

AFFORDABLE HOUSING

THIRD ROUND MIDPOINT REVIEW

PREPARED FOR:

Township of Galloway
Atlantic County, New Jersey

June 30, 2020

Prepared By:



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Affordable Housing Midpoint Review Report

Township of Galloway, Atlantic County, New Jersey

CME Associates (“CME”) is pleased to provide this mid-point review report for the Township of Galloway outlining the progress made by the Township since the adoption of the Housing Plan Element and Fair Share Plan by the Planning Board in May of 2018. This report should serve to satisfy one of the major requirements of the Township’s affordable housing compliance reporting in the Third Round (1999-2025).

Purpose

The Township of Galloway’s Settlement Agreement with Fair Share Housing Center (“FSHC”) requires that the Township comply with the statutory midpoint review requirements of the Fair Housing Act (“FHA”) and specifically N.J.S.A. 52:27D-313, which provides in relevant part: “[t]he Council shall establish procedures for a realistic opportunity review at the midpoint of the certification period and shall provide for notice to the public.” Pursuant to the FSHC Settlement Agreement, that review requires the Township to post on its website, with a copy to FSHC, and an opportunity for comment, a status report regarding its compliance mechanisms and whether or not unbuilt sites/unfulfilled non-deferred mechanisms continue to present a realistic opportunity.

Relevant Background

Galloway’s Settlement Agreement with Fair Share Housing Center was signed by the by the Township on December 12, 2017. Subsequently, the Township received a final Judgment of Compliance and Repose on June 27, 2018, and a Consent Order establishing compliance with the Conditions of the Final Third Round Judgment of Compliance and Repose on August 29, 2018. A summary of the status and realistic opportunity provided by the various mechanisms included within the Township’s compliance plan is included below.

Status and Realistic Opportunity Review

The status of each project and mechanism included within the Township’s compliance plan is included within the attached forms (Exhibits A-E), as provided by FSHC. As the realistic opportunity standard applies to all mechanisms for non-adjustment municipalities and RDP/non-deferred mechanisms for Vacant Land/Durational Adjustment municipalities, a realistic opportunity review has been provided for the mechanisms within its compliance plan.



Trust Fund Monitoring:

The Township's adopted Spending Plan included figures for the Affordable Housing Trust Fund through the end of 2017. Since that time, there have been \$7,164,267.00 in deposits, interest, and other revenues into the Township's Trust Fund. The Township has spent \$549,191.37 of these funds on administrative expenses, \$214,151.06 on affordability assistance programs, and \$5,549,270.65 on barrier free conversions, to convert living spaces into accessible spaces for those with physical disabilities.

Rehabilitation Monitoring:

Since the adoption of the Housing Plan Element and Fair Share Plan in May of 2018, there have been three homes rehabilitated in Galloway by the Atlantic County Improvement Authority.

Prior Round and Third Round Monitoring:

The Township has satisfied its Prior Round obligation. The following projects listed in the Housing Plan Element and Fair Share Plan to address the Third Round need have not yet been completed:

- Heritage Village (under construction)
- Nantucket Redevelopment (Redevelopment Plan in place)
- Blue Heron Pines (approved)
- ARC of Atlantic County (proposed)
- Habitat for Humanity (proposed)

Very Low Income Monitoring:

Very Low Income reporting is due 30 days from the third anniversary of the signing of the Settlement Agreement, which will be on January 16, 2021.

Conclusion

The Township is on track to satisfy its affordable housing obligations as determined by the Settlement Agreement, the Final Judgment of Compliance and Repose, and as outlined in the adopted Housing Plan Element and Fair Share Plan that was approved by the court.

The Township is behind on the targets established for the Habitat for Humanity projects, and the ARC of Atlantic County project, but is working diligently to meet their obligations by the end of the Third Round in June of 2025.



Comments

Any interested party is invited to submit comments to the Township of Galloway with a copy to Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity for the development of affordable housing, and should be replaced. Comments may be directed to the Township Clerk with a copy to Fair Share Housing Center.

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EXHIBITS:

Affordable Housing Trust Fund Monitoring

Rehabilitation Monitoring

Prior Round and Third Round Monitoring

Very Low Income Monitoring

Affordable Housing Questions

EXHIBIT A:
AFFORDABLE HOUSING TRUST FUND MONITORING

1. GENERAL INFORMATION AND TRUST FUND MONITORING

MUNICIPALITY NAME:	Galloway Township
COUNTY:	Atlantic County
Date through which funds reported:	
Name of person filling out form and affiliation/role:	Chris Dochney, PP, AICP, Township Planning Consultant
Date of filling out form:	30-Jun-20
Email:	cdochney@cmeusa1.com
Municipal Housing Liaison for municipality:	Linda A. McDevitt
Email:	lmcdevitt@gtnj.gov
Income Limits Year Being Used by Municipality*:	2020

(Note: Date in Approved Spending Plan = date through which revenues/expenditures are shown in the approved spending plan; if no approved spending plan, show revenues/expenditures through June 30, 2015 in Column B and beginning July 1, 2015 in Column C.)

TRUST FUND INFORMATION

	Inception - December 31, 2017	January 1, 2018 to Present	Total
REVENUE SUMMARY			
Barrier Free Escrow			\$0
Development Fees		\$ 2,141,561.07	\$2,141,561
Interest Earned		\$ 553,629.42	\$553,629
Other Income		\$ 199,076.02	\$199,076
Payments-in-Lieu of Construction		\$ 4,270,000.00	\$4,270,000
TOTAL	\$ 1,449,120	\$ 7,164,267	\$8,613,387

EXPENDITURE SUMMARY			
Administration**		\$ 549,191.37	\$549,191
Affordability Assistance***		\$ 214,151.06	\$214,151
Very Low-Income Affordability Assistance			\$0
Barrier Free Conversions		\$ 5,549,270.65	\$5,549,271
Housing Activity			\$0
TOTAL	\$ -	\$ 6,312,613	\$6,312,613

ADMINISTRATION: Date in Approved Spending Plan to Present		
Name	List types of administrative expenses	Amount
TOTAL		\$0

AFFORDABILITY ASSISTANCE: Date in Approved Spending Plan to Present		
Name	List affordability assistance projects and programs	Amount
TOTAL		\$0

HOUSING ACTIVITY: Date in Approved Spending Plan to Present		
Type of Housing Activity	Specific Site or Program	Amount
TOTAL		\$0

Comments:

EXHIBIT B:
REHABILITATION MONITORING

EXHIBIT C:
PRIOR ROUND AND THIRD ROUND MONITORING

3. PRIOR AND THIRD ROUND MONITORING

Site / Program Name:	Prior Cycle Credits / Credits without Controls	Society Hill / Wrangleboro Estates	Aloe Village	Countryside Meadows	Seashore Gardens	302 Orange Tree Ave	430 Tulip Ave
Project developer:	Various	K. Hovnanian	Municipally Developed	Presbyterian Homes	Seashore Gardens Non Profit	Habitat for Humanity	Habitat for Humanity
Compliance Mechanism:	Other	Inclusionary zoning	100% Affordable	100% Affordable	100% Affordable	100% Affordable	100% Affordable
Compliance Mechanism #2 (if project has multiple):							
Round:	Prior Round	Prior Round	Prior Round	Prior Round	Third Round	Third Round	Third Round
Block (if multiple separate by commas):		978		561		775	716
Lot (if multiple separate by commas):		2		44.05		8.01	2
Address:					22 East Jimmie Leeds Road	302 Orange Tree Ave	430 Tulip Ave
Construction required to begin by (for mechanisms other than inclusionary development):							
Status:	Built	Built	Built	Built	Built	Built	Built
If project has site plan /or subdivision approval, date building permits received (DD/MM/YYYY):							
If "approved not built" or "under construction," date of site plan and/or subdivision approval:							
If "under construction," expected date of completion:							
Date of issuance of C.O.:							
If "built," date controls began:						9/4/2003	11/30/2007
Length of Affordability Controls (years):						30	30
Administrative Agent or other entity responsible for affirmative marketing:						Habitat for Humanity	Habitat for Humanity
Contribution (for payments in lieu)							
Total Affordable Housing Units Proposed	60	57	67	84	58	1	1
Total Affordable Housing Units Completed to Date	60	57	67	84	58	1	1
Type of Affordable Units:							
Family	0	57	0	0	0	1	1
Family For-Sale	0	57				1	1
Family Rental							
Senior	0	0	67	84	46	0	0
Senior For-Sale	0						
Senior Rental	0		67	84	46		
Supportive/Special needs	0	0	0	0	12	0	0
Supportive For-Sale	0						
Supportive Rental	0				12		

Bedroom/Income Splits:

1 BR/or Efficiency Affordable Units	0	0	0	84	0	0	0
Very Low-Income:							
Low-Income:				84			
Moderate-Income:							
2 BR Affordable Units	0	57	0	0	0	0	0
Very Low-Income:							
Low-Income:		28					
Moderate-Income:		29					
3+ BR Affordable Units	0	0	0	0	0	0	0
Very Low-Income:							
Low-Income:							
Moderate-Income:							
Supportive/Special Needs Units:	0	0	0	0	0	0	0
Very Low-Income:							
Low-Income:							
Moderate-Income:							

3. PRIOR AND THIRD ROUND MONITORING

Site / Program Name:	Arc of Atlantic County	Habitat for Humanity
Project developer:		Habitat for Humanity
Compliance Mechanism:	Support and special needs	Support and special needs
Compliance Mechanism #2 (if project has multiple):		
Round:	Third Round	Third Round
Block (if multiple separate by commas):	948	768
Lot (if multiple separate by commas):	25.03	5.02, 5.03
Address:	Tenth Avenue	Holly Avenue
Construction required to begin by (for mechanisms other than inclusionary development):		
Status:	No approvals	No approvals
If project has site plan /or subdivision approval, date building permits received (DD/MM/YYYY):		
If "approved not built" or "under construction," date of site plan and/or subdivision approval:		
If "under construction," expected date of completion:		
Date of issuance of C.O.:		
If "built," date controls began:		
Length of Affordability Controls (years):		
Administrative Agent or other entity responsible for affirmative marketing:		Habitat for Humanity
Contribution (for payments in lieu)		
Total Affordable Housing Units Proposed	4	2
Total Affordable Housing Units Completed to Date	0	0
Type of Affordable Units:		
<i>Family</i>	0	2
Family For-Sale		2
Family Rental		
<i>Senior</i>	0	0
Senior For-Sale		
Senior Rental		
<i>Supportive/Special needs</i>	4	0
Supportive For-Sale		
Supportive Rental	4	

Bedroom/Income Splits:

1 BR/or Efficiency Affordable Units	0	0
Very Low-Income:		
Low-Income:		
Moderate-Income:		
2 BR Affordable Units	0	0
Very Low-Income:		
Low-Income:		
Moderate-Income:		
3+ BR Affordable Units	0	0
Very Low-Income:		
Low-Income:		
Moderate-Income:		
Supportive/Special Needs Units:	0	0
Very Low-Income:		
Low-Income:		
Moderate-Income:		

EXHIBIT D:
VERY LOW INCOME MONITORING

EXHIBIT E:
AFFORDABLE HOUSING QUESTIONS

***Affordable Housing Compliance
Midpoint Review Questions
June 30, 2020***

Conditions of Compliance

1. What conditions from the court’s approval of the municipal housing element and fair share plan and judgment of compliance and repose (or whatever standard terms is being used), if any, have not yet been satisfied? Explain the reasons for any delay and the steps the municipality is taking to satisfy the condition(s).

Response: *All conditions of the Township’s Settlement Agreement have been satisfied except for the following:*

“9. The Township will provide a realistic opportunity for the development of additional affordable that will be developed or created through means other than inclusionary zoning in the following ways:

- *Two additional Habitat for Humanity Homes*
- *Four ARC of Atlantic County Homes*
- *CIS Heron Pines*

While the CIS Heritage Village is under construction and nearing completion, the Habitat for Humanity and the ARC of Atlantic County projects have yet to be commenced. The Township continues to work with both organizations to pursue opportunities for development, but as of yet no applications for development have been filed.

Developments that Are Not Completed

2. For each court-approved inclusionary development project that is not yet constructed, please provide a narrative as to its status and any progress towards construction.

Response: *The following inclusionary projects were included in the Township’s Housing Element and Fair Share Plan, but have not yet been fully constructed and occupied:*

Nantucket at Galloway: *The Township has designated an area along the White Horse Pike as an area in need of redevelopment, known as the Nantucket Redevelopment Area. The site is within a Pinelands Regional Growth Area, and a redevelopment plan calls for inclusionary residential development with a 20% set aside for affordable units. The zoning in the redevelopment plan permits densities of 10 units per acre, which could yield just over 300 residential units, and 60 affordable units. The properties within this redevelopment area remain available and suitable for development with inclusionary housing. This remains a realistic opportunity for development with affordable units.*

Blue Heron Pines: *This project for 944 units along Tilton Road and Aloe Street included a required set aside of 189 affordable units. The project has been approved. No construction began on this project and the site plan approvals have since expired. However, this site remains available and the zoning and infrastructure remain in place for a similar development approval. This site still represents a realistic opportunity for the construction of affordable housing.*

Pinelands Inclusionary Zoning: *The Township has adopted within its Pinelands Zoning ordinance requirements that any housing development within a designated Regional Growth Area provide a 20% set aside for affordable housing. Since the adoption of the Housing Plan in April of 2018, no applications for development of multi-family housing have been proposed within these Pinelands Growth Areas.*

The inclusionary zoning of the Pinelands Regional Growth Areas remains in place and provides a viable and suitable option for the development of affordable housing.

3. Have any non-inclusionary development projects (including 100% affordable projects, group homes, accessory apartments, market-to-affordable, extensions of affordability controls, etc.) included in the court-approved plan not yet been built/converted to affordable housing/controls extended? If yes, explain how many units, if any, have been built for each non-inclusionary project or mechanism and when construction is expected to be completed on the remaining units.

Response: *The following non-inclusionary projects were included in the Township's Housing Element and Fair Share Plan, and have not yet been fully constructed and occupied:*

Heritage Village: *This project of 100 age restricted affordable rentals is currently under construction. The project is approximately 75% complete, with three of the four floors of the building having received temporary certificates of occupancy (tco), while additional site work is completed and the top floor is under construction.*

Habitat for Humanity: *The Township is committed to working with Habitat for Humanity, a group that has already built 5 affordable family homes in the Township, to develop at least two additional homes on Township owned lands. The properties are located on Holly Avenue at Block 768, Lots 5.02 and 5.03. To date, no applications for new development have been filed. The Township continues to work with Habitat to pursue additional affordable family homes on these two Township owned lots.*

Arc of Atlantic County: *The Arc of Atlantic County owns an adjoining parcel of land next to their existing supportive needs housing facilities on Tenth Avenue. The Arc is considering the potential to construct a third building on their properties that would consist of a 4-bedroom supportive needs housing facility. To date the facility has not been expanded. The land and infrastructure remain available for an expansion. This site*

remains a viable and realistic opportunity for the construction of additional supportive and special needs facilities.

4. Are there any projects that have missed any construction deadline established in the court-approved Settlement Agreement, or other mechanisms (e.g. market-to-affordable, accessory apartments, extensions of affordability controls) that have not met the completion schedule set forth in the Settlement Agreement or Housing Element and Fair Share Plan? If yes, what steps is the municipality taking to complete construction and what is the current timetable?

Response: *The Township's Settlement Agreement required that the Township prepare and submit an implementation schedule for the following projects, in accordance with N.J.A.C. 5:93-5.5:*

ARC of Atlantic County: *This project has not had a site plan submission at this time. The project is behind schedule.*

CIS Heron Pines (Heritage Village): *Heritage Village, being constructed by Community Investment Strategies (CIS), is nearing completion. This project is being constructed on schedule.*

Habitat for Humanity Homes: *This project has not had a site plan submission at this time. The project is behind schedule.*

5. Are all unbuilt developments currently in a sewer service area, and if not what has the municipality done to incorporate the site into a sewer service area? Are there any barriers to obtaining water or sewer for any unbuilt site? Are there any other regulatory conditions (e.g. changes to DEP permits or conditions) that make it not possible to complete any site as originally contemplated?

Response: *All unbuilt projects are within sewer service areas of the Township, including those within the Pinelands, as all projects were proposed within the designated growth areas of the Pinelands Comprehensive Management Plan. To the Township's knowledge, there are no additional barriers to providing water or sewer service to the proposed projects.*

Rehabilitation Obligation

6. Is the rehabilitation program being administered by a municipality, county, or both? Do the program(s) include rental rehabilitation? If the municipality has not met at least half of its rehabilitation obligation by this midpoint review, what affirmative steps is the municipality taking to meet the obligation and to facilitate participation by homeowners and/or landlords?

Galloway Township – Atlantic County

Response: *The Township continues its participation in the Atlantic County Improvement Authority's (ACIA) Housing Rehabilitation Program, and through this program 3 homes in Galloway have been rehabilitated since May of 2018 when the Housing Plan Element was adopted.*

For Municipalities with a Prior Round and/or Third Round Vacant Land Adjustment (note please make sure any development referenced in the answers to these questions that includes or will include affordable housing is also in the monitoring spreadsheet):

Response: *Galloway Township did not request a Vacant Land Adjustment for its Prior Round or Third Round obligation.*

For Municipalities with a Prior Round and/or Third Round Durational Adjustment:

Response: *Galloway Township did not receive a Durational Adjustment for its Prior Round or Third Round obligation.*