

AFFORDABLE HOUSING BOARD MEETING  
LAWRENCE TOWNSHIP MUNICIPAL BUILDING  
COMMUNITY DEVELOPMENT CONFERENCE ROOM

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**February 19, 2009**

The following are the minutes of an Affordable Housing Board Meeting, which was held on February 19, 2009, in the Lawrence Township Municipal Building Community Development Conference Room.

**Statement of Proper Notice**

Adequate notice of the regular meeting of the Lawrence Township Affordable Housing Board has been provided by filing an annual meeting schedule with the Municipal Clerk, and by filing the agenda with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times, the Trentonian and the Lawrence Ledger.

The roll was called as followed at 7:32 PM:

Present: Chairperson Kim Taylor, Vice-Chairperson Barbara Lavine, Nancy Becker, Skip Conover, and Kevin Van Hise,

Absent: Rakesh Patel and Judy White

Excused Absence: Andrew Link, Principal Planner/Business Advocate, Bob Bostock, Council Liaison,

Also Present: Richard Krawczun, Township Manager  
Lea Kahn, Lawrence Ledger  
Lisa Burke  
Danielle Hickey, Secretary

**Review and Revision of Agenda**

None

**Welcome New Member and Council Liaison**

All members introduced themselves and gave background information as to their jobs and time spent on the board. Kevin Van Hise is a new member to the board. He is a lawyer currently practicing in the areas of real estate and land use, local government law, and litigation. The Affordable Housing Board also has a new Council Liaison to the Affordable Housing Board, Bob Bostock. Mr. Bostock has been a member of Council since November 2007.

## **Election of Officers**

Ms. Kim Taylor was nominated for Chairperson. She ran unopposed and the vote was unanimous.

Ms. Barbara Lavine was nominated for Vice-Chairperson. She ran unopposed and the vote was unanimous.

## **Amended Third Round Housing Element & Fair Share Plan – Richard Krawczun**

Mr. Richard Krawczun attended the meeting to discuss the COAH 3<sup>rd</sup> Round Housing Element Plan which was filed on December 30, 2008. In Round 2, municipalities were required to meet a certain amount of Affordable Housing. There are 2 components that make up the Growth Share: for every 16 jobs created, there should be one new affordable unit, and for every four new non-affordable units developed, there should be one affordable unit created. There is a break-down based on the level of activity of the jobs, etc. The third round requirement for affordable units is 537.

Some other changes to the Third Round include that 2 ½ % of new non-residential construction must be paid into a development fee trust fund. If there is no trust fund available, then the 2 ½ % is to go to the State. The Third Round eliminated RCA's. Also, 13% of Third Round units are to be restricted for "very low income" households. The Third Round requires that a township must address a plan for the rehab of units prior to the round obligations with the projected Third Round obligation and how the township will meet that.

The retroactive with temporary certificate of occupancies pushed the Lawrence numbers up. Those CO's may be based on the need to finish landscaping, not completed plans, or elevated requirements. Lawrence was obligated to rehab units to bring them up to code. The process for this was that the applicant would apply, the inspection was done, work was determined (i.e. heating, exterior needs, doors, windows, air conditioning, etc). Much of the rehab that was completed was for older residence. Lawrence did receive credit for this program. If this program was started again, it could start with new applicants or old applicants. The Township hasn't had any people inquire about this program since they completed the program with the matching grant.

Credits are given for the extension of expiring controls. There are deed restrictions that have expired and ones that are soon to expire, when the Township is able to extend these controls, they are able to receive credit for these units. The Township intends to ask to extend the controls on all affordable units that require extensions as they come up. So far, the Township has not had to compensate any owners for the extension. Under the Third Round Plan, between now and 2018, Lawrence anticipates 131 units having extended contracts.

For your reference, pages 63-64 of the plan, identifies the project and the time line that the Township has to implement those projects. Jade is a property on Quakerbridge Road, east of PSE&G, but before Lawrence Station Road. This property is zoned as PVD-3, which is a planned village development that has 11% set aside, but would like to set 33% aside for affordable units. Currently, the property owner is in bankruptcy and did not want to pursue the project. This development is included in the Third Round Plan. Rose Cliff is another development proposed. This development will be a continuing care development with the St. Lawrence Rehab Program. The property is located on land owned across the street from St. Lawrence. This proposal will include cottages and assisted living. The person/couple would buy into this program. They would start off living in the cottages, and when they needed to, they

would go from independent living to assisted living to nursing care, or any other type of care they would need. Five units of the nursing area is to be reserved for the affordable residents.

Municipal sponsored construction gives the Township bonus credits. Lawrence intends to participate in the construction of no less than 8 family units. There is no specific project or site identified for this purpose.

The question was posed as to “What happens if the affordable unit controls are up and the residents do not want to keep the controls?” The Township could offer the resident money for this purpose if it was feasible for the Township. The Third Round Plans are subject for review every two years. The Township is currently waiting to see how they did on this submission.

The question was asked, “What would happen if the Township was stuck and couldn’t meet quota? Or what if one of the projects did not get met?” Mr. Krawczun explained that is one of the reasons why Jade decided to leave the project. They did not want to comply with the increased affordable units. The Township is pretty consistent within the developments for the requirements of building affordable units. The funds for construction fees stay in that development trust fund, and the interest also stays in that fund. The Township does have permission to take annual contributions and annual interest for the staff that work on the Affordable Housing program, participate in foreclosures, and intervene to buy affordable units back; however the Township does not use the money in this fund for that purpose. The Township does try to intervene and help where possible when they find out about affordable unit owners who are behind on their association fees, taxes, etc. The Township does not purchase units that are foreclosed on unless they are an affordable unit. If the unit is an affordable unit, they will participate in the purchase. For example, in Lawrence Square Village, the owner passed away and the next to kin did not want the unit. The Township only had to pay for the cost of clean-up and closing fees in order to keep the unit. Council approved to sell that unit as an affordable unit.

The question was asked, “What happens with age restricted units that are affordable after the homeowner needs to go into assisted living?” The deed restrictions are still in play, family members could sell the unit. The Township would intervene in a foreclosure situation.

“If there were units sold without the Township’s knowledge or for more than what they are supposed to sell the unit for, has there been an instance and where would that money go?” Mr. Krawczun answered that there has not been an instance that he knows of, but if there was money left over, the money would go back in the trust fund. The Township is careful that the money that goes in or out of the trust fund is for affordable units only.

“If the Planning Board were to disperse the funds out from the trust fund, would they notify the Board?” Mr. Krawczun explained that there has not been an instance like this yet, and it may not be necessary, but if it is, the planning board would work with the other boards to make sure that the project was accepted across boards.

“How will Quakerbridge Mall effect on the Third Round Plan?” The Township did try to take the mall expansion into account when creating the Third Round Plan. However, if there was a problem and they were missing units or some other component of the plan, they would be able to ask for an extension on the plan.

The New Jersey League of Municipalities is fighting that the growth of the state is decreasing and not increasing. Just over 25% of the area is preserved farmland or wetlands.

There is a project on Franklin Corner Road to demolish the units and rebuild. That project might not be pliable to the owners. The second proposal has been to put townhouses in the back. The Township has stated that they will be required to provide affordable units.

A question was asked, "With regards to proactive interventions, are they general practices or unique to Lawrence?" Mr. Krawczun stated that he is not sure, but he does know that Lawrence is more ahead of the game with regards to affordable unit then most towns. The extension of controls is included in the plan; the idea behind this is to maintain the inventory. Lawrence feels that their responsibility is to participate and not to loose ground with affordable housing.

### **Approval of Minutes**

The December 18, 2008 minutes were unanimously approved.

### **Public Comment**

None

### **New Programs and Initiatives**

There are three new programs/initiatives proposed. The first one will be an informational session by Mr. Marty Johnson to give the Affordable Housing Board some ideas for some type of tenant to homeownership program. This will give the people who are in affordable housing some options of what to do next in conjunction with Isles. Mr. Johnson will be invited to the March meeting. Once the program is finalized, the Board will send out a mailing/flyer to the residents in affordable housing. It is up in the air whether the program should be in June or after the summer. Mr. Conover did speak with Sun Bank who said that they would be available to speak about what they can do to help assist with the homeowner process. Some areas the board would like discussed at the event would be about foreclosure, resale, homeowner responsibilities, assistance for down payment/security, renter to homeownership, and going from income contingent to homeownership.

The second new project proposed is a community relations project. The Affordable Housing Board would like to be a part of community day to answer questions, and bridge the misconceptions about the type of people who live in affordable housing. The board would like to help displace some of the fears and misconceptions about concerns regarding affordable housing. The Board would like to have a table at Community Day.

The third proposed project is getting a seat back on the Growth and Redevelopment Committee. Chairperson Taylor would like to attend the meetings and serve as the liaison to that Board. Vice-Chairperson Lavine has offered to help in attending the meetings if Chairperson Taylor is unable to attend.

### **Heritage Village Update**

There is no new information to report about Heritage Village.

### **Other Business**

There is no new information to report.

The next meeting will be held on March 19, 2009.

There being no further business to come before the Affordable Housing Board, the meeting was adjourned at 8:42 PM.

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Danielle N. Hickey,  
Affordable Housing Board Secretary