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# Mid-Point Review of Affordable Housing Activities &

## 2020 Monitoring

East Windsor Township, Mercer County



July 1, 2020

Prepared by:

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## EXECUTIVE SUMMARY

Under the supervision of the court-appointed Special Master, The Township of East Windsor and Fair Share Housing Center (“FSHC”) entered into a Settlement Agreement in May of 2017, which established agreed upon housing rehabilitation, Prior Round (1987-1999), Gap (1999-2015) and Prospective Need (2015-2025) obligations, and laid out how the Township would comply with the same. A properly noticed Fairness Hearing was held on July 19, 2017, and East Windsor’s Compliance hearing was held on November 30, 2018. East Windsor’s Final Judgement of Compliance and Repose was filed on January 14, 2019.

East Windsor Township has made very good progress meeting the terms of the Agreement. The Township’s Planning Board has approved an application for its 100% affordable project and while that project did not receive a tax credit award during its first funding attempt, the selected developer will be reapplying. Additionally, while the Township has a number of yet-to-be-developed inclusionary projects, it has continued to have extensive meetings and discussions with the developers and has received applications and/or entered into agreements to further advance these projects. Lastly, East Windsor has committed to advertise and engage its residents on the housing rehabilitation program and is hopeful that future owners will partake in the program in the coming years.

## CONDITIONS OF COMPLIANCE

East Windsor Township’s Final Judgement of Compliance and Repose filed on January 14, 2019 did not include any conditions of compliance.

## DEVELOPMENTS THAT ARE NOT COMPLETED

### *Inclusionary Projects*

East Windsor has four (4) inclusionary projects that are not yet completed:

- Zaitz (B: 11..01 L: 5)
- 604-630 Old Trenton Rd (B: 3 L: 3, 3.02)
- Daveco (B: 53.04 L: 13.03)
- Windsor Castle (B: 87 L: 28)

The status of these projects are as follows:

Zaitz (65 family rental units): The developer presented a concept plan to the Planning Board on 6/15/20. The Township and developer continue to have discussions in furtherance of developing the project.

604-630 Old Trenton Rd (38 family rental units): The developer filed a complete application with the Planning Board on 5/14/20.

Daveco (3 family sale units): The applicant's previous approvals on the project have expired, however the developer and Township have continued to have meetings to determine strategies on how this project can proceed.

Windsor Castle (112 family rental units remaining): The Township has entered into an agreement with the developer whereby the Township is providing land and the developer will build one new affordable unit for every market rate unit, or convert one of its existing rental units from its existing nearby property to a deed-restricted affordable unit, but still at the rate of one affordable for each new market rate unit constructed. The Township passed an ordinance No. 2018-08 authorizing the purchase of a portion of Block 87, Lot 28 on 9/25/18 and has an agreement of sale dated 2/13/19 with the land owner for purchase and will close on the property at the appropriate time.

### ***Non-Inclusionary Projects***

East Windsor Township has three non-inclusionary projects that are not yet completed:

- SERV Group Homes (B & L TBD)
- CIS East Windsor (B: 5 L: 2.02)
- Habitat for Humanity (B: 48 L: 27, 38-40 & B: 22.02 L: 21)

The status of these projects is as follows:

SERV Group Homes (8 units): East Windsor signed a Memorandum of Understanding with SERV. There have been no further discussions with SERV since the Judgment of Repeal, as the Township has primarily been focused on delivering the CIS project and other inclusionary projects. East Windsor will utilize its Administrative Agent CGP&H to outreach to SERV and/or any other interested group home provider to fulfill this obligation.

CIS East Windsor (80 units): This project has been divided into two phases, the first of which is proposed to be 56 units. Phase I received planning board approval on 4/1/19, and submitted for tax credits with NJHMFA on 2019, however it was unsuccessful in its application. A second application is being prepared for 2020.

Habitat for Humanity (5 units): The Township met with Habitat staff in early 2020 and the Township sent Habitat a request for further information as well as a request for a draft developers agreement. As of this report, Habitat has not responded to these requests.

### ***Missed Construction Deadlines***

There are no missed construction deadlines.

## **REHABILITATION OBLIGATION**

East Windsor Township will be contracting with a qualified Housing Rehabilitation program Administrator to administer its municipal Housing Rehabilitation program. East Windsor Township has completed 17 out of its 107 unit rehab obligation, and has used Small Cities funds to cost-effectively leverage its Trust Fund dollars. The Township will continue to make this program available to residents and will do so until the full obligation is met.

## **VERY LOW INCOME ANALYSIS**

90 of the 499 units or 18% that have been planned for and/or approved since 2008 are reserved for very low income households.

## **INVITATION OF SUBMISSIONS**

Any interested party may submit comments to the municipality regarding whether any sites no longer present a realistic opportunity and should be replaced by contacting:

David Orron  
c/o Huff, Moran & Orron, LLC  
1246 S. River Rd  
Cranbury, NJ, 08512  
Ph: 609-655-3600  
Fax: 609-655-5825  
<https://www.huffmoran.com/contact-us/>

Any party may by motion request a hearing before the court regarding these issues.

# APPENDIX 1 – UNIT MONITORING FORM







**East Windsor Township, Mercer County**

**Project/Unit Monitoring - June 30, 2020 (Page 3)**

Site / Program Name	SERV	St. James Village	Wheaton Pointe	Windsor Castle	Windsor Meadows																				
<b>Project Type</b>	100% Affordable Special Needs Rental	100% Affordable Age Restricted Rental	100% Affordable Age Restricted Rental	Inclusionary Family Rental	100% Affordable Family Rental																				
<b>Block &amp; Lot / Street</b>	Pinehurst Dr.	Block: 11.08 / Lot: 3.05 St. James Pl	Block: 6.07 / LotL 14.06 Lanning Blvd.	Block: 87 / Lots: 11-13 Dorchester Dr.	Blocks: 11.02-11.07 / Lots: inclusive St. James Dr. & Tennyson Rd.																				
<b>Status</b>	Completed	Completed	Completed	Completed	Completed																				
<b>Date</b>	9/11/2018	05/10/2015	08/16/2000	10/18/2018	11/15/2003																				
<b>Length of Affordability Controls</b>	Perpetual	30 Years	40 Years	30 Years	30 Years																				
<b>Administrative Agent</b>	SERV Behavioral Health Services, Inc., 20 Scotch Road 3rd Floor, Ewing, New Jersey 08628, (609) 406-0100, <a href="https://servbhs.net/">https://servbhs.net/</a>	Community Realty Management, 36 S. Main Street, Pleasantville, New Jersey 08232, (609) 646-8861, <a href="http://www.communityrealtymanagement.com/">http://www.communityrealtymanagement.com/</a>	Presbyterian Homes - Senior Net, P.O. Box 2184, Princeton, NJ 08540,	CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>	CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>																				
<b>Contribution</b>	N/A	N/A	N/A	N/A	N/A																				
<b>Type of Units</b>	Special Needs Rental	Age Restricted Rental	Age Restricted Rental	Family Rental	Family Rental																				
<b>Total Affordable Units</b>	5	109	84	28	36																				
<b>Units Notes</b>	Units are Bedrooms.																								
<b>Income/Bedroom Distribution</b>	<b>Eff. Std.</b>	<b>BR 1</b>	<b>BR 2</b>	<b>BR 3</b>	<b>BR 4</b>	<b>Eff. Std.</b>	<b>BR 1</b>	<b>BR 2</b>	<b>BR 3</b>	<b>BR 4</b>	<b>Eff. Std.</b>	<b>BR 1</b>	<b>BR 2</b>	<b>BR 3</b>	<b>BR 4</b>	<b>Eff. Std.</b>	<b>BR 1</b>	<b>BR 2</b>	<b>BR 3</b>	<b>BR 4</b>	<b>Eff. Std.</b>	<b>BR 1</b>	<b>BR 2</b>	<b>BR 3</b>	<b>BR 4</b>
<b>Very-Low-Income</b>	-	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	2	1	-	-	-	-	-	-
<b>Low-Income</b>	-	-	-	-	-	28	81	-	-	-	-	84	-	-	-	-	1	8	2	-	-	2	12	4	-
<b>Moderate-Income</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	9	2	-	-	2	12	4	-

**East Windsor Township, Mercer County**

**Project/Unit Monitoring - June 30, 2020 (Page 4)**

Site / Program Name	Wyncrest Commons					Habitat - Evan Ave					Proposed SERV Group Homes					Zaitz					CIS-East Windsor				
<b>Project Type</b>	Inclusionary Family Rental					100% Affordable Family Sale					100% Affordable Special Needs Rental					Inclusionary Family Rental					100% Affordable Family Rental				
<b>Block &amp; Lot / Street</b>	Block: 6 / Lot: 2 Wyncrest Dr.					Blocks: 48 & 49 / Lots: Inclusive Evan Ave.					T.B.D.					Block: 11.01 / Lot: 5 N. Main St.					Block: 5 / Lot: 2.02 C Princeton Highstown Rd.				
<b>Status</b>	Completed					Completed					Proposed/Zoned					Proposed/Zoned					Proposed/Zoned				
<b>Date</b>	08/20/2012					08/29/1997					T.B.D.					06/15/2020- Site Plan					04/15/2019- Site Plan Approval				
<b>Length of Affordability Controls</b>	30 Years					30 Years					30 Years					30 Years					30 Years				
<b>Administrative Agent</b>	CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>					CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>					SERV Behavioral Health Services, Inc., 20 Scotch Road 3rd Floor, Ewing, New Jersey 08628, (609) 406-0100, <a href="https://servbhs.net/">https://servbhs.net/</a>					CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>					CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>				
<b>Contribution</b>	N/A					N/A					N/A					N/A					N/A				
<b>Type of Units</b>	Family Rental					Family Sale					Special Needs Rental					Family Rental					Family Rental				
<b>Total Affordable Units</b>	17					6					8					65					80				
<b>Units Notes</b>											Units are Bedrooms.					Bedroom-Income Distribution is Projected, Not Finalized.					Bedroom-Income Distribution is Projected, Not Finalized.				
<b>Income/Bedroom Distribution</b>	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4
<b>Very-Low-Income</b>	-	1	1	1	-	-	-	-	-	-	-	8	-	-	-	-	3	6	-	-	-	4	7	-	-
<b>Low-Income</b>	-	1	4	1	-	-	-	-	6	-	-	-	-	-	-	-	4	13	7	-	-	4	17	8	-
<b>Moderate-Income</b>	-	1	5	2	-	-	-	-	-	-	-	-	-	-	-	-	6	19	7	-	-	8	24	8	-

**East Windsor Township, Mercer County**

**Project/Unit Monitoring - June 30, 2020 (Page 5)**

Site / Program Name	OTR (604-630 Old Trenton Road)					Habitat for Humanity Thompson Realty					Daveco					Windsor Castle II									
Project Type	Inclusionary Family Rental					100% Affordable Family Sale					Inclusionary Family Sale					Inclusionary Family Rental									
Block & Lot / Street	Block: 5 / Lots: 3, 3.02 Old Trenton Rd.					Block: 48 / Lots: 27, 38-40 Block: 22.02 / Lot: 21 Columbia Ave.					Block: 53.04 / Lot: 13.03 Westfield Rd.					Block: 87 / Lot: 28 Windsor Center Dr.									
Status	Proposed/Zoned					Proposed/Zoned					Proposed/Zoned					Proposed/Zoned									
Date	Application submitted to PB 5/14/20					12/07/2016- MOU signed.					12/08/2008- Final Site Plan Approval					Agreement of sale effective 10/18/2018									
Length of Affordability Controls	30 Years					30 Years					30 Years					30 Years									
Administrative Agent	CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>					CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>					CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>					CGP&H, LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512, (609) 664-2769, <a href="https://www.affordablehomesnewjersey.com/">https://www.affordablehomesnewjersey.com/</a>									
Contribution	N/A					N/A					N/A					N/A									
Type of Units	Family Rental					Family Sale					Family Sale					Family Rental									
Total Affordable Units	38					5					3					112									
Units Notes	Bedroom-Income Distribution is Projected, Not Finalized.					Bedroom-Income Distribution is Projected, Not Finalized.										Bedroom-Income Distribution is Projected, Not Finalized.									
Income/Bedroom Distribution	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4	Eff. Std.	BR 1	BR 2	BR 3	BR 4
Very-Low-Income	-	2	3	-	-	-	-	-	-	-	-	-	1	-	-	-	5	8	2	-					
Low-Income	-	2	9	4	-	-	-	-	5	-	-	-	2	-	-	-	6	25	10	-					
Moderate-Income	-	3	11	4	-	-	-	-	-	-	-	-	-	-	-	-	11	33	12	-					

# APPENDIX 2 – 2020 VERY LOW INCOME ANALYSIS

## East Windsor Township, Mercer County: Very-Low Income Units 2020

Development/Compliance Mechanism	Project Status	Controls Date	Affordable Units	Very-Low Income Units
Proposed SERV Group Homes	Proposed/Zoned	T.B.D.	8	8
CIS-East Windsor	Proposed/Zoned	04/15/2019- Site Plan Approval	80	11
St. James Village	Completed	05/10/2015	109	0
Zaitz	Proposed/Zoned	06/15/2020- Site Plan	65	9
Wyncrest Commons	Completed	08/20/2012	17	3
Windsor Castle	Completed	10/18/2018	28	4
Habitat for Humanity Thompson Realty	Proposed/Zoned	12/07/2016- MOU signed. 12/08/2008- Final Site Plan Approval	5	0
Daveco	Proposed/Zoned	12/08/2008- Final Site Plan Approval	3	1
SERV	Completed	9/11/2018	5	5
Windsor Castle II	Proposed/Zoned	Agreement of sale effective 10/18/2018	112	15
OTR (604-630 Old Trenton Road)	Proposed/Zoned	Application submitted to PB 5/14/20	38	5
Center for Innovative Family Achievements	Completed	See Notes	4	4
Community Options Dutch Neck	Completed	See Notes	3	3
Community Options- Clark Court	Completed	See Notes	3	3
Community Options- Windsor Perrineville	Completed	See Notes	5	5
Eden Autism Group Home I	Completed	See Notes	3	3
Eden Autism Group Home II	Completed	See Notes	3	3
Eden Autism Group Home III	Completed	See Notes	4	4
Enable Inc.	Completed	See Notes	4	4
<b>Totals:</b>			<b>499</b>	<b>90</b>
			<i>(%) of VLI units: 18%</i>	

# APPENDIX 3 – 2020 TRUST FUND MONITORING FORM

**East Windsor Township, Mercer County**  
**Trust Fund Balance as of December 31, 2019**

	INCEPTION DEC 31, 2018	JAN 1, 2019 DEC 31, 2019	TOTAL
<b>REVENUE SUMMARY</b>			
Barrier Free Escrow	\$0.00	\$0.00	\$0.00
Development Fees	\$7,203,827.19	\$546,289.25	\$7,750,116.44
Interest Earned	\$175,358.74	\$104,354.12	\$279,712.86
Other Income	\$0.00	\$0.00	\$0.00
Payments-in-Lieu of Construction	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$7,379,185.93</b>	<b>\$650,643.37</b>	<b>\$8,029,829.30</b>
<b>EXPENDITURE SUMMARY</b>			
Administration	\$603,844.75	\$13,964.69	\$617,809.44
Affordability Assistance	\$0.00	\$0.00	\$0.00
Barrier Free Conversions	\$0.00	\$0.00	\$0.00
Housing Activity	\$1,701,008.36	\$0.00	\$1,701,008.36
<b>TOTAL</b>	<b>\$2,304,853.11</b>	<b>\$13,964.69</b>	<b>\$2,318,817.80</b>
<b>TRUST FUND ACCOUNT BALANCE AS OF December 31, 2019</b>			<b>\$5,711,011.50</b>

**HOUSING ACTIVITY : JAN 1, 2019 - DEC 31, 2019**

<b>TOTAL</b>	<b>\$0.00</b>

**AFFORDABILITY ASSISTANCE: JAN 1, 2019 - DEC 31, 2019**

<b>TOTAL</b>	<b>\$0.00</b>