious congregations or social service organizations dealing with low and moderate income households.

Applications may be obtained by mail, walk-in, or telephone requests to the RCA Program office at 732-776-2973 or 2974.

Applications will be reviewed for completeness on receipt. The following minimum documentation shall be required: A copy of the deed to the property for which funding is being requested; a copy of the homeowner's current insurance policy; verification of up to date property, water, and sewer tax payments; names, ages, and income status of all household members; social security numbers for homeowners and tenants; income verification for all household members including Social Security, SSI, Disability, Unemployment, Pensions, Wages, Rent, Interest, Dividends, and other income regularly received. One time windfalls such as insurance payments, proceeds from sale of equities or property, lottery winnings or inheritances are not considered. In addition, one time losses such as those resulting from depreciation (actual or calculated) of equities or property are not included. Verification may include social security gross benefit statements, most recent IRS federal tax form, most recent W-2 forms, paystubs representing at least two months of income, pension statements or any other documentation that the program deems acceptable.

An estimated total gross annual household income figure shall be calculated using the information provided. Weekly earnings shall be prorated for 52 weeks, monthly earnings for 12 months, bi-weekly earnings for 26 weeks and bi-monthly earnings for 24 weeks. This figure shall be compared to the current Council on Affordable Housing

(COAH) median income guide published annually for residents of Monmouth County by household size. This comparison shall determine income eligibility as a Low Income household at 50% or below the median by household size or a Moderate Income household at 80% or below the median by household size.

The RCA program is committed to a policy of confidentiality with regard to all personal information submitted for the purpose of an eligibility determination.

All applicants shall receive a notice of Income Eligibility or Ineligibility within four weeks of receipt of application. All Ineligible applicants shall have the right to question the initial determination and will be invited to submit new or additional income verification for a reconsideration of eligibility. The RCA program staff shall conduct a title search on each unit prior to the Eligibility Determination to assure the Borough's subordinate position for the deferred payment mortgage.

Any applicant who is perceived by the RCA program staff as having a potential conflict of interest in accepting RCA funds because of related Borough duties or employment shall be required to seek a final Eligibility or Ineligibility decision directly from the Borough Council. It should be noted that program staff shall retain sole responsibility for any decisions regarding income eligibility.

Eligible applicants shall be placed in either a Low Income file or a Moderate Income file in order of date of application. Applicants will be contacted on a first-come, first-serve basis with preference being given to Low Income applicants in order to meet the requirement that at least 50% of all program participants must fall into the Low Income category. Exceptions may be made for eligible applicants where housing conditions are considered to be a threat to safety and warrant immediate attention.

PROCEDURES FOR ELIGIBLE HOMEOWNERS

Eligible homeowners will be contacted by program inspectors who will call ahead for an appointment to inspect the house for evidence of substandard conditions as described above. A minimum of $8,000.00 shall be spent on such substandard conditions. If a house cannot meet this minimum, the application shall be ruled Ineligible. A maximum of $20,000.00 may be spent on total rehabilitation with the program trying to meet an average of $16,000 per unit. If a house needs more than $20,000.00 worth of rehabilitation to satisfy all substandard conditions, the application may also be ruled Ineligible.

Program Inspectors shall complete work write-ups on each house detailing by room the work that is needed both to correct substandard conditions and to satisfy homeowner's specific needs when possible. Using a standardized cost write-up software program, the inspectors shall provide a detailed cost estimate for each individual unit to program staff.

Using an established file of interested and eligible contractors, program staff shall send out the inspector's work write-up to three contractors requesting a "job quote" and forwarding the homeowner's name, address, and telephone number. Contractors shall contact homeowners in advance and make an appointment to view the unit. Homeowners shall be notified of those contractors who will be contacting them and requested to make themselves available. This notification shall include a list of all eligible contractors on file with the RCA Program for additional selections by the homeowner. Homeowners shall also be given the option of requesting additional quotes from contractors who may not be on the established list as long as they make an application and are eligible for participation. Contractors will be given a deadline to submit job quotes, usually four weeks. All job quotes received will be considered and measured against the program inspector's standardized cost estimate. Job quotes that most nearly match the predetermined reasonable costs will be given priority but all quotes will be discussed with the homeowner. Program staff, if necessary, will discuss variations in job quotes with the contractor to keep costs within the reasonable parameters. The final choice of a contractor will be the responsibility of the homeowner with program approval of the total contracted job cost. A selected contractor may not always be the "lowest bidder".

The selected contractor and the homeowner shall sign a "Contractor Agreement" which details the total construction cost, work details, and a payment schedule agreed to in advance. Payments shall be made in four installments, usually, three @ 30% of total cost and one @ 10%. Other reasonable schedules may be approved but the final payment shall always be at least 10% of the total project cost. The final payment shall be withheld until completed job approval has been given by the homeowner, the program inspector, and any code inspectors as required. Program inspectors shall keep in touch with the homeowner and contractor and make periodic inspections for quality assurance and timely completion of the job.

The homeowner shall sign a Mortgage and Mortgage Note for the amount of the total construction cost with the Borough of Bradley Beach. The Mortgage shall be filed as a subordinate lien on the property in the Monmouth County Records office for a period of six years (ten years if a rental unit is included) beginning on the day the final payment is approved after the job has been completed. The Mortgage Note shall be held in the applicant's file in the program office. The Mortgage shall be interest-free but is repayable on a graduated scale if the homeowner sells the house, dies or otherwise vacates the property prior to the end of the sixth or tenth year, as applicable. At the end of the final year, the Mortgage shall be cancelled and the homeowner shall have no further responsibility for repayment.

PROCEDURES FOR CONTRACTORS

Contractors interested in obtaining work through the RCA Rehabilitation Program are invited to apply for inclusion in the Eligible Contractors file. Advertisements for interested contractors shall be placed in the Asbury Park Press and other local newspapers at least annually. Applications will be sent on request. A completed application includes

evidence of current liability insurance, local references, and a willingness to provide free written cost estimates. Proof of liability, including property damage and workmen's compensation insurance with a combined minimum of at least $300,000.00 is a requirement. Contractors are responsible for all required Building Permits and final code inspections, copies of which shall be given to program staff for their files. Contractors are also responsible for providing homeowners with all material warranties and at least a year's guaranty on the workmanship.

As noted above, Contractors shall be selected randomly from the file to receive a "Request for Job Quote". Contractors who have not already signed contracts will be given priority for new jobs. When a contractor has completed a job, the file will be returned to the main file for reconsideration of new jobs. Each Contractor file shall include a checklist that indicates the name and address of each referral and the final status of award. Once a contract is awarded, all those who submitted job quotes shall be notified of the final disposition of the contract.

Contractors are requested to respond to a "Request for Job Quote" regardless of their intention to submit a quote on that particular unit. Contractors who do not respond at all shall not be considered for new job quotes until all other contractors have had the opportunity to participate. Contractors shall contact the Homeowner for an appointment to inspect the property for the purpose of submitting a job quote. Job quotes shall be submitted to the RCA Rehab office by the deadline indicated on the notice. Program staff shall review all submissions for comparison with the standardized cost estimate prepared by the program inspectors. The following factors will be taken into consideration: the extent to which the job quote fulfills the work write-up prepared by program inspectors including comparable materials at similar costs; the total cost as it relates to the program estimate; and the total cost as it relates to program funding availability. If necessary, program staff shall negotiate changes in the work write-up in order to meet program requirements. All submissions shall be discussed with the homeowner and the final choice of a contractor shall belong to the homeowner with program approval of the total construction cost.

Homeowners who wish to add personal preferences that are not qualified for program funding may negotiate with the contractor for additional work with the understanding that they have sole responsibility for any liability over and above the contracted cost and the detailed work write-up. **NO CHANGES IN THE ORIGINAL WORK SPECIFICATIONS, HOWEVER, SHALL BE MADE WITHOUT RCA PROGRAM APPROVAL.** The Borough of Bradley Beach shall not be liable for any action by the contractor or the homeowner that exceeds the limitations of the signed rehabilitation contract.

ALL PARTICIPATING CONTRACTORS ARE EXPECTED TO MAINTAIN AND HONOR, TO THE BEST OF THEIR ABILITY, THE CONFIDENTIALITY OF HOMEOWNERS WHO ARE PARTICIPATING IN THIS PROGRAM.

During work progress, program staff may check in at the work site to review progress and for quality assurance inspections. Contractors will be paid in four payments according to a payment schedule included in the Contract. Usually, it will consist of three payments @ 30% payable after completion of approximately 30%, 60%, and 90% of the work specifications. The final payment shall be @10% payable only after completion of the entire job and all program and code inspections have been completed. Copies of all approved building permits must be submitted for the program files. Contractors must provide homeowners with all applicable material warranties and a guarantee for at least one year on the workmanship.

On signing a Contract with a Homeowner, a Purchase Order shall be prepared for the total Contract amount which assures the availability of the funds and states the individual payments as provided for in the Contract. If additional costs are necessary after work has begun, an additional Purchase Order shall be prepared with the approval of the Program Administrator to cover any verified costs that have been added to the original contract amount.

Individual vouchers shall be submitted to the Borough of Bradley Beach Council for payment prior to the second and fourth Tuesdays of each month to be reviewed at their regular evening meetings. Checks are available the following day for pick up at the Borough offices or can be mailed by request. It is the contractor's responsibility to submit all required information to the RCA office at least five days prior to each Council meeting at which payments are reviewed. Contractors must let the RCA office know that they have completed a certain block of work and submit any receipts or order slips that apply. RCA staff shall be responsible for verifying the completion of the work and obtaining the necessary signatures from homeowners. Homeowners may refuse to sign if they are not entirely satisfied with the job and program staff will investigate any homeowner dissatisfaction with an effort to mediate a solution. Only after signatures have been obtained and work progress verified shall a voucher be submitted for payment.

The final payment will be authorized when all items necessary for completion of the work order including final building inspections, warranties, and guarantees have been verified by the RCA Program staff.

PROCEDURES FOR PROGRAM STAFF

At a minimum, program staff shall be sufficient to perform the following work responsibilities: a Program Administrator, Housing Inspector, Cost Estimator, and administrative assistance. Depending on workloads, these functions may be combined from time to time to save administrative costs.

The Program Administrator shall supervise and direct program staff, make all final eligibility decisions, mediate disputes, approve all payments to contractors and complete all necessary reports as required by COAH and HMFA. The Program Administrator shall also direct all outreach and marketing activities to Bradley Beach residents.

The Housing Inspector shall inspect each unit in cooperation with the Cost Estimator and complete a detailed work writeup that can be used by Contractors for job quotes. Substandard conditions shall be noted as required by program procedures.

The Cost Estimator shall inspect each unit in cooperation with the Housing Inspector and submit a detailed cost estimate by major system or individual room using a standard cost estimating software program. The Cost Estimator shall also have responsibility for periodic inspections during job progress and the authorization of periodic payments.

Administrative assistance is required to keep program files in order, to follow up with missing documentation, make appointments, process contractor payments, process title searches, see that mortgages are filed, write correspondence, and answer general programmatic inquiries.

A file shall be prepared for each Applicant which shall include the applicants's name, address, telephone, age, and social security number; names and ages of all additional household members; a copy of the homeowner's deed, proof of current homeowner's insurance coverage; proof of payment of water, sewer and property taxes, verification of all household income; an income calculation sheet for eligibility determination; correspondence indicating eligibility or reasons for ineligibility; initial inspection and cost estimate; names of contractors contacted; job quotes by contractors; final contractors agreement, progress reports and payment sign off sheets; final inspection and approval of payment, and the mortgage and mortgage note as filed with the County records office.

A file shall be prepared for each eligible Contractor. Contractor files shall include the contractor application for participation in the rehabilitation program and proof of current liability insurance coverage. All files shall include a tracking sheet which notes each time a request for job quote has been mailed out and indicates the disposition of each contract.

In addition to the Applicant and Contractor files, the Program Administrator shall prepare additional administrative files as required.

Financial records and disbursements shall be the responsibility of the Borough Administrator as approved by the Borough Council.

Mortgage filing and cancellation shall be the responsibility of the Borough Attorney. Original filed mortgages shall be provided to the homeowner with a copy to the RCA program files.

A-11: COAH 1st Round Certification Table

COAH CERTIFIED MUNICIPALITIES - FIRST ROUND (1987-93)

MUNICIPALITY	COUNTY	Final Certification Date
Raritan township	Hunterdon	01/05/88
Readington township	Hunterdon	06/26/89
Tewksbury township	Hunterdon	03/21/88
Union township	Hunterdon	12/19/88
COUNTY TOTAL	**16**	
Hamilton township	Mercer	09/08/93
Hightstown borough	Mercer	07/01/92
Hopewell borough	Mercer	11/07/90
Lawrence township	Mercer	10/19/87
Washington township	Mercer	09/06/88
COUNTY TOTAL	**5**	
Carteret borough	Middlesex	03/11/93
Cranbury township	Middlesex	04/24/89
Edison township	Middlesex	12/09/92
Highland Park borough	Middlesex	04/18/90
Metuchen borough	Middlesex	05/06/92
Monroe township	Middlesex	12/19/88
New Brunswick city	Middlesex	03/11/93
Old Bridge township	Middlesex	12/11/89
Piscataway township	Middlesex	06/06/88
Sayreville borough	Middlesex	03/11/93
South Brunswick twp	Middlesex	08/03/87
South Plainfield borough	Middlesex	10/19/87
COUNTY TOTAL	**12**	
Bradley Beach borough	Monmouth	11/28/88
Freehold township	Monmouth	09/26/88
Holmdel township	Monmouth	05/16/88
Howell township	Monmouth	10/30/89
Keyport borough	Monmouth	01/29/90
Manasquan borough	Monmouth	03/14/94
Middletown township	Monmouth	03/14/94
Millstone township	Monmouth	12/07/87
Red Bank borough	Monmouth	07/20/87
COUNTY TOTAL	**9**	
Chatham borough	Morris	09/06/88
Chester borough	Morris	02/21/89
Denville township	Morris	05/15/88
Kinnelon borough	Morris	04/18/88
Long Hill township	Morris	05/02/88
Mendham borough	Morris	05/20/87

A-12: COAH Proposed and Completed Units, March 1, 2011

County	Municipality	New Construction	Completed New	Rehab	Completed Rehab
HUNTERDON	UNION TWP	91	11	4	
HUNTERDON	WEST AMWELL TWP	43	14	4	
MERCER	EAST WINDSOR TWP	527	267	45	36
MERCER	EWING TWP	465	270	73	33
MERCER	HAMILTON TWP	1,052	718	277	170
MERCER	HIGHTSTOWN BORO	42	13	71	38
MERCER	HOPEWELL BORO	15	1		
MERCER	HOPEWELL TWP	743	297	5	34
MERCER	LAWRENCE TWP	1,089	977	47	59
MERCER	PENNINGTON BORO	46	6	1	1
MERCER	PRINCETON BORO	277	140	67	15
MERCER	PRINCETON TWP	373	281	47	100
MERCER	ROBBINSVILLE TWP	384	245	17	7
MERCER	TRENTON CITY	1,278	906	247	80
MERCER	WEST WINDSOR TWP	933	594	38	15
MIDDLESEX	CARTERET BORO	91	72	133	100
MIDDLESEX	CRANBURY TWP	258	107	6	1
MIDDLESEX	DUNELLEN BORO	50		39	
MIDDLESEX	EAST BRUNSWICK TWP	1,011	773	46	63
MIDDLESEX	EDISON TWP	1,631	1,031	173	54
MIDDLESEX	HELMETTA BORO	28	13	3	
MIDDLESEX	HIGHLAND PARK BORO	75	75	34	28
MIDDLESEX	JAMESBURG BORO	63	63	1	1
MIDDLESEX	METUCHEN BORO	204	167	42	2
MIDDLESEX	MIDDLESEX BORO	108	100		
MIDDLESEX	MILLTOWN BORO	12			
MIDDLESEX	MONROE TWP	1,226	89	101	40
MIDDLESEX	NEW BRUNSWICK CITY	841	841	640	464
MIDDLESEX	NORTH BRUNSWICK TWP	711	595	150	
MIDDLESEX	OLD BRIDGE TWP	946	544	142	
MIDDLESEX	PERTH AMBOY CITY	886	782	373	283
MIDDLESEX	PISCATAWAY TWP	742	456	144	3
MIDDLESEX	PLAINSBORO TWP	433	270	44	
MIDDLESEX	SAYREVILLE BORO	400	400	10	6
MIDDLESEX	SOUTH AMBOY CITY	118	72	28	
MIDDLESEX	SOUTH BRUNSWICK TWP	1,331	669	36	
MIDDLESEX	SOUTH PLAINFIELD BORO	456	203	101	1
MIDDLESEX	WOODBRIDGE TWP	690	87	300	94
MONMOUTH	ABERDEEN TWP	406	17	31	
MONMOUTH	ALLENTOWN BORO			7	
MONMOUTH	ASBURY PARK CITY	3	3	416	295
MONMOUTH	ATLANTIC HIGHLANDS BO	89	57	6	
MONMOUTH	BELMAR BORO	81		141	52
MONMOUTH	BRADLEY BEACH BORO			93	97
MONMOUTH	COLTS NECK TOWNSHIP	140	88		
MONMOUTH	EATONTOWN BORO	640	459	32	4

The projects, programs, and units in this report are based on information provided by each municipality, which is updated on an ongoing basis. Inclusion of an affordable housing program or project on this report does not certify that the units exist and/or meet COAH's criteria for credit.