



Date: May 2, 2022

To: Edward Buzak, Counsel for the Township of Randolph
Keli Gallo, Counsel for the Township of Randolph

From: Katherine Sarmad, PP, AICP – Harbor Consultants, Township Planner

Subject: Compliance Plan Summary for May 10th Fairness Hearing

- I. The Township has a Prior Round obligation of 261 units, which has been met through the following compliance mechanisms:
 - 76 credits from Canfield Mews – 38 units and 38 bonus credits
 - 54 credits from Arrowgate – 27 units and 27 bonus credits
 - 10 units/credits from Brookside Village
 - 40 units/credits from Woodmont
 - 65 units/credits from India Brook Senior Housing
 - 5 credits from Peer Group Housing – 4 supportive housing bedrooms and 1 bonus credit
 - 6 supportive housing bedrooms/credits from ARC – Much Dignity Housing
 - 5 supportive housing bedrooms/credits from Schoolhouse Group Home
2. For the purposes of settlement, the parties agree that the Township's Third Round (1999-2025) Prospective Need obligation is 643, which will be met through the following compliance mechanisms:

Completed and Approved Developments

207 credits from the following completed and approved developments:

- 40 credits for the extension of affordability controls at Woodmont
- 17 units/credits for Boulder Ridge
- 5 units/credits for Grecco Realty, LLC – 477 Route 10
- 1 unit/credit for Rose of Sharon – 236 Dover-Chester Road
- 64 credits for Bennett Avenue Family Housing – 32 units and 32 bonus credits
- 6 units/credits for Morris County AHC
- 1 unit/credit for Habitat House – Block 59, Lot 15
- 1 unit/credit for Habitat House – Block 134, Lot 3.02
- 1 unit/credit for Habitat House – Block 134, Lot 9
- 35 units/credits for India Brook Senior Housing
- 8 credits for High Avenue House – 4 supportive housing bedrooms and 4 bonus credits
- 6 credits for Our House – 3 supportive housing bedrooms and 3 bonus credits
- 8 credits for Skylands Group Home – 4 supportive housing bedrooms and 4 bonus credits

- 8 units/credits for Sunrise Assisted Living
- 6 units/credits for Brightview Assisted Living

Proposed New Developments

The Township has amended the proposed mechanisms as follows:

266 credits from the following proposed new developments, as adjusted from the Settlement Agreement:

- 7 credits for Randolph Mountain
- 30 credits for KAB Mount Freedom – 15 units and 15 bonus credits (increased from 14 units and 3 bonus credits listed in Settlement Agreement)
- 80 credits for Canoe Brook – 40 units and 40 bonus credits
- 3 credits/units for Elbaum Site
- 27 units/credits for LYS/Sporn
- 25 units/credits for Heller Site
- 30 credits for Gateway Apartments – 15 units and 15 bonus credits
- 25 units/credits for E.A. Porter Site – Habitat for Humanity
- 2 units/credits for Morris County Housing Authority – Block 191, Lot 11
- 37 units/credits for Franklin Road Sites (increased from 36 units/credits listed in Settlement Agreement)

Replacement Credits

Credits for Sites in the Amended SS/VO and VCR-3 Zones and Replacement Sites for the Skylands Site

The Settlement Agreement provides that the Township will identify and reserve available water for specific properties in both the SS/VO and VCR-3 Zones that will provide 59 affordable housing credits (21 credits in the SS/VO Zone and 39 credits in the VCR-3 Zone).

In addition, the Settlement Agreement provides that the Township will rezone the Skylands site (Block 42, Lot 5) to permit the development of 300 residential rental units with a set-aside of 60 affordable units and obtain a commitment from the owner of that site to market the site exclusively for inclusionary development such that the Township could obtain 120 credits for that site (60 units and 60 rental bonus credits). The Settlement Agreement further provided that if the Township could not obtain a commitment from the owner to market the site exclusively for inclusionary development, the Township would replace the site with other mechanisms that create the same amount of affordable rental units. Since the owner of the Skylands site would not commit to marketing that site exclusively for inclusionary development, the Township needs to replace the Skylands site with other mechanisms.

Finally, the Settlement Agreement included an inclusionary site with 30 affordable units/credits known as the Heller Site. Further engineering of the site lowered the overall density and the affordable set-aside has been reduced to 25 units – a decrease of 5 units from the Settlement.

As a result, the Township is seeking approval to replace the 184 credits listed above (less the modification to the existing mechanisms from the additional 2 units at KAB Mt Freedom and the Franklin Road sites and the 12 associated, additional bonus credits) with the following compliance mechanisms which provide 170 replacement credits:

Mount Freedom Sites West of Brookside Road

13 credits from the following additional sites in Mt. Freedom West of Brookside Road:

- Block 100, Lots 1, 2, 4, and 5.01 (2-8 Schuman Road) - These properties are on the South side of Sussex Turnpike and consist of four contiguous properties under common ownership. These properties were identified in the Mount Freedom Center Village Plan as seasonal properties as well as one, two, and three family properties with several exhibiting obsolete or faulty site layouts. In total, the lot area is 1.07 acres which can support up to 12 total units including 2 affordable housing units.
- Block 101, Lots 9, 10 and 11 (1188-1192 Sussex Turnpike) – These properties are located on the southern side of Sussex Turnpike and are comprised of three contiguous parcels under common ownership. These properties are proposed to be redeveloped with 28 total units including 6 affordable housing units.
- Block 101, Lots 6 and 7 (1196-1200 Sussex Turnpike) - These properties are comprised of two contiguous parcels under common ownership and are partially vacant. The total lot area is 1.56 acres which can support up to 25 total units including 5 affordable housing units.

Mount Freedom Sites East of Brookside Road

48 credits from the following additional site in Mount Freedom East of Brookside Road:

- Berger Tract/Avalon Bay (Block 224, Lots 1-4 and 83-86) - This site is located at the corner of Sussex Turnpike and Brookside Road and has been offered by Avalon Bay to be included in the Township's Plan. The site is comprised of 8 contiguous parcels. Current tax records show 12.4 acres, but the contract purchaser contends that the total lot area is closer to 14 acres. Based upon 14 acres and a density of approximately 17 units per acre, the site could produce 240 total units including 48 affordable housing units. The market rate and affordable unit distribution requirements for the project are as follows: (a) a maximum of 202 market rate units; and (b) a minimum of 48 affordable credits as follows: (i) a minimum of 30 affordable family rental units; and (ii) a maximum of 18 supportive needs beds provided in up to 8 apartment units.

Route 10 Sites

62 credits from the following additional sites located along Route 10:

- Block 44, Lots 8 and 9 (879-885 Route 10) - This property is located on the east-bound side of Route 10 and is comprised of two contiguous parcels under common ownership totaling approximately 7.59 acres. Lot 9 is presently developed with an existing small commercial structure and Lot 8 is vacant and undeveloped. The property owner has expressed interest in redeveloping the site at a gross density of 12 units per acre. Overall, the site would generate 91 total units including 18 affordable housing units.
- Block 44, Lot 10 (873 Route 10) - This property is also on the east-bound side of Route 10 adjacent to Block 44, Lots 8 and 9 identified above. The parcel is approximately 3.94 acres

and is vacant and undeveloped. Based upon a rezoning to a gross density of 12 units per acre, a total of 48 units could be provided including 10 affordable housing units.

- Block 44, Lot 13 (821 Route 10) -This property is also on the east-bound side of Route 10 and is comprised of a single parcel totaling approximately 11.18 acres. The site is presently vacant and undeveloped. The property is under contract with a developer of inclusionary rental housing (Avalon Bay according to filed documents). Based upon a rezoning at a gross density of 15 units per acre, the site would generate 168 total units including 34 affordable units.

Remaining Bonus Credits

48 remaining bonus credits under the 25% cap:

At least 48 of the affordable housing units will be rental units and eligible for a 2 for 1 rental bonus.

Summary of Replacement Credits

The additional sites identified above will yield 123 affordable housing units. With 48 additional bonus credits, an aggregate of 171 affordable housing credits are hereby replaced.