

Housing Element of the Master Plan
TOWNSHIP OF CHESTERFIELD

**PLANNING BOARD
TOWNSHIP OF CHESTERFIELD
BURLINGTON COUNTY, NEW JERSEY**

January 29, 2001

Housing Element of the Master Plan
TOWNSHIP OF CHESTERFIELD

Prepared pursuant to N.J.S.A. 40:55D-28
of the New Jersey Municipal Land Use Law
and the
New Jersey Fair Housing Act of 1985 N.J.S.A. 52:27D-301

Adopted by the Chesterfield Township Planning Board
January 29, 2001

◆ ◆ ◆
Prepared By:



Philip B. Caton, PP, AICP
New Jersey Professional Planning License No. 1829

CLARKE ♦ CATON ♦ HINTZ

A Professional Corporation

400 Sullivan Way
Trenton, New Jersey 08628

A signed and sealed original is on file with the Township Clerk's office

**TOWNSHIP OF CHESTERFIELD
300 BORDENTOWN – CHESTERFIELD ROAD
TRENTON, NEW JERSEY 08620**

PLANNING BOARD

Joseph Malison, Chairman
Deborah Kelly, Vice-Chair
Brian J. Kelly, Mayor
Michael J. Hlubik, Committeeman
Don Coover
Rocco DeFellippis
Charles Jones
Gregory J. Lebak
Thomas Leyden
William Lucas
Doris Wilkinson

◆ ◆ ◆

Caryn Hoyer, Planning Board Secretary
Frederick W. Hardt, Esq., Solicitor
Nancy Jamanow, P.E., Engineer
Philip B. Caton, PP, AICP, Planner

CONTENTS

Tables Show in Italics

1.0	INTRODUCTION	1
2.0	PRIOR FAIR SHARE PLANNING	2
3.0	HOUSING STOCK INVENTORY	12
	<i>Table 1 – Housing Units by Occupancy Status, 1990</i>	13
	<i>Table 2 – Housing Units by Number of Units in Structure, 1990</i>	13
	<i>Table 3 – Housing Units by Age, 1990</i>	14
	<i>Table 4 – Housing Units by Number of Rooms, 1990</i>	15
	<i>Table 5 – Housing Values, Chesterfield Township, 1980-1990</i>	16
	<i>Table 6 – Selected Quality Indicators, Occupied Housing Stock, 1990</i>	18
4.0	HOUSING STOCK PROJECTIONS	18
	<i>Table 7 – Residential Building Permits Issued, 1982-1999</i>	19
5.0	GENERAL POPULATION CHARACTERISTICS	20
	<i>Table 8 – Population Growth, 1970-90</i>	21
	<i>Table 9 – Age Distribution, 1980-1990</i>	21
6.0	HOUSEHOLD CHARACTERISTICS	22
	<i>Table 10 – Households by Household Type</i>	23
7.0	INCOME CHARACTERISTICS	24
	<i>Table 11 – Household and Family Income by Income Brackets Chesterfield Township, 1990</i>	25
	<i>Table 12 – Percent Distribution of Persons and Households Below Poverty Level, 1990</i>	26
8.0	EMPLOYMENT CHARACTERISTICS	26
	<i>Table 13 – Distribution of Employment by Industry, Chesterfield Township, 1990</i>	26
	<i>Table 14 – Employment by Occupation, Chesterfield Township, 1990</i>	27
	<i>Table 15 – Covered Employment Growth Estimates, 1985-1998 Chesterfield Township & Burlington County</i>	28
9.0	FAIR SHARE ALLOCATION	29
	<i>Table 16 – Chesterfield's Affordable Housing Allocation</i>	30
10.0	CHESTERFIELD TOWNSHIP'S HOUSING PLAN	33
11.0	HOUSING REHABILITATION	34
12.0	INCLUSIONARY ZONING WITHIN THE RECEIVING AREA	35
13.0	SUITABILITY OF THE RECEIVING AREA FOR INCLUSIONARY HOUSING	40

CONTENTS (cont.)

Tables Show in Italics

14.0	DESCRIPTION OF THE TDC RECEIVING AREA INCLUSIONARY HOUSING SITE PER N.J.A.C. 5:93-5.3(C)	46
15.0	REGIONAL CONTRIBUTION AGREEMENTS	52
16.0	SENIOR CITIZEN AND RENTAL HOUSING	53
17.0	CONCLUSION	54

LIST OF EXHIBITS

- Exhibit 1 – Receiving Area – Land Use & Zoning**
- Exhibit 2 – Receiving Area – Freshwater Wetlands**
- Exhibit 3 – Receiving Area – 100-Year Floodplain**
- Exhibit 4 – Receiving Area – U.S.G.S. Topographic Quadrangle**

1.0 INTRODUCTION

The Fair Housing Act (*N.J.S.A. 52:27D-301 et seq.*), enacted by the New Jersey State Legislature in 1985, created the Council on Affordable Housing (COAH) within the New Jersey Department of Community Affairs. COAH is responsible for determining each municipality's allocation of low and moderate income housing, establishing guidelines for implementing the Fair Housing Act and evaluating proposed municipal compliance strategies.

The Council on Affordable Housing divided the state into six housing regions and established a formula which assigns each municipality a "fair share" of its region's need for affordable housing. Chesterfield Township is located within the Southwest region which includes the counties of Burlington, Camden and Gloucester.

COAH's initial formula was developed for a six year period, from 1987 through mid-1993. That formula has been superseded by 1994 COAH regulations (*N.J.A.C. 5:93-1.1 et seq.*) which recalculated a portion of the 1987-1993 fair share obligation for each municipality and computed the additional municipal housing need through 1999. This Housing Element has been prepared in accordance with the substantive and procedural regulations of the Council on Affordable Housing¹.

Once the Housing Element is adopted, the municipality has the option to file the Element and a Fair Share Plan with COAH and also to request COAH's review and approval, called "substantive certification". The Fair Share Plan is a document that contains proposed implementing ordinances and administrative procedures designed to provide the opportunity for affordable housing construction and rehabilitation in the municipality. The COAH filing and substantive certification provide municipalities with a measure of

¹ - *N.J.A.C. 5:91-1 et seq.* and *5:93-1.1 et seq.*

legal protection from suits alleging that their land use regulations are invalid or unconstitutional because of a failure to provide sufficient opportunity for affordable housing development.

2.0 PRIOR FAIR SHARE PLANNING

The 1972 Land Use Report of the Chesterfield Planning Board identified the need to preserve the industry of agriculture as a central long-range land use goal for the Township. At that time there were only 562 non-farm residences and 44 farm residences within Chesterfield. These units occupied only 3% of the Township's 21.61 square miles, with the vast majority of the balance in farming use or vacant.

The New Jersey Supreme Court's *Mount Laurel I* decision was released in 1975. It held that all "developing communities" had a constitutional obligation to provide a realistic opportunity for the construction of their "fair share" of the present and prospective regional need for low and moderate income housing. 67 N.J. 151 (1975).

Chesterfield did not consider itself a "developing community" given the sparse residential development pattern, the relative lack of development pressure and the Township's intent to preserve its agricultural heritage. Consequently, the Township did not have an affordable housing obligation under the then-prevailing Supreme Court interpretation.

However, with the *Mount Laurel II* decision in 1983 the New Jersey Supreme Court revised the terms of each municipality's fair share housing responsibility. 92 N.J. 158 (1983). Discarding the concept of "developing communities" the Court determined that henceforth every municipality would have an obligation to provide a realistic opportunity to house its indigenous low and moderate income population who occupy substandard housing.

Furthermore, the obligation to provide for a portion of the region's affordable housing need would extend to every municipality which contained any area designated for growth in the NJ State Development Guide Plan (1976) and any subsequent State Plans.

In response to *Mount Laurel II* the Chesterfield Township Planning Board adopted a Housing Element of the Master Plan in May of 1985. The 1985 Housing Element predates the NJ Fair Housing Act and the creation of COAH and relies on a fair share allocation methodology which was developed through other municipal cases being litigated in Superior Court. It sets forth a fair share for Chesterfield Township for the first 6 year "cycle" of 75 units comprised of 23 indigenous need units and 52 present and prospective need units.

Given the continuing integrity of its agricultural context, Chesterfield Township is unsuitable for higher density residential development except within clearly defined centers. The northwest corner of the Township was designated for growth in the NJ State Development Guide Plan and is relatively close to major highways and utility services in nearby Bordentown and Hamilton Townships and at the Garden State Youth Correctional Facility in Chesterfield.

Consequently, the 1985 Housing Element designated a small district between the NJ Turnpike and Hogback Road as a growth area. The designated growth area totaled approximately 900 acres of which 47 acres were developed, 628 acres were used by the Garden State Youth Correctional Facility, and 6 acres were in the right-of-way of the New Jersey Turnpike. Of the balance of approximately 230 acres, 26 acres were in the floodplain, leaving 204 acres for residential development.

At the time of the 1985 Master Plan, the Township was considering the creation of a public

agency having the authority to acquire land, provide infrastructure and construct the required low income units. It was anticipated that the private sector would develop units addressing the moderate income housing need. The Township subsequently acquired a 33 acre tract of land on Hogback Road (Block 103, Lot 20.02) for these purposes. Development of 38 low income units on the site would have resulted in a density of less than 1.2 units per acre. Development of both the low and moderate income units (the entire fair share of 75 units) would have resulted in a density of approximately 2.3 units per acre on the site. These numbers included the 23 unit indigenous need which could alternatively have been addressed through a housing rehabilitation program.

In order to attract private sector developers to build moderate income units, the 1985 Housing Element conceptualized a density bonus of 1 unit per acre added to an underlying density of 1 unit per acre. Consequently, a total density of 2 units per acre would have been permitted on the remaining 171 acres of non-municipally owned residential land within the growth area. A 25% set-aside for moderate income units would have resulted in a maximum potential of 86 moderate income units (more than twice the Township's fair share requirement). The Element also recommended that the density bonus expire once the Township's fair share obligation was met.

An alternative to the creation of a public development agency which was also described in the 1985 Housing Element was rezoning the 171 acres of non-municipally-owned vacant land to provide a realistic opportunity for private developers to produce the entire 75 unit low and moderate income obligation. The Element recommended a density of not more than 5 units per acre generating a theoretical total of 855 units, 20% of which would be set aside as low and moderate income units. This density, which could have yielded as many as 171 affordable units (2.25 times the Township's fair share) was recommended to create overzoning and thus expand opportunities for the construction of low and moderate

income housing. As with the first option, the increased density would expire once the Township's fair share obligation had been met.

A third option contained in the 1985 Housing Element was to permit certain large, single-family homes to be converted to two-family homes with a requirement that the new units must be occupied by a low or moderate income household.

Following the adoption of the 1985 Master Plan the Township Committee enacted a new Development Regulations Ordinance (No. 1986-13, revised by Ordinance No. 1987-7). The Chesterfield Development Ordinance, as it was known, included provisions implementing key sections of the affordable housing production alternatives described in the Master Plan.

The Ordinance established the R - Residential District which was "intended as an area for higher density development because of its designation as a growth area in various regional plans" (Section 710A Purpose). The district was bounded generally by Hogback Road, Ward Road and the N.J. Turnpike and included the 33 acre lot purchased by the Township for affordable housing.

Construction of low and moderate income housing based on the conventional 20% set-aside was required on sites of 5 acres or more in the R zoning district until such time as the Township's fair share obligation had been met (Section 619D). The maximum gross density of 8 units/acre required the transfer of development credits from the agricultural area. Development without transfer was permitted at a gross density of 4 units/acre. A variety of housing types were permitted, including garden apartments, townhouses, duplexes, quadplexes, patio homes, atrium houses and single family detached homes on 5,000 square foot lots.

In the AG - Agricultural District the Ordinance permitted accessory apartments to be created within existing detached single family dwellings provided that one of the two units was occupied by and affordable to a low or moderate income household (Section 619D3).

The Development Ordinance contained an array of affordability, phasing, unit size and related controls which closely paralleled the substantive regulations of COAH which were in place in 1986 and 1987 (*N.J.A.C. 5:92*). In addition, it permitted waivers for inclusionary developments from the strict application of the design standards for street width, curbs, piped stormwater systems, street lighting, off-street parking, shade trees and sidewalks (Section 619E). This waiver provision was consistent with the thrust of Subchapter 10 (Cost Generation) of COAH's current regulations (*N.J.A.C. 5:93-10*), even though it *predated* the COAH regulations by almost 7 years.

In 1985 the Legislature enacted both the Fair Housing Act (P.L. 1985, c. 222) and the State Planning Act (P.L. 1985, c. 398, *N.J.S.A. 52:18A-196 et seq.*). The Fair Housing Act created the NJ Council on Affordable Housing and directed it to establish municipal fair share obligations and to regulate the manner in which municipalities satisfy those obligations.

The State Planning Act created the State Planning Commission and directed it to prepare and periodically update a successor to the State Development Guide Plan entitled the State Development and Redevelopment Plan (SDRP). The SDRP was to be utilized by COAH in determining the distribution, or allocation of the regional need for affordable housing among the constituent municipalities within each region.

In 1987 COAH published municipal fair share allocations for the initial 6-year "cycle" – 1987 to 1993. Chesterfield was allocated a 62 unit fair share – 13 units *less* than the 75 unit

allocation on which the 1985 Housing Element was based.

Following the passage of the Burlington County Transfer of Development Rights Demonstration Act in 1989 (*N.J.S.A 40:55D-113-129*), the Township's planning consultant in 1992 prepared a draft Master Plan which recommended a transfer of development rights (TDR) program in order to preserve valuable agricultural lands. The approach was to create one "sending" zone and three "receiving zones". The largest of the three receiving zones was also intended to accommodate the development of low and moderate income housing in order to meet the Township's fair share. The draft Master Plan recommended a 10% density bonus across all residentially-zoned land with a 5% affordable housing set-aside requirement. One TDR alternative suggested by the draft Master Plan recommended a mix of land uses that would generate 1,282 new housing units from the "sending" and "receiving" zones, including the 10% bonus. The 5% set-aside requirement would have translated to a potential build-out of 64 low and moderate income units.

The Township in 1992 decided to table the draft Master Plan in order to permit Township officials and citizens an opportunity to develop a better understanding of the nature and planning implications of TDR.

On June 6, 1994 COAH adopted a new set of substantive regulations (*NJAC 5:93-1 et seq.*) which replaced the rules under which the Council had administered the Fair Housing Act since 1986. These regulations allocated municipal affordable housing obligations through 1999 and established a new policy framework for fair share compliance.

As is detailed in Section 9.0 "Fair Share Allocation", COAH's revised rules allocated to Chesterfield a "Calculated Need" of 68 units for the first two "cycles" (1987-1999). This cumulative 12-year fair share requirement was only 4 units higher than COAH's 64 unit

first cycle obligation and was still 7 units below the Township's pre-COAH 75 unit first cycle obligation.

On May 23, 1995 the Chesterfield Township Planning Board adopted a Report on the Reexamination of the Master Plan & Development Ordinance prepared by Carl E. Hintz of Clarke Caton Hintz. The Reexamination Report cited the extensive work on TDR which the Planning Board had undertaken in recent years with assistance from the Burlington County Land Use Office. This work was motivated by an abiding commitment to farmland preservation over the past two decades and an interest in furthering this policy consistent with sound local and regional planning objectives.

The Reexamination Report noted that while development pressure was increasing and notwithstanding some scattered residential development since the 1985 Master Plan, Chesterfield Township remained a relatively undeveloped, predominantly agricultural community. In the period 1984 through August 1997 a total of 3,185 acres of farmland were preserved in Chesterfield Township through outright purchase or purchase of development rights with local, county and state funds. The Report anticipates that farmland preservation efforts will continue, both through additional purchase of development rights and through the institution of Township-wide TDR.

One of the challenges of implementing TDR in Chesterfield Township is to devise an equitable system which serves the dual public policy goals of preserving farmland and providing affordable housing for low and moderate income households consistent with the requirements of the Fair Housing Act.

On November 2, 1995 Chesterfield voluntarily filed its adopted Housing Element and Fair Share Plan with COAH pursuant to *NJSA 52:27D-313*. This section of the Fair Housing Act

requires municipalities which file compliance plans with COAH to petition for Substantive Certification within 2 years of filing. The petitioning triggers COAH's review of the Township's compliance plan.

During late 1996 and 1997 the Planning Board and Township Committee revisited the issue of TDR with assistance from the Burlington County Land Use Office. A draft Master Plan for the Township was issued in June of 1997 and a final version was adopted in October of 1997. The 1997 Master Plan recommends a voluntary Transfer of Development Credits (TDC) program which is consistent with the spirit of the "Burlington County Transfer of Development Rights Demonstration Act" and advances the goal of preserving major blocks of farmland while minimizing infrastructure and the costs of public services.

The Master Plan designates an expansive "sending" area and one "receiving" area (southwest of the village of Crosswicks) plus two possible future "receiving" areas (the existing hamlets of Chesterfield and Sykesville). Under the TDC program, the number of development credits assigned to each property is calculated in accordance with the statutory definition of "development potential" *N.J.S.A. 40:55D-115*. The "receiving" area was planned to accommodate a total of 1,220 development credits and as many as 1,700 housing units.

A revised Housing Element of the 1997 Master Plan was adopted on September 16, 1997. It proposed that Chesterfield Township would satisfy its 68 unit fair share obligation through a housing rehabilitation program for 12 units, an accessory apartment program for 10 units, inclusionary zoning within the Receiving Area for up to 61 affordable units and an optional Regional Contribution Agreement for the transfer of a maximum of 33 units in lieu of constructing affordable units within the Receiving Area.

On October 29, 1997 Chesterfield Township filed a petition for Substantive Certification with COAH. Notwithstanding the petition on November 10, 1997 Crosswicks Ellisdale, L.P. filed an exclusionary zoning/builder's remedy lawsuit against the Township with the Law Division of the Superior Court. Crosswicks Ellisdale controls approximately 119 acres within the Receiving Area and seeks to have the Court grant it certain zoning concessions as well as infrastructure improvements as a consequence of its willingness to provide affordable housing along with market rate units.

COAH asserted jurisdiction over the Township's Fair Share Plan and Crosswicks Ellisdale became an objector to the Township's request for Substantive Certification. COAH mediation ensued, during which time the Township continued to implement the TDC policies set forth in the 1997 Master Plan. Among the most significant accomplishments were the following:

1. Submission to COAH of a revised Housing Element, dated May 4, 1998. This document streamlined Chesterfield's compliance approach by deleting the proposed housing rehabilitation and accessory apartment programs and relying on inclusionary development to meet the Township's entire fair share allocation.
2. Adoption of a revised Land Development Ordinance on December 31, 1998 which implements the TDC policies of the 1997 Master Plan as well as the affordable housing plan set forth in the May 4, 1998 Housing Element.
3. Preparation of a Wastewater Management Plan which amends the Tri-County Water Quality Management Plan and provides for sewer service to the Receiving Area and bordering residential properties as well as the Village

of Crosswicks. The Wastewater Management Plan was approved by the NJ Department of Environmental Protection (DEP) on June 28, 1999.

4. Negotiation of a "Memorandum of Agreement Among the Township of Chesterfield, the New Jersey Department of Corrections and the New Jersey Department of Treasury" which establishes a framework for providing sewer service to the TDC Receiving Area and adjacent residential properties as well as the Village of Crosswicks. The Memorandum of Agreement was executed by all parties in October of 1999. A Treatment Works Application was approved and Permit No. 00-3480-4 issued by the NJ Department of Environmental Protection on June 28, 2000.
5. Submission of a Petition to the State Planning Commission for Centers Designation for the Township's TDC Receiving Area and adjacent R-1 zone areas as a Planned Village Center, for Crosswicks as an Existing Village, and for Chesterfield and Sykesville as Existing Hamlets. The Township's Petition was approved on April 26, 2000.
6. Submission of an application to the NJ Department of Community Affairs and the Office of State Planning for a Smart Growth Planning Grant to fund a variety of planning analyses to facilitate the proper development of the TDC Receiving Area in Chesterfield. The application, which was submitted jointly by the Township and the Burlington County Office of Land Use Planning, was awarded on October 4, 2000.

As is evidenced by this overview, Chesterfield Township has been responsive not only to the policy of farmland preservation – in which it is in a leadership role in Burlington

County and the State of New Jersey – but also to its constitutional obligation to provide a realistic opportunity for the creation of its fair share of the region’s low and moderate income housing need. The Township’s Housing Plan is described in further detail in Section 10 of this Housing Element.

3.0 HOUSING STOCK INVENTORY

In 1990, there were 973 housing units in Chesterfield Township, of which 28 or 2.9% were vacant. Of the 945 occupied units, 88.6% were owner occupied and 11.4% were rented. Table 1, Housing Units by Occupancy Status, illustrates this occupancy status in 1990.

Table 1. Housing Units by Occupancy Status, 1990

	<u>Housing Units</u>	<u>Owner Occupied</u>	<u>Renter Occupied</u>
Occupied	945	837	108
Vacant	<u>28</u>		
Total	973		

Source: 1990 US Census

Most of the housing stock, 94%, is single-family, either attached or detached. Duplex units comprise 2.8% of the total housing units, 3 or 4 unit structures comprise 1.3% and 1.8% of the total are classified as "other". See Table 2, Housing Units by Number of Units.

Table 2. Housing Units by Number of Units in Structure, 1990.

<u>Number of Units</u>	<u>Owner Occupied</u>	<u>Rental</u>	<u>Vacant</u>	<u>Total</u>
1, Detached	809	92	0	901
1, Attached	0	0	14	14
2	10	3	14	27
3 or 4	0	13	0	13
5+	0	0	0	0
Mobile Home/Trailer	0	0	0	0
<u>Other</u>	<u>18</u>	<u>0</u>	<u>0</u>	<u>18</u>
Total	837	108	28	973

Source: 1990 US Census

Table 3 below illustrates the aging of the Township's housing stock. While 35% of the housing units were constructed prior to 1950, the 1970's saw the largest numeric increase in the municipality's housing stock. A majority of the Township's housing stock, or 62.4%, was 20 years old or more in 1990; the median year built was 1961.

Table 3. Housing Units by Age, 1990.

<u>Year Built</u>	<u>Total Units</u>	<u>%</u>	<u>Owner Occ.</u>	<u>Rental Occ.</u>	<u>Vacant</u>
1980-March, 1990	154	15.8%	154	0	0
1970-1979	212	21.8%	177	35	0
1960-1969	128	13.1%	117	110	0
1950-1959	135	13.9%	15	0	0
1940-1949	57	5.9%	57	0	0
Before 1940	<u>287</u>	<u>29.5%</u>	<u>197</u>	<u>62</u>	<u>28</u>
Totals	973	100.0%	837	108	28
Median year built:	1961				

Source: 1990 US Census

Building permit data since March, 1990 when the U.S. Census was taken may be used as a surrogate to determine the construction of housing units, since historically there is a close correlation between permit data and actual construction. From 1990 through 1999, 149 permits were issued for housing units in Chesterfield Township and 18 residential units were demolished for a net increase of 131 units. Assuming completion and occupancy of each of these units, the Township's housing stock totals 1,104 units (973 + 131).

Table 4, Housing Units by Number of Rooms, shows that in 1990 more than 78% of the housing units had 6 rooms or more, indicating that large residences predominate in the Township.

Table 4. Housing Units by Number of Rooms, 1990.

<u>Rooms</u>	<u>Number of Units</u>	<u>Percentage of Total</u>
1	0	0.0%
2	0	0.0%
3	13	1.3%
4	67	6.9%
5	129	13.3%
6+	<u>764</u>	<u>78.5%</u>
Totals	973	100.0%

Mean rooms per unit: 7.0

Source: 1990 US Census

Table 5, Housing Values, shows the change in housing values from 1980 to 1990. Median housing value in Chesterfield Township increased by 189%, from \$64,600 in 1980 to \$187,000 in 1990. This exceeds by 1.5 times the 126% increase in median housing value for units in Burlington County between 1980 and 1990. The increase is more than 3 times the rate of increase in the cost of living, which rose 62.4% over the decade (C.P.I.-U, for the Philadelphia CMSA, 1980 and 1990).

Table 5. Housing Values, Chesterfield Township, 1980.

<u>Owner-Occupied Housing Units</u>	<u>1980 Number</u>	<u>Percent</u>
Less than \$10,000	1	0.2%
\$10,000 - \$14,999	4	0.9%
\$15,000 - \$19,999	5	1.1%
\$20,000 - \$24,999	4	0.9%
\$25,000 - \$29,999	12	2.6%
\$30,000 - \$34,999	10	2.1%
\$35,000 - \$39,999	23	5.0%
\$40,000 - \$49,999	62	13.4%
\$50,000 - \$79,999	226	48.9%
\$80,000 - \$99,999	63	13.6%
\$100,000-\$149,999	41	8.9%
\$150,000-\$199,999	10	2.2%
\$200,000 or more	1	0.2%

1980 Median Value: \$64,600

Table 5. Housing Values, Chesterfield Township, 1990, cont.

<u>Owner-Occupied Housing Units</u>	<u>1990 Number</u>	<u>Percent</u>
Less than \$15,000	0	0.0%
\$15,000 - \$19,999	0	0.0%
\$20,000 - \$24,999	0	0.0%
\$25,000 - \$29,999	0	0.0%
\$30,000 - \$34,999	0	0.0%
\$35,000 - \$39,999	0	0.0%
\$40,000 - \$49,999	0	0.0%
\$50,000 - \$74,999	10	1.5%
\$75,000 - \$99,999	65	9.7%
\$100,000-\$149,999	140	20.8%
\$150,000-\$199,999	169	25.2%
\$200,000-\$249,999	134	19.9%
\$250,000-\$299,999	75	11.2%
\$300,000-\$399,999	66	9.8%
\$400,000-\$499,999	13	1.9%
\$500,000 or more	0	0.0%

1990 Median Value: \$187,000

Source: 1980, 1990 US Census

In 1990, Chesterfield Township had no housing units that lacked complete plumbing facilities. This is a significant decrease from 1980 when 9 year-round units, or 1.2% lacked complete plumbing facilities. See Table 6, Selected Quality Indicators.

Table 6. Selected Quality Indicators, Occupied Housing Stock, 1990.

	<u>Overcrowded</u>	<u>Lacking Complete Plumbing</u>	<u>Combined Overcrowded and Lacking Complete Plumbing</u>
No. Units	0	0	0

Source: 1990 US Census

Units which are overcrowded are defined as having 1.01 or more persons per room. Within the Township there are no units which are overcrowded, and therefore no units which are both overcrowded and lacking complete plumbing facilities. These factors indicate that the housing stock in Chesterfield Township is generally in good condition with virtually no indication of seriously substandard units.

4.0 HOUSING STOCK PROJECTIONS

As previously noted, building permit data provides a reasonable surrogate for housing constructed. Over the past fifteen years, the number of permits issued has closely followed the business and mortgage rate cycle. All of the permits issued during this period were for single-family detached housing. Table 7, Residential Building Permits Issued, presents building permit data from 1982 to 1999.

Table 7. Residential Building Permits Issued, 1982-1999.

<u>Year</u>	<u>Total Number of Permits</u>	<u>Number of Single-Family Permits</u>	<u>Demolitions</u>
1982	6	6	1
1983	6	6	0
1984	13	13	0
1985	16	16	0
1986	35	35	1
1987	44	44	0
1988	16	16	0
1989	8	8	1
1990	10	10	0
1991	1	1	0
1992	2	2	0
1993	11	11	0
1994	24	24	0
1995	33	33	7
1996	23	23	11
1997	26	26	NA
1998	7	7	NA
1999	<u>12</u>	<u>12</u>	<u>NA</u>
Total (1982-99)	293	293	21
Average	16	16	1

This data clearly illustrates the cyclical nature of the housing industry. The rate of residential construction in Chesterfield Township was sluggish at the beginning of the 1980's then rose to the historical peak in 1987. With the recession in the late 1980's and early 1990's housing construction plummeted to a low of 1 unit in 1991 before beginning a gradual recovery. This recovery peaked at 33 units in 1995, followed by a decline to 7 units in 1998.

Over the past 15 years the lowest rates of housing production occurred in 1991 and 1992 while the highest rates were in 1986 and 1987. Most analysts are predicting a continuation of this cyclical pattern but with less radical swings than occurred through the 1985-1990 period. However, the recent historical average of 16 units per year may not be a valid future indicator given the Township's implementation of TDC zoning and the plans to provide sewer service to the receiving area by the end of 2001. Barring a widespread downturn in the economy, residential development in the receiving area through the middle of this decade could exceed the peak production rates of the mid-1980's. Of course, under the TDC plan, this development is only possible with development credits from the agricultural sending areas of Chesterfield.

5.0 GENERAL POPULATION CHARACTERISTICS

The population of Chesterfield Township increased 33.2% between 1980 and 1990, rising from 3,867 to 5,152 people. This is much greater than the 9.0% growth experienced by Burlington County. The 1980's saw a significant increase in the Township's population growth rate, which was 21.2% in the previous decade (*see* Table 8, Population Growth).

It is important to note however, that demographic trends in the Township are greatly influenced by the presence of the Garden State Youth Correctional Facility. The inmates at the facility are counted by the Census as residents of Chesterfield Township living in group quarters. In 1990 there were 2,364 inmates, which accounted for nearly half (46%) of the Township's population. This represents an increase of 830 persons over the inmate population in 1980 and accounts for 65% of the Township's population growth during the decade. Residential population growth in the balance of the Township during the decade amounted to 455 persons, which represents a 19.5% increase over the 1980 non-inmate population of 2,333.

Table 8. Population Growth, 1970-90

	<u>1970</u>	<u>1980</u>	<u>% Growth</u>	<u>1990</u>	<u>% Growth</u>
Chesterfield	3,190	3,867	21.2%	5,152	33.2%
Inmate*	--	1,534	--	2,364	54.1%
Resident	--	2,333	--	2,788	19.5%
Burlington Co.	323,132	362,542	12.2%	395,066	9.0%

Source: 1970, 1980 and 1990 US Census

* Persons in institutional group quarters.

Furthermore, the inmate portion of the population accounts for the Township's low median age of 26.6 (*see* Table 9, Age Distribution). Although the ages of inmates within the Garden State Youth Correctional Facility range between 15 and 39, the majority are between 18 and 27 years old causing the Township's 15 to 24 and 25 to 34 age cohorts to be artificially high.

Table 9. Age Distribution, 1980-1990.

<u>Age Group</u>	<u>1980</u>	<u>Percent</u>	<u>1990</u>	<u>Percent</u>	<u>Percent Change</u>
Under 5	127	3.3%	203	3.9%	0.6%
5-14	463	12.0%	371	7.2%	-4.8%
15-24	1,338	34.6%	1,717	33.3%	-1.3%
25-34	781	20.2%	1,364	26.5%	+6.3%
35-44	414	10.7%	512	9.9%	-0.8%
45-54	255	6.5%	436	8.5%	+2.0%
55-64	289	7.5%	263	5.1%	-2.4%
65+	<u>200</u>	<u>5.2%</u>	<u>286</u>	<u>5.6%</u>	<u>+0.4%</u>
Totals	3,867	100.0%	5,152	100.0%	33.2%

Median Age:

26.6*

Source: 1980 & 1990 US Census

* The low median age reflects the large youth population within the Garden State Youth Correctional Facility.

The number of residents age 65 and over increased by 43% between 1980 (200 persons) and 1990 (286 persons). However, it is notable that the number of Township residents in the 55 to 64 age cohort decreased by 26 persons between 1980 and 1990. In all likelihood, the over-65 population in the next decade will not increase as dramatically as a percentage of total population. Conversely, the 45 to 54 age cohort increased by 71% over the past decade foreshadowing a substantial increase in the next decade in the Township's 55 to 64 age cohort.

The aging of the resident (as distinguished from inmate) population in Chesterfield Township reflects national trends. One of the most significant factors contributing to this trend is the aging of the baby boom generation (1946-1964 birth years). Another factor is the larger number of persons surviving past the age of 65, which further raises the median age. The housing stock is predominantly large, single-family detached housing with four or more bedrooms. This housing attracts older, more established families as opposed to single persons or young households which need smaller, less expensive units.

6.0 HOUSEHOLD CHARACTERISTICS

A household is defined by the U.S. Census Bureau as those persons who occupy a single room or group of rooms constituting a housing unit; however, these persons may or may not be related. By comparison, a family is identified as a group of persons including a householder and one or more persons related by blood, marriage or adoption, all living in the same household. In 1990 there were 919 households in Chesterfield Township, with an average of 3.0 persons per household and 779 families with an average of 3.6 people per family. It should be noted that in 1990, 2,364 persons or 46% of the Township's population resided in "group quarters" in the Garden State Youth Correctional Facility. This

population is not included within the household size and family size figures above.

Table 10, Households by Household Type, breaks down the different household types. Approximately 78% of the households are comprised of married couples. Of those, 45% have children. Another 3.5% are headed by a woman with no husband present, while 3.1% of households are headed by a man, with no wife present. A significant proportion (15.2%) of the households are "non-family" households, of which the majority are comprised of one person, male or female, living alone.

Table 10. Households by Household Type.

	<u>No. Households</u>	<u>Percent</u>
Family Households (<u>2+ Person Households</u>)		
Married Couple	719	78.2%
Single Male Head	28	3.1%
Single Female Head	<u>32</u>	<u>3.5%</u>
Subtotal:	779	84.8%
Non-Family Households (<u>Living alone</u>)		
Male	55	6.0%
Female	<u>62</u>	<u>6.7%</u>
Subtotal:	117	12.7%
Non-Family Households (<u>Not living alone</u>)		
Male	9	1.0%
Female	<u>14</u>	<u>1.5%</u>
Subtotal:	23	2.5%
Total:	919	100.0%

Source: 1990 US Census

7.0 INCOME CHARACTERISTICS

Persons residing in Chesterfield Township have on average higher incomes than in Burlington County as a whole. Median income in 1989 in Chesterfield Township was \$51,155 for households and \$56,720 for families. Comparable figures for the County were \$42,373 for households and \$47,641 for families. Chesterfield Township had the eighth highest municipal median household income out of 40 municipalities in the County. Burlington County incomes are eighth highest in the state below Morris, Somerset, Hunterdon, Bergen, Sussex, Monmouth and Middlesex counties. The Township and County median household incomes are both above the State figure of \$40,927.

Table 11 further illustrates these findings by noting the number of families and households in each of the income categories. Within the Township, 26.6% of all households and 30.5% of all families have incomes of \$75,000 or more. The largest income bracket, comprising approximately one quarter of all Township families and households, is the group which earns between \$50,000 and \$75,000 per year.

Table 11. Household and Family Income by Income Brackets**Chesterfield Township, 1990**

	<u>Households</u>	<u>Percent</u>	<u>Families</u>	<u>Percent</u>
less than \$4,999	7	0.8%	7	0.9%
\$5,000 - \$9,999	35	3.8%	8	1.0%
\$10,000 - \$14,999	39	4.2%	26	3.3%
\$15,000 - \$19,999	62	6.8%	49	6.3%
\$20,000 - \$29,999	72	7.8%	46	6.0%
\$30,000 - \$39,999	115	12.5%	98	12.6%
\$40,000 - \$49,999	117	12.7%	92	11.8%
\$50,000 - \$74,999	228	24.8%	215	27.6%
\$75,000 - \$99,999	130	14.2%	135	17.3%
\$100,000- \$124,999	47	5.1%	42	5.4%
\$125,000- \$149,999	25	2.7%	25	3.2%
\$150,000 +	42	4.6%	36	4.6%
Total	919	100.0%	779	100.0%
Median income	\$51,155		\$56,720	
Average income	\$61,078		\$65,612	

Source: 1990 US Census

Based on a median household income of \$42,373 for all households in Burlington County for the 1990 Census, the moderate income threshold was \$33,898 (80% of \$42,373). At that time, a total of 260 households, or 28.3% of all households in Chesterfield Township were within the low and moderate income category.

Table 12, Distribution of Persons and Households Below Poverty Level, shows that in 1990 only 1.8% of all Chesterfield Township residents and 2.6% of households lived below the poverty level as defined by the 1990 U.S. Census.

Table 12. Percent Distribution of Persons and Households Below Poverty Level, 1990

	% Below Poverty Level	
	<u>Persons</u>	<u>Households</u>
Chesterfield Twp.	1.8%	2.6%

Source: 1990 US Census

8.0 EMPLOYMENT CHARACTERISTICS

Table 13, Distribution of Employment by Industry, shows the distribution of employment by industry for Chesterfield Township residents in 1990. A large number of residents, 29.1%, were in service industries; that is, business and repair or personal services, or professional services like health, education or other similar disciplines. Another 18.8% were involved in retail or wholesale trade; 13.8% were in public administration, while 11.0% worked in manufacturing.

Table 13. Distribution of Employment by Industry, Chesterfield Township Residents, 1990

<u>Sector Jobs</u>	<u>No.</u>	<u>Percent</u>
Agriculture, Forestry, Fisheries & Mining	90	5.8%
Construction	121	7.9%
Manufacturing	170	11.0%
Transportation, Communications, Utilities	124	8.1%
Retail and Wholesale Trade	289	18.8%
Finance, Insurance, Real Estate	85	5.5%
Services	448	29.1%
Public Administration	<u>212</u>	<u>13.8%</u>
Total	1,539	100.0%

Source: 1990 US Census

Table 14, Employment by Occupation, identifies the occupations of employed persons in 1990. While Chesterfield Township residents work in a variety of industries, the data in Table 14 indicates that a majority of Chesterfield Township's residents worked in managerial, professional and administrative/clerical support occupations in 1990.

Table 14. Employment by Occupation, Chesterfield Township Residents, 1990

<u>Sector Jobs</u>	<u>No.</u>	<u>Percent</u>
Executive, Administration, & Managerial	236	15.3%
Professional Specialty	302	19.6%
Technicians	68	4.4%
Sales	144	9.4%
Administrative & Clerical Support	276	17.9%
Services	138	9.0%
Farming, Forestry & Fishing	76	4.9%
Manufacturing	197	12.8%
Others	102	6.7%
Total	1,539	100.0%

Source: 1990 US Census

The number of employed people residing in Chesterfield Township greatly exceeds the number of jobs located within the municipality. The New Jersey Department of Labor tracks covered employment throughout the state. Covered employment data includes only those jobs for which unemployment compensation is paid. By definition it does not cover public employees (federal, state, county and municipal), nor the self-employed, unpaid family workers, most part-time or temporary employees, and certain agricultural and in-home domestic workers.

The largest employer in Chesterfield Township are the Garden State and Albert C. Wagner Youth Correctional Facilities which employ 1,113 persons. The jobs at the Correctional

Facility are public and therefore are not included within the covered employment statistics. Table 15 compares covered employment for several years in Chesterfield Township and Burlington County. Approximately 52 covered jobs per year were added from the mid-point of the recession in 1990 through 1993. However, between 1993 and 1998 approximately 16 covered jobs per year were lost in the Township.

Table 15. Covered Employment Statistics, 1985-1998
Chesterfield Township & Burlington County

<u>Year</u>	<u>Chesterfield</u>	<u>Burlington</u>
1985	386	105,029
1990	218	125,919
1991	268	122,453
1992	280	122,577
1993	373	126,280
1994	358	130,878
1995	352	132,662
1996	309	137,236
1997	325	143,386
1998	295	147,887

Source: New Jersey Department of Labor, Division of Planning and Research, Office of Demographic and Economic Analysis, NI Covered Employment Trends. Data are as of September of each year.

Neither the New Jersey Department of Labor nor Burlington County project employment for the Township or the County. However, the Delaware Valley Regional Planning Commission (DVRPC) has projected employment based upon the U.S. Department of Commerce, Census Transportation Planning Package (CTPP) which is derived from the 1990 Census. DVRPC adjusted the CTPP to account for multiple job holders and those temporarily absent from work, resulting in a 1990 employment total for Chesterfield Township of 1,034. The large discrepancy between the State of New Jersey Covered

Employment figure of 218 in 1990 and the CTPP figure of 1,034 is principally due to the fact that the CTPP data includes public employees, such as those at the Garden State Youth Correctional Facility and other local, county and state employees.

The DVRPC projects future employment in Chesterfield Township at 1,121 in the year 2000, 1,244 in 2010 and 1,333 in 2020 for a modest average annual growth rate of approximately 1%. Currently there are no approved but unbuilt commercial developments in the Township that would generate employment, so it is likely that non-public employment growth in the foreseeable future will be incremental.

9.0 FAIR SHARE ALLOCATION

Under the current COAH regulations (*N.J.A.C. 5:93-1 et seq.*) municipal housing allocations remain composed of three components: indigenous need, reallocated present need, and prospective need. A tabular summary of the Township's affordable housing obligation is presented in Table 16.

Table 16. Chesterfield Township's 1987-1999 Affordable Housing Allocation

<u>Formula Category</u>	<u>Number of Units</u>
Indigenous Need	15
Reallocated Present Need	<u>6</u>
Present Need 1993	21
Prospective Need 1993-1999	<u>29</u>
Total Need 1993-1999	50
Prior Cycle Prospective Need	<u>24</u>
1987-1999 Total Need	74
Demolitions	1
Filtering	-4
Conversions	-1
Spontaneous Rehabilitation	<u>-2</u>
Housing Market Adjustments	-6
Pre-Credited Need	68
Reductions	0
Credits from First Round	0
20% Cap on Vacant Land	<u>0</u>
Calculated Need	68

Source: New Jersey Council on Affordable Housing, October 11, 1993

The components of calculated housing need are outlined as follows:

Indigenous Need is the number of dwellings that are substandard and inhabited by a low or moderate income household. Indigenous Need is a part of Present Need. This number is calculated from U.S. Census surrogates that stand in for the actual count since data at the minor civil division level is not available. Chesterfield Township's Indigenous Need number is 15 units.

Reallocated Present Need is equal to the dwelling units assigned to municipalities from a regional pool of indigenous need. Each housing region has a regional average of all of its indigenous need units. If a municipality has more than the regional average, then the amount above the average is placed in a regional pool and reassigned to other municipalities within the region. The Reallocated Present Need number for Chesterfield Township is 6 units.

Present Need 1993 is the total of Indigenous Need and Reallocated Present Need. Both Reallocated Present Need and Prospective Need (*see below*) are distributed to municipalities through a formula that includes the municipal share of the regional undeveloped land, equalized non-residential property valuation, change in equalized non-residential property valuation, and aggregate household income differences. For Chesterfield Township, Present Need 1993 equals 21 units (15 + 6).

Prospective Need 1993-1999 is the share of future households of low and moderate incomes allocated to Chesterfield Township which will require affordable housing not provided by the normal housing market. The Prospective Need 1993-1999 number is 29 units.

Present and Prospective Need 1993-1999 together are called *Total Need* and equal 50 units. The Total Need is then added to Prospective Need from the first round, which is 24 units, for a two round cycle (1987-1999) of 74 units. This number in turn is modified by several factors intended to account for normal housing market adjustments. These factors are:

Demolition which is the number of units that are expected to be removed from the housing stock in the second round. In Chesterfield Township, one unit is expected to be demolished.

Filtering is an adjustment that assumes over time the typical household will move up in price in the housing market, thereby selling a lower priced house to another household. In turn, the second household sells a still lower priced house to a third party, and so on. This process of filtering creates housing opportunities for low and moderate income households. Filtering subtracts four units from Chesterfield Township's total.

Residential Conversion is the process of providing affordable housing by the conversion of larger single family homes to two or more dwellings or the conversion of previously non-residential buildings to residential uses. In Chesterfield Township, one conversion is expected.

Spontaneous Rehabilitation is the reconstruction of the existing substandard housing stock to meet building and housing code requirements outside of governmental programs. This adjustment is based on per capita income. Spontaneous Rehabilitation removes two units from the Township's total housing need.

Pre-Credited Need is the sum of all of the preceding components and is equal to 68 units. Reductions from this number are permitted to account for affordable housing construction and fair share planning during the first cycle, as well as certain other credits to arrive at the second cycle *Calculated Need*. Chesterfield Township's *Calculated Need* is 68 units.

10.0 CHESTERFIELD TOWNSHIP'S HOUSING PLAN

The Township's Housing Plan addresses the entire 68 unit affordable housing obligation with one housing rehabilitation credit and with the balance through inclusionary zoning within the Receiving Area. The Plan also provides an optional Regional Contribution Agreement for the transfer of a maximum of 33 units to be funded by developers of housing within the Receiving Area who contribute funding in lieu of constructing set-aside units. The inclusionary zoning within the Receiving Area will provide for the Township's rental component obligation and also provide an opportunity for the construction of affordable senior citizen units.

The Resource Planning and Management Map of the State Development and Redevelopment Plan (SDRP) classifies all of Chesterfield Township as PA4-Rural Planning Area. As described in Section 2.0 of this Housing Element, the State Planning Commission has designated four "centers" within Chesterfield: the TDC Receiving Area and adjacent residential lots, the Village of Crosswicks and the Hamlets of Chesterfield and Sykesville. The Township's Petition for Centers Designation, which is incorporated by reference in this Housing Element, examines the relationship of Chesterfield's 1997 Master Plan and 1998 Land Development Ordinance to the SDRP policy objectives for the PA4 Rural Planning Area. These policy objectives are comprehensive, covering land use, housing, economic development, natural resource conservation, agriculture and farmland preservation, recreation, redevelopment, historic preservation, public facilities and services and intergovernmental coordination.

The Township's land use planning is consistent with the SDRP's policy objectives, as evidenced by the State Planning Commission's approval of the Township's Petition. With regard to housing policy, a Memorandum of Agreement between COAH and the Office of

State Planning states that affordable housing and market rate housing associated with it should be directed to centers. Consistent with this policy COAH rules require that inclusionary development within Planning Area 4 be located within centers (*N.J.A.C. 5:93-5.4(c)*). The Township's Housing Element is entirely consistent with applicable COAH rules and State Plan policy regarding the location of affordable housing.

11.0 HOUSING REHABILITATION

The maximum number of units in Chesterfield Township's fair share allocation which can be addressed through housing rehabilitation is calculated as follows:

Indigenous Need (1993):	15 units
Less Spontaneous Rehabilitation:	<u>-2</u>
Rehabilitation Component:	13 units
Credit:	<u>-1</u>
	12 units

Under COAH regulations the Township is entitled to take a credit against the 13 unit rehabilitation component for every qualified unit that is rehabilitated between April 1, 1990 and the date that the Township receives Substantive Certification of its Fair Share Plan (*N.J.A.C. 5:93-3.4*). A unit is eligible for credit only if the average capital expenditure is at least \$8,000 per unit, the unit has been brought up to habitability code standards and the unit was at the time of rehabilitation and is currently occupied by a low or moderate income household.

One housing unit in Chesterfield Township has been rehabilitated and qualifies for credit (Block 1102, Lot 8). Funding for the rehabilitated unit was provided through the

Burlington County Home Improvement Loan Program. The rehabilitation cost for the unit was \$9,827 and included window replacement, railings, sliding door replacement and a new oil-fired boiler. The property was and still is occupied by a 4 person moderate income senior citizen household. The unit received final inspection in November, 1993. This credit reduces the Township's rehabilitation component from 13 to 12 units.

The Township will address the 12 unit indigenous need through new inclusionary housing development within the TDC Receiving Area.

12.0 INCLUSIONARY ZONING WITHIN THE RECEIVING AREA

The Township's October 1997 Land Use Plan and 1998 Land Development Ordinance establish a voluntary Transfer of Development Credits (TDC) program whereby one Sending and one Receiving Area are established along with two potential future receiving areas.

The Sending Area is comprised of the expansive, largely undeveloped agricultural and open space lands in Chesterfield. These lands are zoned AG – Agricultural District, a designation which permits agriculture and single-family detached homes as the principal permitted land uses. Single-family homes are permitted on-site on large lots at densities averaging .1 to .2 units per acre. Alternatively, the development rights from lands within the AG District may be transferred to the Receiving Area pursuant to the provisions of the PVD-Planned Village Development zoning overlays.

According to the Burlington County Office of Land Use Planning, development credits from 6,953 acres of land in the Sending Area are available for transfer. This acreage constitutes 1,286 development credits, including 244 credits which have been acquired for

resale by Burlington County.

The Receiving Area is comprised of approximately 569 acres of land generally southwest of the Village of Crosswicks, bounded on the south by Old York Road and extending northward across Bordentown-Crosswicks Road. These lands are zoned AG, but with PVD – Planned Village Development overlays which permit their development capacity to be increased by the contribution of development credits transferred from the Sending Area.

The 1998 Land Development Ordinance establishes three different PVD overlays: PVD-1, which permits residential development at a maximum “density” of 1.5 credits per acre; PVD-2, which permits residential development at a maximum “density” of 3.0 credits per acre; and PVD-3, which permits residential and non-residential development at a maximum “density” of 3.0 credits per acre (Section 130-42B). The lower density is reserved for the portion of the Receiving Area north of Bordentown–Crosswicks Road (Block 107), while the higher density applies to the major uninterrupted core of the Receiving Area between Bordentown–Crosswicks Road and Old York Road (Block 202).

According to the Burlington County Office of Land Use Planning, 122 development credits reside with the land within the Receiving Area. These development credits represent the inherent zoned development potential of the Receiving Area prior to any transfer. These 122 Receiving Area credits, when combined with the 1,286 development credits available from the Sending Area yield a total Township-wide development capacity within these zone districts of 1,408 development credits.

As indicated in the Land Use Element, each development credit does not necessarily equate to the right to construct one dwelling unit. Rather, a chart entitled “Ratio of Development Credits to Uses” in the Land Development Ordinance (Section 130-42A) specifies the

relationship between credits and residential units or credits and non-residential floor area. For instance, according to the Ratio, one development credit equates to the development right for either one (1.0) single-family detached house on an 8,000+ s.f. lot, one and one-third (1.33) development rights for triplexes (townhouses), or two (2.0) development rights for apartments/condominiums and carriage houses. No (0) development credits are required for low and moderate incoming housing.

The zoned capacity of the Receiving Area is tailored closely to the 1,408 development credits which are available. Based on the acreage within each PVD overlay the theoretical development capacity of the Receiving Area is 1,508 development credits, calculated as follows:

PVD-1:	132.25 ac x 1.5 credits/ac	=	198 credits
PVD-2:	359.89 ac x 3.0 credits/ac	=	1,080 credits
PVD-3:	<u>76.68</u> ac x 3.0 credits/ac	=	<u>230</u> credits
Totals:	568.82 ac		1,508 credits

As indicated above, each development credit represents one to two dwelling units depending principally upon the predilection of the developer. Consequently, the density of residential development within the PVD-1 district ranges from 1.5 units/acre for single family detached homes to 3.0 units/acre for apartments/condominiums and carriage houses. The density of residential development within the PVD-2 and PVD-3 districts ranges from 3.0 units/acre to 6.0 units/acre for the same unit types.

Various factors may diminish the number of development credits which are actually utilized within the Receiving Area. Certain landowners in the Sending Area may elect not to participate in the program. Others may elect to build on-site in the Sending Area even

though higher density is available through the transfer technique. Imbalances in the marketplace between potential buyers and sellers of credits may exist from time to time and may result in acreage in the Receiving Area being developed at less than the full permitted development intensity.

In addition, the 1998 Land Development Ordinance requires that land which fronts on the planned north-south collector road within the PVD-3 district be devoted presumptively to office, retail, civic and/or institutional use (Section 130-43B). Civic and institutional uses are also permitted in the PVD-1 and PVD-2 districts. These non-residential uses will consume credits which otherwise would be available for residential development. Nonetheless, based on the PVD district zoning and market forces the vast majority of development credits are likely to be utilized for residential development.

Finally, developers may elect to build unit types, such as single family detached homes on small lots, which are attractive in the marketplace, rather than apartments or condominiums even though they could achieve a higher density with the latter types of housing. Chesterfield's Land Development Ordinance requires a mix of unit types within development on tracts of 40 acres or more.

The combined impact of these influences on the ultimate residential density within the Receiving Area is impossible to predict with any precision. However, only 1,117 market rate residential units would need to be developed in the Receiving Area in order for Chesterfield Township to meet its fair share obligation of 67 units through inclusionary development with the required 6% affordable housing set-aside ($1,117 \text{ units} \times .06 = 67 \text{ units}$). This development intensity is just 40% of the maximum development capacity of the Receiving Area ($1,408 \text{ credits} \times 2 \text{ units/credit} = 2,816 \text{ units}$). The maximum development capacity in the Receiving Area would generate 169 affordable housing units

(2,816 units x .06 = 169 units). Consequently, it is realistic to anticipate that the Township's compliance plan will meet and exceed the 1987-1999 fair share allocation.

Unlike the development of market rate units, which requires development credits (either from the land in the Receiving Area or from the purchase of credits from the Sending Area), the construction of affordable housing units does not require development credits. Consequently, the affordable units will carry no land cost. The imposition of the 6% set-aside should be approximately equivalent to the affordable housing development fee of one half of one percent which COAH rules permit on non-inclusionary residential development (*N.J.A.C. 5:93-8.10*)

Chesterfield's 1998 Land Development Ordinance provides for fees to be contributed to a Township Affordable Housing Trust Fund (Section 130-122) for development which is not otherwise providing housing for low and moderate income households. These developer fees could be utilized to fund a municipal housing rehabilitation program to address the 12 unit rehabilitation component, a municipal accessory apartment program (accessory apartments with affordability controls are a permitted accessory use within the AG district – Section 130-13), a Regional Contribution Agreement or other eligible purpose under COAH rules (*N.J.A.C. 5:93-8.16*).

The Township reserves the right to enter into a Regional Contribution Agreement (RCA) in conjunction with the implementation of inclusionary zoning within the Receiving Area. The RCA would be funded by Chesterfield Township, with reimbursement from development fees collected from developers operating within the Receiving Area as well as within the Sending Area. In addition, under the 1998 Land Development Ordinance developers of housing within the Receiving Area can request Township approval to contribute funding at the rate of \$20,000 per unit in lieu of on-site construction of affordable

units (Section 130-122B). This rate may be increased to \$25,000 per unit to conform to COAH's recent rule change which increased the minimum cost of RCA's. As described in Section 14.0 below, the Township is limited by the COAH rules to a maximum RCA transfer of 33 units of housing.

13.0 SUITABILITY OF THE RECEIVING AREA FOR INCLUSIONARY HOUSING

The Township's proposed Receiving Area is "approvable", "available", "developable" and "suitable" as those terms are defined by COAH (N.J.A.C. 5:93-1.3). Following is a description of how the Receiving Area meets the COAH definition for each:

Approvable Site

The COAH definition for approvable site requires that an inclusionary housing site "may be developed for low and moderate income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing."

Agencies with primary jurisdiction over the Township's Receiving Area include the Chesterfield Township Committee and Planning Board; the Burlington County Planning Board; the New Jersey Department of Transportation; the New Jersey Department of Environmental Protection; the New Jersey Office of State Planning and the New Jersey Council on Affordable Housing.

With respect to Chesterfield, both the Township Committee and Planning Board have endorsed a program for the construction of low and moderate income housing through the 1998 Land Development Ordinance which implements a voluntary Transfer of

Development Credits (TDC) program with inclusionary housing set-aside provisions.

With respect to Burlington County, the County Office of Land Use Planning has been closely involved in the entire process of planning and implementing a Transfer of Development Credits program in Chesterfield Township. The County has been instrumental in preserving 4,100 acres to date in Chesterfield. The Township's TDC program has been endorsed by Burlington County in its October 1998 SDRP Cross-Acceptance Report and in its co-sponsorship with Chesterfield of the successful Smart Growth Planning Grant application in 2000.

With respect to the New Jersey Department of Environmental Protection, the agency has jurisdiction over freshwater wetlands, flood hazard areas and utility services within the Receiving Area. The development of the Receiving Area with respect to these environmental constraints and utilities is reviewed below within the "suitable site" and "developable site" sections of this discussion.

With respect to the New Jersey Department of Transportation, the Township's October 1997 Master Plan contains a Circulation Plan Element consisting of the executive summary of the Chesterfield Township Historic Preservation Transportation Study, prepared by Lehr & Associates, Inc. These transportation improvements are designed to accommodate the orderly development of the Receiving Area and are consistent with Burlington County and NJDOT rules.

The 1992 New Jersey State Development and Redevelopment Plan (SDRP) and the October 2000 Final Draft of the updated SDRP designate the entirety of Chesterfield Township within Planning Area 4 - Rural. The COAH rules at *N.J.A.C. 5:93-5.4(c)* require inclusionary developments to be located within centers. The Office of State Planning has designated

four centers within Chesterfield: the Receiving Area and the three existing settlements of Crosswicks, Chesterfield and Sykesville.

With respect to the New Jersey Council on Affordable Housing, the Township submitted an adopted Housing Element and Fair Share Plan and petition for substantive certification in October of 1997. Section 2.0 of this Housing Element describes the mediation process which ensued. With this revised Housing Element the Township renews its request for Substantive Certification from the Council.

Available Site

The COAH definition for available site requires that an inclusionary housing site be "a site with clear title, free of encumbrances which preclude development for low and moderate income housing."

The Township's Receiving Area consists of 16 separate tax parcels totaling 569 acres. Each of these parcels is privately owned. The Township prepared and implemented its Transfer of Development Credits (TDC) program over the past twelve years through a public process which culminated in the adoption of the 1997 Master Plan and the 1998 Land Development Ordinance. During the course of these proceedings no information related to title or other encumbrances has been brought to the Township's attention which would preclude the development of the municipal fair share allocation of low and moderate income housing. Consequently, the Receiving Area meets the COAH definition of "available site".

Developable Site

The COAH definition for developable site requires that an inclusionary housing site "has access to appropriate water and sewer infrastructure, and has received water consistency approvals from the DEP or its designated agent authorized by law to issue such approvals."

The availability of adequate sewer service is essential to the development of the Receiving Area at the permitted densities of up to 6 units per acre. Chesterfield's efforts to bring public sewer service to a Receiving Area in the northern part of the Township began in 1989 with the Township's appointment of Killam Associates to conduct a sewer feasibility study.

In the course of the study, between 1989 and 1992 the Township engaged in discussions with the NJ Department of Environmental Protection and the NJ Department of Corrections concerning the utilization by Chesterfield of the sewage treatment plant at the Albert C. Wagner Youth Correctional Facility to service the Receiving Area. While those initial discussions were not successful, the concept was sound and proved to be the basis for a series of agreements reached in recent years through which sewer service will be provided, not only to the Receiving Area but also to existing adjacent residential units and to Crosswicks Village.

In October of 1999 a Memorandum of Agreement (MOA) was executed by the Township of Chesterfield, the NJ Department of Corrections and the NJ Department of Treasury. Pursuant to the MOA, the parties subsequently negotiated an Operations Agreement which is currently under final review. These documents establish the responsibilities of the respective agencies for providing sewer service as well as certain timing and fiscal parameters.

Under the subject agreements and the Township's approved Wastewater Management Plan, the Department of Corrections will make available to the Township 125,000 gpd of treatment capacity on an interim basis. This "Phase 1" allocation should be sufficient to serve at least 416 dwelling units at the NJ DEP's most conservative standard of 300 gpd per unit.

This Phase 1 allocation will be devoted to existing homes in and adjacent to Crosswicks Village, many of which have failing on-site septic systems and to development within the TDC Receiving Area. The exact number of units which this interim allocation will accommodate will depend upon the mix and bedroom size of the units served; however, estimates of Receiving Area development which will be possible with this allocation range from 258 to 350 units.

The Township has prepared the plans and specifications for installation of the infrastructure (pumping stations, piping, etc.) to collect and convey the effluent from the TDC Receiving Area and Crosswicks Village to the treatment plant at the Albert C. Wagner Youth Correctional Facility. All necessary permits have been secured; these improvements are scheduled to be constructed by the end of 2001.

The second phase of the sewer service plan is for the Department of Corrections to expand the Wagner facility treatment plant from its current capacity of 0.8 million gpd to 1.3 million gpd. Upon completion of the plant expansion and satisfaction of various conditions Chesterfield will have a right to 455,000 gpd of capacity. This permanent allocation is projected to support the development of the TDC Receiving Area with a minimum of 1,220 units – more than sufficient to meet the Township's fair share requirement of 67 affordable housing units.

In terms of water service, the Receiving Area is located within the water service franchise area of the Consumers New Jersey Water Company (CNJWC). CNJWC recently installed a 1 million gallon supply tank on high ground east of Crosswicks-Chesterfield Road and north of Margerum Road. According to CNWNJ the new supply tank, in conjunction with other off-site water supply facilities, will be adequate to service the anticipated build-out of the Receiving Area. The site will have access to appropriate water and sewer service infrastructure and meets the COAH definition for "developable site".

Suitable Site

The COAH definition for suitable site requires that an inclusionary housing site "is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in *N.J.A.C. 5:93-4*."

The Township's Receiving Area is surrounded by compatible land uses on all sides (see Exhibit 1). Adjacent land uses include vacant, agricultural and single-family residential uses. The site also has access to appropriate streets via five different roadways including Bordentown-Crosswicks Road (County Route 672); Old York Road (County Route 660); Bordentown-Chesterfield Road (County Route 528); Chesterfield-Crosswicks Road (County Route 660) and Fenton Lane. Proposed development in the Receiving Area will avoid disturbance of historic sites and structures and will preserve existing agricultural lands through the transfer of development credits program.

Development within the Receiving Area will be consistent with the environmental policies delineated in *N.J.A.C. 5:93-4*. Specifically, proposed development will generally avoid

freshwater wetlands and transition buffer areas, flood hazard areas as defined by N.J.A.C. 7:13, and slopes in excess of 15% as determined from the U.S.G.S. Topographic Quadrangles. While portions of the Receiving Area are encumbered by freshwater wetlands and flood hazard areas, no portions exhibit slopes in excess of 15% or are designated as recreation lands. Freshwater wetlands in the Receiving Area have been mapped based on the NJDEP GIS CD-ROM dated March 7, 1996 as interpreted by Carl Hintz on Exhibit 2; 100-year floodplain areas have been mapped on Exhibit 3; and topography has been mapped on Exhibit 4.

14.0 DESCRIPTION OF THE TDC RECEIVING AREA INCLUSIONARY HOUSING SITE PER N.J.A.C. 5:93-5.3(c)

Following is a description of the TDC Receiving Area per the requirements of N.J.A.C. 5:93-5.3(c)1 through 4:

N.J.A.C. 5:93-5.3(c)1: *A general description of each site to be used for inclusionary development, including, but not limited to the following: acreage, current zoning, surrounding land uses, and street access.*

The Township's 1998 Land Development Ordinance creates an overlay zone covering a large area in the northwestern portion of the Township as a Receiving Area for the Township's voluntary Transfer of Development Credits (TDC) program. This area is also considered, for the purposes of this Housing Element, to be the Township's inclusionary housing site which will require a 6% affordable housing set-aside on all residential development. The site consists of 568.82 acres within 16 different tax parcels as shown on the table below.

Chesterfield Township TDC Receiving Area				
Tabulation of Block, Lot and Acreage				
Block	Lot	Acreage	Property Class	Owner
107	8.01	68.62	3B	Hustak, Michael G., et als
107	8.02	2.27	2	Orloski, Leonard & Nancy
107	20	61.36	3B/4A	Liedtka, Herman
202	3	4.82	3B	Hustak, M.J. & R.M.
202	6	45.96	3B	Hustak, Michael G., et als
202	8	103.39	3A/3B	Giuffrida, Salvatore, et als
202	17.01	6.10	2	Lepold, Dennis M. & Joanne
202	17.02	8.93	3A/3B	Bentley, Harry & Sharon
202	24.01	46.03	3B	Mey, Karl R. & Teresa A.
202	25.01	30.55	3B	Mey, Karl R. & Teresa A.
202	25.02	17.90	3A/3B	Pond View Farms, Inc.
202	25.03	7.11	3B	Wilkinson, David & Doris
202	28.01	103.72	3A/3B	Wilkinson, David & Doris
202	28.02	1.66	2	Wilkinson, Todd & Jennifer
202	29.02	4.00	1	Brodman, Karl
202	32	56.40	3B	Real Property Development Corp.
	Total:	568.82		

As shown on Exhibit 1, the Receiving Area inclusionary housing site is bounded on all sides by vacant or agricultural land or single-family residential development. The current zoning of the Receiving Area is AG Agriculture with one of 3 PVD - Planned Village Development zoning overlays.

The AG zone permits agricultural operations and farms, single-family dwellings at low density, houses of worship, schools, libraries, parks and playgrounds, and Township facilities. The AG zone also permits residential development rights to be transferred for

use in the Receiving Area. The PVD zoning overlays permit various types of residential development with a 6 % affordable housing set-aside as well as certain non-residential uses with development credits from the Sending Area.

The zoning of lands surrounding the Receiving Area is AG Agriculture with the exception of a developed area zoned R-1 Residential on the southwest boundary along Bordentown-Chesterfield Road and Fenton Lane; and an area zoned OP Office Park on the northwest boundary between the Receiving Area and the NJ Turnpike. The Receiving Area is accessed by four County roads and one municipal road. The northern portion of the Receiving Area is traversed in an east-west direction by Bordentown-Crosswicks Road (County Route 672), while the southern portion is traversed by Old York Road (County Route 660) also in an east-west direction. Bordentown-Chesterfield Road (County Route 528) provides access to the Receiving Area on its southwestern boundary; Chesterfield-Crosswicks Road (County Route 660) provides access on the eastern boundary and Fenton Lane provides access on the western boundary.

***N.J.A.C. 5:93-5.3(c)2:** A description of any environmental constraints including steep slopes, wetlands and flood plain areas. The municipality shall include calculations of the amount of acreage that is environmentally constrained and any remaining buildable acreage. Documentation shall include the appropriate wetland and flood plain maps required pursuant to N.J.A.C. 5:93-5.1.*

The Receiving Area is constrained by approximately 91 acres of freshwater wetlands and 100-year floodplain area. These environmental constraints are shown on Exhibits 2 and 3. The acreage of freshwater wetlands in the Receiving Area are estimated based upon NJDEP GIS CD-ROM dated March 7, 1996 as interpreted by Carl Hintz. The boundaries of the 100-year flood plain areas are estimated to be within the freshwater wetlands boundaries and therefore do not represent additional constrained acreage. The estimated buildable acreage within the Receiving Area is 478 acres. There are no areas of steep slope (greater than 15%) within the Receiving Area as shown on Exhibit 4.

N.J.A.C. 5:93-5.3(c)3: *Information shall be submitted regarding location, size and capacity of lines and facilities within the service area, as well as the status of the 201/208 plans. Documentation shall include maps showing the location of the sewer and water facilities.*

The Township's April, 1998 Wastewater Management Plan (WMP) delineates the geographic area within which sewer service will be provided as well as the manner in which the effluent will be treated. The WMP was approved by the NJ Department of Environmental Protection on June 28, 1999.

The WMP and a Memorandum of Agreement, which was executed in October of 1999 by Chesterfield Township, the NJ Department of Corrections and the NJ Department of Treasury set forth the institutional framework and timing for providing sewer service to the TDC Receiving Area and, thereby, to inclusionary developments.

Chesterfield has designated and secured all necessary permits for the sewer collection system and intends to construct it in 2001. Upon completion the Township will have access to an interim allocation of 125,000 gpd of capacity from the treatment plant at the Albert C. Wagner Youth Correctional Facility. The NJ Department of Corrections intends to expand the capacity of the treatment plant from 0.8 million gpd to 1.3 million gpd. Upon completion of the plant expansion and satisfaction of various conditions Chesterfield will have a permanent treatment capacity allocation of 455,000 gpd. This allocation will be sufficient for full development of the TDC Receiving Area.

The Consumers New Jersey Water Company (CNJWC) provides water service to the entire land area of the Receiving Area. As detailed above in Section 13.0 under the description of "developable site", the CNJWC has recently installed a 1 million gallon water tank which is adequate to serve the proposed build-out of the Receiving Area. CNJWC has prepared preliminary cost estimates for construction of a water supply system within the Receiving

Area.

N.J.A.C. 5:93-5.3(c)4: *For each site, the total number of housing units; the gross and net density of the proposed development; the total number of low and moderate income units; and the number of low and moderate income units that will be for sale and for rent.*

The 1998 Land Development Ordinance creates 3 PVD – Planned Village Development zoning overlays within the Receiving Area. The area between Bordentown-Crosswicks Road and Old York Road (Block 202) is designated for residential development at 3 credits per acre and the area to the north of Bordentown-Crosswicks Road (Block 107) is designated for a density of 1.5 credits per acre. The maximum development capacity of each parcel in the Receiving Area under these densities is arrayed in the table below along with the number of low and moderate income units which would be generated by a 6% set-aside. The net densities of development and the distinction between for sale and for rent affordable units can only be assessed after specific development proposals have been advanced.

Chesterfield Township TDC Receiving Area					
Maximum Residential Development Capacity					
Block	Lot	Acreage	Maximum Density (Credits/Acre)	Maximum Development Capacity (Credits)	Maximum Affordable Units
107	8.01	68.62	1.5	103	12
107	8.02	2.27	1.5	3	0
107	20	61.36	1.5	92	11
202	3	4.82	3	14	2
202	6	45.96	3	138	17
202	8	103.39	3	310	37
202	17.01	6.10	3	18	2
202	17.02	8.93	3	27	3
202	24.01	46.03	3	138	17
202	25.01	30.55	3	92	11
202	25.02	17.90	3	54	6
202	25.03	7.11	3	21	3
202	28.01	103.72	3	311	37
202	28.02	1.66	3	5	1
202	29.02	4.00	3	12	1
202	32	56.40	3	169	20
	Total:	568.82		1,507	180
Prepared by: Clarke Caton Hintz, January 10, 2001					
NOTE: The calculations of affordable units assume a 6% set-aside and purchase of Development Credits from the Sending Area.					
The gross number of Credits is limited to 1,408 according to the Burlington County Office of Land Use Planning.					

15.0 REGIONAL CONTRIBUTION AGREEMENTS

During 1995, Chesterfield Township explored the option of entering into a Regional Contribution Agreement (RCA) through inquiries to several municipalities within COAH's Southwest region. The City of Camden (Camden County), Gloucester City (Camden County) and Pemberton Township (Burlington County) all indicated interest in participating in an RCA with Chesterfield Township. The Township has decided to maintain an RCA as an option for meeting its fair share. The RCA option may be instituted in place of on-site construction of affordable housing within the Receiving Area or as a complement to inclusionary development. The size of any RCA which may be needed will only become evident after a number of development applications for the Receiving Area have been received. Any transfer would be limited by COAH regulations to a maximum of 33 units as prescribed in *N.J.A.C. 5:93-6.1(a)* and set forth in relevant part below:

$$\begin{aligned} \text{RCA} &= .5 (\text{municipal pre-credited need - credits pursuant to } N.J.A.C. 5:93-3.4 \\ &\quad (\text{rehabilitation credits})) - \text{previously transferred units} \\ &= .5 (68-1)-0 = 33 \text{ units (rounded)} \end{aligned}$$

COAH rules set a minimum price at \$20,000 or \$25,000 per transferred unit (depending upon the timing of the RCA proposal) with payment to be scheduled within the sending municipality's 6 year period of Substantive Certification (*N.J.A.C. 5:93-6*).

Chesterfield Township will not be in a position to commit to an RCA unless and until development within the Receiving Area commences consistent with the TDC strategy set forth in the 1997 Land Use Master Plan Element and the 1998 Land Development Ordinance. Accordingly, any RCA which is proposed during the forthcoming period of Substantive Certification will be submitted to COAH as needs dictate.

16.0 SENIOR CITIZEN AND RENTAL HOUSING

SENIOR CITIZEN HOUSING

COAH regulations limit the proportion of affordable units within a municipality's Fair Share plan which can be restricted to occupancy by income-qualified senior citizens (N.J.A.C. 5:93-5.14). The formula limits Chesterfield Township to 17 senior citizen units, as shown in the following calculation:

Pre-credited Need:	68 units
Less 1987-1993 Senior Citizen Housing:	-0 units
Less Rehabilitation since 1990:	<u>-1 unit</u>
Maximum Age-Restricted Housing:	$67 \times .25 = 17$ units (rounded)

The Township will permit the development of up to 17 affordable senior citizen units through inclusionary zoning within the Receiving Area.

RENTAL HOUSING

COAH regulations require each municipality to provide a realistic opportunity for a proportion of its affordable housing to be for rent rather than for sale (N.J.A.C. 5:93-5.15). Chesterfield Township did not incur a rental housing obligation under its 1987-1993 Fair Share Plan since its fair share number did not exceed 125 units. However, under current COAH rules the rental component is set forth in the following calculation:

Pre-Credited Need	68 units
Less Rehabilitation Component	<u>-13 units</u>
Rental Component	$55 \times .25 = 14$ units (rounded)

Under COAH regulations Chesterfield Township will receive 1 unit of bonus credit for each affordable rental unit available to the general public and .33 unit of bonus credit for each affordable rental unit restricted to senior citizens. The COAH regulations further provide that no more than 50% of the rental component which is restricted to senior citizens within Chesterfield Township can receive rental bonus credits. Consequently, if the maximum permitted number of affordable senior citizen units (17) were constructed as rental units only 7 units (50% of 14) would be eligible for rental bonus credits.

Developers desiring to construct rental housing available to the general public will be required to build only half (50%) the normal affordable housing set-aside up to maximum of 14 units. In that manner, a realistic opportunity is created for the construction of 14 units of affordable rental housing and the Township and the developer(s) will still receive credit for 28 units. Likewise, developers desiring to construct rental housing restricted to senior citizens will be required to construct only three-fourths (75%) of the normal set-aside. In that case, the .33 unit rental bonus credit will again bring the effective count of affordable units back to parity for both the Township and the developer. However, this incentive will apply to the development of only the first 7 senior citizen rental units - the maximum permitted for rental bonus credit under the COAH rules.

17.0 CONCLUSION

Through this Housing Element and its Fair Share Plan Chesterfield Township meets the municipal obligation to provide a realistic opportunity for the production of its fair share of the regional need for housing affordable to households of low and moderate income. Chesterfield Township's pre-credited need for 1987-1999 is 68 units as is its calculated need for the second fair share cycle.

The Township of Chesterfield proposes to meet its fair share obligation principally through inclusionary zoning within a Transfer of Development Credits (TDC) zone plan and an optional Regional Contribution Agreement (RCA) for the transfer to another municipality of up to 33 affordable units. In addition, a development fee ordinance has been enacted. Fees collected shall be used to fund any RCA which may be executed as well as other eligible uses approved by COAH.

Due to the voluntary nature of the TDC program it is impossible to predict precisely the affordable housing yield from the Receiving Area. At the 6% set-aside reflected in this Housing Element the theoretical yield could be as many as 169 affordable units - for a surplus of 102 units over Chesterfield's fair share obligation. Due to various factors which are addressed in Section 12.0 of this Housing Element, the actual production of affordable units will be lower than the theoretical maximum. However, in all likelihood affordable unit production will exceed the Township's pre-credited need (less one rehabilitation credit) for 1987-1999 of 67 units. Any surplus of affordable units will be credited to the Township in a future fair share cycle.