



Branchburg Township

*Affordable Housing
Compliance Plan*

**Township Committee
Response**

WHAT HAS BRANCBURG DONE SO FAR.....

- In **November 2015** the township published an open letter to residents explaining our situation. This letter was also published in the December 2015 Branchburg News.
- On **December 3, 2015** held an open public meeting to discuss the matter.
- In the **winter/spring of 2016**, as a result of the courts instructing the township to find developers to work with, the township solicited open proposals from developers to help solve our obligation.
- A subcommittee of the Township Committee and Planning Board reviewed the proposals and suggested a list of developers.
- In **May 2016** the township published an updated letter and held another public meeting on May 16, 2016.
- The **May 2016** update included developments that the township was considering and showed concept layouts for each.



WHAT HAS BRANCBURG DONE SO FAR.....

- In the **Spring of 2017** the township once again solicited proposals from developers as a means to foster competition and get the best possible outcomes.
- ALL PROPOSALS, LETTERS AND MANY OTHER RELEVANT DOCUMENTS HAVE BEEN PUBLISHED ON THE TOWNSHIP WEBSITE.
- Since before the **Spring of 2017** the township has been involved with a court imposed case management conferences wherein the FSHC, special master and Judge meet with the township and all involved parties (developers) to ensure the township is working towards compliance.
- The development of the plan being presented tonight is a result of litigation and the ability to share its details has been extremely limited to keep our strategy private and prevent additional lawsuits.



Key Player Positions on Affordable Housing

- **Governor** - Support more affordable housing
- **Supreme Court** - forced the process through judicial fiat
- **State Senate** - failed to act, letting courts run the show
- **State Assembly** - failed to act, letting the courts run the show
- **Fair Share Housing Center** – Political activists and lawyers advocating for more Affordable Housing
- **Developers** - lobbyists and donations
- **Democratic Party** - controls the whole process
- **Republican Party** - currently not politically relevant at state level



Current Situation

This is one of the most important issues the Township has faced in many years, perhaps ever, and is one that has the potential to change our community.

Branchburg currently has approximately **5,000 Units**

The township owes 1,000 units in Affordable Housing

Unlike past COAH affordable housing rounds, the court this time did not provide rules, or methodology, other than some general reference to attempting consistency with the FHA, for towns to use in developing their plans.

The sub-committee looked to provide only as much housing as we need with the overriding goals of: (1) attempting to comply with the Court mandate to provide affordable housing, (2) minimizing the “market unit multipliers” (the number of market units that developers wish to build), and (3) as best we can try and provide something beneficial to our community through this process (i.e. make lemonade out of lemons).



Political Climate/Considerations

Governor Murphy has not made affordable housing a priority; issues like economic policy, mass transit, and gun reform have taken center stage. Governor Murphy and the State Legislature are content to have the issue resolved through litigation.

- Branchburg is one of the few NJ towns that has not settled
- Branchburg has the most intervenors in the state – 14 intervenors
- The Supreme Court currently control the process
- The Legislature has abdicated their legislative solutions to NJ Housing
- They want more affordable housing -- not less
- The Courts want more affordable housing - not less

Fair Share Housing Development receives support from federal and state grants and loans. They also receive funding from a host of charitable foundations, corporations, local businesses as well as a number of generous individuals, who provide cash donations as well as volunteer services. The Branchburg Township Committee continues to wrestle with the unfair issues heaved upon New Jersey municipalities by the courts and the State government as we develop our affordable housing plan.



Paths Forward

*Any subsequent housing that is built as a result, is not because it is something we desire, **it is something we have a legal obligation to produce.** As with past affordable housing “rounds” and with the current Court mandated process, Branchburg has and will always comply with State law and Court requirements.*

Option to Fight

Without Plan

- **5,000+ Potential New Units**
- No Township input from planning board
- We lose 14+ lawsuits – 14 developments

Vs.

Option to Settle

With Plan

- **1,873 Zoned New Units**
- Senior Credits
- Half the number of developments
- We get planning board input

Governor Murphy has not made affordable housing a priority; issues like economic policy, mass transit, and gun reform have taken center stage. Some local officials have suggested that Governor Murphy is among those who are content to have the issue resolved through litigation.



Branchburg's Strategy

- Branchburg's strategy is simple:
 - First and foremost – **PREVENT BUILDERS REMEDY LAWSUITS** – maintain a level of control
 - Uphold our settlement obligations with the developers to provide affirmative zoning in support of our Affordable Housing Plan
 - Require developers to meet all residential site improvement standards (RSIS) and all requirements of Municipal Land Use Ordinance without exemption or waiver
 - Traffic
 - Flood plain/Flood hazard
 - Board of Education

