



SOMERSET COUNTY PLANNING BOARD

20 Grove Street
P.O. Box 3000
Somerville, NJ 08876-1262
(908) 231-7021 Fax (908) 707-1749 TDD (908) 704-6359
PlanningBd@co.somerset.nj.us
www.co.somerset.nj.us

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Vice Chairman

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Director of Planning

John M. Lore, Esq.
**Deputy County Counsel
for Planning**

Lillian M. Zuzi
**Office
Manager/Secretary**

May 18, 2010

The Honorable Chris Christie, Governor
Office of the Governor, State of New Jersey
P.O. Box 001
Trenton, NJ 08625

RE: Proposed Affordable Housing Reforms

Dear Governor Christie,

Thank you for your efforts to streamline and simplify the process for municipal compliance with the State Supreme Court's mandate that every municipality in the State provide its fair share of low-and moderate-income housing opportunities. The County Planning Board has reviewed your new proposal, "Affordable Housing: Achievable, Flexible, Simple" dated 5-13-10. We are pleased to provide you with the attached recommendations, which were developed in coordination with our 21 municipalities and local stakeholder groups, and endorsed by the County Planning Board at its regularly scheduled 5-18-10 meeting.

New Jersey's history of court intervention in affordable housing and legislative responses spans over 30 years. The lessons learned from this long experience should form the basis of legislative reform. Despite concerns that many aspects of the process are not working, New Jersey's success in producing affordable housing makes it an exemplary model for the rest of the nation. Affordable housing production is such a critical issue for the State's long term economic recovery that it is imperative that the legislature "get it right", and avoid the potential for protracted litigation, more confusion and uncertainty at the local level, and further delays in the production of affordable housing.

The following is a summary of the County Planning Board's key preliminary recommendations:

- Require all municipalities to adopt housing elements that include affordable housing strategies as part of their Master Plans that are consistent with their vision and land use priorities, infrastructure and natural system capacity and fiscal resources and are consistent with the smart growth principles of the State Plan. Housing elements should be based on 6 and 12 year growth projections that are consistent with State standards.
- Create a Housing Office within the State Planning Commission (SPC) to establish standards, definitions and procedures associated with the new Affordable Housing System; review and certify municipal housing elements; and strengthen coordination between the affordable housing and state planning processes.
- The reformed system must strive to make Court involvement a "last resort", and provide certainty and predictability by including a simplified, streamlined process for State certification of municipal housing elements.

- Municipalities should report progress in implementing Housing Element to the SPC Housing Office, which should use this information to maintain an inventory, measure the success of the reformed affordable housing system, and serve as the basis for any adjustments to the system moving forward.
- Elevate the status of the State Planning Commission, relocate it to the State Department, and assure its Housing Office has adequate resources to carry out its tasks in a way that does not detract from the SPC's ability to fulfill its primary mission.
- The affordable housing reforms must be responsive to urban, suburban and rural affordable housing needs. They must not be overly dependent on new construction and redevelopment for creating affordable housing and generating funds. Alternative funding sources to rehabilitate affordable housing and provide supported group homes are needed for slow- and no-growth municipalities. The use of Regional Contribution Agreements strictly for funding rehabilitation is supported. Urban and rural constrained growth municipalities should be exempt from prospective need to foster urban revitalization and rural preservation.
- Municipalities should have the option to complete and implement COAH Third Round Housing Elements and be provided the protection from lawsuits plan certification provides for the duration of these plans, after which time they will be subject to the new affordable housing system.

The County Planning Board requests the opportunity to review, in coordination with its municipalities, the detailed housing reform bill package that the Governor will be advancing and looks forward to working with you to assure the reforms are structured in a way that they will succeed statewide. Please do not hesitate to contact Robert Bzik, Director of Planning or me if you would like to discuss any of these recommendations in detail.

Sincerely,

Bernard Navatto, Jr., Chairman

C: Somerset County Board of Chosen Freeholders
Somerset County Legislative Delegation
Mayors and Elected Officials
William Dressel, Executive Director, NJ League of Municipalities