

# **2022 AFFORDABLE HOUSING ANNUAL MONITORING REPORT**

**Borough of Caldwell  
Essex County, New Jersey**

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**CALDWELL, ESSEX COUNTY  
2022 ANNUAL MONITORING REPORT**

The purpose of this report is to outline the status of affordable housing projects as well as to account for housing trust fund activity. Caldwell executed a Settlement Agreement with Fair Share Housing Center (“FSHC”) on July 30, 2020 (hereinafter “2020 FSHC Settlement Agreement”), which was approved at a Borough Council meeting on July 28, 2020. The Borough subsequently adopted a Housing Element and Fair Share Plan (“HEFSP”) to implement the 2020 FSHC Settlement Agreement, which was adopted by the Borough’s Planning Board on February 10, 2021 and approved at a properly noticed Compliance Hearing on May 13, 2021. The Court entered a conditional Judgment of Compliance and Repose Order on June 3, 2021 (“JOR Order”), and later extended the period to satisfy the conditions of compliance on August 19, 2021 and December 3, 2021. Pursuant to the Court-approved 2020 FSHC Settlement Agreement, the Borough needs to provide monitoring reports on the status of all affordable housing activity within the municipality. The following constitutes the Borough’s 2022 report.

Pursuant to the 2020 FSHC Settlement Agreement and the Borough’s HEFSP, Caldwell’s Affordable Housing Obligation is as follows:

- Rehabilitation Obligation: 14
- Prior Round Obligation (1987-1999): 0
- Third Round Obligation (1999-2025): 86
- Third Round Realistic Development Potential or RDP: 25
- Third Round Unmet Need: 61

**TRUST FUND MONITORING**

The Borough of Caldwell adopted its Development Fee ordinance (Ord. No. 1400-21) on January 26, 2021. Caldwell’s most recent Spending Plan was adopted by the Borough on April 20, 2021 and approved by the Court on June 3, 2021, covering revenues and expenditures through June 30, 2025. The starting balance for Caldwell’s Affordable Housing Trust Fund was \$0. Since then, the Borough has received \$0 in development fees, spent \$0 in administrative fees, and has made \$0 in expenditures pertaining to affordability assistance, barrier free conversion, or other housing activity. As of July 12, 2022, the Borough has a total of \$0 in the Affordable Housing Trust Fund account.

**PRIOR AND THIRD ROUND MONITORING**

Caldwell, Essex County Annual Project Form 6/3/2021 - Present								
Site/Program Name:	Marion Manor	Stille	Landmark			Landmark		
<b>Affordable Housing Round:</b>	Third Round	Third Round	Third Round			Third Round		
<b>Project Type:</b>	100% Affordable	Inclusionary Zoning	Inclusionary Zoning			Inclusionary Zoning		
<b>Block &amp; Lot</b>	B65 L1.30	B22 L7	B41 L3			B41 L7		
<b>Street:</b>	7 Ashland Street	30 Smull Avenue	14 Lane Avenue			30 Lane Avenue		
<b>Status:</b>	Completed and occupied	Approved Settlement and zoning adopted	Received Panning Board approval August 2021			Approved Settlement and zoning adopted		
<b>Date:</b>	Built in 1980; New Regulatory Agreement in 2004; New Amendment to Financing, Deed Restriction, and Regulatory Agreement in 2004	N/A	N/A			N/A		
<b>Length of Controls:</b>	Affordability Controls through 2034 (New Deed Restriction in 2017)	At least 30 years	At least 30 years			At least 30 years		
<b>Administrative Agent:</b>	Owned by the Caldwell Senior Citizen Housing Association; Funded by the Federal Government (Section 8)	Undecided	Undecided			Undecided		
<b>Contribution (PIL):</b>	N/A	N/A	N/A			N/A		
<b>Type of Units:</b>	Senior Rental	Family Rental	Family For-Sale			Family For-Sale		
<b>Total Affordable Units:</b>	159	1	4			3		
<b>Income/Bedroom Distribution:</b>	1 BR	2 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR
<b>Very Low Income</b>	-	-	TBD			TBD		
<b>Low Income</b>	6	1						
<b>Moderate Income</b>	-	-						
<b>Notes:</b>	Six units are allocated to the Third Round obligation. Three are allocated for the rehabilitation obligation. The remaining 150 units will carry over to the next round.							

<b>Caldwell, Essex County</b> Annual Project Form 6/03/2021 - Present									
<b>Site/Program Name:</b>	<b>Landmark</b>			<b>Landmark</b>			<b>Landmark</b>		
<b>Affordable Housing Round:</b>	Third Round			Third Round			Third Round		
<b>Project Type:</b>	Inclusionary Zoning			Inclusionary Zoning			Inclusionary Zoning		
<b>Block &amp; Lot</b>	B41 L4			B36 L5-6			B56 L10.14 & 18.01		
<b>Street:</b>	18 Lane Avenue			459 Bloomfield Avenue			80 Roseland Avenue		
<b>Status:</b>	Received Planning Board approval August 2021			Building permits issued			Constructed		
<b>Date:</b>	N/A			N/A			N/A		
<b>Length of Controls:</b>	At least 30 years			At least 30 years			At least 30 years		
<b>Administrative Agent:</b>	Undecided			Undecided			Undecided		
<b>Contribution (PIL):</b>	N/A			N/A			N/A		
<b>Type of Units:</b>	Family For-Sale			Family Rental or For-Sale			Family Rental		
<b>Total Affordable Units:</b>	3			6			6		
<b>Income/Bedroom Distribution:</b>	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR
<b>Very Low Income</b>	TBD			TBD			TBD		
<b>Low Income</b>									
<b>Moderate Income</b>									
<b>Notes:</b>							An administrative agent has not been assigned as litigation over the Borough's sewer system is underway.		

## **THIRD ROUND UNMET NEED MECHANISMS**

### **Creation of Inclusionary Housing Zone Districts**

The Borough adopted three ordinances establishing six inclusionary housing zone districts to create low- and moderate-income housing as required by the Borough's Settlement Agreement with Landmark Real Estate Developers dated September 26, 2018. The Borough adopted Ordinance No. 1365-19 on September 17, 2019, establishing Inclusionary Housing Zone 1 for Block 41 Lot 3, Inclusionary Housing Zone 2 for Block 41 Lot 3, Inclusionary Housing Zone 3 for Block 56 Lots 10.14 and 18.01, and Inclusionary Housing Zone 4 for Block 41 Lot 4. The Borough adopted Ordinance No. 1380-19 establishing Inclusionary Housing Zone 5 on December 17, 2019, for Block 22 Lot 7. The Borough Adopted Ordinance No. 1385-20 on April 21, 2020, establishing Inclusionary Housing Zone 6 for Block 36 Lots 5 and 6.

### **Mandatory Set-Aside Ordinance**

The Borough adopted an ordinance regarding compliance with the Borough's affordable housing obligations on February 23, 2021 that requires that any site that benefits from a rezoning, use or density variance or redevelopment plan approved by the Borough or one of its boards that results in a multi-family residential development of five (5) or more units to produce affordable housing at a set-aside of twenty percent (20%) regardless of tenure.

No new units have been approved or created under this mechanism at this time.

**REHABILITATION PROGRAM MONITORING**

The Borough of Caldwell has a Rehabilitation Share / Present Need obligation of 14 units, where three units have been met through the existing surplus senior rental Marian Manor units. The Borough plans to meet the remaining obligation of 11 units through the Essex County Home Improvement Program available to low- and moderate-income homeowners.

**VERY LOW-INCOME REPORTING**

<b>Very Low-Income Breakdown Analysis – Caldwell Affordable Housing</b>				
<b>Development</b>	<b># OF TOTAL AH UNITS POST 2008</b>	<b>VL</b>	<b>Low</b>	<b>Mod</b>
<b>Constructed</b>				
<b>Landmark – 80 Roseland Avenue</b>	6		TBD	
<b>CONSTRUCTED TOTALS</b>	<b>6</b>		<b>TBD</b>	