

# Housing Element and Fair Share Plan

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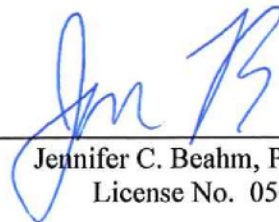
**The Township of Plainsboro  
Middlesex County, New Jersey**

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## **INTRODUCTION**

In the case of Southern Burlington County NAACP v. the Township of Mount Laurel, (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities in New Jersey have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing in their communities. In its Mount Laurel decision, decided on January 20, 1983 (Mount Laurel II), the Supreme Court expanded the Mount Laurel doctrine by stating that this constitutional responsibility extended to all municipalities in New Jersey. The Court also established various remedies, including the “builder remedy” or court-imposed zoning, to ensure that municipalities affirmatively addressed this obligation.

In response to the Mount Laurel II decision, the New Jersey Legislature adopted the Fair Housing Act in 1985 (Chapter 222, Laws Of New Jersey, 1985). The Fair Housing Act established a Council on Affordable Housing (COAH) as an administrative alternative to the courts. COAH was also given the responsibility of establishing various housing regions in the state, determining regional and municipal fair share affordable housing obligations, and adopting regulations establishing the guidelines and approaches that municipalities may use in addressing their affordable housing need.

Under COAH’s regulations, low income households are defined as those with incomes no greater than 50 percent of the median household income, adjusted for household size, of the housing region in which the municipality is located, and moderate-income households are those with incomes no greater than 80 percent and no less than 50 percent of the median household income, adjusted for household size, of the housing region. For the Township of Plainsboro, the housing region is defined by COAH as Region 3 and is comprised of Somerset, Hunterdon and Middlesex Counties. In Region 3, the median income for a four (4) person household is \$146,200, the moderate-income limit is \$116,960 and the low-income limit is \$73,000, pursuant to the 2024 approved income limits.

Pursuant to both the Fair Housing Act and the Municipal Land Use Law (MLUL), municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to provide for methods of achieving the goal of access to affordable housing to meet the municipality’s low- and moderate-income housing needs. The statutory required contents of the housing element are:

- An inventory of the municipality’s housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
- A projection of the municipality’s housing stock, including the probable future construction of low- and moderate-income housing, for the ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of

applications for development and probable residential development of lands;

- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing; and
- A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing.

## **MUNICIPAL SUMMARY**

The Township of Plainsboro is a suburban town in south-west Middlesex County, situated along the border with Mercer County. The Township is a developed community, comprised of mostly residential uses with commercial uses along US Route 1 and Schalks Crossing Road. Plainsboro is bordered by the Middlesex County communities of South Brunswick Township, to the north, and Cranbury Township, to the east; and the Mercer County communities of Princeton, to the west, West Windsor Township, to the south, and East Windsor Township, to the south-east.

Lake Carnegie (a manmade reservoir owned by Princeton University) and the Millstone River (which flows 39 miles from Monmouth County and feeds into the lake) form the border with Plainsboro and the rest of Mercer County. While the town is classified as a suburban community, most of the residential areas are zoned for rural and low-density development, with large swaths of land dedicated to parks, open space, and farmland. The Township is bisected by NJ Transit/Amtrak's Northeast Corridor Line, which runs north-east by south-west. US Route 1 also bisects Plainsboro in a north-east by south-west direction. Much of the Township's open space, approximately 680 acres, is owned by Princeton University.

The population of Plainsboro is estimated at 23,954 (ACS 2023 5-year data). Plainsboro has a population density of 2,051 persons per square mile, compared to that of the county's 2,791 persons per square mile. The Township's median age increased between 2010 and 2023, with a 2010 median age of 34.9 and a 2023 median age of 38.2 years of age, making the Township younger than both Middlesex County and New Jersey. Plainsboro's 2023 median household income estimate of \$124,852 was higher than that of the County's \$109,028 and of the State's \$101,050.

In the guidelines established by COAH, Plainsboro Township is located in affordable housing Region 3 which is comprised of Hunterdon, Middlesex, and Somerset Counties.

## DEMOGRAPHIC CHARACTERISTICS

### POPULATION

In 2023, Plainsboro had an estimated total population of 23,954. This number represents a population increase of 1,026 persons or 4.5 percent since 2020, when the total population was 22,928. Since 1940, the Township has experienced continuous population growth, with 1980 experiencing the largest percentage increase (240 percent), from 5,605 to 14,213. In the period from 2010 to 2023, Plainsboro experienced the lowest percentage increase in nearly a century, with only a 1.9% increase over the decade.

**TABLE 1: POPULATION TRENDS, 1940-2050**

Year	Plainsboro			Middlesex County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1940	925	-	-	217,077	-	-	4,160,165	-	-
1950	1,112	187	20.2%	264,872	47,795	22.0%	4,835,329	675,164	16.2%
1960	1,171	59	5.3%	433,856	168,984	63.8%	6,066,782	1,231,453	25.5%
1970	1,648	477	40.7%	583,813	149,957	34.6%	7,171,112	1,104,330	18.2%
1980	5,605	3957	240.1%	595,893	12,080	2.1%	7,365,011	193,899	2.7%
1990	14,213	8608	153.6%	671,780	75,887	12.7%	7,730,188	365,177	5.0%
2000	20,215	6002	42.2%	750,162	78,382	11.7%	8,414,350	684,162	8.9%
2010	22,498	2,283	11.3%	798,882	48,720	6.5%	8,791,894	377,544	4.5%
2020	22,928	430	1.9%	825,015	26,133	-3.2	8,885,418	93,524	1.0%
2023*	23,954	1,026	4.5%	861,535	36,520	4.4%	9,267,014	381,596	4.2%
2050**	28,930	4,976	20.8%	939,723	78,188	9.1%	-	-	-

Source: U.S. Census Bureau Decennial Census (table DP-1)  
 \*U.S. Census Bureau, 2023 ACS 5-Year Estimates (table DP05)  
 \*\*Population Projections from North Jersey Transportation Planning Authority (NJTPA)

### POPULATION COMPOSITION BY AGE

The age composition of Plainsboro has shifted noticeably since 2010. According to American Community Survey 2023 5-Year Estimates, significant changes occurred in many age groups. The greatest percentage increases occurred in the 85 year and older demographic, which saw increases of 207.8%, followed by the 65 to 74 year olds and 60 to 64 year olds, who experienced percentage increases of 122.6% and 93.1% respectively. Conversely, the Township has seen a decrease in the number of residents between 35 years to 44 years old and 25- to 34-year-olds, which saw decreases of 8.4% and 8.0% respectively. With the exception of the 10 to 14 years age cohort, all populations under the age of 55 saw decrease in the number of residents, while all age cohorts 55 and older saw significant increases in population.

**TABLE 2: POPULATION BY AGE COHORT, PLAINSBORO, 2010-2023**

Population	2010		2023		Change 2010-2023
	Number	Percent	Number	Percent	
Total population	22,498	100.0%	23,954	100.0%	6.5%
Under 5 years	1,226	5.4%	1,142	4.8%	-6.9%
5 to 9 years	1,444	6.4%	1,379	5.8%	-4.5%
10 to 14 years	1,596	7.1%	1,665	7.0%	4.3%
15 to 19 years	1,363	6.1%	1,262	5.3%	-7.4%
20 to 24 years	1,175	5.2%	1,116	4.7%	-5.0%
25 to 34 years	4,505	20.0%	4,145	17.3%	-8.0%
35 to 44 years	4,068	18.1%	3,726	15.6%	-8.4%
45 to 54 years	3,918	17.4%	3,716	15.5%	-5.2%
55 to 59 years	1,112	4.9%	1,563	6.5%	40.6%
60 to 64 years	756	3.4%	1,460	6.1%	93.1%
65 to 74 years	705	3.1%	1,569	6.6%	122.6%
75 to 84 years	476	2.1%	737	3.1%	54.8%
85 years and over	154	0.7%	474	2.0%	207.8%
U.S. Census Bureau American Community Survey 201, 2023 5-Year Estimates (table DP-05)					

Middlesex County also experienced shifts in the make-up age of its population. Like Plainsboro Township, Middlesex County experienced a rise in its 60 year to 85 years and older demographics, with 65 year to 74-year-olds being the fastest growing age group, with an increase of 66.5 percent since 2010. The next highest percentage increase was seen among 60 year to 64 year olds (46.1% increase) and 55 to 59 age range (22.0% increase). The most substantial percentage decreases in population occurred in under 5 years with a decrease of 7.4 percent. The percentage of the County's older age cohorts (65 years and over) experienced increases between 2010 and 2023, suggesting that the County has an aging population.

**TABLE 3: POPULATION BY AGE COHORT, MIDDLESEX COUNTY, 2010-2023**

Population	2010		2023		Change 2010-2023
	Number	Percent	Number	Percent	
Total population	798,882	100.0%	861,535	100.0%	7.8%
Under 5 years	50,702	6.3%	46,940	5.4%	-7.4%
5 to 9 years	51,488	6.4%	50,589	5.9%	-1.7%
10 to 14 years	49,664	6.2%	55,217	6.4%	11.2%
15 to 19 years	57,603	7.2%	59,602	6.9%	3.5%
20 to 24 years	55,404	6.9%	54,938	6.4%	-0.8%
25 to 34 years	111,988	14.0%	110,996	12.9%	-0.9%
35 to 44 years	120,693	15.1%	119,608	13.9%	-0.9%
45 to 54 years	119,395	14.9%	115,123	13.4%	-3.6%
55 to 59 years	48,118	6.0%	58,702	6.8%	22.0%
60 to 64 years	36,906	4.6%	53,932	6.3%	46.1%
65 to 74 years	48,494	6.1%	80,737	9.4%	66.5%
75 to 84 years	34,814	4.4%	38,881	4.5%	11.7%
85 years and over	13,613	1.7%	16,270	1.9%	19.5%
U.S. Census Bureau, American Community Survey 2010, 2023 5- Year Estimates (table DP-05)					



The median age of Plainsboro residents increased by 3.5 years between 2010 and 2023, resulting in a median age of 38.4; which is younger than the median ages of both the County and the State as a whole. However, out of the three, the change in age was greatest in Plainsboro, with an increase of 3.5 years, versus Middlesex County's 2.5 and New Jersey's 1.6 year increases.

**TABLE 4: MEDIAN AGE**

Year	Plainsboro	Middlesex County	New Jersey
2010	34.9	36.9	38.5
2023	38.4	39.4	40.1
Change	3.5	2.5	1.6
U.S. Census Bureau, American Community 2023 5-Year Estimates (table DP-05)			

## HOUSEHOLDS

A household is defined as one or more persons, related or not, living together in a housing unit. 2023 ACS 5-Year Estimates note that there were approximately 10,181 households in Plainsboro. More than half of the Township's households (58.7 percent) were comprised of one or two persons, with the one-person category containing the greatest plurality of households. A smaller percentage (52.2 percent) of Middlesex County households fell into these categories. The Township exhibited a lower percentage of three and four-or-more person households than the County. The Township's average household size reflects these trends, at 2.33 persons per household compared to the County's 2.74 persons per household figure.

**TABLE 5: HOUSEHOLD CHARACTERISTICS  
PLAINSBORO AND MIDDLESEX COUNTY, 2023**

	Plainsboro		Middlesex County	
	Number	Percent	Number	Percent
Total Households	10,181	100.0%	305,610	100.0%
1-person	3,366	33.1%	68,949	22.6%
2-persons	2,609	25.6%	90,455	29.6%
3-persons	1,841	18.1%	56,378	18.4%
4 or more persons	2,365	23.2%	89,828	29.4%
Average Household Size	2.33		2.74	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (tables S2501 & B25010)				

Family households are defined as two or more persons living in the same household, related by blood, marriage, or adoption. Households in Plainsboro are mainly family households, comprising 62.2 percent of all households. Non-family households were 37.8 percent of all households. Approximately 91.3 percent of all family households were family households with married couple householders, while 1.7 percent and 7.1 percent of

family households respectively were family households consisting of single parent male or female householders. The average family household size in Plainsboro is 3.04 persons.

**TABLE 6: HOUSEHOLDS BY TYPE (2023)**

Household Size	Total	Percent
Total Households	10,181	100.0%
1 person household	3,366	33.1%
2 or more person household	6,815	66.9%
Family households	6,334	62.2%
Married Couple Family	5,781	91.3%
With own children under 18 years	2,949	51.0%
No children under 18 years	2,832	49.0%
Other Family	553	8.7%
Male householder, no spouse present	105	1.7%
With own children under 18 years	14	13.3%
No own children under 18 years	91	86.7%
Female householder, no spouse present	448	7.1%
With own children under 18 years	259	57.8%
No own children under 18 years	189	42.2%
Nonfamily Households	3,847	37.8%
Average Family Size (persons)	3.04	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (tables S2501, S1101)		

## INCOME

Plainsboro experienced an estimated 60.9 percent increase in per capita income between 2010 and 2023, which was greater than Middlesex County's 48.4 percent increase, and the State's 52.4 percent increase. Additionally, Plainsboro's per capita income of \$74,389 in 2023 was more than the County's \$49,417 per capita income figure and the State's \$53,118 per capita income. Plainsboro Township's median household income was \$124,852, higher than the median income for both the County and State. In terms of the rate of change since 2010, Plainsboro experienced a 43.5% rise in median household income, lower than New Jersey's but higher than Middlesex County's.

**TABLE 7: PER CAPITA INCOME AND MEDIAN HOUSEHOLD INCOME**

	2010 Per Capita Income	2023 Per Capita Income	Percent Change	2010 Median Household Income	2023 Median Household Income	Percent Change
<b>Plainsboro</b>	\$46,222	\$74,389	60.9%	\$86,986	\$124,852	43.5%
<b>Middlesex County</b>	\$33,289	\$49,417	48.4%	\$77,615	\$109,028	40.5%
<b>New Jersey</b>	\$34,858	\$53,118	52.4%	\$69,811	\$101,050	44.7%
U.S. Census Bureau, American Community Survey 5-Year Estimates (tables S1902 and S1903)						
U.S. Census Bureau, 2023 ACS Selected Population Tables (table DP03)						

The income distribution for the Township was similar to that of the County. The income bracket containing the highest percentage of households in both the Township and the County was \$200,000 or more, with 27.2% and 21.0% respectively. \$100,000 to \$124,999 was the bracket with the second largest percentage in Plainsboro with 15.5%. For Middlesex County the second largest percentage \$150,000 to \$199,999 with 13.5 percent.

**TABLE 8: HOUSEHOLD INCOME DISTRIBUTION  
PLAINSBORO AND MIDDLESEX COUNTY, 2023**

	Plainsboro		Middlesex County	
	Number	Percent	Number	Percent
<b>Total Households</b>	10,181	100.0%	305,610	100.0%
Less than \$10,000	134	1.3%	9,699	3.2%
\$10,000 to \$14,999	70	0.7%	7,697	2.5%
\$15,000 to \$19,999	29	0.3%	6,188	2.0%
\$20,000 to \$24,999	129	1.3%	7,622	2.5%
\$25,000 to \$29,999	80	0.8%	6,601	2.2%
\$30,000 to \$34,999	106	1.0%	6,064	2.0%
\$35,000 to \$39,999	112	1.1%	7,157	2.3%
\$40,000 to \$44,999	301	3.0%	7,513	2.5%
\$45,000 to \$49,999	361	3.5%	7,346	2.4%
\$50,000 to \$59,999	333	3.3%	16,196	5.3%
\$60,000 to \$74,999	782	7.7%	21,956	7.2%
\$75,000 to \$99,999	1,082	10.6%	36,214	11.8%
\$100,000 to \$124,999	1,581	15.5%	32,680	10.7%
\$125,000 to \$149,999	976	9.6%	27,195	8.9%
\$150,000 to \$199,999	1,339	13.2%	41,172	13.5%
\$200,000 or more	2,766	27.2%	64,310	21.0%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table B19001)				

## **HOUSEHOLD COSTS**

The tables below show housing expenditures for owner- and renter-occupied units in Plainsboro in 2023. The first table shows the housing costs of owner occupants as a percentage of total income. A total of 1,215 households (24.6%) were devoting more than 30 percent of their annual income to housing costs. By comparison, 30.2 percent of county residents were paying more than 30 percent of their annual incomes on housing. The State affordability threshold for housing as a percent of income suggests that not more than 28 percent of gross income should be allocated for housing costs.

The second table shows rental costs as a percentage of household income. 28.5% of the households in the Township and 44.6% of the County, were spending over 30 percent of their incomes on rent. The State affordability threshold for housing as a percent of income



suggests that not more than 30 percent of gross income should be allocated for rent.

**TABLE 9: MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME, 2023**

	Plainsboro		Middlesex County	
	Number	Percent	Number	Percent
Total Owner-Occupied Housing Units	4,942	100.0%	193,963	100.0%
Less than 10.0 percent	925	18.7%	28,209	14.5%
10.0 to 14.9 percent	637	12.9%	32,678	16.8%
15.0 to 19.9 percent	624	12.6%	32,432	16.7%
20.0 to 24.9 percent	810	16.4%	25,545	13.2%
25.0 to 29.9 percent	731	14.8%	18,578	9.6%
30.0 to 34.9 percent	186	3.8%	12,647	6.5%
35.0 to 39.9 percent	189	3.8%	9,118	4.7%
40.0 to 49.9 percent	298	6.0%	10,955	5.6%
50.0 percent or more	542	11.0%	22,684	11.7%
Not Computed	0	0.0%	1,117	0.6%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table B25091)				

**TABLE 10: GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME, 2023**

	Plainsboro		Middlesex County	
	Number	Percentage	Number	Percentage
Total Renter-Occupied Housing Units	5,239	100.0%	111,647	100.0%
Less than 10.0 percent	216	4.1	4,284	3.8%
10.0 to 14.9 percent	611	11.7	9,684	8.7%
15.0 to 19.9 percent	960	18.3	15,373	13.8%
20.0 to 24.9 percent	1,018	19.4	15,508	13.9%
25.0 to 29.9 percent	720	13.7	12,276	11.0%
30.0 to 34.9 percent	483	9.2	9,599	8.6%
35.0 to 39.9 percent	370	7.1	6,767	6.1%
40.0 to 49.9 percent	233	4.4	9,339	8.4%
50.0 percent or more	527	10.1	23,641	21.2%
Not computed	101	1.9	5,176	4.6%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table B25070)				

## EXISTING HOUSING CONDITIONS

### HOUSING UNIT DATA

According to the 2023 ACS, there are approximately 10,710 housing units in Plainsboro, with 10,181 occupied housing units. A majority (95.1%) were occupied while only 4.9 percent were vacant housing. Most of the housing structures (~70%) were built after 1980.

**TABLE 11: HOUSING UNIT DATA, 2023**

Housing Units in Plainsboro	Number	Percent
Total Housing Units	10,710	100.0%
Occupied Housing Units	10,181	95.1%
Vacant Housing Units	529	4.9%
Owner Occupied	4,942	48.5%
Renter Occupied	5,239	51.5%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)		

	Number	Percent
Built 2020 or later	12	0.1%
Built 2010 to 2019	241	2.3%
Built 2000 to 2009	1,543	14.4%
Built 1990 to 1999	1,967	18.4%
Built 1980 to 1989	3,996	37.3%
Built 1970 to 1979	1,610	15.0%
Built 1960 to 1969	724	6.8%
Built 1950 to 1959	370	3.5%
Built 1940 to 1949	96	0.9%
Built 1939 or earlier	151	1.4%
Total	10,710	100.0%
Median Year Structure Built	1986	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04 and B25035)		

### HOUSING TYPE AND SIZE

29.6 percent of residences in Plainsboro are single-family detached homes, which comprise 3,175 of the 10,710 housing units in the Township. 10 to 19 unit housing made up the second largest percentage of the Township's housing, quickly followed by 5 to 9 unit housing, with 19.8% and 18.0% respectively. A small plurality of housing units (21.4%) were three (3) rooms, however more housing units (34.9%) fell into the 6 or more rooms category.

**TABLE 12: HOUSING UNITS BY TYPE, 2023**

Units in Structure	Total	Percent
Total	10,710	100.0%
1 Unit, detached	3,175	29.6%
1 Unit, attached	1,372	12.8%
2 Units	48	0.4%
3 or 4 Units	974	9.1%
5 to 9 Units	1,928	18.0%
10 to 19 Units	2,120	19.8%
20 Units or more	1,093	10.2%
Mobile home	0	0.0%
Boat, RV, van, etc.	0	0.0%
Rooms	Total	Percent
1 room	616	5.8%
2 rooms	844	7.9%
3 rooms	2,294	21.4%
4 rooms	1,883	17.6%
5 rooms	1,322	12.3%
6 or more rooms	3,751	34.9%
Median number of rooms	4.4	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (DP04)		

## HOUSING VALUES AND CONTRACT RENTS

According to ACS 5-Year Estimates, the majority of units in Plainsboro, 70.8 percent, were valued at over \$500,000. Table 13 provides a breakdown of home values for owner-occupied units within the Township. Only nine (9) owner-occupied housing units in Plainsboro were worth less than \$50,000. The median value of an owner-occupied housing unit in Plainsboro was \$646,600 at the time of this survey, compared to the county's median value of \$439,300

**TABLE 13: VALUE OF OWNER-OCCUPIED HOUSING UNITS, 2023**

	Plainsboro		Middlesex County	
	Number	Percentage	Number	Percentage
Total	4,942	100.0%	193,963	100.0%
Less than \$50,000	9	0.2%	4,112	2.1%
\$50,000 to \$99,999	0	0.0%	2,241	1.2%
\$100,000 to \$149,999	137	2.8%	2,815	1.5%
\$150,000 to \$199,999	99	2.0%	4,396	2.3%
\$200,000 to \$299,999	431	8.7%	23,362	12.0%
\$300,000 to \$499,999	767	15.5%	86,661	44.7%
\$500,000 to \$999,999	2,831	57.3%	65,317	33.7%
\$1,000,000 or more	668	13.5%	5,059	2.6%
Median Value	\$646,600		\$ 439,300	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)				

The number of rental units is estimated at 5,185. 54 of these rental units are categorized as units for which no cash rent is paid. The overall median rent paid in Plainsboro was \$1,909, which was more than the average paid by county residents.

**TABLE 14: GROSS RENT PAID, 2023**

	Plainsboro		Middlesex County	
	Number	Percentage	Number	Percentage
Total Renter Occupied Units	5,185	100.0%	108,226	100.0%
Less than \$500	43	0.8%	4,968	4.6%
\$500 to \$999	14	0.3%	4,691	4.3%
\$1,000 to \$1,499	409	7.9%	21,863	20.2%
\$1,500 to \$1,999	2,599	50.1%	36,441	33.7%
\$2,000 to \$2,499	1,518	29.3%	26,270	24.3%
\$2,500 to \$2,999	371	7.2%	9,099	8.4%
\$3,000 or more	231	4.5%	4,894	4.5%
No cash rent	54	-	3,421	-
Median Contract Rent	\$1,909		\$1,810	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)				

## HOUSING CONDITIONS

According to the 2023 ACS, there were 70 owner occupied units and 491 renter occupied units were experiencing overcrowding. 11 units lacked complete plumbing facilities, and 125 lacked complete kitchen facilities. Table 15 details the condition of housing within Plainsboro based on plumbing facilities, kitchen facilities, and overcrowding. These factors are utilized in determining housing deficiency and general housing problems and are used as the basis to calculate the municipal rehabilitation obligation. According to the data, nearly 1.4 percent of all occupied housing units experienced over-crowding, 0.1 percent of occupied units lacked complete plumbing facilities and 1.2 percent of units lacked complete kitchen facilities.

**TABLE 15: HOUSING DEFICIENCY CHARACTERISTICS**

	Count	Percent
<b>Housing Units with 1.01 or More Persons Per Room</b>		
Owner Occupied	70	1.4%
Renter Occupied	491	9.4%
<b>Plumbing Facilities</b>		
Total Occupied Housing Units	10,181	100.0%
Lacking complete plumbing facilities	11	0.1%
<b>Kitchen Equipment</b>		
Total Occupied Housing Units	10,181	100.0%
Lacking complete kitchen facilities	125	1.2%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (tables B25014, S2504)		

## PROJECTED HOUSING STOCK

According to New Jersey Department of Community Affairs, the Township of Plainsboro has issued building permits for 918 residential dwelling units between 2000 and 2023. During that same time period, the Township issued 24 residential demolition permits, for a total net increase of 894 dwelling units over this time period. Building permit data by year is summarized in Table 16 below.

**TABLE 16: BUILDING PERMITS AND DEMOLITION PERMITS ISSUED,  
2000 - 2023**

Year	1 & 2 Family	Multi Family	Mixed Use	Total New Construction*	Total Residential Demolitions	Net Units Added
2000	-	-	-	114	0	114
2001	-	-	-	30	0	30
2002	-	-	-	22	2	20
2003	-	-	-	92	0	92
2004	52	0	0	52	1	51
2005	61	1	0	62	1	61
2006	36	93	0	129	2	127
2007	11	0	0	11	1	10
2008	18	0	0	18	0	18
2009	9	0	0	9	2	7
2010	3	0	0	3	7	-4
2011	1	0	0	1	2	-1
2012	1	0	0	1	1	0
2013	3	0	0	3	0	3
2014	1	0	0	1	1	0
2015	0	0	0	0	0	0
2016	0	0	0	0	1	-1
2017	2	0	0	2	2	0
2018	5	330	0	335	0	335
2019	16	0	0	16	1	15
2020	0	0	0	0	0	0
2021	0	0	0	0	0	0
2022	11	0	0	11	0	11
2023	6	0	0	6	0	6
<b>Total</b>	<b>236</b>	<b>424</b>	<b>0</b>	<b>918</b>	<b>24</b>	<b>894</b>

Source: NJ DCA Construction Reporter

\*The DCA Construction Reporter did not begin to report housing permits by type until 2004

## EMPLOYMENT DATA

The 2023 ACS reports on the work activity of residents aged 16 years and older. The Township's working age population was 19,389 persons, 70.8 percent of the overall population), approximately 13,724 of whom were part of the labor force. 29.2 percent of the Township's working age residents were not participating in the labor force. All of Plainsboro's labor force was employed in civilian jobs. Approximately 3.4 percent of Township residents are estimated to be unemployed at this time, which is lower than the estimated unemployment rate of Middlesex County overall (4.3%).

**TABLE 17: EMPLOYMENT STATUS, 2023**

	Plainsboro		Middlesex County	
	Number	Percent	Number	Percent
Population 16 years and over	19,389	100.0%	697,485	100.0%
In labor force	13,724	70.8%	466,429	66.9%
Civilian Labor Force	13,724	70.8%	466,150	66.8%
Employed	13,068	67.4%	436,300	62.6%
Unemployed	656	3.4%	29,850	4.3%
Armed Forces	0	0.0%	279	0.0%
Not in labor force	5,665	29.2%	231,056	33.1%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)				

Almost 90 percent of the Township's workers were employed in private wage and salary positions, while about 3.7 percent of workers are self-employed. Government workers comprise about 7.9 percent of the Township's workforce. Table 18 provides a breakdown of worker classifications.

**TABLE 18: CLASSIFICATION OF WORKERS IN PLAINSBORO, 2023**

	Number	Percent
Total	13,068	100.0%
Private Wage and Salary Worker	11,561	88.5%
Government Worker	1,030	7.9%
Self-Employed Worker	477	3.7%
Unpaid Family Worker	0	0.0%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)		

## EMPLOYMENT BY INDUSTRY

An analysis of employees (over the age of 16) by economic sector indicates that employed working age individuals in Plainsboro were involved in a range of economic sectors. As depicted in Table 19 below, the highest concentration of workers (31.6%) were found in Professional, scientific, and management, and administrative and waste management services, followed by the Educational services, and health care and social assistance

service which contains 18.8%. The only other sectors to employ over ten percent of the Township's residents were finance and insurance, and real estate and rental and leasing and manufacturing.

**TABLE 19: WORKFORCE BY SECTOR, 2023**

<b>Sector</b>	<b>Number</b>	<b>Percent</b>
Civilian employed population 16 years and over	13,068	100.0%
Agriculture, forestry, fishing and hunting, mining	0	0.0%
Construction	369	2.8%
Manufacturing	1,399	10.7%
Wholesale Trade	422	3.2%
Retail Trade	922	7.1%
Transportation and Warehousing, and Utilities	283	2.2%
Information	505	3.9%
Finance and insurance, and real estate and rental and leasing	1,689	12.9%
Professional, scientific, and management, and administrative and waste management services	4,134	31.6%
Educational services, and health care and social assistance	2,457	18.8%
Arts, entertainment, and recreation, and accommodation and food services	281	2.2%
Other Services, except public administration	251	1.9%
Public administration	356	2.7%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)		

Table 20 provides a percentage comparison of the Township's workforce against that of the County. The Township's profile of employment by sector generally mirrors that of the County. A significantly higher percentage of the Township's workforce was employed in the professional, scientific, and management, and administrative and waste management services sector, with 31.6%; almost double the County's 16.0 percent. Conversely, a higher percentage of the County's population worked in Educational services, and health care and social assistance; Retail trade and transportation, warehousing, and utilities; and Construction.



**TABLE 20: COMPARISON OF WORKFORCE BY SECTOR  
PLAINSBORO TOWNSHIP AND MIDDLESEX COUNTY, 2023**

Sector	Plainsboro	Middlesex County
Civilian employed population 16 years and over	13,068	436,300
Agriculture, forestry, fishing and hunting, mining	0.0%	0.2%
Construction	2.8%	4.9%
Manufacturing	10.7%	9.0%
Wholesale Trade	3.2%	3.3%
Retail Trade	7.1%	10.3%
Transportation and Warehousing, and Utilities	2.2%	8.2%
Information	3.9%	2.5%
Finance and insurance, and real estate and rental and leasing	12.9%	9.3%
Professional, scientific, and management, and administrative and waste management services	31.6%	16.0%
Educational services, and health care and social assistance	18.8%	23.2%
Arts, entertainment, and recreation, and accommodation and food services	2.2%	5.3%
Other Services, except public administration	1.9%	3.7%
Public administration	2.7%	4.0%
U.S. Census Bureau, American Community 2023 Survey 5-Year Estimates (table DP03)		

Table 21 provides a breakdown of occupations by type for the Township's employed civilian labor force. Approximately 76.3% of the Township's employed civilian labor force was employed in management, business, science and arts, followed distantly by sales and office occupations. Together these two (2) occupation types make up a majority, 89.5 percent, of the Township's employed civilian labor force.

**TABLE 21: OCCUPATIONS BY TYPE, 2023**

Occupation	Number	Percent
Employed Civilian population 16 years and over	13,068	100.0%
Management, business, science and arts occupations	9,966	76.3%
Service occupations	435	3.3%
Sales and office occupations	2,041	15.6%
Natural resources, construction and maintenance occupations	182	1.4%
Production Transportation and material moving occupations	444	3.4%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)		

As indicated in Table 22 below, it is projected that Middlesex County will add 44,213 jobs by 2032. The 'transportation and warehousing' sector and the 'arts, entertainment, and recreation' sector are poised to experience the greatest increase in the number of jobs over the course of the projection period, with a percentage change of 23.4% and 21.7%



respectively.

**TABLE 22: PROJECTED EMPLOYMENT, MIDDLESEX COUNTY, 2032**

Industry Title	2022 Actual Employment	2032 Projected Employment	Numeric Change	Annual Growth Rate	Percent Change	Outlook
Utilities	926	998	72	0.8%	7.8%	Growing
Construction	15,674	16,799	1,125	0.7%	7.2%	Growing
Manufacturing	31,594	32,995	1,401	0.4%	4.4%	Stable
Wholesale Trade	32,406	34,758	2,352	0.7%	7.3%	Growing
Retail Trade	39,391	39,830	439	0.1	1.1	Stable
Transportation and Warehousing	54,211	66,886	12,675	2.1	23.4%	Growing
Information	9,185	8,892	-293	-0.3%	-3.2%	Declining
Finance and Insurance	13,219	13,862	643	0.5%	4.9%	Stable
Real Estate and Rental and Leasing	5,603	5,897	294	0.5%	5.2%	Growing
Professional, Scientific, and Technical Services	48,178	51,791	3,613	0.7%	7.5%	Growing
Management of Companies and Enterprises	8,031	9,137	1,106	1.3%	13.8%	Growing
Administrative and Support and Waste Management and Remediation Services	51,487	58,289	6,802	1.2%	13.2%	Growing
Educational Services	42,893	45,322	2,429	0.6%	5.7%	Growing
Health Care and Social Assistance	53,941	60,645	6,704	1.2%	12.4%	Growing
Arts, Entertainment, and Recreation	4,374	5,322	948	2.0%	21.7%	Growing
Accommodation and Food Services	23,384	26,193	2,809	1.1%	12.0%	Growing
Other Services (except Government)	16,115	17,183	1,068	0.6%	6.6%	Growing
Government	15,882	15,908	26	0.0%	0.2%	Stable
<b>Total All Industries</b>	<b>466,494</b>	<b>510,707</b>	<b>44,213</b>	<b>0.9%</b>	<b>9.4%</b>	<b>Growing</b>

Source: 2022-2032 Industry Employment Projections, NJ Department of Labor and Workforce Development

### **Lands Most Appropriate for Affordable Housing**

An analysis was conducted to determine which areas of the Township could accommodate developments that address affordable housing need. This analysis reviews the Township's existing zoning and planned zoning changes and outlines the Township's capacity to accommodate residential and non-residential growth projections. The following are included:

- An analysis of the available existing and planned infrastructure;
- The projected demand for types of uses permitted by zoning based on present and anticipated future demographic characteristics of the Township and anticipated land use patterns; and
- Factors, such as environmental conditions, that present constraints on development.

### **Infrastructure**

#### *Water and Sewer*

The Township of Plainsboro is mostly located within public water and sewer service areas. Sewer service is provided by the Stony Brook Regional Sewerage Authority wastewater treatment plant, located in the Municipality of Princeton, and by Veolia Princeton Meadows plant in Plainsboro Township itself. Public water in Plainsboro is provided by the New Jersey American Water Company franchise area, which owns and operates potable water systems within and outside of the Township. Water for public consumption, approximately 145 million gallons per day, is drawn from the Delaware & Raritan Canal, and the Spruce Run Reservoir and the Round Valley Reservoir, which are both located in Hunterdon County. Additionally, there are approximately 140 existing wells located in the franchise area. Additional areas of the Township are provided water by private wells.

### **Anticipated Demand and Land Use Patterns**

Plainsboro Township is primarily composed of low- to medium-density residential neighborhoods, a mixed-use commercial center, recreational open space along the D&R Canal and Carnegie Lake, and a significant amount of preserved farmland. According to NJTPA projections, Plainsboro's population is expected to grow from 22,928 in 2020 to approximately 28,930 by 2050, a 26% increase.

The Township faces challenges with aging suburban office parks, which now struggle to compete with newer, amenity-rich workspaces. The 2022 Master Plan identifies these low-density, car-dependent, single-use developments as outdated and incompatible with current planning goals. Additionally, despite a growing demand for warehouses and

logistical spaces across North and Central New Jersey, the Master Plan acknowledges that warehousing is not consistent with the Township's land use goals.

High office vacancy rates, limited demand for new office development, and modest population growth have raised concerns about how to best utilize the Township's remaining undeveloped land. A major focus is the Princeton Forrestal Center (PFC), a nearly 1,800-acre area within the PMUD Planned Unit Development Zone—accounting for about 25% of Plainsboro's total land. The Master Plan emphasizes the need for a proactive and strategic land use approach to unlock the PFC's potential and ensure the Township's long-term success.

More than half of Plainsboro Township (51.4%) is protected from development, designated as public or private open space, public facilities, or preserved farmland. An additional 44.2 percent is already developed with a mix of uses, including institutional, mixed-use, office, research and limited industrial, residential, and rural residential areas. The Township has been effective in using higher-density development clustering to help preserve its open and protected spaces.

### *Residential*

Currently, the Township is predominantly zoned for Single Family housing in the R-85, R-90, R-95, R-100, R-150, R-200, R-300, R-350, VR-1, and the VR-2 Residential Zones. Low Density residential uses are located in the northeast portion of the Township and rural residential uses are concentrated in the southeastern portion of Plainsboro. Planned unit development zones are located in the eastern and western portions of the Township, and medium density residential uses are located in the western and central portions of Plainsboro.

### *Non-Residential*

Non-residential land uses within Plainsboro Township can be classified as institutional and public facilities, office, research and limited industrial uses, and public and private open spaces. The Township also supports a myriad of restaurants, shopping centers, and retail options along major corridors such as US Hwy 1 and Schalks Crossing Road.

### **Environmental Constraints**

The Land Use component of Plainsboro's 2022 Master Plan lists flooding, rising temperatures, drought, air pollution, and other extreme weather events (hurricanes and tornados) as major risks the Township will need to contend with as the effects of climate change become more severe. The impact of flooding, unlike other environmental concerns, will be more geographically focused within certain areas of the Township. Plainsboro is

most concerned with fluvial (riverine) flooding, which occurs when excess rainwater causes a river/stream to overflow their banks. Carnegie Lake, an impounded portion of the Millstone River and the Delaware & Raritan Canal are the Township's most significant.

## **Historic**

Plainsboro has a number of properties that are Eligible or Identified on the State Register of Historic places, as well as several properties that have been officially listed as Historic Places. The first Princeton Nurseries Historic District – Once the largest commercial nursery in the US, occupying 1,000 acres during its peak. The site was listed August 28, 2018. The second site is John Van Buren Wicoff House - Home of John Van Buren Wicoff, a prominent Trenton area lawyer and one of the influential locals who successfully petitioned the New Jersey state government to incorporate Plainsboro Township. Wicoff served as the first mayor of Plainsboro from 1922 until his death in 1952. The site was listed March 12, 1998.

## **Existing Land Use Designations**

The Township's land use designations have been continually examined and updated through the Master Plan Reexamination process. The Township adopted their most recent comprehensive Master Plan in 2022.

The Land Use Plan makes provision for eight (8) **residential** land use categories which range from the traditional single-family homes on 3-acre lots to village residential areas to multifamily housing at up to twelve (12) units per gross acre. Low Density Residential Zones correspond to environmentally sensitive areas and may be limited by water and sewer availability. Low Density Residential Zones include the R-350 Zone, located adjacent to South Brunswick Township, to the north, bordered by Scotts Corner Road and Friendship Road to the east, the existing R-300 zone and a stream corridor to the south and the existing railroad tracks to the west; the R-300 Zone, located east of the Amtrak railroad tracks along Dey Road. The northern boundary of this area consists of the Shallow Brook which, with its stream corridor and adjacent poor-quality soils and mature tree masses, provides a permanent buffer and land use separation between any residential development within the zone and the existing R-350 zone to the north of the Shallow Brook. The R-350 zone allows for single-family detached residential development at one du/3 acres and clustering on minimum 1 acre lots and even smaller lots provided septic system suitability is proven by the developer; and the R-200 Zone, containing 299.46 acres and is located in the northwest part of the Township, which includes the existing 420-unit Princeton Collection (U.S. Homes) housing development and other smaller residential subdivisions that have located along Perrine Road and Schalks Crossing Road.

Planned Medium-High Density and Medium Density residential zones provide opportunities for low- and moderate-income housing construction and a variety of housing styles and types. Medium and High Density residential areas are located adjacent to major collector

and arterial roadways and are serviced by public sewer and centralized water systems.

The R-95 Planned Medium- High Density Residential Zone is adjacent to the existing R-85 medium density residential zone to the west and includes the Municipal Center, borders the existing R-300 low density residential zone and Dey Road to the north, and is next to Linpro's PCD medium-high density zone to the east and south. The R-90 Medium Density Residential Zone is located on the former Walker-Gordon farm site. The R-90 zone, containing 250.21 acres, is bounded by the Devil's Brook, Plainsboro Road, the Millstone River, and the existing railroad tracks. The R-85 Medium Density Residential Zone comprises the Jeffers Road neighborhood, historic cemetery, Merrill Lynch open space west of the railroad tracks, and the old Village area, which is currently mapped in the R-85 zone, for a total of 346.32 acres.

The VR-1 and VR-2 Village Residential Zones ensure that the existing character of the Village was protected and enhanced, and that future development would evolve in a manner consistent with agreed upon Village Design Principles.

The Township of Plainsboro has a number of **Mixed-Use Zone Districts** to allow for more flexibility for mixed-use infill development options in many locations, including the existing corporate office complexes along College Road East, and in existing retail centers like Plainsboro Plaza, and at other key locations to support opportunities for creative land use planning. Parcels that may be considered for mixed-use development, but which currently contain only a single use (e.g., office), will now have the opportunity to evolve in the future as land use trends and markets change. The Mixed-Use Land Use permits a healthy combination of retail business, personal service establishments, general corporate offices, education, research, and limited multifamily residential uses within a relatively compact, interconnected pedestrian oriented environment. Mixed- Use Zones include the NB Neighborhood Business Zone, VC Village Center Zone, PCD Planned Unit Development Zone, and PMUD Zone.

**Research and Limited Industrial Zones** within Plainsboro promote job growth within the Route 1 corridor and permit a level of development compatible with immediate surroundings. Zone Districts include the I-100 Limited Industrial Zone.

Plainsboro has a number of areas designated for **Public and Private Open Space Land Uses** as well as **Rural Land Uses**. The R-100 and R-150 rural residential areas, which comprise the Township's agricultural and farmland preservation zones, remain extremely viable for preserving farmland because of their predominant agricultural use. The R-100 zone contains 798.12 acres and the R-150 zone contains 661.87 acres. Over 70% of the area's total acreage continues to be farmed. The lack of adequate major road access coupled with little or no public sewer capacity has helped to preserve this area from intense development. Those municipalities which adjoin Plainsboro to the south and east (Cranbury and West Windsor Townships) have primarily agricultural and low-density residential land uses which complement the agricultural districts in the Township.



## **CONSISTANCY WITH STATE PLAN**

The Township of Plainsboro remains consistent with New Jersey State Development and Redevelopment Plan. The Township is located within a few planning areas including: PA 2 - Suburban, PA 4 - Rural, Park, PA 5 – Environmental Sensitive State Planning areas. The Township’s Land Use Element has taken State Planning Area designation and associated goals, access to infrastructure, and environmental constraints into consideration when determining appropriate locations for uses throughout the Township.

Plainsboro’s Master Plan contains multiple public documents including a Municipal Stormwater Management Plan. Within these documents the goals of the Town include but is not limited to reducing flood damage, minimizing stormwater runoff, maintaining groundwater recharge, minimizing pollutants in stormwater runoff. The plan includes water quality assessment locations, groundwater recharge areas, wetland and water land uses locations, FEMA Flood map. It additionally goes into depth about the implementation of stormwater management strategies. These strategies include but are not limited to public outreach methods and education programs, new development and redevelopment programs, yard waste ordinance/Collection program, storm drain inlet retrofitting, street sweeping and road erosion control maintenance, storm drain inlet labeling, and MS4 outfall pipe mapping.

Plainsboro is minutes from the New Jersey Turnpike (Exit 8A) and along Amtrak’s and NJ Transit’s Northeast Corridor providing access to metropolitan areas throughout the Mid Atlantic and Northeast regions. Private bus shuttles provide regular weekday service into Manhattan. NJ Transit bus service and Middlesex County bus shuttles connect Plainsboro residents to the Princeton Junction train station, downtown Princeton and Trenton and other locations along the Route One Corridor.

Amtrak’s Northeast Regional Line runs from between Boston, Massachusetts to Lynchburg, Virginia, and serves major cities such as Providence, New Haven, New York, Newark, Philadelphia, Baltimore, Washington, D.C., Richmond and others. Locally, Amtrak serves Princeton Junction. The New Jersey Transit Northeast Corridor commuter Rail Line runs Trenton to New York City (Penn Station) and has stops at 17 locations including Newark/Liberty International Airport, Newark and New Brunswick. The Northeast Corridor line also provides connecting service to SEPTA (Philadelphia) New Jersey Transit’s River Line (Camden) and downtown Princeton (Dinky).

Bus Service is provided throughout Plainsboro by NJ Transit No. 600, which runs from Plainsboro to Trenton; Tiger Transit, a free service funded by Princeton University and open to the general public; the Forrestal/PPPL Line operates between stops at the University and the Forrestal Campus, Princeton Plasma Physics Lab (PPPL), and Millstone (Lakeview Terrace) apartments. Wall Street service is offered at the NJ Turnpike Exit 8A park and ride lot.

## **FAIR SHARE PLAN**

### **Fair Share Obligation Summary**

The Fourth Round (2025-2035) housing obligation is based upon the figures calculated in the NJ Department of Community Affairs Affordable Housing Obligations for the 2025-2035 (Fourth Round) Methodology. The Township's housing obligation is outlined in Table 23, below:

**TABLE 23: FAIR SHARE OBLIGATION SUMMARY**

<b>Obligation Component</b>	<b>Number of Credits Required</b>
Present Need	53
Prior Round Obligation (1987-1999)	205
Third Round "Gap" and Prospective Need (1999-2025)	638
Fourth Round Prospective Need (2025-2035)	240

The following sections outline how the Township will comply with its Fair Share Obligation.

### **Present Need/ Rehabilitation Obligation**

The Township had a rehabilitation obligation of 53. The Township has engaged with CGP&H to implement and manage a rehab program including preparation of the initial manual, marketing, construction and inspection services and all documentation from income qualifying to County recordings. The Township anticipates rehabilitating an average of five (5) units per year at a cost of \$25,000 per unit for the Fourth Round period.

### **Prior Round Obligation**

The Township had a prior round obligation of 205 housing units, which the Township met through the following mechanisms:

**TABLE 24: PRIOR ROUND OBLIGATION SUMMARY**

<b>Prior Round Obligation</b>	<b>Units</b>	<b>Bonus Credits</b>	<b>Total Credits</b>
<b><i>Low-and Moderate-Income Credits</i></b>			
Tamarron at Princeton Meadows	40	-	40
Princeton Crossing	40	-	40
Wyndhurst at Plainsboro	126	-	126
Millstone Apartments	60	-	60
RCA	25	-	25
<b>Total</b>	<b>291</b>	<b>51</b>	<b>291</b>

*Princeton Meadows*

Princeton Meadows is located at the intersection of Tamarron Drive and Plainsboro Road. The project contains 40 units for low-income for-sale, affordable housing. Construction is completed and the units are occupied.

*Princeton Crossing*

The project contains 40 units of moderate income, for-sale, affordable housing in a K. Hovnanian development. Construction is complete and the units are occupied.

*Wyndhurst at Plainsboro*

Wyndhurst at Plainsboro located on Block 2004, Lots 4 and 3, on approximately 14 acres. The project contains 126 low- and moderate-income rental units. The Township's Non-Profit Housing Corporation, established in 1987, owns and administers these rental units. Construction is completed, the units are occupied and have controls in perpetuity.

*Millstone Apartments*

The Millstone Apartments was created via a mutual development agreement between the Township and Princeton University, which is the largest landowner in Plainsboro. The project contains 60 low and moderate housing units.

*RCA*

The City of New Brunswick agreed to accept a transfer of 25 affordable units from Plainsboro. All necessary funds have been transferred.

**Third Round Obligation**

The Township had a Third Round Obligation of 638 affordable units, of which 471 were satisfied. The 3rd Round plan included programs and projects that did not earn the compliance credits expected and one project that was not constructed. There has been no change since the Midpoint Review done in July 2022. The above-mentioned shortfall includes the following projects and programs:

**TABLE 25: THIRD ROUND SHORTFALL**

<b>Third Round Projects Mechanisms</b>	<b>Fair Share Plan</b>	<b>Units Complete</b>	<b>Shortfall</b>	
IVC PFV LLC (Forrestal Village Residential)	50	0	50	Site Plan Approved in 2014 - units never constructed
Market to Affordable program	67	10	57	10 units purchased and resold with affordability controls
New Group Homes program	26	0	26	None created
100% Affordable Municipal Construction (The Place at Plainsboro)	100	70	30	Completed but final unit count lower than expected
Hospital Independent Living (Icon at Riverwalk)	43	39	4	Completed but final unit count lower than expected
<b>Total</b>	<b>286</b>	<b>119</b>	<b>167</b>	



### **Fourth Round Obligation**

The Township's Fourth Round Obligation is 240 units. When combined with the Third Round shortfall of 167 units, the Township's total obligation is 407 units. Plainsboro proposes to address this obligation through the following compliance mechanisms.

**TABLE 26: FOURTH ROUND OBLIGATION SUMMARY**

<b>Fourth Round Projects</b>	<b>Units/ Credits</b>	<b>Bonus Credits</b>	<b>Total Credits</b>
Tamarron – Princeton Meadows	11	-	11
Princeton Nurseries Mixed-Use Development	96	-	96
-For Sale	(52)	-	
-For Rent	(44)	-	
Fusion	66	40	106
-Family Rental Units	(26)	-	
-Supportive Units	(40)	-	
Forrestal Village (IVC PFC, LLC)	67	6.5	73.5
PMUD Rezoning	107	13.5	120.5
<b>Total</b>	<b>347</b>	<b>60</b>	<b>407</b>

#### *Tamarron – Princeton Meadows*

Tamarron – Princeton Meadows is located at the intersection of Tamarron Drive and Plainsboro Road. The project contains 11 units for low income, for-sale, affordable housing. The Township's Condominium Association Fee Assistance Program will provide financial assistance to Tamarron residents in exchange for an extension on affordability controls. Eleven households took advantage of the program and have extended controls

#### *Princeton Nurseries*

The Princeton Nurseries project is proposed for Plainsboro's Planned Unit Development District, on Block 102, Lots 5 and 6 and Block 106, Lot 1. The project is anticipated to host 96 affordable units of which 52 will be for sale and 44 will be rental units.

#### *Forrestal Village (IVC PFV, LLC)*

Forrestal Village is located at College Road West and Route 1, on Block 104, Lots 1.03, 1.05, 1.06 and 1.07 within the PMUD Zone District. The project will consist of 394 family rental units, of which 67 will be affordable units. This project is anticipated to earn at least 6.5 bonus credits.

#### *Fusion at Plainsboro*

Fusion at Plainsboro is located at 700 Scudders Mill Road, on Block 1601, Lot 50, PMUD Zone District. The project will include 66 affordable housing units,

26 of which will be family rental units and the other 40 will be supportive housing units. The project will receive an additional 40 bonus credits for a combined total of 106 compliance credits.

*PMUD Zone District*

The PMUD Zone District is located at Block 702, Lot 15 and 11.01 on ±37 acres. The proposed zone would allow for a residential density of 12 units per acre. The PMUD has a set aside requirement of 25% and is expected to yield 450 housing units, 112 of which will be affordable. An additional 112 bonus credits are also anticipated for the PMUD Zone.

## **APPENDICES**

## **Appendix A. PMUD Zone Amendments**

Township of Plainsboro  
Middlesex County

Ordinance No: \_\_\_\_\_

**AN ORDINANCE OF THE TOWNSHIP OF PLAINSBORO AMENDING AND  
REVISING CHAPTER 101 (ZONING), ARTICLE XII, PMUD PLANNED UNIT  
DEVELOPMENT REGULATIONS**

**WHEREAS**, the Township Committee of the Township of Plainsboro has determined that there is a need to amend the existing PMUD Planned Unit Development ordinance entitled “PMUD Planned Unit Development Regulations” to update the regulations related to Affordable Housing in compliance with the Uniform Housing Affordability Control rules, N.J.A.C. 5:80-26.1. and P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq.

**NOW THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Plainsboro, hereby amends Chapter 101, Zoning, as follows (underline indicates addition, ~~striketrough~~ indicates deletion):

Section 1. Amending Section 101-137 entitled “Permitted Uses,” to add the following:

“R. Integrated Medium-Density Multifamily Neighborhood Development on a parcel containing a minimum of 37 acres and containing a minimum of twenty-five (25) percent affordable housing in compliance with the P.L. 2024, c.2 (the current Fair Housing Act) and the Uniform Housing Affordability Controls (UHAC) set forth under N.J.A.C. 5:80-26.1 et seq. Such development may include the adaptive reuse of existing nonresidential buildings for multifamily use and/or new multifamily residential buildings within an integrated multifamily development that includes required parking, landscaped open space and outdoor recreational amenities serving the entire site and occupying a minimum of thirty (30) percent of the overall site area, which open space may include stormwater management facilities (excluding exposed sand bottom or similar facilities) designed as an integral element of the overall landscape design and will contribute to the residents use and enjoyment of the open space. Such development may also include indoor recreational facilities and amenity spaces, accessory nonresidential uses (e.g., coffee shop, neighborhood food retail), as well as leasing office facilities.”

Section 2. Amending Section 101-137.1 entitled “Location of Permitted Uses,” to add the date for the adoption of a revised PMUD Use Location Map of \_\_\_\_ 2025. See Preliminary revised Map in Section 6 below.

Section 3. Amending Section 101-138 entitled “Ratio of nonresidential and residential uses,” in its entirety and replace with the following (new language underlined):

“For each acre of land devoted to a residential use, there shall be at least seven acres devoted to nonresidential uses, excluding common open space. In view of their unique nature, any retirement community, mixed-use multiple dwelling development, integrated mixed-use neighborhood development, or integrated medium-density multifamily neighborhood development shall be exempt from this requirement.”

Section 4. Amending Section 101-139 entitled “Residential Density,” and more specifically replacing Paragraph A in its entirety with the following (new language underlined):

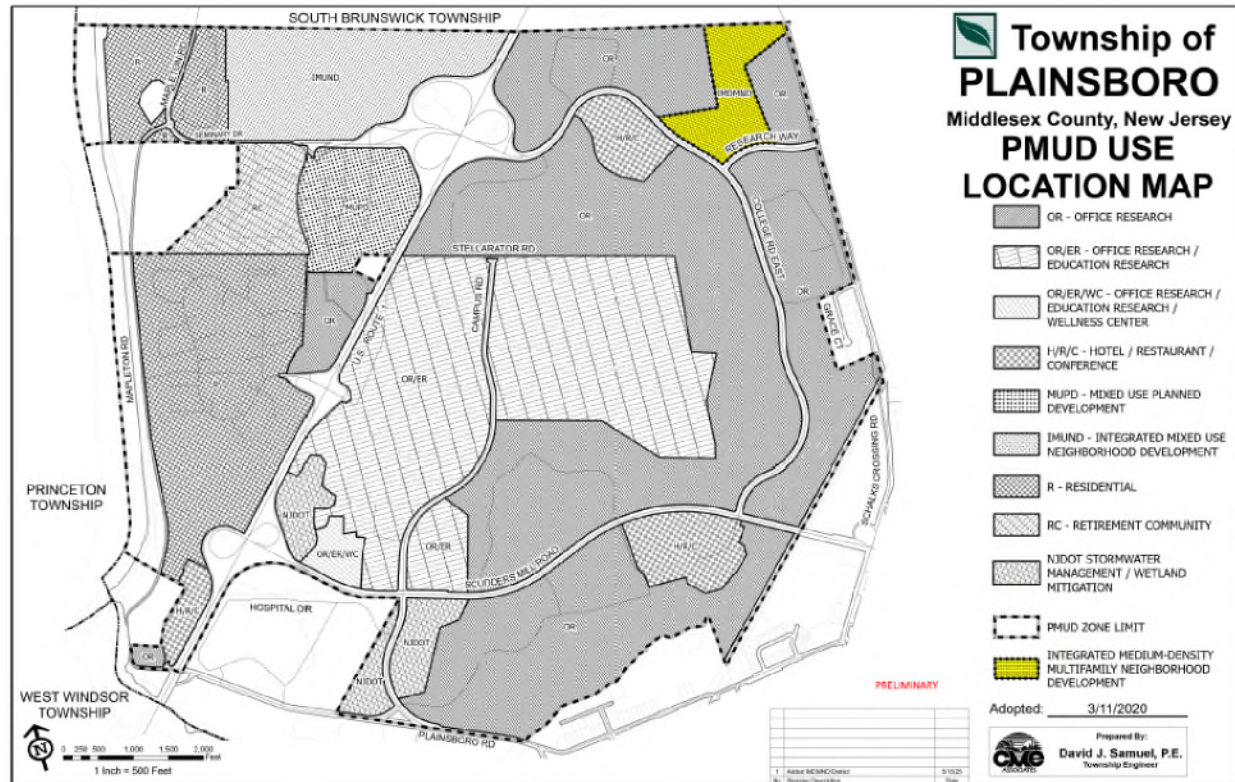
“A. There shall be an average of not more than eight dwelling units per acre of land devoted to residential use except for mixed-use multiple dwellings within an existing planned development, where the permitted density shall be an average of not more than seven dwelling units per acre of land devoted to the mixed-use planned development, and for integrated medium-density multifamily neighborhood development, where the permitted density shall be not more than twelve (12) dwelling units per acre. For the purposes of this requirement, land devoted to residential use shall be deemed to include private lot areas of owners or residents of such dwelling units, parking areas, utility easements and rights-of-way, walkways, roads and alleys and any other areas serving primarily such owners or residents, and, in the case of condominiums, "common elements" and "limited common elements" (as defined in N.J.S.A. 46:88-3) except any structure or part thereof which comprises a part of such common elements or limited common elements; it shall not be deemed to include common open space.”

Section 5. Amending Section 101-141 entitled “Common Open Space,” and more specifically replacing Paragraph A in its entirety with the following (new language underlined):

“A. There shall be set aside for common open space not less than one acre of land for every eight dwelling units. In view of their unique nature, integrated mixed-use neighborhood development, mixed-use multiple dwellings within an existing planned unit development, and integrated medium-density multifamily neighborhood development shall not be subject to the requirements of this subsection.”

Section 6. Revising the current PMUD Use Location Map dated 3/11/20 to designate Block 702, Lots 11.01 and 15 as IMDMND – Integrated Medium-Density Multifamily Neighborhood Development.





Section 7. Referral to Planning Board. Pursuant to N.J.S.A. 50:55D-26, a copy of this Ordinance shall be referred to the Plainsboro Planning Board for review prior to being considered for final adoption by the Township Committee.

Section 8. Repealer. Any ordinance or resolution, or article, section, paragraph, subsection, clause, or other provision thereof inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 9. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 10. Effective date. This ordinance shall take effect upon its passage and publication, and as otherwise provided for by law.

Introduced at a Meeting of the Township Committee of the Township of Plainsboro held on \_\_\_\_\_, and published on \_\_\_\_\_.

Adopted at a Meeting of the Township Committee of the Township of Plainsboro held on \_\_\_\_\_, and published on \_\_\_\_\_.

## **Appendix B. PFV Residential Resolution**



**RESOLUTION**

PLAINSBORO TOWNSHIP PLANNING BOARD  
Middlesex County, New Jersey

**P24-08 PFV Holding LLC / PFV Holdings Land LLC**  
Block 104, Lots 1.03, 1.05, 1.06 and 1.07)  
(College Road West—Princeton Forrestal Village)

PMUD Planning Unit Development Zone

**~ AMENDED PRELIMINARY/FINAL MAJOR SITE PLAN AND SUBDIVISION  
APPROVAL WITH SUBMISSION WAIVERS FOR PRINCETON FORRESTAL  
VILLAGE RESIDENTIAL PROJECT ~**

WHEREAS, PFV Holding LLC / PFV Holdings Land LLC (“applicant”) is the owner of property situated on College Road West with additional frontage on Main Street, Lionsgate Drive, and Houghton Lane in the Princeton Forrestal Village, and designated on the Plainsboro Township tax maps as Block 104, Lots 1.03, 1.05, 1.06 and 1.07, consisting of ±42.57 acres (the “subject property” or “property”); and

WHEREAS, on October 20, 2014, the Plainsboro Township Planning Board (“Board”) granted preliminary and final major site plan and subdivision approval to the applicant’s predecessor-in-interest, IVC PFV LLC, to develop portions of previously-existing Lots 1.01 and 4<sup>1</sup> with a 394-unit multifamily residential development consisting of three new buildings, plus an external parking deck to be built in phases, internal parking decks within the three residential buildings, two pocket parks, and extensive landscaping (the “2014 approvals”); and

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<sup>1</sup> The lots involved in the 2014 approvals were designated at time as Block 104, Lots 1.01 and 4. Subsequent subdivision approvals changed the lot designations (see Applications P16-02 and P16-03).

WHEREAS, the applicant now seeks amended preliminary and final major site plan approval to modify certain elements of the 2014 plan, and preliminary and final subdivision approval to reconfigure certain of the existing lots and to create a new lot; and

WHEREAS, the details of the applicant's proposal are shown on the following plans and in the following materials:

- Planning/Zoning Application dated September 30, 2024, including Rider to Application (narrative description of proposal) and October 23, 2024 Design Narrative prepared by Minno Wasko Architects and Planners;
- Site plan, including civil engineering plans, final subdivision plan, architectural plans and landscaping plans, entitled "Amended Preliminary/Final Site & Subdivision of New Residential Community at Princeton Forrestal Village, Block 104, Lots 1.03, 1.04, 1.07 and 1.05, Tax Map Sheet No. 1, Plainsboro Township, Middlesex County, New Jersey," prepared by Van Note-Harvey Division of Pennoni; Minno Wasko; and Melillo & Bauer Associates, Inc., variously dated July 18, 2024, August 23, 2024 and October 10, 2024 (depending on the sheet), last revised January 7, 2025, January 10, 2025 and March 27, 2025 (again depending on the sheet), consisting of 51 sheets (CE-1 through CE-23; C-1, A-1 to A-12; and L-1 to L-14);
- Plan entitled "Residential Surface Parking Exhibits of Lot 1.05, Block 104 at Princeton Forrestal Village," prepared by Van Note-Harvey Division of Pennoni, dated July 18, 2024, last revised January 10, 2025, consisting of one sheet (sheet EXB-P1);
- Engineering report prepared by Van Note-Harvey Division of Pennoni (Ralph A. Petrella, NJPE Lic. No. 46160), dated July 25, 2024;

and

- Traffic and Parking Analyses prepared by Langan Engineering (Karl A. Pehnke, PE), dated December 2, 2024, last revised March 27, 2025;

and

WHEREAS, the applicant also seeks several checklist submission waivers, as detailed in the application materials; and

WHEREAS, the applicant provided proper notice of the application in accordance with the requirements of the Municipal Land Use Law (“MLUL”) and the Township’s land use regulations; and

WHEREAS, the Board held a public hearing on the application on April 21, 2025; and

WHEREAS, the applicant was represented by Christopher H. DeGrazia, Esq. of the law firm of Faegre Drinker Biddle & Reath LLP; and

WHEREAS, during the hearing, the Board reviewed the applicant’s exhibits listed in Schedule A attached hereto and made a part hereof; and

WHEREAS, during the hearing, the Board heard the sworn testimony of the applicant’s witnesses listed in Schedule B attached hereto and made a part hereof, as well as the testimony of Planning Board Engineering Consultant Abd Elazeem Youssef, PE (CME Associates) and Township Planner/Zoning Officer Ronald Yake, AICP/PP; and

WHEREAS, the Board also considered the Planning Board Review Memo dated April 2, 2025 attached hereto as Schedule C and made a part hereof; and

WHEREAS, the following individuals asked questions and made comments during the public hearing;

- Denise Ward, resident and president of The Windrows’ Homeowners Association
- Louise Hartman, resident

and

WHEREAS, the Board based its review of the application and its below findings on the submissions and exhibits identified above and the testimony provided, as well as on its own knowledge of and expertise in the subject matter; and

WHEREAS, after due deliberation, the Board hereby makes the following findings of fact:

1. Preamble. The findings set forth in the preamble to this resolution are incorporated herein as if restated at length.
2. Subject property. The subject property consists of a  $\pm 42.527$ -acre portion of the Princeton Forrestal Village ("PFV"), located generally in the northwest section of the PFV and currently designated as Block 104, Lots 1.01, 1.03, 1.05, 1.06 and 1.07 on the Plainsboro Township tax maps.

3. Prior approvals.

- a. On October 20, 2014, the Board granted the applicant's predecessor-in-title, IVC PFV LLC ("IVC"), preliminary and final major subdivision and site plan approval to create three new lots—Lots 1.03, 1.04 and 1.05—in Block 104 and to develop the new lots with a 394-unit residential development comprising three buildings (then designated as Buildings 1, 2 and 3) to be constructed in phases. Phases 1 and 3 were to be built on Lot 1.04 on the north side of Main Street and would consist of Building 1 (96 units) plus the majority of the amenities serving the entire project (Phase 1), and Building 3 (155 units) plus the balance of the indoor amenities not completed in Phase 1. Phase 2 was to be built on Lot 1.03 on the south side of Main Street, and would include Building 2 (143) units, a pocket park, and other outdoor recreational amenities to serve the project. (See Resolution P14-09 adopted October 20, 2014).
- b. On May 16, 2016, IVC received amended preliminary and final subdivision approval to divide Lot 1.04 into two further lots: proposed Lot 1.06, which would front on College Road West, Main Street, and Lionsgate Drive, and would contain  $\pm 2.079$  acres; and proposed Lot 1.07, which would front on College Road West, Lionsgate Drive, and Houghton Lane, and would contain  $\pm 2.778$  acres. The purpose of the further subdivision was to create a lot line along the phasing line between Buildings 1 and 3, to allow those two phases of the development to be financed separately. No changes to the layout of the development or other changes were proposed. (See Resolution P16-03 adopted May 16, 2016).
- c. On July 17, 2017, the Board approved IVC's request for a retroactive five-year vesting of the 2014 site plan approval, which extended the vesting period to October 20, 2019. (See Resolution P14-09 adopted July 17, 2017). No further extensions have been sought or granted.

4. Proposed site plan amendments.

- a. *Overview; affordable housing*

- (1) The proposed development will continue to consist of 394 new residential units in three multi-family buildings to be developed in three phases. Buildings A

and B will be located on the south and north sides of Main Street between Lionsgate Drive and College West respectively, will each contain 160 units; Building C, which will be located on the site of the soon-to-be-demolished Market Hall (southeast corner of Lionsgate Drive and Main Street), will contain seventy-four units.

- (2) Each building will have a mix of studio, one-bedroom and two-bedroom market-rate units. The development will also contain thirteen one-bedroom and/or efficiency affordable units, forty two-bedroom affordable units, and fourteen three-bedroom affordable units dispersed among the three buildings. The Board notes that the 2014 plan called for fifty affordable housing units.<sup>2</sup> The new proposal effectively increases the affordable housing set-aside from 12.7% to 17% of the total number of residential units. (See Exh. A.3 for further details).
- (3) Each building will include communal indoor residential amenity space and active outdoor amenity space. As described by the applicant, the amenities will include an elegant hotel style lobby, upscale club suite, state-of-the-art fitness center, yoga room, residential co-working areas, and a resort style pool with outdoor grills and lounging areas.
- (4) The structures will be four stories in height, not exceeding sixty feet, with structured parking underneath and alongside Buildings A, B and C. Factoring in the scale, materials and architectural details found within the Princeton Forrestal Village development and the surrounding area, the exterior materials for the project are to include cast stone-veneer, a variety of brick-veneer, fiber cement siding panels, dark colored vinyl residential windows, PVC Trim, and dimensional fiber-glass roof shingles in a neutral palette to complement the buildings' surroundings. Contemporary architectural elements will be reflected in the design of the entrance canopies, varied cornice lines, lighting, and the overall detailing of the building elevations.
- (5) The project will be supportive of the existing retail, restaurants, hotel and offices in the center, will reinforce the pedestrian link to The Windrows along Main Street allowing a safe, beautiful walking experience into the PFV, as well as provide a pleasant, safe pedestrian connection to the future Princeton Nurseries mixed-use development across the intersection of College Road West/Seminary Drive and Nursery Road immediately to the north.

<sup>2</sup> The original Rider attached to the application states that the applicant proposes to provide fifty affordable units. This number was subsequently increased post-submission to sixty-seven units, as set forth in the updated Rider. The correct number of affordable units is sixty-seven.



*b. Landscaping*

- (1) The site plan contains open landscaped green spaces and continuous sidewalks around the community connecting the residents to the existing retail, restaurants, and public transportation. The proposed site plan includes several new public streetscape improvements as well as a new design for the public plaza area adjacent to Rockingham Row. The existing landscaped berms along College Road West will be redefined with new site landscaping and plantings while preserving existing trees where possible. At Main Street the existing inner row of existing oak trees are proposed to remain, thereby maintaining much of the existing tree canopy at the Main Street entrance to the development off College Road West. New sidewalks and street trees allowing for greater pedestrian connectivity and a new pedestrian entrance located at the intersection of College Road and Seminary Drive will connect to Lionsgate Drive and offer greater connectivity to the future mixed-use Princeton Nurseries development site located across Seminary Drive.
- (2) The applicant's proposed landscaping plan includes a significant number of semi-mature trees (less than twelve inches in caliper) and mature trees (more than twelve inches in caliper) that were planted in the early- to mid-1980s when the PFV was first developed. Given the nature of this project and the need to remove most of the existing trees on the site, which was the case as well in 2014 under the prior approved plan, staff expressed concerns during the review process regarding the quantity, quality, and size of the landscaping proposed throughout the project, but particularly within the areas most visible to the public along College Road West and Main Street. In response to this concern and consistent with how the issue was handled under the prior approved plan, the applicant proposes to preserve as many of the existing mature shade trees along College Road West as possible, in addition to planting new shade trees along this area that will be a minimum of four to five inches in caliper at planting time.
- (3) As noted above, the applicant intends to make every effort to preserve existing mature trees wherever possible. Where such efforts have been made and the trees involved do not survive, however, the applicant has agreed to replace such trees with trees of similar species, measuring four to five inches in caliper at planting time, and has added a note to the plan accordingly.
- (4) Along Main Street, between Lionsgate Drive and College Road West, the applicant proposes to preserve the line of mature existing oak trees, on both sides of the street, between the existing sidewalk and the curb. Staff identified two missing trees in this area on the north side of Main Street. DRC/Staff have recommended that the missing oak trees be replaced with oak trees of the same species having a minimum four- to five-inch caliper at planting time. The applicant has agreed to this recommendation and has revised the plans accordingly.



- (5) The proposed landscape plan identifies four new tree plantings on Main Street along the frontage of Building C. There are currently three ten-to-twelve-inch caliper Honey Locust trees along this portion of the site, one of which is proposed to be removed in association with the new building. The four new trees that applicant shows along this frontage are to be two-and-a-half to three inch caliper at planting. DRC/Staff have recommended that such new trees, like the new trees proposed along the College Road West frontage of the site, be a minimum of four- to five-inch caliper, which would be more consistent with the size of the existing trees along the Building C frontage and along the frontage of the opposite side of Main Street from Building C. The applicant has agreed to this recommendation and has revised the plans accordingly.

*c. Lighting*

- (1) The Statistics Chart included in the applicant's plans indicates light levels with averages from 0.7-0.8 footcandles, which exceeds the typical average of 0.40-0.45 footcandles for residential street lighting. The applicant speculated during the public hearing that this might be an unintended error in the calculations, and indicated they would look into revising the lighting plans accordingly.

*d. Signage*

- (1) The applicant's plans include identification signage for the project at four locations. Sheets L-2 and L-3 identify the location of each of the signs (College Road West or CRW at Village Boulevard, CRW at Main Street, CRW at pedestrian gateway structure, and CRW at Houghton Lane). Sheets L-12 and L-13 identify details related to the proposed identification signs. DRC/Staff have recommended that the notes associated with the sign details on Sheet L-12 be clarified to indicate which sign the specific details relate to and which plan sheet (*i.e.*, L-2 or L-3) identifies the location of the sign. The applicant has agreed to make these revisions in the final plans.
- (2) In 2014, at the DRC meeting on the plan being proposed at that time, mention was made of the need by emergency services personnel to be able to distinguish each of the three buildings. In the Planning Board Review Memo of the 2014 plan, the applicant was asked to consider options for building identification that would achieve this. The applicant at that time responded indicating that they met with various Township staff on this matter, and that each building would be clearly identified using emergency access signage that was distinguishable between the buildings and type of access entry, the final details of such treatment would be subject to the review and approval of the Township. DRC/Staff have recommended that the current applicant likewise consider this matter and arrange to meet with Township Fire Official and, as appropriate, Fire Department personnel, to determine a mutually acceptable option to address the matter. The applicant has agreed to this recommendation.

- (3) The applicant's plans indicate that all MUTCD type traffic signage will comply with the Princeton Forrestal Center (PFC) sign details for such signage. DRC/Staff have recommended that the applicant utilize the Type B PFC sign detail for all MUTCD signs and the Type A PFC sign detail only for two-sided MUTCD signs. The applicant has agreed to revise its plans accordingly.
- (4) Although the applicant's plans identify certain signs and sign types, the applicant indicated during the public hearing that it intends at a future date to submit a complete sign package to the Planning Board for review and approval.

*e. Parking*

- (1) Parking for the residents will be provided in structured parking underneath and next to Buildings A, B and C, as described above. Additional dedicated and shared residential parking will be provided in surface lots next to each of the buildings, including EV make-ready spaces (see applicant's Parking Exhibit, Sheet EXB-P1, for the specific numbers and locations). The traffic and parking analysis submitted by the applicant's traffic engineer shows that the project as proposed will result in providing a parking supply equal to the parking requirements at the PFV, excluding the parking provided at the Westin Hotel (the calculation includes the parking space bonuses allowed under the State and Township EV regulations that count each EV space as equivalent to two parking spaces, and the reduced parking demand that will result from the demolition of Market Hall).
- (2) Below are tables indicating the parking requirements and parking supply for the subject project:

<b>Parking Requirement Summary</b>	<b>Required Parking (Spaces)</b>
Current PFV Site – Non-Residential Uses per 2014 Agreement & confirmed by 6/6/23 CME Review	1,675
Building C Removal	-180 (From 6/6/2023 Review)
Building A (300), Building B (300), and Building C (141) Parking Requirement - RSIS	+741
Building A (-30), B (-30), and C (-14) EV Credit (10% of residential requirement)	-74
<b>Total Parking Spaces Required for Entire Site Including Residential EV Credits</b>	<b>2,162</b>

<b>Parking Supply Summary</b>	<b>Proposed Parking (Spaces)</b>
Current PFV Site – Non-Residential Uses	1,623 (Existing per Updated Parking Analysis dated March 5, 2025)

Removal of Existing Parking Spaces for Residential Buildings A and B footprint	-184
Land-banked parking in Lot F Salt Creek Grill	+40
Total Building A	+258
Total Building B (including Lot K reconfiguration of Removing 121 parking spaces and installing 252 parking spaces)	+343
Total Building C	+82
<b>Total Parking Spaces Proposed for Entire Site</b>	<b>2,162</b>

(3) The project includes 112 EV spaces within the three parking structures as well as within the surface lots. The EV spaces within the buildings (A-26+B-26+C-12=64) will be constructed when the structures are built and the make-ready spaces, located within the surface lots (A-19+B-19+C-10=48), will be built per Township and State ordinances.

(4) Based on the above tables, the proposed parking supply is equal to the parking requirement for the entire site.

*f. Traffic*

(1) The applicant's engineer submitted an updated traffic analysis for the 394 residential units based upon the 11th edition of the Institute of Transportation Engineers Trip Generation Manual, and that incorporates the removal of the former 61,896 square-foot health club and the removal of the 10,000 square feet of retail from the Market Hall building that is being replaced by Building C. The analysis shows that the proposed project will result in a net reduction of 123 trips in the AM peak hour and 221 trips in the PM peak hour as compared to the 2014 traffic analysis, which projected an overall Level of Service D at the off-site studied intersections, meaning no additional roadway or intersection improvements are needed as a result of the current proposal. Staff indicated to this Board that it takes no exception to the applicant's engineer's conclusions.

*g. Circulation*

(1) The applicant has proposed sidewalks within the proposed development, all of which are identified as being five feet in width, which is the minimum required in the Township Code (§85-22). In the 2014 plan, sidewalks were generally five feet in width and adjoined a four-foot-wide decorative paver area that adjoined streets/parking lot drive-aisle curbs. The effect of this was that of increasing the useable walkway area width to nine feet for areas outside the tree grates. Elsewhere in the project, where the sidewalks did not adjoin a four-foot-wide decorative paver area, the sidewalks were widened to six feet in width. Such width is consistent with the sidewalk width standard required for sidewalks adjoining multifamily buildings in the Princeton Nurseries development located

north of College Road West. DRC/Staff have recommended this same approach for the current plan, recommending the plan be revised accordingly. The applicant agrees with this recommendation and shall revise the plans accordingly.

- (2) The applicant has proposed to provide four-foot-square tree grates for all the proposed street trees adjoining proposed sidewalks. The selected tree grates must be flexible such that the opening in the grate for the tree is readily expandable. The tree grate shown on the landscape plans does not appear to comply with this requirement. The applicant has agreed to add the model information for the revised tree grate to the plans and to submit the final detail for the tree grates to the Planning Board Engineer's office for review and approval.
- (3) The current plan identifies an eight-foot-wide concrete sidewalk along the perimeter of the site replacing the existing bituminous asphalt paved bikeway that extends from Village Boulevard on the south side of the property to Village Boulevard on the north side of the property. Since such pathway was initially planned and constructed to function as a bikeway, where bituminous asphalt paving was chosen as the best option from a durability, maintenance, and suitability for bikeway usage perspective, DRC/Staff have recommended that the proposed pathway be bituminous asphalt and not concrete as noted on the current plans. The applicant has agreed to revise the plans accordingly.
- (4) The applicant shall provide "Share the Road" signs at all vehicular points of entry into the PFV, subject to the review and approval of the Planning Board Engineer's office. The details of such signs, which shall comply with the Type B alternative MUTCD sign detail for the PFC, are shown on the current plan set (Sheet CE-20). The applicant has already revised the plans accordingly.
- (5) There is no mention of resident bicycle storage in the applicant's plans. Staff has recommended that the applicant revise the plans to identify bicycle storage inside each of the parking garages of the three buildings adequate to meet expected demand and based on current industry standards for such storage in multifamily dwelling buildings. Additionally, the Applicant's Architect testified there would be fifty bicycle storage spaces each within Buildings A and B and 16 bicycle storage spaces within Building C. The applicant has agreed to revise the plans accordingly.
- (6) Given the condition of the existing roadway pavement on College Road West and internal to the site, and the magnitude of the project, it appears that College Road West and the internal roadways will require significant restoration including resurfacing and re-stripping. DRC/Staff recommended to the Board that the applicant assess the roadway conditions and amend the plans to include the proposed roadway restoration limits for further review by Planning Board



staff.<sup>3</sup> It also recommended that the stop signs and stop bars be relocated as necessary to accommodate the proposed crosswalk modifications in accordance with MUTCD requirements. The Board finds these recommendations to be sound.

- (7) A member of the public testified during the public hearing that there is a broken stanchion on one side of the existing crosswalk at Main Street and College Road West that appears to contain live electrical wiring. She also requested that a rapid flashing beacon be installed at said crosswalk, and that the broken stanchion be inspected and repaired (or removed) as needed.
- (8) The president of the board of The Windrows Homeowners Association (HOA) testified during the public hearing that there is already considerable traffic that uses Evergreen Drive to cut through The Windrows during rush hour, and expressed concern that the applicant's proposed residential development would worsen an already bad condition. She requested a number of remedies, including the installation of "no thru-traffic" signs. The agreed to install such signs at both intersections of Windrow Drive with College Road West. The applicant also noted, however, that the locations of the proposed signs were on private property, not in a public right-of-way. The applicant therefore requested that any requirement to install the signs be contingent on The Windrows HOA obtaining all necessary permissions and authorizations, including from outside agencies if/as needed.

*h. Grading, drainage and stormwater management*

- (1) The details regarding drainage and stormwater management are set forth at length in the applicant's engineering report, and are incorporated by reference herein.
- (2) The applicant has agreed to provide a Drainage, Conservation, Maintenance and Access Easement in favor of Plainsboro Township and the County of Middlesex for the stormwater management system. The deed of easement and metes and bounds description shall be subject to the review and approval of the Township Attorney and Township Engineer. A computer printout closure report shall be submitted for the easement.
- (3) The applicant has agreed that the Maintenance Plan and any future revisions will be recorded upon the deed of record for the property on which the maintenance described in the maintenance plan must be undertaken. The form of same shall be approved by the Township Attorney prior to recording the same

<sup>3</sup> A member of the public expressed concerns during the public hearing about delaying the repair/resurfacing of these roads until after the completion of the project. The Board explained why this was necessary. The applicant offered instead to review the current conditions of the road and to repair any potholes.

with the Middlesex County Clerk's Officer per Section 85-28 J of the Township Code.

*i. Solid waste and recyclable materials; deliveries*

- (1) The applicant has represented in its plans and materials that all solid waste and recyclable materials will be stored inside the proposed residential buildings. Residents will have access to a solid waste and recyclable materials disposal room on each floor of the respective buildings. Within such room there will be containers to dispose of solid waste and recyclable materials. The solid waste and recyclable materials to be disposed of in the trash rooms will be collected by property management personnel for pick-up by a licensed hauler under contract with the property owner. Solid waste or recyclable materials shall not be stored or visible outside the proposed buildings except for short durations prior to scheduled pick-up. The applicant indicated that they will coordinate with the waste hauler to identify appropriate location(s) for such temporary storage.
- (2) The applicant testified during the public hearing that it will be creating drop-off/pick-up areas near the entrances to each building for delivery vehicles to pull into. The drop-off/pick-up areas for Buildings A and B will be located on Lionsgate Drive; the drop-off/pick-up area for Building C will be located in place of two parallel parking spaces on Main Street near the intersection with Lionsgate Drive. These same areas will also be used to collect the solid waste and recyclable materials for each of the buildings.

*j. Utilities etc.*

- (1) For the details regarding the utilities for the proposed development, including sanitary sewer treatment, see section III of the applicant's engineering report, incorporated herein by reference. The applicant shall submit information to confirm the adequacy of the downstream conveyance system to accept the proposed flows and the availability of facilities to accept and treat the flow; shall be responsible for obtaining a Treatment Works Approval from NJDEP; and shall be responsible for obtaining approval from the South Brunswick Sewerage Authority.

*k. Recreational facilities*

- (1) When this project was before the Planning Board in 2014, the applicant noted that the project was not designed for children and is targeted to young professionals and empty nesters. The applicant testified during the public hearing that this remains the case, and therefore it does not propose to provide any exterior playgrounds. It also indicated, however, that it could incorporate play areas within the buildings in the future if/as needed based on the make-up of the buildings' tenants.



- (2) Because no playground or similar facilities are shown on the proposed plans, and as was required under the 2014 plan approval, to ensure compatibility between the residents in the development and the recreational facilities provided, the DRC/Staff have recommended that the applicant monitor the number and ages of children in the project to determine whether recreational facilities specifically tailored for children will be needed. Prior to the release of the final certificate of occupancy for each of the three buildings in the project, the applicant shall provide such information to the Department of Planning & Zoning for review. If the Township determines that additional recreational facilities for children are necessary, the applicant shall proceed to provide such facilities without formal application to the Board. The applicant shall submit a plan and description of the proposed facilities to the Township explaining how such facilities fulfill the recreational needs of the resident children. Such facilities shall be ADA compliant.

*l. Emergency services*

- (1) In 2014, the applicant was asked to comment on the provisions for emergency services access to the three residential buildings and their parking garages. The applicant at the time indicated that this matter was being discussed with Township staff, including members of the Township Police Department. The final details of the emergency access system were to be coordinated with and subject to the approval of appropriate Township emergency services personnel. DRC/Staff have recommended that the current applicant also be required to follow a similar process to address this matter. The applicant has agreed to this recommendation.

*m. Other*

- (1) The applicant proposes to install electric transformer in two areas along College Road West to serve Buildings A and B. DRC/Staff have recommended that such transformers or other utility equipment be a dark green color (Sherwin Williams Rock Garden Green, SW# 6195 or equivalent) and be screened by high quality fencing and/or landscaping to reduce the visibility of such equipment as seen from College Road West to the satisfaction of Planning Board staff in consultation with the affected utility company.
- (2) The plans show unlabeled utility structures immediately to the south of Building C. According to the existing conditions plan, there are existing electric utility structures in this same area. Such existing and/or new utility equipment shall be treated as noted above. All other ground-mounted equipment, if any, shall be adequately screened to the satisfaction of Township staff in consultation with the affected utility company, if applicable. The applicant has agreed to this recommendation and has added a note to the plans accordingly.

- (3) The applicant's plan shows emergency generators located along the College Road West frontage of Buildings A and B. According to the applicant's architect, the proposed location of the generators will include some type of screen wall feature. In the event such screen walls do not fully screen views of the generators, DRC/Staff recommend additional screening treatment be provided to the satisfaction of Planning Board staff. Additionally, prior to installation, the applicant shall provide evidence that the proposed generators comply with the NJDEP noise restrictions (N.J.A.C. 7:29). The applicant has agreed to this recommendation.
- (4) A review of the applicant's architectural plans (Sheet A-6, Roof Plan) indicates that there will be rooftop equipment. What is unclear to staff in reviewing the plans is whether such rooftop equipment will be visible from ground level or whether it is located behind and below a roof feature that will effectively screen all views of such equipment from ground level. Without knowing which applies, DRC/Staff have recommended that any rooftop equipment be located and screened from view from ground level.
5. Proposed subdivision. The applicant seeks to have Lot 1.03 remain for proposed Building A; Lot 1.06 will also remain, but increase in lot area in the northerly direction (portion of area taken from Lot 1.07) for proposed Building B. The remaining portion of Lot 1.07 will be consolidated back into Lot 1.05. A new lot is proposed and will be created around the existing building (Market Hall, to be demolished) for proposed Building C.
6. Compliance with zoning requirements. The current PMUD Zone regulations permit a use category identified as "Mixed-Use Multiple Dwellings" (§101-137P) and a section entitled "Evaluation Standards and Criteria" (§101-142) where 18 project evaluation standards are identified and described. Staff has indicated to the Board that based on its review of the proposed plans and post-submission discussions between staff and the applicant, it is satisfied that such use and evaluation standards applicable to the proposed development have been adequately addressed. The Board agrees.
7. Compliance with site plan and subdivision requirements.

The applicant's engineer has indicated that the project complies with all applicable RSIS standards, including the following:

- Sidewalk locations and widths
- Right-of-way, cartway and parking lane widths
- Average daily vehicle computation and analysis
- Storm system design and construction
- Storm water management design and construction
- Water system and fire hydrant design and construction
- Sanitary collection system design and construction
- Parking requirements and dimensions

- Roadway alignment and grade standards
- Requirements for curbing and pavement shoulders
- Bikeways
- Underground utilities
- Street and traffic signs and sign locations
- Sightlines / easements

The applicant shall provide a written compliance report demonstrating conformance to these requirements.

8. Submission waivers. The applicant has submitted the required site plan review checklist (Form 14). The applicant has requested ten submission checklist waivers and has provided a brief description and justification for each one. Based on the recommendations of the DRC and Planning Board staff, the Board finds that waiver requests are reasonable and can be granted..

9. Vesting.

- a. The applicant has requested an extended vesting period of five years for the approval sought herein, to run from the date of adoption of this resolution. According to research by the Planning Board Attorney, the vesting on the initial October 20, 2014 approval of this project (P14-09) expired on October 20, 2019. That said, the Planning Board may retroactively extend the vesting period for whatever period it deems reasonable pursuant to Municipal Land Use Law (N.J.S.A. 40:55D-52), taking into consideration the number of dwelling units and nonresidential floor area, economic conditions, and comprehensiveness of the development. In this instance, the applicant states that this extended vesting period is appropriate and reasonable given the size and complexity of the proposed development, *i.e.*, the number of proposed units, current economic conditions, and the applicant's comprehensive goal to integrate the proposed development with the rest of Princeton Forrestal Village. Staff has indicated to the Board that it takes no issue regarding this request.
- b. The Board is satisfied that for the reasons set forth by the applicant and with staff's concurrence, the applicant's request for a five-year vesting period is reasonable. The vesting period applicable to the approvals granted herein is therefore retroactively extended to April 21, 2030 (five years from the date of adoption of this resolution).

NOW, THEREFORE, BE IT RESOLVED by the Plainsboro Township Planning Board on this 21<sup>st</sup> day of April, 2025, that the application by PFV Holding LLC and PFV Holdings Land LLC for amended preliminary and final major site plan and subdivision approval with submission

waivers be and is hereby GRANTED, subject to the following conditions (to which the applicant has agreed):

*Affordable housing*

1. The applicant shall provide a total of sixty-seven very-low-, low- and moderate-income units, consisting of thirteen one-bedroom units, forty-two two-bedroom units, and fourteen three-bedroom units. The number and type of affordable units shall comply with all applicable requirements of New Jersey's Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 *et seq.*
2. The units shall be constructed and administered in accordance with UHAC requirements.
3. The units shall comply with all State barrier free accessibility requirements.
4. The sixty-seven units shall be interspersed among the market rate units in all three buildings.
5. The sixty-seven units will be constructed in accordance with the phase-in requirements set forth in State and Township regulations in effect at the time of approval, or such other phase-in schedule as may be agreed to between the developer and the Township.
6. The developer shall enter into a contract with Plainsboro's Administrative Agent ("AA") or such other qualified AA as the State prescribes and shall pay the AA's fee for affirmative marketing, advertising, and income qualification services.

*Recreation*

7. In order to ensure compatibility between the residents in the development and the recreational facilities provided, the applicant shall monitor the number and ages of children in the project to determine whether recreational facilities specifically for children are needed. Prior to occupancy of the second and third buildings, and prior to the release of the final certificate of occupancy for the third building or the final certificate of occupancy for the project, which occurs later, the applicant shall provide an accounting of the number of children and their ages in each occupied building to assist in such determination. If Township staff find after evaluating such information after each of the benchmarks noted above, that such facilities are necessary, the applicant shall proceed to provide such facilities without formal application to the Board. The applicant shall, instead, submit a plan to the Township Planning and Zoning Department for administrative review and approval. Such facilities shall be ADA compliant.



*Landscaping*

8. The applicant shall make every effort to preserve existing mature trees wherever possible. Where such efforts have been made and the trees involved do not survive, the applicant shall replace said trees with trees of similar species, measuring four to five inches in caliper at planting time. The Board acknowledges that at the time of the public hearing, the applicant had already added a note to the plan accordingly.
9. Along Main Street, between Lionsgate Drive and College Road West, the applicant proposes to preserve the line of mature existing oak trees, on both sides of the street, between the existing sidewalk and the curb. Staff identified two missing trees in this area on the north side of Main Street. The applicant shall replace the missing oak trees with oak trees of the same species having a minimum four to five inch caliper at planting time. The Board notes that at the time of the public hearing, the applicant had already revised its plans accordingly.
10. The proposed landscape plan identifies four new tree plantings on Main Street along the frontage of Building C. Consistent with the size of the existing trees along the Building C frontage and along the frontage on the opposite side of Main Street from Building C, the four new trees shall be a minimum of four- to five-inch caliper. The Board notes that at the time of the public hearing, the applicant had already revised its plans accordingly.

*Lighting*

11. The applicant shall revise the light levels for accuracy to meet Township requirements, and shall revise its lighting plans accordingly.

*Signage*

12. The final details of the applicant's emergency building signage will be subject to the review and approval of the Township.
13. The notes associated with the sign details on Sheet L-12 shall be clarified to indicate which sign the specific details relate to and which plan sheet (*i.e.*, L-2 or L-3) identifies the location of the sign.
14. The applicant shall meet with Township Fire Official and, as appropriate, Fire Department personnel, to determine a mutually acceptable option to address the need by emergency services personnel to be able to distinguish each of the three buildings, such as by clearly identifying each building using emergency access signage that is distinguishable between the buildings and type of access entry.
15. The applicant shall provide "Share the Road" signs at all vehicular points of entry into the PFV, subject to the review and approval of the Planning Board Engineer's office. The details of such signs shall comply with the Type B alternative MUTCD sign detail

for the PFC. The applicant agrees with this plan revision and has revised the plans accordingly.

16. As proposed and agreed to by the applicant during the public hearing, the applicant will separately submit a complete sign package to the Planning Board for review and approval at a later date.

#### *Sidewalks and circulation*

17. The applicant has proposed sidewalks within the proposed development, all of which are identified as being five feet in width, which is the minimum required in the Township Code (§85-22). In the 2014 plan, sidewalks were generally five feet in width and adjoined a four-foot-wide decorative paver area that adjoined streets/parking lot drive-aisle curbs. The effect of this was that of increasing the useable walkway area width to nine feet for areas outside the tree grates. Elsewhere in the project, where the sidewalks did not adjoin a four-foot-wide decorative paver area, the sidewalks were widened to six feet in width. Such width is consistent with the sidewalk width standard required for sidewalks adjoining multifamily buildings in the Princeton Nurseries development located north of College Road West. The applicant shall revise the plans accordingly.
18. The applicant shall use flexible tree grates such that the opening in the grate for the tree is readily expandable. The model information for the revised tree grate shall be added to the plans and the final detail for the tree grates shall be subject to the review and approval of the Planning Board Engineer's office.
19. The proposed eight-foot-wide concrete sidewalk along the perimeter of the site shall be bituminous asphalt and not concrete as noted on the current plans. The applicant shall revise its plans accordingly.
20. The applicant shall revise its plans to identify bicycle storage areas inside each of the parking garages of the three buildings adequate to meet expected demand and based on current industry standards for such storage in multifamily dwelling buildings.
21. Given the condition of the existing roadway pavement on College Road West and internal to the site, and the magnitude of the project, it appears that College Road West and the internal roadways will require significant restoration including resurfacing and re-stripping.<sup>4</sup> The applicant shall assess the roadway conditions and amend its plans to include the proposed roadway restoration limits for further review by Planning Board staff. In addition, the applicant shall relocate the stop signs and stop bars as necessary

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<sup>4</sup> A member of the public expressed concerns about delaying the repair/resurfacing of these roads until after the completion of the project. The Board explained why this was necessary. The applicant offered instead to review the current conditions of the road and to repair any potholes. It should be noted that this is not being made a condition of the Board's within approval.



to accommodate the proposed crosswalk modifications in accordance with MUTCD requirements.

22. As requested by the president of the board of The Windrows HOA during the public hearing and agreed to by the applicant, the applicant shall install "no thru traffic" signs at both intersection of Windrow Drive with College Road West. This requirement is expressly contingent, however, on the HOA obtaining all necessary permissions and authorizations, including from outside agencies if/as needed.
23. As requested by a member of the public during the public hearing and agreed to by the applicant, the applicant shall repair the existing system (flashing beacons) and marked crosswalks at the intersection of College Road West and Main Street. If the existing system cannot be repaired, the applicant will provide new rapid rectangular flashing beacons or similar safety device/system, subject to the review and approval of the Planning Board Engineer.

#### *Parking*

24. The applicant's engineer shall indicate on the plans each parking space outside of the buildings allocated to residential Buildings A, B, and C.
25. The applicant's engineer shall revise the Site Plans and Architectural Plans to provide one additional ADA parking space, where four are required and three are provided, and to provide two accessible sized EV parking spaces for Building C.
26. The Site Plans and Architectural Plans shall be updated to reflect the parking calculations for Building C. Additionally, should any revisions to the Site Plans or Architectural Plans occur, the proposed ADA and EV parking spaces shall be revised to account for changes to same.
27. All parking spaces and parking lot drive aisles (*i.e.*, residential parking garage, parking deck addition, and on-site surface parking) shall comply with the dimensional design standards set forth in section 85-44B of the Subdivision and Site Plan Review standards, including the use of hairpin striping per section 85-44B(2) of the Township Code.

#### *Grading, drainage and stormwater management*

28. The applicant shall provide a Drainage, Conservation, Maintenance and Access Easement in favor of Plainsboro Township and the County of Middlesex for the stormwater management system. The deed of easement and metes and bounds description shall be subject to the review and approval of the Township Attorney and Township Engineer. A computer printout closure report shall be submitted for the easement.

29. The Maintenance Plan and any future revisions shall be recorded upon the deed of record for the property on which the maintenance described in the maintenance plan must be undertaken, the form of which shall be subject to the review and approval of the Township Attorney prior to recording the same with the Middlesex County Clerk's Officer, as per Section 85-28 J of the Township Code.

#### *Utilities*

30. The applicant submitted a report prepared by a professional engineer licensed in the State of New Jersey including calculations of the anticipated water demand. The following additional items shall be provided:
- a. Documentation from New Jersey American Water as to the availability of existing water systems or proposed systems in the area to serve the needed flows.
  - b. Test data and calculations demonstrating that the required flows and pressures can be provided from the existing system.
31. The applicant shall be responsible for obtaining a permit from the NJDEP BWSE, if applicable.
32. The design and adequacy of the fire suppression systems and the delineation of fire lanes are subject to the review of the Fire Subcode Official.

#### *Sanitary sewer*

33. The applicant shall submit information to confirm the adequacy of the downstream conveyance system to accept the proposed flows and the availability of facilities to accept and treat the flow.
34. The applicant shall obtain a Treatment Works Approval from NJDEP.
35. The applicant shall obtain approval from the South Brunswick Sewerage Authority.

#### *Transformers, generators and mechanical equipment*

36. The applicant proposes to install electric transformer in two areas along College Road West to serve Buildings A and B. Any such transformers or other utility equipment shall be painted a dark green color (Sherwin Williams Rock Garden Green, SW# 6195 or equivalent) and screened by high quality fencing and/or landscaping to reduce the visibility of such equipment as seen from College Road West to the satisfaction of Planning Board staff in consultation with the affected utility company. The applicant shall revise its plans accordingly.
37. The unlabeled utility structures shown on the plans immediately to the south of Building C, plus the existing electric utility structures shown in the same area on the

Current Conditions plan shall be treated as noted in Condition 36 above. All other ground-mounted equipment, if any, shall be adequately screened to the satisfaction of Township staff in consultation with the affected utility company, if applicable. The Board acknowledges that at the time of the public hearing, the applicant had already added a note to the plans accordingly.

38. The applicant's plan shows emergency generators located along the College Road West frontage of Buildings A and B, to be shielded from view by a screen wall feature. If the screen walls are not sufficient to fully screen the generators from view by the public, the applicant shall provide additional screening to the satisfaction of Planning Board staff.
39. Prior to installation, the applicant shall provide evidence that the proposed generators comply with the NJDEP noise restrictions (N.J.A.C. 7:29).
40. Any rooftop equipment shall be located and screened so as to not be visible from ground level.

*Solid waste/recycling/deliveries*

41. Solid waste and recyclable materials shall be stored and disposed of in conformance with the representations contained in the applicant's submissions, namely: all solid waste and recyclable materials storage shall occur inside the proposed residential buildings. Residents will have access to a solid waste and recyclable materials disposal room on each floor of the respective buildings. Within such room there will be containers to dispose of solid waste and recyclable materials. The solid waste and recyclable materials to be disposed of in the trash rooms will be collected by property management personnel for pick-up by a licensed hauler under contract with the property owner. Solid waste or recyclable materials shall not be stored or visible outside the proposed buildings except for short durations prior to scheduled pick-up. The applicant shall coordinate with the waste hauler to identify appropriate location(s) for such temporary storage.
42. The applicant shall revise its plans as needed to identify the drop-off areas on Lionsgate Drive that will be used for deliveries and trash/recycling pick-up. The areas shall be dimensioned and able to accommodate said vehicles for Buildings A, B, and C.

*RSIS compliance*

43. The applicant shall provide a written compliance report demonstrating conformance to the Residential Site Improvements Standards (RSIS), including but not limited to the following items:
  - a. Sidewalk locations and widths
  - b. Right-of-way, cartway and parking lane widths
  - c. Average daily vehicle computation and analysis

- d. Storm system design and construction
- e. Storm water management design and construction
- f. Water system and fire hydrant design and construction
- g. Sanitary collection system design and construction
- h. Parking requirements and dimensions
- i. Roadway alignment and grade standards
- j. Requirements for curbing and pavement shoulders
- k. Bikeways
- l. Underground utilities
- m. Street and traffic signs and sign locations
- n. Sightlines / easements

#### *Phasing*

44. In the application document labeled "Rider to Application," the applicant indicates that it is seeking to develop the property in phases, but no phasing plan was included with the application. The applicant shall submit a complete construction staging and logistics plan to be filed with the Township by its contractor when seeking permits for the proposed project. The sequence of construction of the three buildings, as well as the site infrastructure and improvements, shall be developed in cooperation with, and shall be subject to the approval of, staff during the resolution compliance process in association with the required construction staging/logistics plan and hauling plan for the project.
45. The applicant shall provide a detailed phasing report that will identify the specific elements to be included and constructed in each phase. The plans shall be clearly detailed to indicate the improvements to be constructed in each phase. The applicant shall coordinate all roadway construction, stormwater collection and management systems, water systems and sanitary sewer systems for the site with adjacent property owners and onsite tenants as required.
46. The applicant shall provide a detailed plan or report addressing the management of construction activity and construction vehicles on-site during the construction of the proposed improvements, and provide detailed hauling, staging and circulation plans for the project, to be reviewed and approved by Township staff.

#### *Additional plan revisions*

47. Certain of the building elevation drawings in the plan set appear to be mislabeled. The applicant shall re-label them as follows:
- a. Building A North Elevation (Sheet A-7) shall be relabeled as the South Elevation and Building A South Elevation (Sheet A-8) shall be relabeled as the North Elevation.



- b. Building B North Elevation (Sheet A-9) shall be relabeled as the South Elevation and Building B South Elevation (Sheet A-10) shall be relabeled as the North Elevation.
- c. Building C South Elevation (Sheet A-11) shall be relabeled as the North Elevation and Building C North Elevation (Sheet A-12) shall be relabeled as the South Elevation.

#### *Emergency services*

- 48. The applicant shall coordinate the final details of the emergency access system for each of the building with the appropriate Township emergency services personnel.
- 49. The design and adequacy of the fire suppression systems and the delineation of fire lanes are subject to the review of the Fire Subcode Official.

#### *Construction*

- 50. Plans for sales and/or model areas, if any, shall be provided.
- 51. The pool, recreation facilities and all structures are subject to the review of the Township Construction Code Official.
- 52. Barrier Free Sub-code compliance is subject to Construction Code Official review and approval.

#### *Miscellaneous*

- 53. The approval granted herein is expressly conditioned upon the representations made by the applicant in its submissions and during the public hearing.
- 54. The applicant shall comply with the State and Township ordinance requirements for the provision of ADA and non-ADA EV charger parking spaces.
- 55. All easements and rights in favor of the Township shall be expressed in deeds and grants suitable for recording at the County Clerk's Office, the form of which shall be approved by the Township Attorney and the description in which shall be approved by the Township Engineer.
- 56. The applicant shall enter into a Developer's Agreement with the Township that is acceptable in form and substance to the Township Attorney. Such agreement shall, *inter alia*, address the conditions of this approval, including the obligations regarding the provision of affordable housing, the implementation of the overall parking requirements for the Princeton Forrestal Village related to this approval, and the required restoration of College Road West.

57. Computer printout closure reports shall be provided for the tract boundary and each new lot and all proposed easements or private rights-of-way on the Plat.
58. All tract outbound monuments shall be shown as found or set prior to the filing of the Final Plat in the Middlesex County Clerk's Office.
59. If the applicant intends to perfect its subdivision approval via deed, it shall submit such deed(s) to the Township Attorney and Board Engineer for review and approval prior to recording.
60. The applicant shall provide detailed hauling and staging plans for the project, to be reviewed and approved by the Planning Board Engineer's office, based on the following notes added or to be added to the construction plans:

"A hauling plan shall be submitted to the Township for review and approval for the movement of any construction materials or demolition debris on roadways leading from the Township border and vice versa."

"A detailed sequence of construction and contractor's staging plan shall be provided to separate and manage construction traffic and public traffic. This will further establish contractor's work and staging areas for each phase of construction, and shall include items such as the walkways, the pedestrian crosswalks, and the installation of underground utilities, road construction, and offsite improvements."

61. Unless expressly modified herein, the applicant will comply with all recommended conditions and requirements, if any, set forth in the Planning Board Review Memo attached hereto as Schedule C (including the Technical Appendix thereto), even if omitted from this resolution.
62. The applicant shall comply with all representations made and conditions agreed to on the record, even if omitted from this resolution.
63. The applicant will obtain the approval of and/or waivers, exemptions, or letters of no interest from the following outside agencies as applicable:
  - a. D&R Canal Commission
  - b. New Jersey Department of Environmental Protection
  - c. New Jersey Department of Transportation
  - d. Stony Brook Regional Sewerage Authority
  - e. South Brunswick Township
  - f. Freehold Soil Conservation District
  - g. Middlesex County Planning Board
  - h. Princeton University Real Estate Office
  - i. All other agencies having jurisdiction



64. The applicant shall submit copies of all applications and approvals, certifications, waivers or letters of no concern as may be required by all agencies having jurisdiction, prior to the signing of the final plans and commencement of site disturbance and/or construction.
65. The applicant shall pay all outstanding real estate taxes and escrow fees, if any, within thirty days of the date of this approval.
66. The applicant shall post such engineering inspection fees, performance guarantees, temporary certificate of occupancy guarantees, maintenance guarantees, and other guarantees as may be required, and shall provide cost estimates to the Planning Board Engineer from which to calculate all such guarantees and inspections fees.
67. Unless otherwise specifically set forth herein, all conditions of approval applicable to the preliminary/final subdivision approval granted herein must be satisfied prior to the signing of the final subdivision plat(s) or deed(s), and all conditions of approval applicable to the preliminary/final site plan approval granted herein must be satisfied prior to the signing of the final site plans and issuance of any construction or other permits.

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**ROLL CALL ON THE APPLICATION AND RESOLUTION, April 21, 2025**

Yes: 7


No: 0

Absent: 3

Abstain/Not Voting: 1

Sanjeev Agarwal:	Absent	Peter Cantu:	Yes
Jetal Doshi:	Absent	Joseph Greer:	Yes
Richard Keevey:	Yes	Arthur Lehrhaupt:	Yes
Sanjana Raturi:	Yes	Cary Spiegel:	Yes
Ed Yates:	Yes	Sharmila Maheshwari (Alt. #1):	Absent
		Reeta Sharma (Alt. #2):	Not voting

I hereby certify that the foregoing is a true copy of a resolution adopted by the Plainsboro Township Planning Board on the 21<sup>st</sup> day of April, 2025.



Josi Easter, Planning Board Secretary

# **SCHEDULE A**

## **EXHIBIT LIST**

**Plainsboro Township Planning Board**

**Hearing Date: April 21, 2025**

**Applicant(s): PFV Holding LLC and PFV Holdings Land LLC**

**Subject Property: Block 104, Lots 1.03, 1.05, 1.06 and 1.07**

**Application: Amended Preliminary & Final Major Site Plan and Major Subdivision**

<b>EXHIBIT</b>	<b>DESCRIPTION</b>	<b>TITLE</b>	<b>PREPARED BY</b>
A-1	Architect's PowerPoint Presentation, consisting of 32 slides	"Princeton Forrestal Village"	Minno Wasko
A-2	Landscape Architect's PowerPoint Presentation, consisting of 28 slides	"Princeton Forrestal Village Residential"	Melillo Bauer Carman
A-3	Site Plan Sheet CE-7	"Overall Site Plan of Lot 1.05, Block 104"	Van Note-Havey ("VNH")
A-4	Site Plan Sheet CE-8	"Site Layout Plan 1 of Lot 1.05, Block 104"	VNH
A-5	Site Plan Sheet CE-9	"Site Layout Plan 2 of Lot 1.05, Block 104"	VNH
A-6	Site Plan Sheet EXB-P1	"Residential Surface Parking Exhibit of Lot 1.05, Block 104"	VNH

Applicant reserves the right to supplement its application and provide additional documents

at any time prior to the Board's rendering of a decision on this application.

## **SCHEDULE B**

### **WITNESS LIST**

**Plainsboro Township Planning Board**

**Hearing Date: April 21, 2025**

**Applicant(s): PFV Holding LLC and PFV Holdings Land LLC**

**Subject Property: Block 104, Lots 1.03, 1.05, 1.06 and 1.07**

**Application: Amended Preliminary & Final Major Site Plan and Major Subdivision**

1. Stuart Johnson, AIA – Minno Wasko, Architects and Planners
2. Thomas Bauer, Landscape Architect – Melillo Bauer Carman Landscape Architecture
3. Ralph Petrella, PE – Van Note-Harvey
4. Karl Pehnke, PE – Langan Engineering and Environmental Services, Inc.

Applicant's Attorney: Christopher DeGrezia, Esq. – Faegre Drinker Biddle & Reath LLP

# **SCHEDULE C**

## **Plainsboro Township**

Amended Preliminary/Final Major  
Subdivision and Site Plan Review  
Application P24-08

Memo Date: 4/2/2025

Meeting Date: 4/21/2025

## **Planning Board Review Memo**

Name of Applicant: PFV Holding LLC and PFV Holdings Land LLC

Property Owner: Same

Type of Application: Amended Preliminary and Final Major Subdivision and Site Plan Review

Name of Project: Princeton Forrestal Village Residential Project

Property Location: College Road West and Route 1  
(Block 104, Lots 1.03, 1.05, 1.06 and 1.07)

Zone: PMUD -- Planned Unit Development District

Present Use of Property: Mixed Retail/Commercial, Office, Restaurants, Educational, Swim Club, and related parking and site improvements

Adjacent Land Uses:

North:	Undeveloped Princeton Nurseries Property
South:	Eden Autism Services
East:	Existing Princeton Forrestal Village and Route 1
West:	Princeton Windrows and Carnegie Post Acute Care at Princeton

### **Background**

The Princeton Forrestal Village (PFV) was approved by the Township in June 1985 as a planned upscale mixed commercial development, including a hotel, retail shops, restaurants, and offices. Since opening in 1986, the center has struggled as a retail center; first as a high-end retail center, then for a period as a retail factory outlet. During the period 2006-2008 two restaurants (Salt Creek Grill and Ruth's Chris) and Cando Fitness were added, making the center more of a mixed commercial center with less emphasis on retail and more emphasis on restaurants and office uses. In 2016 the Cando Fitness health club closed after less than ten years of operation. Since that time,



leased retail floor space at the center has continued to shrink, as has office occupancy. Today the center has several vacant store fronts and vacant office space.

Over the years there has been talk about the need for residential development at the PFV to help bolster the retail and restaurant market for this center. Previous owners of the center shared that perspective, explaining how a well-designed residential development could be built in a manner that would not only provide a high quality residential environment, but would enhance the overall design and appearance of the center; providing an enhanced pedestrian environment around the proposed buildings and open spaces, and would provide a permanent neighborhood population of several hundred residents that could patronize existing and new restaurants, and neighborhood serving shops and services.

In 2014, the Planning Board approved a site plan and subdivision for a residential development at the center which included 394 multifamily rental units in three separate buildings (P14-09). In 2016 the Planning Board approved the subdivision of one of the two lots approved in 2014, into two separate lots so that each of the approved buildings would sit on its own lot (P16-03). While all the issues related to this residential project were largely addressed, the one issue that remained unresolved was related to parking. Since the project was to be built in phases, a parking plan was developed to be implemented as the project proceeded. There was a requirement that a parking analysis be completed in association with the building permit for the third building, to demonstrate that the first and second levels of the parking structure would be adequate to support the project and that such parking would be completed prior to the issuance of the certificate of occupancy for the third building. The third level of the parking structure was to be built only if subsequent analysis determined a need for such parking. It is staff's understanding that the costs related to meeting the aforementioned parking obligation resulted in the overall project never proceeding to construction.

### **Project Description**

The applicant and its professional design team, Minno & Wasko Architects and Planners, and Van Note-Harvey Division of Pennoni site/civil engineers, have designed this project to be substantially consistent with the high-quality site design and architecture as the project that was approved by the Planning Board in October 2014. The applicant indicates that, compared to the 2014 project, what is now proposed offers increased public amenities, pedestrian improvements, building efficiencies, and refinement of architectural details.

The proposed development will contain 394 new residential units (same as the 2014 development) to be developed in three phases. Buildings A and B will each contain 160 units and Building C, located where the existing Market Hall is located, will contain 74 units. The buildings will contain a mix of studio, one, and two-bedroom market rate apartment units, as well as a mix of one, two and three-bedroom affordable apartment units, totaling sixty-seven (67) units, which will comply with the State's affordable housing standards (Uniform Housing Affordability Controls or UHAC). Note the proposed affordable housing component represents an increase as compared to the prior 2014 approval (from 50 units to 67 units or from 12.7% to 17% of the total number of units proposed).



Each building will include communal indoor residential amenity space, as well as active outdoor amenity space. The amenities offered include an elegant hotel style lobby, upscale club suite, state-of-the-art fitness center, yoga room, residential co-working areas, and a resort style pool with outdoor grills and lounging areas.

The structures will be four stories in height, not exceeding a maximum height of 60 feet, with a basement level of structured parking below. Factoring in the scale, materials and architectural details found within the Princeton Forrestal Village development and the surrounding area, the exterior materials for the project are to include cast stone-veneer, a variety of brick-veneer, fiber cement siding panels, dark colored vinyl residential windows, PVC Trim, and dimensional fiber-glass roof shingles. While these materials reflect a neutral palette that complements its surroundings, contemporary architectural elements can be seen in the design of the entrance canopies, varied cornice lines, lighting, and the overall detailing of the building elevations.

Ample private structured parking will be provided for the residents internal to each building, totaling a combined 428 residential parking spaces, as well as convenient surface parking spaces located adjacent to each building. The proposed plan indicates that the project as proposed will result in providing a parking supply equal to the parking requirements at the PFV, excluding the parking provided at the Westin Hotel (Such calculation includes the parking space bonuses allowed under the State and Township EV regulations that count each EV space as equivalent to two parking spaces).

The site plan also allows for open landscaped green spaces and continuous sidewalks around the community connecting the residents to the existing retail, restaurants, and public transportation. The proposed site plan includes several new public streetscape improvements as well as a new design for the public plaza area adjacent to Rockingham Row. The existing landscaped berms along College Road West will be redefined with new site landscaping and plantings while preserving existing trees where possible. At Main Street the existing inner row of existing oak trees are proposed to remain, thereby maintaining much of the existing tree canopy at the Main Street entrance to the development off College Road West. New sidewalks and street trees allow for greater pedestrian connectivity and a new pedestrian entrance located at the intersection of College Road and Seminary Drive will connect to Lionsgate Dr. as well as offer greater connectivity to the future mixed-use Princeton Nurseries development site located across Seminary Drive.

This project will be supportive of the existing retail, restaurants, hotel and offices in the center, will reinforce the pedestrian link to The Windrows along Main Street allowing a safe, beautiful walking experience into the Forrestal Village, as well as provide a pleasant, safe pedestrian connection to the future Princeton Nurseries mixed-use development across the intersection of College Road West/Seminary Drive and Nursery Road immediately to the north.

Regarding the proposed subdivision, the applicant seeks to have Lot 1.03 remain for proposed Building A; Lot 1.06 will also remain, but increase in lot area in the northerly direction (portion of area taken from Lot 1.07) for proposed Building B. The remaining

portion of Lot 1.07 will be consolidated back into Lot 1.05. A new lot is proposed and will be created around the existing building (Market Hall, to be demolished) for proposed Building C.

The applicant has requested an extended vesting period of five (5) years on this application, running from the date on which the resolution of the amended plan approval is adopted. According to research by the Planning Board Attorney, the vesting on the initial October 20, 2014 approval of this project (P14-09) expired on October 20, 2019. That said, the Planning Board may retroactively extend the vesting period for whatever period it deems reasonable pursuant to Municipal Land Use Law (N.J.S.A. 40:55D-52), taking into consideration the number of dwelling units and nonresidential floor area, economic conditions, and comprehensiveness of the development. In this instance, the applicant states that this extended vesting period is appropriate and reasonable given the size and complexity of the proposed development, i.e., the number of proposed units, current economic conditions, and the applicant's comprehensive goal to integrate the proposed development with the rest of Princeton Forrestal Village.

The applicant notes that the proposed development furthers the intent and purpose of the Township Master Plan and Zoning Ordinance, which were both amended in 2014 to allow the 2014 residential development at the PFV to be approved.

*See applicant's Rider to Application and Exhibit A, Design Narrative for additional details on the project.*

### **Site Plan and Subdivision Check List Waivers**

The applicant has requested ten (10) site plan check list waivers and has submitted a list that identifies the requested waivers with an explanation and justification for each. DRC/Staff have reviewed the requested waivers and are of the opinion that such waivers are reasonable and support their being granted.

### **DRC/Staff Comments & Recommendations**

#### **A. Planning and Zoning**

1. The current PMUD Zone regulations permit a use category identified as "Mixed-Use Multiple Dwellings" (§101-137P) and a section entitled "Evaluation Standards and Criteria" (§101-142) where 18 project evaluation standards are identified and described. Based on staff's review of the proposed plans and discussions between staff and the applicant, staff is satisfied that such use and evaluation standards applicable to the proposed development have been adequately addressed.
2. In response to the applicant's request for extended vesting pursuant to the provisions of the MLUL, staff takes no issue regarding this request.

**B. General Subdivision and Site Plan Issues**

1. All easements and rights in favor of the Township shall be expressed in deeds and grants suitable for recording at the County Clerk's Office, the form of which shall be approved by the Planning Board Attorney and the description in which shall be approved by the Township Engineer.
2. Given the condition of the existing roadway pavement on College Road West and internal to the site, and the magnitude of the project, it appears that College Road West and the internal roadways will require significant restoration including resurfacing and re-stripping. **DRC/Staff recommends** that the applicant assess the roadway conditions and amend the plans to include the proposed roadway restoration limits for further review by Planning Board staff. In addition, the stop signs and stop bars shall be relocated as necessary to accommodate the proposed crosswalk modifications in accordance with MUTCD requirements.
3. In the application document labeled "Rider to Application," the applicant mentions that they are seeking to develop the property in phases. No phasing plan has been submitted with the application. The applicant indicates that a complete construction staging and logistics plan shall be filed with the Township by their contractor when seeking permits for the proposed project and approved by Township staff.

**C. Residential Site Improvement Standard (RSIS) Issues**

The applicant's engineer has indicated that the project complies with RSIS standards. The applicant shall provide a written compliance report demonstrating conformance to the Residential Site Improvements Standards (RSIS), including but not limited to the following items:

1. Sidewalk locations and widths
2. Right-of-way, cartway and parking lane widths
3. Average daily vehicle computation and analysis
4. Storm system design and construction
5. Storm water management design and construction
6. Water system and fire hydrant design and construction
7. Sanitary collection system design and construction
8. Parking requirements and dimensions
9. Roadway alignment and grade standards
10. Requirements for curbing and pavement shoulders
11. Bikeways
12. Underground utilities
13. Street and traffic signs and sign locations
14. Sight lines / easements



**D. Landscaping/Open Space, Screening, and Lighting Issues**

1. The proposed site includes a significant number of semi-mature (less than 12 inches in caliper) and mature trees (more than 12 inches in caliper) that were planted in the early to mid-1980s when the Princeton Forrestal Village was first developed. Given the nature of this project and the need to remove most of the existing trees on the site, which was the case as well back in 2014 under the prior approved plan, staff has concerns about the quantity, quality, and size of the landscaping proposed throughout the project, but particularly within the areas most visible to the public along College Road West and Main Street. In response to this concern and consistent with how this issue was handled under the prior approved plan, the applicant proposes to preserve as many of the existing mature shade trees along College Road West as possible, in addition to planting new shade trees along this area that will be a minimum of 4 to 5 inches in caliper at planting time.
2. As noted above, the applicant intends to make every effort to preserve existing mature trees wherever possible, however -- where such efforts have been made and the trees involved do not survive, the applicant has agreed to replace such trees with trees of similar species, measuring 4 to 5 inches in caliper at planting time, and has added a note to the plan accordingly.
3. Along Main Street, between Lions Gate Drive and College Road West, the applicant proposes to preserve the line of mature existing Oak trees, on both sides of the street, between the existing sidewalk and the curb. Staff identified two missing trees in this area on the north side of Main Street. **DRC/Staff recommends** that the missing Oak trees be replaced with Oak trees of the same species having a minimum 4-to-5-inch caliper at planting time. The applicant has agreed to this recommendation and has revised the plans accordingly.
4. The proposed landscape plan identifies four new tree plantings on Main Street along the frontage of Building C. There are currently three 10-to-12-inch caliper Honey Locust trees along this portion of the site, one of which is proposed to be removed in association with the new building. The four new trees that applicant shows along this frontage are to be 2½ inch to 3-inch caliper at planting. **DRC/Staff recommends** that such new trees, like the new trees proposed along the College Road West frontage of the site, be a minimum of 4-to-5-inch caliper, which would be more consistent with the size of the existing trees along the Building C frontage and along the frontage of the opposite side of Main Street from Building C. The applicant has agreed to this recommendation and has revised the plans accordingly.
5. The applicant has proposed two areas along College Road West involving electric transformers serving Buildings A and B. **DRC/Staff recommends** that such transformers or other utility equipment be a dark green color (Sherwin Williams Rock Garden Green, SW# 6195 or equivalent) and be screened by high quality fencing and/or landscaping to reduce the visibility of

such equipment as seen from College Road West to the satisfaction of Planning Board staff in consultation with the affected utility company. On the plan immediately to the south of Building C, there are utility structures that are not labeled. According to the existing conditions plan, there are existing electric utility structures in this same area. Such existing and/or new utility equipment shall be treated as noted above. All other ground-mounted equipment, if any, shall be adequately screened to the satisfaction of Township staff in consultation with the affected utility company, if applicable. The applicant has agreed to this recommendation and has added a note to the plans accordingly.

6. The applicant's plan shows emergency generators located along the College Road West frontage of Buildings A and B. According to the applicant's architect, the proposed location of the generators will include some type of screen wall feature. In the event such screen walls do not fully screen views of the generators, **DRC/Staff recommend** additional screening treatment be provided to the satisfaction of Planning Board staff. Additionally, prior to installation, the applicant shall provide evidence that the proposed generators comply with the NJDEP noise restrictions (N.J.A.C. 7:29). The applicant has agreed to this recommendation.
7. A review of the applicant's architectural plans (Sheet A-6, Roof Plan) indicates that there will be some rooftop equipment. What is unclear to staff in reviewing the plans is whether such rooftop equipment will be visible from ground level or whether it is located behind and below a roof feature that will effectively screen all views of such equipment from ground level. Without knowing which applies, **DRC/Staff recommends** that any rooftop equipment be located and screened from view from ground level.
8. The Statistics Chart provided indicates light levels with averages from 0.7-0.8 footcandles, which exceeds the typical average of 0.40-0.45 footcandles for residential street lighting. The Applicant shall discuss the need for the increased light levels.

#### **E. Signage Issues**

1. The applicant's plans include identification signage for the project at four locations. Sheets L-2 and L-3 identify the location of each of the signs (College Road West or CRW at Village Boulevard, CRW at Main Street, CRW at pedestrian gateway structure, and CRW at Houghton Lane). Sheets L-12 and L-13 identify details related to the proposed identification signs. **DRC/Staff recommends** the notes associated with the sign details on Sheet L-12 need to be clarified to indicate which sign the specific details relate to and which plan sheet (i.e., L-2 or L-3) identifies the location of the sign. The applicant has agreed to make these revisions in the final plans.



2. In 2014, at the DRC meeting on the plan being proposed at that time, mention was made of the need by emergency services personnel to be able to distinguish each of the three buildings. In the Planning Board Review Memo of the 2014 plan, the applicant was asked to consider options for building identification that would achieve this. The applicant at that time responded indicating that they met with various Township staff on this matter, and that each building will be clearly identified using emergency access signage that is distinguishable between the buildings and type of access entry. They mention that the final details of such treatment will be subject to the review and approval of the Township. **DRC/Staff recommends** the current applicant likewise consider this matter and arrange to meet with Township Fire Official and, as appropriate, Fire District personnel, to determine a mutually acceptable option to address the matter. The applicant has agreed to this recommendation.
3. The applicant's plans indicate that all MUTCD type traffic signage will comply with the Princeton Forrestal Center (PFC) sign details for such signage. **DRC/Staff recommends** the applicant utilize the Type B PFC sign detail for all MUTCD signs and the Type A PFC sign detail only for two-sided MUTCD signs. The plans shall be revised accordingly.

#### **F. Pedestrian and Bicycle Issues**

1. The applicant has proposed sidewalks within the proposed development, all of which are identified as being five feet in width, which is the minimum required in the Township Code (§85-22). In the 2014 plan, sidewalks were generally five feet in width and adjoined a four-foot-wide decorative paver area that adjoined streets/parking lot drive-aisle curbs. The effect of this was that of increasing the useable walkway area width to nine feet for areas outside the tree grates. Elsewhere in the project, where the sidewalks did not adjoin a four-foot-wide decorative paver area, the sidewalks were widened to six feet in width. Such width is consistent with the sidewalk width standard required for sidewalks adjoining multifamily buildings in the Princeton Nurseries development located north of College Road West. **DRC/Staff recommends** this same approach for the current plan, recommending the plan be revised accordingly. The applicant agrees with this recommendation and shall revise the plans accordingly.
2. The applicant has proposed to provide four feet square tree grates for all the proposed street trees adjoining proposed sidewalks. The selected tree grates must be flexible such that the opening in the grate for the tree is readily expandable. It is staff's understanding that the tree grate specified in the plans by the applicant's landscape architects, MBC, does not comply with this requirement. The model information for the revised tree grate shall be added to the plans and the final detail for the tree grates shall be subject to the review and approval of the Planning Board Engineer's office.

3. The current plan identifies an eight-foot-wide concrete sidewalk along the perimeter of the site replacing the existing bituminous asphalt paved bikeway that extends from Village Boulevard on the south side of the property to Village Boulevard on the north side of the property. Since such pathway was initially planned and constructed to function as a bikeway, where bituminous asphalt paving was chosen as the best option from a durability, maintenance, and suitability for bikeway usage perspective, **DRC/Staff recommends** that the proposed pathway be bituminous asphalt and not concrete as noted on the current plans. The applicant agrees with this recommendation and shall revise the plans accordingly.
4. The applicant shall provide "Share the Road" signs at all vehicular points of entry into the PFV, subject to the review and approval of the Planning Board Engineer's office. The details of such signs, which shall comply with the Type B alternative MUTCD sign detail for the PFC, are shown on the current plan set (Sheet CE-20). The applicant agrees with this plan revision and has revised the plans accordingly.
5. There is no mention of resident bicycle storage in the applicant's plans. **Staff recommend** that the applicant revise the plans to identify bicycle storage inside each of the parking garages of the three buildings adequate to meet expected demand and based on current industry standards for such storage in multifamily dwelling buildings.

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**G. Parking**

- Below are tables indicating the parking requirements and parking supply for the subject project:

<b>Parking Requirement Summary</b>	<b>Required Parking (Spaces)</b>
Current PFV Site – Non-Residential Uses per 2014 Agreement & confirmed by 6/6/23 CME Review	1,675
Building C Removal	-180 (From 6/6/2023 Review)
Building A (300), Building B (300), and Building C (141) Parking Requirement - RSIS	+741
Building A (-30), B (-30), and C (-14) EV Credit (10% of residential requirement)	-74
<b>Total Parking Spaces Required for Entire Site Including Residential EV Credits</b>	<b>2,162</b>

<b>Parking Supply Summary</b>	<b>Proposed Parking (Spaces)</b>
Current PFV Site – Non-Residential Uses	1,623 (Existing per Updated Parking Analysis dated March 5, 2025)
Removal of Existing Parking Spaces for Residential Buildings A and B footprint	-184
Land-banked parking in Lot F Salt Creek Grill	+40
Total Building A	+258
Total Building B (including Lot K reconfiguration of Removing 121 parking spaces and installing 252 parking spaces)	+343
Total Building C	+82
<b>Total Parking Spaces Proposed for Entire Site</b>	<b>2,162</b>

The project includes 112 EV spaces within the three parking structures as well as within the surface lots. The EV spaces within the buildings (A-26+B-26+C-12=64) will be constructed when the structures are built and the make-ready spaces, located within the surface lots (A-19+B-19+C-10=48), will be built per Township and State ordinances.

Based on the above tables, the proposed parking supply is equal to the parking requirement for the entire site.

- The Applicant's Engineer shall indicate on the plans each parking space outside of the buildings allocated to residential Buildings A, B, and C.
- The Applicant's Engineer shall revise the Site Plans and Architectural Plans to provide one (1) additional ADA parking space, where four (4) are required

and three (3) are provided, and to provide two (2) accessible sized EV parking spaces for Building C.

4. The Site Plans and Architectural Plans shall be updated to reflect the parking calculations for Building C. Additionally, should any revisions to the Site Plans or Architectural Plans occur, then the proposed ADA and EV parking spaces shall be revised to account for changes to same.
5. Given the nearly 400 dwelling units proposed and the likelihood that many of the residents will frequently be receiving goods by various delivery services (Amazon, FedEx, UPS, DoorDash, Grubhub), the provision of convenient reserved short-term parking for such vehicles will be important to preventing vehicle circulation and parking issues/conflicts. **Staff recommend** that the applicant explain to the Planning Board how the demand for delivery vehicle parking will be addressed under the proposed plan.

#### **H. Traffic Impact and Circulation**

The applicant's engineer has provided a traffic analysis for the 394 residential units based upon the 11th edition of the Institute of Transportation Engineers Trip Generation Manual with and has assessed the removal of the 61,869 SF Health Club and the removal of the 10,000 sf of Retail associated with Building C and notes that the proposed project would have a net reduction of 123 trips in the AM Peak Hour and 221 trips in the PM Peak Hour from the 2014 traffic analysis which projected an overall Level of Service D at the off-site studied intersections: Staff takes no exception to the traffic analysis done by the applicant's engineer.

#### **I. Grading, Drainage and Storm Water Management Issues**

1. The applicant has agreed to provide a Drainage, Conservation, Maintenance and Access Easement in favor of Plainsboro Township and the County of Middlesex for the stormwater management system. The deed of easement and metes and bounds description shall be subject to the review and approval of the Township Attorney and Township Engineer. A computer printout closure report shall be submitted for the easement.
2. The Applicant has agreed that the Maintenance Plan and any future revisions will be recorded upon the deed of record for the property on which the maintenance described in the maintenance plan must be undertaken. The form of same shall be approved by the Township Attorney prior to recording the same with the Middlesex County Clerk's Officer per Section 85-28 J.

#### **J. Water Supply and Distribution Issues**

1. A report prepared by a professional engineer licensed in the State of New Jersey including calculations of the anticipated water demand has been submitted by the Applicant. The following additional items shall be provided:



- a. Documentation from New Jersey American Water as to the availability of existing water systems or proposed systems in the area to serve the needed flows.
  - b. Test data and calculations demonstrating that the required flows and pressures can be provided from the existing system.
2. The Applicant is responsible for obtaining a permit from the NJDEP BWSE, if applicable.
3. The design and adequacy of the fire suppression systems and the delineation of fire lanes are subject to the review of the Fire Subcode Official.

**K. Sanitary Sewer and Solid Waste Handling Issues**

1. A report prepared by a licensed New Jersey Professional Engineer including a calculation of the anticipated sanitary flows to be generated by the proposed development has been submitted by the Applicant. The Applicant shall submit information to confirm the adequacy of the downstream conveyance system to accept the proposed flows and the availability of facilities to accept and treat the flow.
2. The Applicant is responsible for obtaining a Treatment Works Approval from NJDEP.
3. The Applicant is responsible for obtaining approval from the South Brunswick Sewerage Authority.
4. According to the applicant, all solid waste and recyclable materials storage shall occur inside the proposed residential buildings. Residents will have access to a solid waste and recyclable materials disposal room on each floor of the respective buildings. Within such room there will be containers to dispose of solid waste and recyclable materials. The solid waste and recyclable materials to be disposed of in the trash rooms will be collected by property management personnel for pick-up by a licensed recyclable materials waste hauler under contract with the property owner. Solid waste or recyclable materials shall not be stored or visible outside the proposed buildings except for short durations prior to scheduled pick-up. The applicant indicates that they will coordinate with the waste hauler to identify appropriate location(s) for such temporary storage. Additionally, the applicant shall indicate where the garbage and delivery trucks will perform their pick-up and drop-off for Building's 'A' and 'B'. The areas shall be dimensioned and able to accommodate said vehicles for Building's 'A', 'B', and 'C'.



**L. Construction Issues**

1. The applicant shall discuss the provisions for the management of construction activity and construction vehicles on-site during the construction of the proposed improvements, and provide detailed hauling, staging, and circulation plans for the project to be reviewed and approved by Township Staff.
2. As noted in comment B.3. above, no phasing plan has been submitted with the application. The applicant indicates that a complete construction staging and logistics plan will be filed with the Township by their contractor when seeking permits for the proposed project. **DRC/Staff recommend** that the sequence of construction of the three buildings, as well as the site infrastructure and improvements, be developed and reviewed during the resolution compliance process in association with the required construction staging/logistics plan and hauling plan for the project.
3. Plans for model unit areas, if any, shall be provided.
4. The pool, recreation facilities and all structures are subject to the review of the Township Construction Code Official.
5. Barrier Free Sub-code compliance is subject to Construction Code Official review and approval.

**M. Affordable Housing**

1. The applicant has agreed to provide 67 units in the development as a set aside for affordable housing. Planning Board staff recommend that the following minimum conditions apply to such set aside:
  - a. The affordable units shall be constructed and administered in accordance with New Jersey's Uniform Housing Affordability Controls or UHAC (N.J.A.C. 5:80-26.1 *et seq.*) and shall comply with all State barrier free accessibility requirements.
  - b. The 67 units shall be interspersed among the market rate units in all three buildings and shall contain the bedroom mix and mix of very low-, low- and moderate-income units as required under UHAC.
  - c. The 67 units will be constructed in accordance with the phase-in requirements set forth in State and Township regulations in effect at the time of approval, or such other phase-in schedule as may be agreed to between the developer and the Township.

2. The developer shall enter into a contract with Plainsboro's Administrative Agent ("AA") or such other qualified AA as the State prescribes and shall pay the AA's fee for affirmative marketing, advertising, and income qualification services.

**N. Miscellaneous Issues**

1. In 2014, the applicant was asked to comment on the provisions for emergency services access to the three residential buildings and their parking garages. The applicant at the time indicated that this matter was being discussed with Township staff, including members of the Township Police Department. The final details of the emergency access system were to be coordinated with and subject to the approval of appropriate Township emergency services personnel. **DRC/Staff recommends** that the current applicant also be required to follow a similar process to address this matter. The applicant agrees to this recommendation.
2. The applicant shall enter into a Developer's Agreement with the Township that is acceptable in form and substance to the Township Planning Board Attorney and Township Attorney. Such agreement shall, among other matters, memorialize conditions related to this project's affordable housing component, the implementation of the overall parking requirements for the Princeton Forrestal Village related to this application, and to the required restoration of College Road West as mentioned in Comment B.2. of this memo.
3. Some of the building elevation drawings in the plan set appear to be mislabeled. **DRC/Staff recommends** they be relabeled as follows: 1) Building A North Elevation (Sheet A-7) should be relabeled as the South Elevation and Building A South Elevation (Sheet A-8) should be relabeled as the North Elevation, 2) Building B North Elevation (Sheet A-9) should be relabeled as the South Elevation and Building B South Elevation (Sheet A-10) should be relabeled as the North Elevation, 3) Building C South Elevation (Sheet A-11) should be relabeled as the North Elevation and Building C North Elevation (Sheet A-12) should be relabeled as the South Elevation. The applicant has agreed to make these revisions in the final plans.
4. The applicant shall discuss the adequacy of the proposed indoor and outdoor recreational facilities to serve the residents of the proposed project, including how the recreational needs for resident children in the development will be served. When this project was before the Planning Board in 2014, the applicant noted that the project was not designed for children and is targeted to young professionals and empty nesters.

Since no playground or similar facilities are shown on the proposed plans, and as was required under the 2014 plan approval, to ensure compatibility between the residents in the development and the recreational facilities provided, the **DRC/Staff recommend** the applicant shall monitor the number

and ages of children in the project to determine whether recreational facilities specifically for children are needed. Prior to the release of the final CO for each of the three buildings in the project, the applicant shall provide such information to the Department of Planning & Zoning for review. If the Township determines that additional recreational facilities for children are necessary, the applicant shall proceed to provide such facilities without formal application to the Board. The applicant shall submit a plan and description of the proposed facilities to the Township explaining how such facilities fulfill the recreational needs of the resident children. Such facilities shall be ADA compliant.

**O. Other Agency Approval Issues**

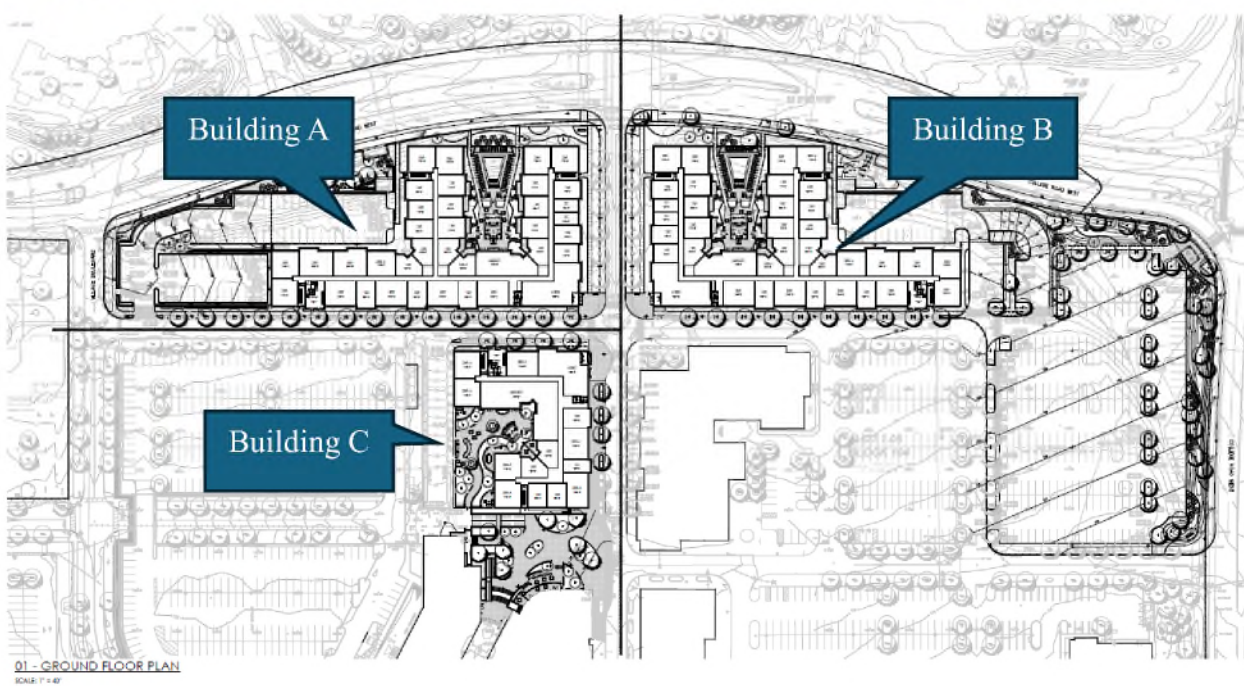
1. The applicant shall discuss approvals by all other agencies or organizations having jurisdiction, including the following:
  - a. D&R Canal Commission,
  - b. New Jersey Department of Environmental Protection,
  - c. New Jersey Department of Transportation,
  - d. Stony Brook Regional Sewerage Authority,
  - e. South Brunswick Township,
  - f. Freehold Soil Conservation District,
  - g. Middlesex County Planning Board,
  - h. Princeton University Real Estate Office,
  - i. All other agencies having jurisdiction.
2. Copies of applications and approval, certifications, waivers or letters of no concern, as may be required by all agencies having jurisdiction, shall be provided as a condition of final approval prior to release of the final plans by the Department of Planning and Zoning.
3. Township offices and staff that may have review jurisdiction involving this application or improvements related thereto, include:
  - Planning and Zoning Department: Ron Yake, Planner/Zoning Officer  
799-0909, ext. 1503
  - Planning Board Engineer's Office: Louis Ploskonka, CME Associates  
732-727-8000
  - Code Enforcement/Building Division: Brian Miller, Construction Official  
799-0909, ext. 1203  
Bill Gorka, Fire Official  
799-0909, ext. 1208
  - County Health Department: County Inspector  
799-0909, ext. 1219

Any approval shall be conditioned upon the submission of revised plans in accordance with the above comments; proof of approval or waivers from all other agencies having jurisdiction; the construction of offsite improvements, if deemed necessary by the Township Committee; the payment of any outstanding escrow fees and property taxes; the provision of an estimate for the cost of improvements to the Township in order that performance guarantees and inspection; fees can be calculated; and compliance with all applicable state and local affordable housing requirements.

**MLUL Clock:**

Application Completeness: 12/8/24  
Planning Board Action: 4/21/25 (MLUL time extension granted by applicant)

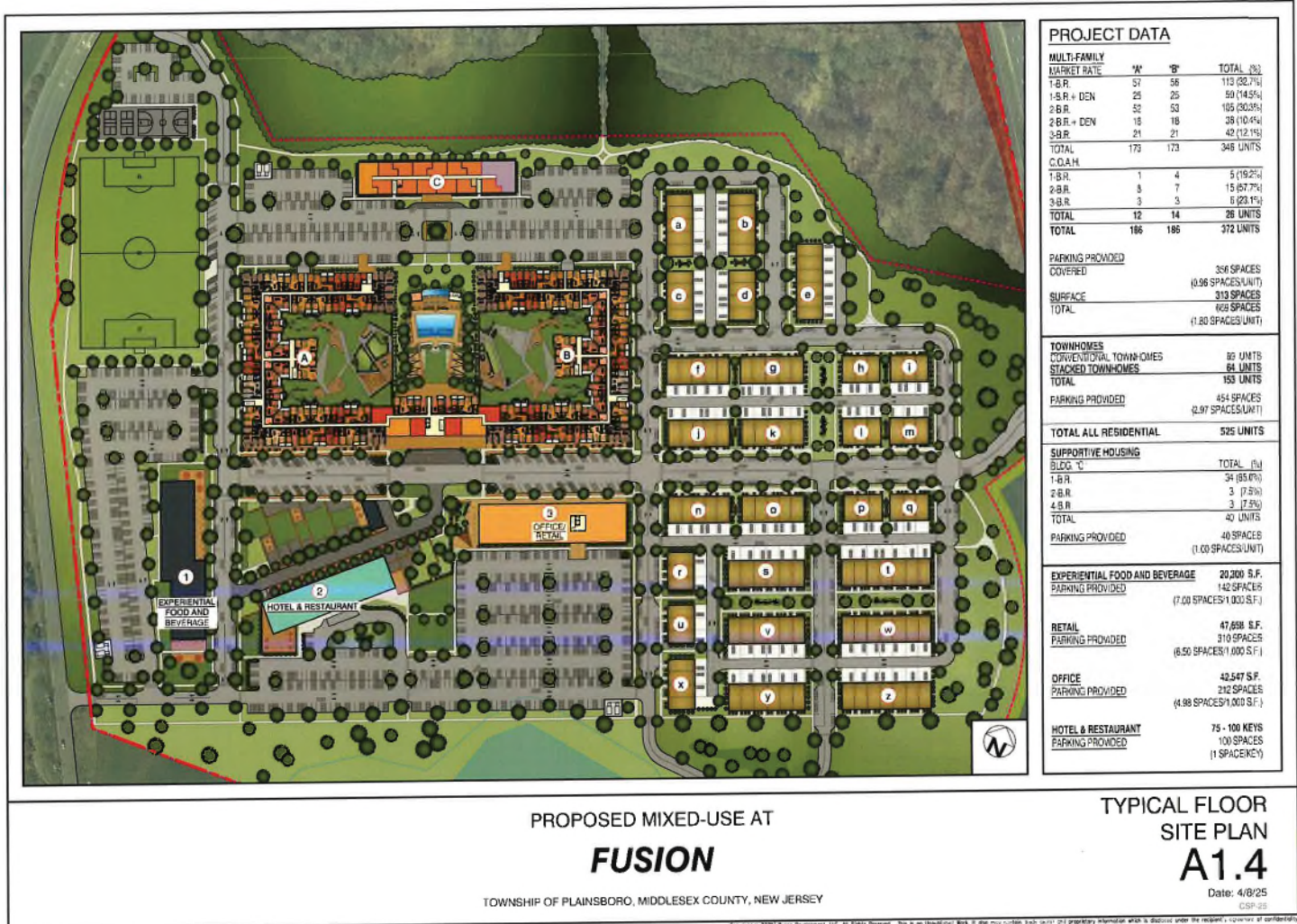




**Forrestral Village Residential – aerial and site plan rendering (7/18/24)**

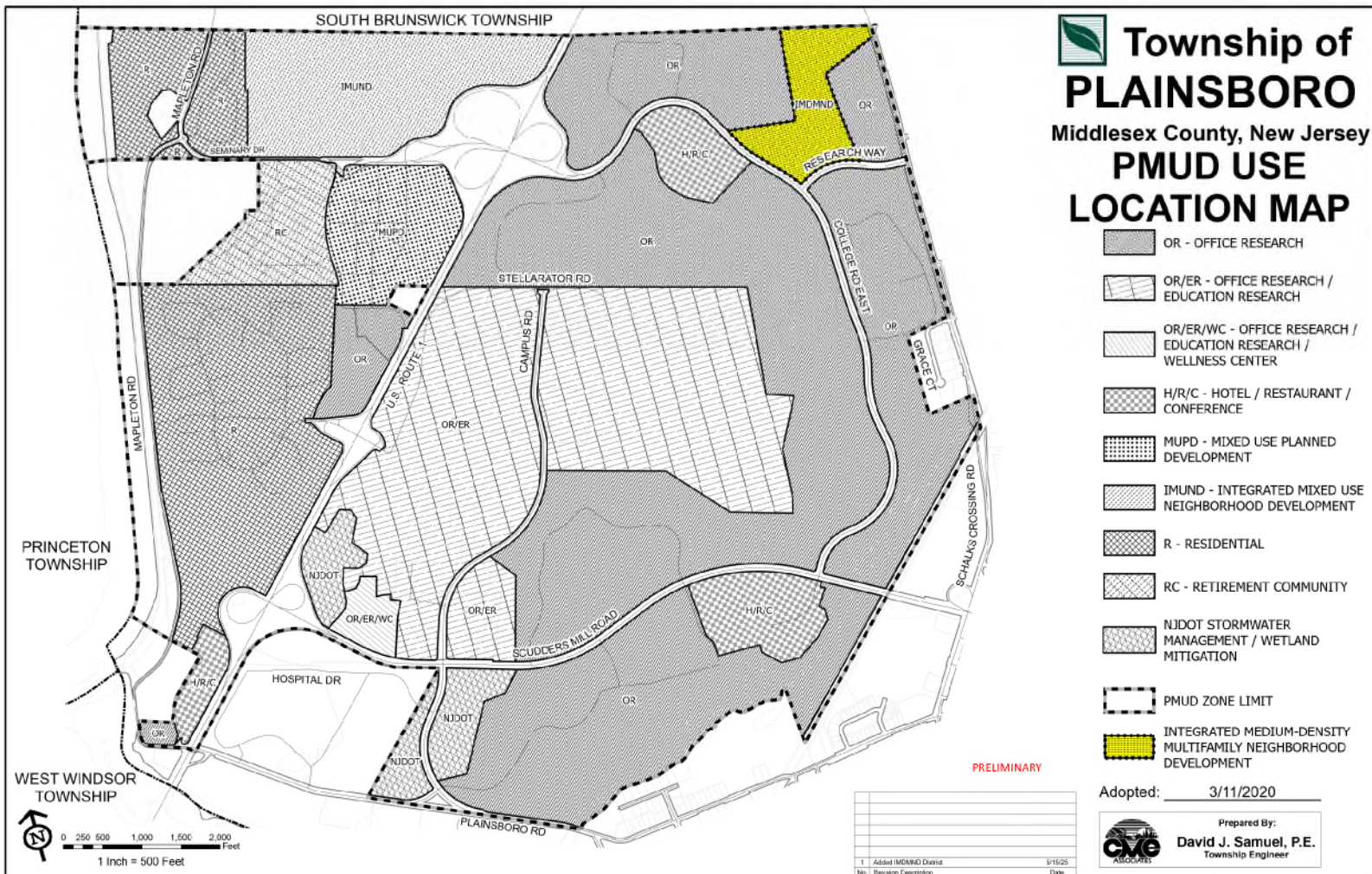


## **Appendix C. Fusion Concept Plan**



## **Appendix D. Proposed Use Location Map**





## **Appendix E. Affirmative Marketing Plan**





- E. Final applications will be emailed by Piazza & Associates to an adequate number of pre-qualified applicants, in priority order, for each available very low-, low- and moderate-income unit. The final application will require the applicants to supply documents to verify their identity and household composition as well as their income and assets.
- F. Completed final applications will be forwarded to Piazza & Associates. Piazza & Associates will make a determination as to their eligibility for a very low-, low- or moderate-income unit. Applicants will receive a letter from Piazza & Associates with respect to the status of their application each time a review is performed.
- G. At the same time, applicants will also be subject to any criteria set forth by the Owner, pursuant to the Tenant Selection Criteria, attached. The criteria shall comply with all fair housing standards and be set forth in a policy statement made available to all applicants in the leasing office. The Owner will be responsible for the assessment of all criteria beyond the income and household size criteria set forth above.
- H. Subsequent to the initial rent-up period, a list of pre-qualified applicants will be maintained by Piazza & Associates for each type of very low-, low- and moderate-income unit.

#### SALE PROCESS:

- I. An initial deadline date, no less than 60 days after the start of the marketing process, will be established. All of the preliminary applications received by Piazza & Associates, on or before the initial deadline date, shall be deemed received on that date.
- J. Households that apply for low- and moderate-income housing will be prescreened by Piazza & Associates for preliminary income eligibility by comparing their total income and household size to the low- and moderate-income limits adopted by COAH or its successors and other program restrictions that may apply. All households will be notified as to their preliminary status.
- K. A drawing will be held under the direction of Piazza & Associates to determine the priority order of the pre-qualified applications received on or before the initial deadline date. All preliminary applications received after the initial deadline will be processed on a "first come, first served" basis after the applicants who were in the initial random selection.
- L. In order to ensure an adequate supply of qualified applicants, the advertising phase will continue until there are at least ten (10) pre-qualified applicants for each low- and moderate-income unit available, or until all of the low- and moderate-income units within the development have been sold.
- M. Final applications will be emailed by Piazza & Associates to an adequate number of pre-qualified applicants, in priority order, for each available low- and moderate-income unit. The final application will require the applicants to supply documents to verify their identity and household composition as well as their income and assets.
- N. Completed final applications will be forwarded to Piazza & Associates. Piazza & Associates will make a determination as to their eligibility for a low- or moderate-income unit. Applicants will receive a letter from Piazza & Associates with respect to the status of their application each time a review is performed.
- O. When submitting final applications, applicants will also be asked to provide a pre-qualification letter from a qualified lending institution.
- P. Certified applicants will be given 15 days to sign a sales agreement with the developer. Mortgage contingencies may not be an acceptable term of the agreement.
- Q. The sales agreement may also limit closing to a reasonable time to be approved by Piazza & Associates in advance of the process.

#### RESALE PROCESS:

- A. The Seller submits a Preliminary Notice with a copy of their recorded deed in order to determine the maximum resale price.
- B. We will respond to the Seller in writing, explaining some of the details of the process and informing the Seller of the Maximum Sales Price (based on the change in median income as set forth by the New Jersey Dept. of Community Affairs) as well as the Maximum Income allowed for potential purchasers, as adjusted for family size. A form, entitled, "Notice of Intent to Sell", is submitted in order to initiate the sale process.
- C. We will email a "Notice of Availability" to households on our waiting list for an affordable home of the same

size and income category. We will send the seller about 20 copies of a QR code, which directs applicants to an address specific online application. The Notice will ask interested households to contact the Seller or their agent, directly, to make an appointment to see the affordable home within a two-week time frame. The Seller may want to prepare a flyer for us to distribute with our notice of availability. We reserve the right to limit the number of notices that are mailed, based on the chronological order in which the prequalified applications were received. If the notices are limited in this way, applicants receiving notices will have a priority over those who do not. Once the home is marketed, the price may not be increased unless a new marketing period is initiated.

- D. We automatically place a notification of the availability on NJHRC.gov. The Seller or their agent may also want to advertise. Ads should include the "Equal Housing Opportunity" logo and should be sent to our office for review prior to distribution.
- E. The Seller or their agent, upon showing the home, provides potential buyers with a copy of the QR code (which may be duplicated if necessary). All interested parties must submit the online Preliminary Application, whether or not they have already submitted an application to our office or are on our waiting list. Also, the Seller or their agent must keep a record of the name, address and telephone number of everyone who viewed the home.
- F. At the end of the two-week time period, our office collects all of the Preliminary Applications submitted for a particular home. They are prioritized on the basis of a blind selection process or lottery. Preference may be given to households that can utilize all of the bedrooms, as well as handicap accommodations, when applicable.
- G. The first two applicants on the prioritized list are emailed a letter which requires them to complete a final application within fourteen days.
- H. When an applicant is approved, the Seller may begin to negotiate a contract with the potential Buyer at this time, but there must be a contingency clause in the contract which voids the contract, without penalty to the buyer, if the potential buyer is not able to obtain financing within 30 days.
- I. The remaining applicants are maintained on the waiting list for this home or other homes in the same size and income categories. In the event that the potential buyer is not able and/or willing to purchase the affordable home, the next applicant on the prioritized list is notified pursuant to the process described above.
- J. When an applicant is in second priority position to purchase an affordable home (the *original* home), and another home of the same size and type in the same municipality (the *next* home) becomes available within 90 days of the lottery date of the *original* home, the applicant will have the option to transfer priority from the *original* home to the *next* home. The following conditions will apply: This opportunity only applies to the *next* home of the same bedroom number and income category as the *original* home that becomes available within the 90-day period. This offer will be made only one time and only for the *next* home. It does not apply to other similar homes that become available. The applicant must have completed a final application and be pre-qualified for the *original* home in order to be considered. The applicant will be notified by phone that an alternate home is available. The applicant will then have 3 business days in which to view the *next* home and make the determination if he/she would like to pursue that purchase. If so, the applicant would relinquish the secondary priority position for the *original* home. Once the decision to transfer to the *next* home is made, the applicant cannot be reinstated to the secondary position for the *original* home if he/she is unable or unwilling to purchase the *next* home. Conversely, once the decision is made to remain in the secondary position for the *original* home, the applicant cannot then transfer to the *next* home if he/she is unable or unwilling to purchase the *original* home.
- K. The Seller must sell the affordable home with the same or comparable appliances and amenities that were in the home when it was first sold as an affordable home.
- L. The Seller may NOT charge more than the Maximum Selling Price for any reason, except the addition of a room, the installation of central air conditioning (where there was none before) or comparable upgrade, but ONLY with prior written approval from us. For the most part, condominiums in this program are NOT eligible for such upgrades and/or adjustments to the selling price. The cost of broker fees; municipal inspections and required repairs that may be necessary to receive a Certificate of Occupancy; new appliances, carpeting or other flooring upgrades; and decorating and remodeling projects are NOT eligible costs for an increase in the Maximum Sales Price.
- M. A copy of the Sales Contract must be submitted to our office prior to closing.
- N. During the final stages of the process, it will be necessary for the Buyer to make arrangement for the Affordable Housing Agreement and Mortgage Note to be satisfied with respect to the Seller and new documents filed with respect to the Buyer.
- O. A copy of the HUD Closing Statement or Closing Disclosure form required by the TILA-RESPA Integrated

Disclosure Rule, as appropriate, must be submitted to our office after the sale of the home.

- P. Note: We do not guarantee that the Buyer can sell an affordable home for the Maximum Sales Price. An affordable home is also susceptible to market conditions, and the Fair Market Value of an affordable home may be lower than the Maximum Selling Price. In this case, the Seller may not be able to sell the home for more than its Fair Market Value
- Q. This outline is meant to describe the process utilized prior to the expiration of the deed restrictions. It is not meant to be a legal representation of the rights or responsibilities of any party, nor is it meant to modify the Affordable Housing Agreement, Mortgage Note or other Deed Restrictions. Buyers and Sellers are encouraged to seek legal counsel for specific questions in this regard.
1. Our office is available to both the Seller and the Buyer throughout the process to answer any questions that they may have.

3a. Direction of Marketing Activity: Based on demographic data from the census, this table provides a comparison of race and ethnic origin between the Housing Region 3 and the Township of Plainsboro. The most significant negative differences point to the greatest need for affirmative marketing. The most significant negative differences point to the greatest need for affirmative marketing. In this case, Hispanic (-9.49%) represents the clearest difference between the municipality and the region.

The U. S. Census Data:

Subject	RACE								
	Total population	Race alone or in combination with one or more other races: [1]							
		White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Hispanic or Latino (of any race)	
Hunterdon Co.	128,349	117,264	3,451	167	4,181	37	1,570	6,722	121,627
Middlesex Co.	809,858	474,589	78,462	2,777	173,293	251	56,569	148,975	660,883
Somerset Co.	323,444	226,608	28,943	556	45,650	94	13,360	42,091	281,353
Total Region 3	1,261,651	818,461	110,856	3,500	223,124	382	71,499	197,788	1,063,863
% Region 3	100%	64.9%	8.8%	0.3%	17.7%	0.0%	5.7%	15.7%	84.3%
Plainsboro Twp	22,999	9,445	1,847	69	10,630	4	404	1,429	21,570
% Plainsboro	100%	41.07%	8.03%	0.3%	46.22%	0.02%	2.61%	6.21%	84.4%

Difference

-28.83%	-0.77%	0.0%	28.52%	0.02%	-3.09%	-9.49%	9.49%
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[1] In combination with one or more of the other races listed. The six numbers may add to more than the total population, and the six percentages may add to more than 100 percent because individuals may report more than one race. Source: U.S. Census Bureau, 2010 Census of Population and Housing, Demographic Profile Summary File: Technical Documentation, 2011.

- ☐ White (non-Hispanic) ☒ Black (non-Hispanic) ☒ Hispanic ☐ American Indian or Alaskan Native
- ☐ Asian or Pacific Islander ☐ Other group:

3b. Commercial Media (required) (Check all that applies)

#### TARGETS ENTIRE HOUSING REGION 3

##### Web-based Advertising

X	Website During Rent-up	NJ Housing Resource Center <a href="http://www.NJHRC.gov">www.NJHRC.gov</a>	Internet
X	Website During Rent-up	<a href="http://www.HousingQuest.com">www.HousingQuest.com</a>	Internet

X	Website During Rent-up	<a href="http://www.plainsboronj.com">www.plainsboronj.com</a>	Internet
X	Once at Start and announcement prior to lottery	HousingQuest newsletter	10,000+ Recipients

### TARGETS PARTIAL HOUSING REGION 3

#### Daily Newspaper

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
X	One day at start of Affirmative Marketing	Home News Tribune	Middlesex, Somerset, Union
X	One day at start of Affirmative Marketing	Courier News	Somerset and Hunterdon

#### Weekly Newspaper

X	One day at start of Affirmative Marketing	Hunterdon County Democrat / Hunterdon Observer	Hunterdon
X	One day at start of Affirmative Marketing	Princeton Packet	Middlesex, Somerset
X	One day at start of Affirmative Marketing	Messenger-Gazette	Somerset
X	One day at start of Affirmative Marketing	Cranbury Press	Middlesex

### TARGETS ENTIRE HOUSING REGION 3

X	One day at start of Affirmative Marketing	WKXW (101.5 FM)	Region 3
X	One day at start of Affirmative Marketing	WOR (710 AM)	Region 3
X	One day at start of Affirmative Marketing	WPAT (93.1FM)	Spanish

3c. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that applies)

	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
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### TARGETS ENTIRE HOUSING REGION 3

#### Monthly

X	One day at start of Affirmative Marketing	Sino Monthly	North Jersey/NYC area	Chinese-American
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#### Weekly

X	One day at start of Affirmative Marketing	Reporte Hispano	Central Jersey	Spanish-Language
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### TARGETS PARTIAL HOUSING REGION 3

#### Weekly

X	One day at start of Affirmative Marketing	Tiranga in New Jersey	Central Jersey	South Asian
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## III. MARKETING

3d. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)

Hunterdon County



X	One Announcement at Start of Affirmative Marketing	Tekni-Plex, Inc.	112 Church St., Flemington, NJ 08822
X	One Announcement at Start of Affirmative Marketing	Merck & Co	1 Merck Drive, Whitehouse Sta., NJ 08889
X	One Announcement at Start of Affirmative Marketing	Hunterdon Medical Center	2100 Wescott Drive Flemington, NJ 08822
X	One Announcement at Start of Affirmative Marketing	Foster Wheeler	Perryville Corporate Park Clinton, NJ , 08809-4000
X	One Announcement at Start of Affirmative Marketing	Chubb Insurance Co.	202 Halls Mill Rd. Whitehouse Sta., NJ 08889
X	One Announcement at Start of Affirmative Marketing	Exxon Mobile Research & Engineering	1545 US Highway 22 Annandale, NJ 08801
X	One Announcement at Start of Affirmative Marketing	New York Life	110 Cokebury Rd. Lebanon, NJ 08833

## Middlesex County

X	One Announcement at Start of Affirmative Marketing	Colgate Palmolive	909 River Rd., Piscataway, NJ 08854
X	One Announcement at Start of Affirmative Marketing	Web Craft	1980 Us Highway 1, North Brunswick, NJ 08902
X	One Announcement at Start of Affirmative Marketing	Bristol-Myers Squibb	1 Squibb Dr, New Brunswick, NJ 08901
X	One Announcement at Start of Affirmative Marketing	Johnson & Johnson	1 Johnson & Johnson Plaza & 425 Hoes Lane, New Brunswick, NJ 08933
X	One Announcement at Start of Affirmative Marketing	Prudential Insurance Company	44 Stelton Rd # 130, Piscataway, NJ 08854
X	One Announcement at Start of Affirmative Marketing	Robert Wood Johnson University Hospital	1 Robert Wood Johnson Pl, New Brunswick, NJ 08901
X	One Announcement at Start of Affirmative Marketing	Silverline Building Products	1 Silverline Dr. N. Brunswick, NJ 08902
X	One Announcement at Start of Affirmative Marketing	St. Peter's University Hospital	254 Easton Ave, New Brunswick, NJ 08901
X	One Announcement at Start of Affirmative Marketing	Telcordia Technology	6 Corporate Place Piscataway, NJ 08854
X	One Announcement at Start of Affirmative Marketing	J.F.K. Medical Center	65 James Street Edison, NJ 08818
X	One Announcement at Start of Affirmative Marketing	Raritan Bay Medical Center	530 New Brunswick Ave Perth Amboy, NJ 08861
X	One Announcement at Start of Affirmative Marketing	Penn Medicine Princeton Medical Center	1 Plainsboro Rd. Plainsboro, NJ 08536
X	One Announcement at Start of Affirmative Marketing	Amerada Hess Corporation	1 Hess Plaza, Woodbridge and 679 Convery Blvd, Perth Amboy, NJ 08861
X	One Announcement at Start of Affirmative Marketing	Dow Jones & Company	54 Eddington Lane, Monroe Twp, NJ 08831
X	One Announcement at Start of Affirmative Marketing	Siemens AG	755 College Rd. East, Princeton, NJ 08540
X	One Announcement at Start of Affirmative Marketing	AT&T	1 Highway Terrace Edison , NJ 08817
X	One Announcement at Start of Affirmative Marketing	Engelhard Corporation	101 Woods Ave South Iselin, NJ 08830
X	One Announcement at Start of Affirmative Marketing	Fedders Corp	2 Centre Dr. Monroe Twp. 08831
X	One Announcement at Start of Affirmative Marketing	Merrill Lynch	2 Tower Center Blvd., East Brunswick, NJ 08816

## Somerset County

X	One Announcement at Start of Affirmative Marketing	ABC Limousine	49 Lock St Newark, NJ 07103
X	One Announcement at Start of Affirmative Marketing	Bloomberg LP	1350 Liberty Ave. Hillside, NJ 07205

X	One Announcement at Start of Affirmative Marketing	Courier News	92 E. Main St. #202 Somerville, NJ 08876
X	One Announcement at Start of Affirmative Marketing	Emcore Corp	14 Worlds Fair Dr #A Somerset, NJ 08873
X	One Announcement at Start of Affirmative Marketing	Ethicon Inc	US-22 N Somerville, NJ 08876
X	One Announcement at Start of Affirmative Marketing	ICI Americas Inc.	10 Findeme Ave Bridgewater, NJ 08807
X	One Announcement at Start of Affirmative Marketing	ITW Electronic Component Packaging	95 Commerce Dr Somerset, NJ 08873
X	One Announcement at Start of Affirmative Marketing	Merck & Company	3070 US-22 Branchburg, NJ 08876
X	One Announcement at Start of Affirmative Marketing	Ortho-Clinical Diagnostics Inc	1001 US-2002 Raritan, NJ 08869
X	One Announcement at Start of Affirmative Marketing	Provant Health	170 Mount Airy Rd. Basking Ridge, NJ 07920

3e. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)			
Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach
Agencies and Services as ATTACHED	Region	All	One notice at start of marketing

#### IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:	
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)	
<input checked="" type="checkbox"/>	<b>BUILDING</b>
<input checked="" type="checkbox"/>	<b>LOCATION</b>
X	Middlesex County Administration Bldg
X	75 Bayard, New Brunswick, NJ 08903
X	Somerset County Admin. Bldg
X	20 Grove Street, Somerville, NJ 08876
X	Hunterdon County Administration Bldg.
X	71 Main St., Bldg 1, 1 <sup>st</sup> floor, PO Box 2900 Flemington, NJ 08822
X	Plainsboro Public Library
X	19 Van Doren St., Plainsboro, NJ 08536
X	Middlesex County College-Library
X	PO Box 3050, Edison, NJ 08818
X	Somerset County Library Headquarters
X	1 Vogt Drive, Bridgewater, NJ 08807
X	Hunterdon County Library Headquarters
X	314 State Highway 12, Flemington, NJ 08822; RR 12 Box Main Flemington, NJ 08822
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)	
Township of Plainsboro 641 Plainsboro Road Plainsboro, NJ 08536	
Plainsboro Public Library 9 Van Doren Street Plainsboro, NJ 08536	
4c. Sales/Rental Office for units (if applicable)	

## V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the Municipality's substantive certification.

Frank Piazza, Jr.

\_\_\_\_\_  
Name (Type or Print)

Administrative Agent, Township of Plainsboro

\_\_\_\_\_  
Title/Municipality

A handwritten signature in black ink, appearing to read "Frank Piazza, Jr.", is written over a horizontal line.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **Appendix F. CAFA Operating Manual**

Township of Plainsboro  
County of Middlesex

Resolution No. 20-188

**RESOLUTION AUTHORIZING THE EXECUTION OF THE AFFORDABILITY ASSISTANCE CONDOMINIUM ASSOCIATION FEE ASSISTANCE PROGRAM**

**WHEREAS**, N.J.A.C. 5:97-8.8(a) permits at least 30 percent of all development fees collected and interest earned to be used to create and provide affordability assistance programs to low and moderate income households in affordable units included in the municipality's Fair Share Plan; and

**WHEREAS**, there are approximately 32 occupied one- and two- bedroom, low-income sales units in the Tamarron at Princeton Meadows Condominium Association for which the affordability controls were extended beyond the original thirty-year period; and

**WHEREAS**, the Tamarron Condominium Association recently increased the monthly assessment fees charged to Owners of one-bedroom and two-bedroom low-income units and additionally charged an initial special assessment fee to Owners; and

**WHEREAS**, in order to address the sudden increased monthly fee and any increased percent associated with the initial special assessment fee, the Plainsboro Non-Profit Housing Corporation ("PNPHC") desires to develop a Condominium Association Fee Assistance Program on behalf of the Township; and

**WHEREAS**, the Township desires to establish the Program to make available grants and financial subsidy to income-qualified Owners, contingent upon program eligibility;

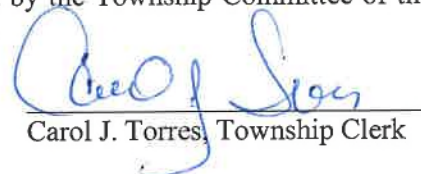
**NOW THEREFORE BE IT RESOLVED** by the Mayor and Township Committee of the Township of Plainsboro, County of Middlesex, and State of New Jersey the establishment of the Condominium Association Fee Assistance Program.

**NOW THEREFORE, MAY IT BE FURTHER RESOLVED** the Condominium Association Fee Assistance Program operating manual is hereby adopted to establish the applicability eligibility, process, and enforcement of the program.

**NOW THEREFORE, MAY IT BE FURTHER RESOLVED** that PNPHC is authorized to enforce the terms and conditions of the Condominium Association Fee Assistance Program on behalf of the Township.

**NOW THEREFORE, MAY IT BE FURTHER RESOLVED** that PNPHC is authorized to disburse the necessary funds through the Condominium Association Fee Assistance Program to qualified Owners.

I certify the above to be a true copy of a Resolution adopted by the Township Committee of the Township of Plainsboro at a meeting held on August 12, 2020.

  
Carol J. Torres, Township Clerk



**Plainsboro Non-Profit Housing Corp.**

**AFFORDABILITY ASSISTANCE:**  
**CONDOMINIUM ASSOCIATION**  
**FEE ASSISTANCE PROGRAM**  
**("CAFA Program")**

**OPERATING MANUAL**

**Final August 12, 2020**

## **TOWNSHIP OF PLAINSBORO AFFORDABILITY ASSISTANCE CONDOMINIUM ASSOCIATION FEE ASSISTANCE PROGRAM**

### **A. PREFACE**

N.J.A.C. 5:97-8.8(a) states that "...at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low and moderate income households in affordable units included in the municipality's Fair Share Plan. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, sales assistance, assistance with Condominiums' association or condominium fees and special assessments, and assistance with emergency repairs."

Currently, there are approximately 32 occupied one- and two- bedroom, low-income sales units (the "Affordable Units") in the Tamarron at Princeton Meadows Condominium Association (the "Tamarron CA") in the Township of Plainsboro (the "Township"), for which the affordability controls were extended beyond the original thirty-year period. The length of the extension of each varies and was determined at the time of the most recent purchase of the Affordable Unit by an income-qualified buyer.

Pursuant to the Tamarron CA Master Deed, the Affordable Units were assessed at a lower rate than the market-rate units in the development. Recently, the Tamarron CA took steps to equalize the Tamarron CA assessments, such that the monthly assessment charged to Owners of the one-bedroom Affordable Units has increased by \$137.28, and the fee for the two-bedroom Affordable Units increased by \$163.63 ("Increased Monthly Fees"). In addition, pursuant to the Tamarron CA, the Owners of a one-bedroom Unit will be required to pay an additional 0.2016% of any special assessments and the Owners of a two-bedroom Unit will be required to pay an additional 0.2422% of any special assessment, hereafter referred to as the "Increased Percent". It is the understanding of the Township that an initial special assessment has been authorized for the purpose of funding a major capital replacement project at Tamarron property.

In order to address the sudden Increased Monthly Fee and Increased Percent associated with the initial special assessment that would negatively impact currently low- or

moderate- income Owners, the Plainsboro Non-Profit Housing Corp. ("PNPHC"), on behalf of the Township of Plainsboro, has developed a Condominium Association Fee Assistance Program ("CAFA Program").

**B. INTRODUCTION**

This CAFA Manual has been prepared to assist in the administration of the CAFA Program. It will serve as a guide to the program staff, Township personnel and Owners.

This manual describes the basic content and operation of the program, examines program purpose and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the CAFA Program process. It describes the eligibility requirements for participation in the program, program criteria, funding terms and conditions, contract payments and overall program administration.

The program requirements are subject to change and grant funding is subject to availability. The following represents the procedures developed to implement the CAFA Program.

**C. PROGRAM DESCRIPTION**

This program makes available grants to income-qualified Owners, equal to the initial Increased Monthly Fee each month for the lesser of the following: until December 31, 2030 or the sale of the Unit to a non-income eligible buyer; and the Increased Percent for an initial special assessment by the Tamarron CA for necessary capital improvements. The funding is contingent upon all of the following criteria having been met: 1) The income and residency qualification of the Owner; 2) an agreement between the Owner and the Township that will extend the original affordable housing deed restriction for thirty (30) years beyond the original thirty (30) year restriction referenced in the Tamarron CA Master Deed; and 3) the Township approval of the special assessment. The CAFA will run through December 31, 2030.

If an applicant meets the eligibility requirements identified above as well as the criteria found in Section D of this manual, enrollment for this program will be open for the full ten (10) years with the benefits beginning, either:

1. Retroactive to the date upon which the Owners were first charged for the Increased Monthly Fee and the Increased Percent of the initial special assessment, respectfully, contingent upon the receipt of a complete application package by the initial deadline date, 60 days from the mailing of the application to the Owner at the start of the program; or
2. As of the date that the eligibility certification was approved by the Township.

#### **D. PROGRAM ELIGIBILITY**

To be eligible for the CAFA Program, the following conditions must be met and verified:

- 1) The Owner must apply for the program through the PNPFC and provide all of the necessary information and documentation required in furtherance of the application;
- 2) There must be a current deed restriction on the specified condominium, such that it qualifies as an Affordable Unit;
- 3) The Affordable Unit must be the primary residence of the Owner.
- 4) During the time that the Owner owned the Affordable Unit, the Owner had not owned or leased any other residential real estate.
- 5) The Owner and all of the residents of the Affordable Unit (together, the “Affordable Household”) must demonstrate that the gross annual income of the Affordable Household does not exceed 80% of the regional Median Income for COAH Region 3, as set forth in the local ordinance and as applicable to the date upon which the application is received. The current Gross Maximum Income Limits by Household Size, which are subject to change without notice, are currently as follows:

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons
\$66,920	\$76,480	\$86,040	\$95,600	\$103,248	\$110,896

- 6) The Owner must agree to extending the affordable housing controls on the Unit for the period of time necessary, so that the original restriction period and the extended restriction period will equal 60 years.
- 7) The Owner and the Township shall execute an Affordable Housing Mortgage and Note to enforce the affordable housing restrictions for the extended period of time.

**E. FUNDING AND DISTRIBUTION**

The funding projections are detailed in the Spending plan.

These funds will be distributed monthly by the PNPFC directly to the Tamarron CA for each household owning and residing in an Affordable Unit with an income-eligible Owner.

**F. THE PROCESS**

- 1) Eligibility for the CAFA Program is based, in part, on the income-certification of each Affordable Household, as required by the N.J.A.C. 5:80-26.1 et seq., also known as the Uniform Housing Affordability Controls and the policies and procedures of the PNPFC for the income certification of applicants for affordable housing in Plainsboro Township. In addition to the income-certification information, PNPFC will prepare a residency certification form and list of required documents to verify the residency requirements for the Owner.
- 2) Residency verification will include the following requirements:
  - a) A Municipal Residency Form, which requires each head of household to provide the name and age of every resident of the Unit, and a signed and notarized statement that the Owner resides in the Unit at least 260 days, and that neither the Unit or any part of the Unit is leased to any other party for any purpose.
  - b) A copy of a New Jersey driver's license for every member of the household who has been issued a current driver's license; or for every member of the household who has not been issued a current New Jersey driver's license, an alternative identification, issued by the State of New Jersey or the federal government, that clearly includes the address of the household member; or a copy of the most recent transcript or original, certified letter from the school or qualified home school program, in which each of the school-age household members are currently enrolled.
  - c) A copy of all utility bills, including water, sewer, gas, electric, TV, phone and internet services provided to the Unit.
- 3) PNPFC will prepare a letter, application form and restrictive documents for the CAFA Program and mail same to the Owners.



- 4) The application will be due no more than 60 days from the date the applications is mailed to the Owners in order for the benefits to be retroactive to the start of the Increased Monthly Fee. If an application is received subsequent to that time, then the benefits will begin upon the certification of the applicant, and will continue until such time as the program sunsets, i.e., ten (10) years form the start of the program.
- 5) Once approved and certified for eligibility, the household will continue to qualify for the program for each month of residency.
- 6) The Administrative Agent will report to the Township the Units eligible for the program.
- 7) A check for the amount due for eligible owners will be processed and sent directly to the Association each quarter in advance of the 1<sup>st</sup> of the month of that quarter, with the exception of the 1<sup>st</sup> payment, which will include the amount retroactive to the first Increased Monthly Payment.
- 8) The Association will credit the accounts of the existing owners in an amount that is equal to the funding provided to the Association by the Township.
- 9) The Administrative Agent will audit the program by contacting a random number of owners and former owners to ensure that the funding has been properly distributed.

#### **G. PROGRAM LIMITATIONS**

The CAFA Program will continue, contingent upon the availability of funds. The reduction or elimination of available funds will result in a corresponding reduction or elimination of CAFA Program grants.

#### **H. OTHER RELATED BENEFITS**

Eligibility for the CAFA Program will automatically make the applicant / Owner eligible for the Affordability Assistance Program, known as the Energy Assistance Program, sponsored by the Plainsboro Non-Profit Housing Corp., which provides grants for the installation of new high energy efficient HVAC systems, Energy Star water heaters and energy efficient windows, as long as that program is in place, and subject to that programs limitations.

## **I. PROGRAM ENFORCEMENT AND TERMINATION**

The Township and PNPFC, on its behalf, will endeavor to enforce the terms and conditions of the CAFA Program in an effort to ensure that the use of the CAFA funds are consistent with the program purpose and guidelines, as well as local and state regulations. Enforcement is not limited to the time of initial eligibility, but will continue throughout the length of the Affordable Housing Controls for each Affordable Unit.

- a. If, at any given point in time after the initial certification has been completed and the funds have been disbursed, an application is deemed to have been fraudulent in any material way, the Owner who benefitted from the disbursement of funds shall be obligated to return the funds to the Township, and will be subject to applicable civil and criminal enforcement actions.
- b. If, at any given time after the funds have been disbursed and prior to the end of the applicable affordable housing deed restriction with Affordable Housing Covenants, the Owner is deemed to be in violation of those Covenants, then the Township or PNPFC, on its behalf, shall have all remedies provided at law or equity including but not limited to forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

## **Appendix G. PEEP Operating Manual**

**Plainsboro Non-Profit Housing Corp.**

**AFFORDABILITY ASSISTANCE:**  
**ENERGY ASSISTANCE PROGRAM**

**OPERATING MANUAL**

**June 6, 2014**

## **PLAINSBORO NON-PROFIT HOUSING CORP. MANUAL FOR AFFORDABILITY ASSISTANCE: ENERGY EFFICIENCY PROGRAM**

### **I. PREFACE**

N.J.A.C. 5:97 – 8.8 (a) states that “....at least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low and moderate income households in affordable units included in the municipality’s Fair Share Plan. One-third of the affordability assistance portion shall be used to provide affordability assistance to very low income households. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.” The Council on Affordable Housing (COAH) approved Plainsboro’s Spending Plan on January 13, 2014. Plainsboro included an energy assistance program under affordability assistance in the approved spending plan.

It is important to note that there is no further direction in the form of an adopted regulation or adopted policy from COAH that details same. However, there is a section on Local Affordability Efficiency Programs on the COAH webpage that addresses security deposit assistance, rental assistance and administration but there is no COAH section on the website for an energy assistance program.

It is also important to note that the spending of trust fund money for affordability assistance on units in the Fair Share Plan does not create COAH credits for the Township. It is noted that there is no formally documented statement that units receiving energy assistance must have a deed restriction or lien, competitive bidding, minimum dollar amount, affirmative marketing or a major system repaired.

The Township has entered into an agreement with the Plainsboro Non-Profit Housing Corp. (PNPHC) to implement an Energy Efficiency Program (EEP) and funded that program with funds from the Housing Trust Fund as set forth in the Spending Plan. To that end, the PNPHC has prepared this manual to address the use of affordability assistance funds for energy assistance.

### **II. INTRODUCTION**

This Energy Efficiency Program Manual has been prepared to assist in the administration of the PNPHC Energy Efficiency Program. It will serve as a guide to the program staff and applicants.



This manual describes the basic content and operation of the program, examines program purpose and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the Energy Efficiency process. It describes the eligibility requirements for participation in the program, program criteria, funding terms and conditions, contract payments and overall program administration.

Piazza & Associates, Inc. has been engaged to provide support services necessary to administer the program on behalf of the PNPHC.

The program requirements are subject to change, and grant funding is subject to availability.

The following represents the procedures developed to offer an applicant the opportunity to apply for the program.

### **III. PROGRAM DESCRIPTION**

This program makes available grants of up to \$4,200 toward the cost of HVAC or heat pump equipment, and \$800 toward the cost of a hot water heater, to income-qualified owners of deed restricted, affordable homes in the Tamarron and the Villages at Princeton Crossing. By replacing existing heating /cooling (HVAC) systems and/or hot water heaters with new, high energy efficiency standards, the goal of this program is to save energy and reduce the operating costs, while maintaining a high level of comfort.

### **IV. GENERAL PROGRAM REQUIREMENTS**

Participation in this program requires:

- a. The equipment to be replaced must be at least 10 years old.
- b. At the time the unit owner (hereinafter, "the Owner") is applying for the grant, the Owner residing in the affordable home, and the household (including everyone living in the affordable home) must be re-certified as a moderate-income household or less under applicable State regulations. (Owners who acquired their units within the prior six months do not need to be re-certified.)
- c. Equipment Requirements:
  - i. In the case of HVAC equipment, an A.F.U.E. rating of at least 95-percent-efficiency with a condensing unit rated at least 15 SEER and R410A refrigerant or better is required.

- ii. For homes with heat pumps, a rating of at least 14 SEER, with R410 or better refrigerant shall be required.
  - iii. Hot water heaters must be Energy Star-qualified.
- d. For the HVAC or heat pump equipment, only those contractors provided by the PNPHC or the local utility provider; and, for the hot water heaters, only plumbers licensed by the State of New Jersey may be utilized.
- e. The Owner will select the contractor, but the PNPHC will pay only up to \$4,200 toward the cost of HVAC or heat pump equipment, and \$800 toward the cost of a hot water heater, (hereinafter, “the PNPHC’s Share”), and the Owner responsible for paying any remainder (hereinafter, “the Owner’s Share”).
- f. The Owner’s Share shall be paid in full before the PNPHC makes payment to the Contractor. The PNPHC will not make final payments to the Contractor until after the Construction Code Official conducts a final inspection and approves the Work.
- g. The Owner shall fully cooperate with the PNPHC and Piazza & Associates, Inc. (hereafter, “Piazza”), which administers portions of this program on behalf of the PNPHC.
- h. The Owner must enter into an agreement with the PNPHC in which he or she agrees to the terms and conditions outlined, above, and:
  - i. Releases the PNPHC and Piazza from any claims and agrees to indemnify, defend, and hold the PNPHC and Piazza harmless against any and all claims for liability.
  - ii. Agrees to fully cooperate with the Contractor, PNPHC, and Piazza, including making timely arrangement for all inspections.
  - iii. Acknowledges that the Contractor is solely responsible for the installation and that the PNPHC and Piazza have no responsibility with respect to the equipment or its installation and are not guarantors of the Work and agrees that communications with respect thereto shall be directed to the Contractor and not to the PNPHC or Piazza.
- i. The Owner will be required to use a form of contract between the Owner and Contractor that will be provided by the PNPHC and shall contain requirements set forth by the PNPHC to protect its interest.

## **V. GENERAL PROGRAM REQUIREMENTS**

In order to qualify for the program, the gross annual income of an Owner must be less than the limits set forth below for moderate-income households in Middlesex County. Please note that these limits are subject to change.

**MAXIMUM INCOME  
FOR PARTICIPATION IN THE PLAINSBORO ENERGY EFFICIENCY PROGRAM**

	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons
Moderate	\$85,920	\$98,240	\$110,480	\$122,720	\$132,560	\$142,400

The determination of the PNPHC of the income of the Owner during the recertification process will have no impact on the ownership of the affordable unit, since there is no limit on income after a home is purchased. However, the Owner must be in compliance with the affordable housing restrictions in order to take advantage of the Energy Efficiency Program grants, and PNPHC reserves the right to use the information that it gathers to enforce the obligations set forth in the affordable housing restrictions.

PNPHC shall recertify Owners using the same process and under the same terms and conditions that it uses to certify applicants to purchase affordable units in Plainsboro, as set forth by N.J.A.C. 5:80-26.1 et seq. and the procedures set forth in the Operating Manual for that purpose.

## **VI. EQUIPMENT RESTRICTIONS**

The minimum age of the current equipment to be eligible for replacement is 10 years. If an Owner is unsure as to the age of their equipment, they are advised to contact the Plainsboro Township Code Enforcement Office to determine if their HVAC system of Heat Pump and the hot water heater meet the age requirements set forth in the program.

## **VII. THE PROCESS**

- a. An introductory letter and application is mailed to the Owners of affordable units in the Tamarron and Villages at Princeton Crossing Developments.
- b. If interested, the Owners may apply for the program, using the application form and submit the form, together with the required documentation to the PNPHC for review.
- c. PNPHC makes a determination of eligibility based on the standards set forth above.
- d. PNPHC notifies the status of the review as follows:
  - i. Incomplete: The Owner shall have 5 days to complete the application.
  - ii. Not approved: The Owner may not participate in the program, but can re-apply at a later date. The Owner shall pay \$100 for the cost to perform a recertification review subsequent to the initial application.

- iii. Complete and Certified: PNPHC provides the Owner with a contract between the Owner and PNPHC for the Owner's review and execution.
- e. The Owner signs and returns the Contract between the Owner and the PNPHC for execution by Frank Piazza, as Executive Director of the PNPHC.
- f. PNPHC provides the Owner with a kit that includes:
  - i. An Request for Proposal that the Owner may use to obtain bids from contractors;
  - ii. Information regarding the operation and benefits of energy efficient equipment;
  - iii. The specification of the minimum standards of the equipment required;
  - iv. A list of plumbing contractors as well as contractors for the HVAC and Heat Pump installations; and
  - v. A form of Agreement between the Owner and the Contractor.
- g. The Owner selects a Contractor and enters into an agreement pursuant to f(v) above.
- h. The Owner submits same to PNPHC for approval.
- i. PNPHC returns the fully executed Contract with the Owner.
- j. The contractor completes the work.
- k. The Owner has the work inspected by the Township and pays the Contractor the Owner's share.
- l. PNPHC verifies that the payment was made and pays the Contractor the balance, not to exceed \$4,200 in the case of a HVAC or Heat Pump, and not to exceed \$800 in the case of a hot water tank.

## **Appendix H. Plainsboro Home Improvement Program Policies and Procedures Manual**



# Home Improvement Program

## Policies and Procedures Manual

### *Plainsboro Township*

#### *New Jersey*

*Created 6/5/25*

**NJHMFA promulgated emergency rules to UHAC in December 2024 and will be finalizing rule in 2025. Manual will be updated when final rules are published in fall of 2025.**

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# Home Improvement Program

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# Home Improvement Program

## *Policies & Procedures Manual*

### I. INTRODUCTION

The purpose of this document is to establish policies, guidelines and procedures which will govern the Home Improvement Program (HIP). The HIP was created by Plainsboro Township to assist properties occupied by very low, low and moderate-income households to correct all existing interior and exterior health, safety and code violations in conformity with the standards of the New Jersey State Housing Code, N.J.A.C. 5:28 and the Rehabilitation Subcode, N.J.A.C. 5:23-6. The HIP is guided by N.J.A.C. 5:93-5.2 and is subject to all laws, regulations, ordinances, and codes of the New Jersey Department of Community Affairs (DCA) and Plainsboro Township<sup>1</sup>. Plainsboro Township contracted with Community Grants, Planning & Housing LLC (CGP&H), a private consulting firm specializing in the implementation of publicly-funded housing rehabilitation programs, to manage and administer the HIP. The Program's funding source will be affordable housing trust funds. If the funding source changes, the manual will be updated to reflect the change as well as changes to regulation requirements, if any.

#### **A. Fair Housing and Equal Housing Opportunities**

It is unlawful to discriminate against any person making application to participate in the housing rehabilitation/home improvement programs or rent a unit with regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments.



For more information on discrimination or if anyone feels they are a victim of discrimination, please contact the New Jersey Division on Civil Rights at 1-866-405-3050 or <http://www.state.nj.us/lps/dcr/index.html>. Fair Housing and Equal Housing Opportunities apply to both owner and tenant applications.

<sup>1</sup> The HIP is guided by N.J.A.C. 5:93 except for the length of affordability controls for both owner- and renter-occupied (10 years, not six (6) years) and except for the required minimum average hard cost expenditure (\$10,000, not \$8,000).

## II. ELIGIBLE PARTICIPANTS

### A. Program Area

The HIP is a Township wide program currently aimed at scattered site housing rehabilitation of housing occupied by very low, low and moderate-income households throughout Plainsboro Township.

### B. Categories of Participants

Both owner-occupied and renter-occupied housing units are eligible to receive funding for rehabilitation provided that the occupants of the units are determined to be income eligible, the units are determined to be substandard and for primary residency only. Owners of rental properties do not have to be income eligible households. If a structure contains two or more units and an owner, who is not income eligible, occupies one unit, funding may be provided for the rehabilitation of the rest of the units if income-eligible households occupy those units. Rents must be affordable to low- or moderate-income households.

For housing units which received past affordable housing state credit, the following rules for repeat assistance shall apply.

- An owner of a previously rehabbed unit may apply for current rehab assistance if the unit was rehabbed in a prior Round and the affordability period has expired.
- An owner of an existing affordable deed restricted ownership unit with an active deed restriction that is currently meeting a Round 1, Round 2 or Round 3 credit may apply for current rehab assistance for the municipality to obtain a Round 4 present need credit, unless the affordable housing deed restriction receives a new affordable housing credit during Round 4 due to extended controls.
- Housing units which the municipality receives an affordable housing credit in Round 4 in any category are not eligible for additional assistance from the Township's housing rehabilitation program during Round 4.

Basically, a municipality cannot double credits on a unit within the same affordable housing Round.



**C. Income Limits**

Household income is defined as the combined annual income of all family members over 18 years of age including wages, Social Security, disability insurance, unemployment insurance, pensions, dividend/interest income, alimony, etc. Each unit's total household gross income must fall within the State's moderate-income limits based on family size.

The income limits are based on median income figures determined by New Jersey Housing and Mortgage Finance Agency (NJHMFA) for **Region 3**, which includes **Middlesex County**.

The income limits are in Appendix B of this manual. The Program Administrator will ensure that Appendix B is updated whenever new income limits are released.

**D. Application Selection**

At program start-up, and if and when the homeowner intake demand exceeds the number of openings, applications may be prioritized based on the reported income of the household as a percentage of the maximum allowable income for households of that size. This will give priority to the lowest income applicants and assist the municipality in reaching its goal of providing assistance to a minimum of 50% of the properties comprising of low income households. Otherwise, the Program will process new applicants added to the waiting list/applicant pool on a first-come, first served basis, to qualified applicants. If and when there is a waiting list, priority will be given to homeowners with less than \$300,000 in liquid assets. Assets in federally recognized retirement accounts do not apply to the liquid asset limit. The HIP will establish the waiting list from the program marketing efforts identified in Section IX of this manual.

***Emergency Processing Order***

Properties with safety and/or health hazards, confirmed/certified as an emergency by the municipal Construction Official or Health Department, can by-pass the first-come, first served process however they must meet all the other program requirements including income eligibility and bringing the unit up to code.

The Program Administrator shall determine that an emergency situation exists based on the following:

- A. The repair problem is an immediate and serious threat to the health and safety of the building's residents
- B. The problem has been inspected and the threat verified by the appropriate local building inspector, program inspector and/or health official

Depending on the type and extent of the emergency and with the homeowner's permission, the Program may by-pass the standard bid process outlined in *Section V sub-section N* to expedite the bid/contractor selection process. Instead, the Program may have a proven qualified

contractor familiar with the Program present at the initial property inspection with the homeowner to count as the contractor's site visit. This will allow for a quick turn-around on emergency scope of work to be contracted on a single quote basis. To be awarded the emergency work, the contractor's quote must be determined to be a reasonable cost based on the Program Inspector's cost estimate and the contractor must commit to a tight timeline to resolve the emergency situation. This emergency process may apply to heavily leaking roofs, inoperable heating systems during the winter months, immediately hazardous electrical systems and/or blocked sewer lines unresolvable to unclog via a simple service call for under \$1,000.

Please note that the loan agreement will state that if the homeowner takes the emergency funds to abate the safety/health hazards and then subsequently decides to voluntarily remove themselves from participation in the Municipality's Home Improvement Program to complete the non-emergency substandard code violation components of their project, essentially negating any opportunity for the municipality to gain credit for a fully rehabilitated home for this unit, those public funds used for the emergency shall be immediately due and payable back to the Municipality.

To address this potential, any homeowner receiving emergency funds will also be required to execute a statement indicating that the Municipality will place a lien on the property assisted for the Municipality to recapture the emergency funds, to be repaid with interest, based on the monthly average mortgage loan commitment rates at the time of closing in the event of noncompliance.

### III. ELIGIBLE ACTIVITIES

#### A. Eligible Improvements

The purpose of the program is to bring substandard housing up to code. In order to qualify for participation in the program, the condition of each home must be certifiable as being "substandard" as defined in N.J.A.C. 5:93-1.3.

In other words, at least one of the following major systems must be in need of replacement or substantial repair:

- Roof
- Plumbing (including wells)
- Heating

- Electrical
- Sanitary plumbing (including septic systems)
- Load bearing structural systems
- Weatherization (building insulation for attic, exterior walls and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors and replacement windows and doors)

The related work may include, but not be limited to the following:

- Lead paint remediation
- Interior trim work
- Interior and/or exterior doors
- Interior and/or exterior hardware
- Interior stair repair
- Exterior step repair or replacement
- Porch repair
- Wall surface repair
- Painting
- Exterior rain carrying system repair

### **B. Ineligible Improvements**

Work not eligible for program funding includes but is not limited to luxury improvements (improvements which are upgrades/higher than mid-grade and/or strictly cosmetic), carpets, additions, conversions (basement, garage, porch, attic, etc.), repairs to structures separate from the living units (detached garage, shed, barn, etc.), furnishings, pools, landscaping, solar panels and generators. If determined unsafe, stoves may be replaced. The replacement or repair of other appliances is prohibited. Rehabilitation work performed by property owners shall not be funded under this program.

### **C. Rehabilitation Standards**

Funds are to be used for work and repairs required to make the unit standard and abate all interior and exterior violations of the New Jersey State Housing Code (N.J.A.C. 5:28), the Rehabilitation Subcode (N.J.A.C. 5:23-6), and the Township's local property maintenance code (of which the more restrictive requirements will apply), conserve energy and remove health and/or safety hazards; and any other work or repairs, including finishing and painting, which are directly

related to the above listed objectives. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.

Municipal rehabilitation investment for hard costs shall average at least \$10,000 per unit, and include the rehabilitation of at least one major system, as previously defined under eligible improvements.

#### **D. Certifications of Substandard/Standard**

The Program Building Inspector will inspect the property to determine which systems, if any, are substandard in accordance with sub-section A above and issue a Certification of Substandard. Upon program construction completion, all code deficiencies noted in the inspection report must be corrected and rehabilitated units must be in compliance with the standards proscribed in sub-section C above upon issuance of a municipal certificate of completion/approval.

## **IV. FUNDING TERMS FOR OWNER OCCUPIED AND INVESTOR OWNED UNITS**

### **A. Terms and Conditions for Owner Occupied Units**

Table 1 Owner-Occupied Single Family Home Terms & Conditions

<b>Owner-Occupied Single Family Unit Terms and Conditions of Loan</b>	
<b>Minimum Loan Amount</b>	The municipality may rehabilitate substandard units that require less than \$10,000 of work, provided the municipal rehabilitation activity averages at least \$10,000 per unit.
<b>Maximum Loan Amount</b>	\$25,000 per unit
<b>Interest Rate</b>	0% (No monthly payments)
<b>Payment Terms:</b>	100% forgivable if homeowner maintains occupancy and title during the 10-year period. Original Principal is due if house is sold and/or title/occupancy changes years 1 through 10 except for <i>Exceptions to Loan Repayment Terms</i> section below.
<b>Mechanism for Securing Loan</b>	Mortgage and Mortgage Note recorded against property

If the owner decides to sell the property, transfer title, or if the owner should die before the terms of the lien expire, the owner, heirs, executors or legal representatives must repay 100% of the

original loan per the schedule above upon a title change. Rental of house is allowable under certain conditions subject to approval by the Administrative Agent.

Exceptions to Loan Repayment Terms above during the lien period:

1. If the loan transfers due to inheritance by a Class A beneficiary who will take occupancy upon death of Program mortgagee/Borrower and assume the lien (income eligibility not a requirement); or if by inheritance by a qualified income eligible non-Class A beneficiary, or
2. If the house is sold at an affordable price pursuant to UHAC to someone who can be qualified as income eligible, takes occupancy and agrees to assume the program lien, or
3. If the house is sold at an affordable price pursuant to UHAC to an investor who assumes the lien and also signs a deed restriction for the remaining duration of the affordability period to rent the dwelling at the affordability controls restricted rental rate and according to the affirmative marketing requirements for re-rentals. When this occurs, the Township's Administrative Agent will be responsible for monitoring compliance over that unit.

When a trustee of a trust deed ownership of a single-family property is the applicant occupant of the property, the owner-occupied category terms apply.

## B. Terms and Conditions on Owner-Occupied Multi-Family Rental Units

Table 2 Owner-Occupied Multi-Family Home Terms & Conditions

Owner-Occupied Multi-Family Including Tenant Unit(s) Terms and Conditions of Loan	
Minimum Loan Amount	The municipality may rehabilitate substandard units that require less than \$10,000 of work, provided the municipal rehabilitation activity averages at least \$10,000 per unit.
Maximum Loan Amount	\$20,000 per unit
Interest Rate	0% (No monthly payments)
Payment Terms	100% forgivable if homeowner maintains occupancy and title during the 10-year period. Original Principal is due if not in compliance with affordability controls. Rental restrictions transfer with property. See Restrictions below.
Mechanism for Securing Loan	Mortgage, Mortgage Note and Deed Restriction recorded on property



The assisted housing unit(s) must be occupied by and affordable to a household that is certified as an income eligible household as per either the latest Income Limits by Region, or in compliance with the municipality's Settlement Agreement and Court Order, whichever is applicable

The owner will execute a Mortgage, Mortgage Note, and Deed Restriction, the latter which guarantees the continued availability of the rental unit to low or moderate-income households for the terms of the ten-year deed restricted affordability period. The affordability terms for the rental units do not expire even if the owner sells the property, transfers title to the property, or dies within the ten-year program deed restricted affordability period.

Moreover, if Program funds were expended on the owner-occupied unit, and the homeowner sells, transfers title, dies or is not in compliance during the ten-year deed restricted affordability period, unless ownership is transferred to another low or moderate-income homeowner, any Program funds expended on work done on the owner's individual unit along with a pro-rata portion of the shared improvements must be fully repaid to the Municipality and used to rehabilitate another housing unit.

**Additionally, for rental units in a multi-family owner-occupied home:**

For tenant units, the maximum permitted rent is pursuant to UHAC and subject to annual adjustment. If a unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the Deed Restriction shall require the unit to be rented to a low- or moderate- income household at an affordable rental price and will be affirmatively marketed by the Township's designated Administrative Agent, in accordance with Plainsboro Township Affordable Housing Affirmative Marketing Plan. Landlords are responsible to pay income certification fees and affirmative marketing cost for re-rentals.

For information regarding future rental increases: Please refer to Section VIII C of this manual.

When a trustee of a trust deed ownership of a multi-family property is the applicant occupant of the property, the multi-family category terms apply.

### C. Terms and Conditions on Investor-Owned Single and Multi-Family Rental Units

Table 3 Investor-Owned Terms & Conditions

Investor-Owned Single and Multi-Family Units Terms and Conditions of Loan	
<b>Minimum Loan Amount</b>	Per N.J.A.C. 5:93-5.2, the municipality may rehabilitate substandard units that require less than \$8,000 of work, provided the municipal rehabilitation activity shall average at least \$10,000 per unit.
<b>Maximum Loan Amount</b>	\$20,000 per rental unit
<b>Interest Rate</b>	0% (No monthly payments)
<b>Payment Terms</b>	Owner pays 20% of rehab cost at construction agreement signing. 80% balance forgiven if in compliance with rental restrictions. The 20% rehab cost is waived for non-profit corporation rentals*, if any. Rental restrictions transfer with property. See restrictions below.
<b>Mechanism for Securing Loan</b>	Mortgage, Mortgage Note and Deed Restriction recorded against property

The ten-year affordability controls against the property will be recorded in a Deed Restriction. The property owner agrees to abide by the rental affordability controls for the life of the Deed Restriction. Additionally, the following conditions apply:

The assisted housing unit(s) must be occupied by and affordable to a household that is certified as an income eligible household as per either the latest Income Limits by Region, or in compliance with the municipality's Settlement Agreement and Court Order, whichever is applicable and as designated by unit in the Deed Restriction. The maximum permitted rent is determined by the Township's Administrative Agent and is pursuant to UHAC and subject to annual adjustment. A copy of the income figures current at time of manual creation, and the methodology for going forward, until the reinstitution of COAH or another state entity performing this function is included in Appendix B of this document.

Throughout the ten-year affordability controls, if a rental unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the Deed Restriction shall require the unit to be rented to a low- or moderate-income household(as designated by unit in the Deed Restriction) at an affordable price and will be affirmatively marketed in accordance with the Plainsboro Township Affordable Housing

Affirmative Marketing Plan by the Township's current Administrative Agent at the rates and terms defined within that Agreement. Landlords are responsible to pay income certification fees and affirmative marketing costs for re-rentals.

The owner will execute a Mortgage, Mortgage Note and Deed Restriction, the latter which will guarantee the continued availability of the unit to income eligible households for the terms of the ten-year lien affordability period.

Throughout the ten-year deed restrictive period, the affordability terms do not expire even if the owner sells the property, transfers title to the property, dies, or rents to other than low or moderate-income renters, before the terms of the lien expire.

Life estate deed ownership falls under the investor category. Additionally, when a trustee of a trust deed ownership is not the applicant occupant of the property, the investor terms apply.

\* Group Homes are ineligible because they are not separate units.

#### **D. Special Needs Waivers for Higher Cost Rehabilitation Projects**

In cases of housing rehabilitation costs exceeding the program maximum loan amounts listed in applicable Tables 1, 2 and 3 above:

- The Program will attempt to negotiate with lowest qualified bidding contractor to lower bid price.
- The Program will review scope of work to omit work items without jeopardizing code status.
- The Program will confirm whether or not the homeowner can contribute personal funds. It will be mandatory for households with more than \$30,000 in liquid assets to contribute personal funds for the difference rather than obtain a special needs waiver.
- If needed, the Program will attempt to partner with other possible funding sources such as the Low Income Home Energy Assistance Program (LIHEAP).
- The Program reserves the right to make an exception and allow the expenditure of up to an additional \$5,000 per unit to address code violations. Households with more than thirty thousand dollars in liquid assets will not be considered for additional funding but rather will be required to contribute personal funding for the difference. The Municipality will consider other situations for special needs waivers. Individual files will be reviewed on a case-by-case basis. Upon Program and Township approval, a Special Needs Funding Limit Waiver may be issued.
- If no viable options, the case will have to be terminated.
- Investor properties are not eligible for special need waivers.

**E. Use of Recaptured Program Funds**

All recaptured funds will be deposited into a Plainsboro affordable housing trust fund in accordance with N.J.A.C. 5:93-8.15

**V. IMPLEMENTATION PROCESS****A. Application/Interview**

For each prospective applicant, this process starts with a homeowner either submitting an online preliminary application or the Housing Rehabilitation Specialist pre-qualifies the interested homeowner by phone, whichever is the homeowner's preference. The information is entered in the program applicant pool/waiting list. If the homeowner passes the preliminary criteria review, program information, guidelines, and an application package will be mailed or emailed to the applicant when their name is reached in the program's waiting list. Each prospective applicant is to complete the application and return it to the Housing Rehabilitation Specialist, along with the required verification documents. Upon receipt of the completed application package, a case file will be opened for the applicant and a case file number will be assigned to the unit. The Housing Rehabilitation Specialist will be available via a direct phone line to assist applicants during this and all other phases of the process. Additionally, as needed, a Housing Rehabilitation Specialist will be available for face-to-face prescheduled appointments. Once a case is assigned a number, the cases are processed in the order of receipt of completed applications.

**B. Eligibility Certification**

To be eligible for assistance, households in each unit to be assisted must be determined to be income eligible. All adult members, 18 years of age and older, of both the owner household and tenant household (if any) must be fully certified as income-eligible before any assistance will be provided by the Program. The HIP will income qualify applicant, and when applicable tenant, households in accordance with N.J.A.C. 5:93-9 and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-16.1 et seq., except for the asset test.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

**C. What is Considered Income**

The following income sources are considered income and will be included in the income eligibility determination:

- Wages, salaries, tips, commissions
- Alimony
- Regularly scheduled overtime
- Pensions
- Social security
- Unemployment compensation (verify remaining eligible number of weeks)
- TANF (Temporary Assistance For Needy Families)
- Verified regular child support
- Disability
- Net income from business or real estate
- Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
- Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as equity in real estate. Rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance.
- Rent from real estate is considered income
- Any other forms of regular income reported to the Internal Revenue Service

#### **D. What is Not Considered Income**

The following income sources are not considered income and will not be included in the income eligibility determination:

- Rebates or credits received under low-income energy assistance programs
- Food stamps
- Payments received for foster care
- Relocation assistance benefits
- Income of live-in attendants
- Scholarships
- Student loans
- Personal property such as automobiles
- Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements



- Part-time income of dependents enrolled as full-time students
- Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

### **E. How to Verify Income**

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months. Income verification documentation should include, but is not limited to the following for each and every member of a household who is 18 years of age or older:

1. Four current consecutive pay stubs, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
2. A signed copy of regular IRS Form 1040 (Tax computation form), 1040A or 1040EZ (as applicable) and state income tax returns filed for the last three years prior to the date of interview or notarized tax waiver letter for respective tax year(s)- A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
3. If applicable, a letter or appropriate reporting form verifying monthly benefits such as:
  - Social Security or SSI – Current award letter or computer printout letter
  - Unemployment – verification of Unemployment Benefits
  - Welfare -TANF current award letter
  - Disability - Worker's compensation letter or
  - Pension income (monthly or annually) – a pension letter
4. A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support – copy of court order or recent original letters from the court (includes separation agreement or divorce papers) or education scholarship/stipends – current award letter;
5. Reports from the last two consecutive months that verify income from assets to be submitted by banks or other financial institutions managing savings and checking accounts (bank statements and passbooks), trust funds, money market accounts, certificate of deposit, stocks or bonds (In brokerage accounts – most recent statements and/or in certificate form – photocopy of certificates), whole life insurance. Examples include copies of all interest and dividend statements for savings accounts, interest and non-interest bearing checking accounts, and investments;

6. Evidence or reports of income from directly held assets, such as real estate or businesses owned by any household member 18 years and older.
7. Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
8. Current reports of assets – Market Value Appraisal or Realtor Comparative Market Analysis and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property attach copies of all leases.

## **F. Additional Income Verification Procedures**

### **1. *Student Income***

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household reported to the IRS as a dependent who is enrolled in a degree seeking program for 12 or more credit hours per semester; and part-time income is income earned on less than a 35-hour workweek.

### **2. *Income from Real Estate***

If real estate owned by an applicant for affordable housing is a rental property, the rent is considered income. After deduction of any mortgage payments, real estate taxes, property owner insurance and reasonable property management expenses as reported to the Internal Revenue Service, the remaining amount shall be counted as income.

If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Program Housing Rehabilitation Specialist should determine the imputed interest from the value of the property. The Program Housing Rehabilitation Specialist should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Based on current money market rates, interest will be imputed on the determined value of the real estate.

## **G. Other Eligibility Requirements**

Applicant to submit the following in the application package:

- Copy of current Homeowner's insurance declarations page (not the policy or receipt);
- Proof of flood insurance, if property is located in a flood zone;
- Copy of recorded deed to the property to be assisted;
- If deed co-holder resides at another location, provide proof of same (driver's license, etc);
- If widow or widower, copy of spouse's Death Certificate;

- Proof that all mortgage payments and, when applicable, Homeowner Association (HOA) Fees are paid current;
- Copy of any and all other liens recorded against the property;
- Personal identification (a copy of any of the following: Driver's License, Passport, Birth Certificate, Social Security Card, Adoption Papers, Alien Registration Card, etc.); and
- Original of signed Eligibility Release form.

Properties for sale are ineligible for program assistance as well as any property the homeowner plans to sell within the next two years.

#### **H. Requirements of Property Taxes Paid Current**

All applicants' property tax must be paid current. Individual files will be reviewed on a case-by-case basis.

#### **I. Sufficient Equity and Carrying Cost**

Additionally, to be determined eligible, there must be sufficient equity in the home to cover the program lien. In other words, the market value of the house must be greater than the total of the existing liens and anticipated program lien combined. For the sake of this rule, the market value of the home will be calculated using the Municipality's assessed value divided by the equalization ratio. All existing property liens (mortgage, home equity loan, etc.) are then deducted from the calculated house value to determine the current property equity. The Municipality may consider a Special Needs Waiver approved by the municipality on a case-by-case basis for limited equity, but not for negative equity. Additionally, the applicant's income shall be sufficient to meet the carrying costs of the unit or the homeowner is to demonstrate how the unit's carrying costs are funded. This will be reviewed on a case-by-case basis.

#### **J. House Conditions:**

All areas of the house must be readily accessible, uncluttered, and clean. This is in anticipation of the Program Inspector and contractors needs of proper and sanitary access for inspections and construction work progress.

If there are any repairs or renovations currently being undertaken on the home by others or the homeowner or done within the last few years that require or required municipal permits, the work must be completed and the permits closed out prior to the homeowner applying to the Program.

#### **K. Eligibility Scenarios of Multi-Family Structures**

Several possibilities exist concerning the determination of eligibility in an owner-occupied multi-family structure.

**Scenario 1.** The Program Administrator determines that the owner is income eligible and the renters in each unit are income eligible. In this case, all of the units are eligible for rehabilitation.

**Scenario 2.** The Program Administrator determines that the owner is income eligible, but the renters are not. In this case, only the landlord's unit is eligible for rehabilitation. If a home improvement is undertaken which affects all the units in the house (e.g., replacement of a roof), the HIP will only cover a prorated percentage of the cost. For example, in a two-family home with units of approximately equal size, only 50% of the cost of roof replacement will be covered. Where units differ by more than 10% in size, the proration should be based on percentage of square footage within each unit compared to the total interior square footage of all other units in the structure. Shared common areas should not be counted in the denominator for the pro rata calculation.

**Scenario 3.** The Program Administrator determines that the owner is not income eligible, but the renters are. In this case, the rental units are eligible for rehab, but the owner's is not. If a rehab activity is undertaken which affects all of the units in the house (e.g., replacement of roof), the HIP will only cover a prorated percentage of the cost. For example, in a four-family home, only 75% of the cost of roof replacement would be covered. Where units differ in size, the proration is based on percentage of square footage.

If any of the conditions above apply to a particular applicant's case, CGP&H sends a letter that explicitly identifies which of the units is eligible for rehabilitation, as well as specifies any applicable percentage of the hard costs of rehabilitation between the Program and the homeowner. The homeowner's monetary contribution is to be paid prior to the start of construction at the preconstruction conference in the form of a money order or certified check made payable to the contractor. The payment is held by the Program until the work is satisfactorily completed, at which time the Program will release the payment to the contractor.

#### **Investor Properties:**

The Program Administrator determines the tenant income for eligibility. The owner's income is not applicable for eligibility review because the owner does not occupy the property getting repair assistance via the Program. Instead, the owner of an investment property pays a set required direct contribution toward construction cost rather than the above prorated portion for owner-occupied multiple family properties. Refer to manual section IV sub-section C table 3 on page 9.

**L. Eligibility Certification**

After the Program Administrator has determined that the household is income eligible and meets all other eligible requirements, the Program Manager will complete and sign the Eligibility Certification. This certification is valid for 180 days starting from date of eligibility certification. A Construction Agreement must be signed within this time period. If not, the Program Administrator must reevaluate the household's eligibility.

After the household is certified as income eligible, the Homeowner/Program Agreement will be executed between the homeowner and the Municipality.

If an applicant is determined ineligible, for any reason, the Program will issue a Notice of Ineligibility explaining the reason for the ineligibility determination and case termination.

**M. Housing Inspection/Substandard Certification/Work Write Up/Cost Estimate**

The Program Inspector will perform a comprehensive inspection to determine what work items are necessary to bring the home up to code, as identified in section III C. Photos will be taken at the comprehensive inspection to document existing conditions. As a result of the comprehensive inspection, the Program Inspector will prepare a work write-up and cost estimate. All repairs needed to bring the home up to code will be identified. To the extent that the budget may permit, home weatherization will also be included. This work write-up will include a breakdown of each work item by category and by location in the house. The work write-up will contain information as to the scope of work and specifics on materials such as type, quantity and cost. A total cost estimate will be calculated for each housing unit. Improvements approved under the Program shall be based on the cost of mid-grade fixtures and materials. No upgrades from this standard shall be allowed. Only eligible rehab work will be funded by the Program. In the event that not all items can be accomplished due to program funding caps, the Program Inspector will establish a priority repair system which addresses the code violations before the non-code violations. The HIP's policy is to create Work Write-Ups and Cost Estimates that fall within the HIP funding caps. In unusual hardship cases and when the cost to correct all code violations exceeds the program funding limit, the HIP will seek the homeowner's monetary contribution. If the homeowner is unable to contribute funds or obtain funds from another funding source, the HIP will request additional funds from Plainsboro Township.

For houses built prior to 1978, refer to Section VII Lead Base Paint (LBP).

**N. Contractor Selection**

The homeowner, with the approval of the Program Inspector, will select the contractor. The Housing Rehabilitation Specialist will provide the homeowner with a copy of the work write up



and the Program Contractor List. The homeowner will complete the Work Write-Up Review Form indicating review and approval of the work write-up and advising of any contractors currently on the Program Contractor List that the homeowner does not wish to have notified of the availability of the bid package. If the homeowner wishes to solicit a bid from a contractor not currently on the Program Contractor List, the homeowner will provide the contractor's name, address and telephone number on the Work Write-Up Review Form. Any contractors that have not been previously qualified are eligible to participate but must submit their qualifications as well as their bid in the bid package.

The Housing Rehabilitation Specialist will notify at least three (3) currently active contractors that a bid package for the property is available. Each contractor must contact the Housing Rehabilitation Specialist to obtain a full bid package and the contractor must submit a bid to the Housing Rehabilitation Specialist by the submission deadline (usually within three (3) weeks of the date of the bid notification letter). All submitted bids will be opened and recorded by the Program Administrator at a meeting open to all interested parties.

The submitted bids will be reviewed by the homeowner and the Program Inspector. Generally, the lowest responsible bid from a qualified contractor will be chosen. If the homeowner selects a higher bid, he/she must pay the difference between the chosen and the lowest responsible bid.

The Housing Rehabilitation Specialist will email the following documentation to the Municipality:

- Bid Tabulation sheet of all bids received
- Awarded contractor's bid including completed Contractor Award Checklist
- For each contractor's first award in a calendar year, will also include awarded contractor Business Registration Certificate (BRC) and W-9.

Contractor award is passed via a Resolution by the Municipal Committee. The Municipality will provide the Housing Rehabilitation Specialist with a copy of the Resolution for placement in the case file.

#### **O. Pre-Construction Conference/Contract Signing**

The Program Inspector will conduct a pre-construction conference with the homeowner and contractor. Prior to the pre-construction conference the homeowner will be provided with copies of the loan documents and the Construction Agreement and the contractor will be provided with a copy of the Construction Agreement for review. At the time of the pre-construction conference,

the scope of work will once again be reviewed. The homeowner and contractor responsibilities will also be reviewed, as well as the Program's construction procedures and program limitations. The homeowner and contractor will each sign the Construction Agreement and receive copies. The homeowner will sign and receive copies of the Mortgage and Mortgage Note in the amount of the HIP subsidy. For rental properties, the property owner will also sign the Deed Restriction (COAH form Appendix E-3).

If the homeowner is providing any funds for the rehabilitation of his/her home, those funds must be provided at the time of the pre-construction conference in the form of a certified check or money order made payable to the contractor. The check will be held by the Program and will be applied towards the contractor's first progress payment.

The contractor will be provided with information regarding the Lead-Based Paint Poisoning Prevention Act (42 USC 483 1 (b)). The homeowner will be advised of the hazards of lead base paint in houses built prior to 1978 and provided with the EPA booklet Renovate Right. Both contractor and homeowner will each sign the respective Certifications. Additionally, for houses built prior to 1978, Section VII Lead Base Paint (LBP) applies.

Following the pre-construction conference, the Housing Rehabilitation Specialist will provide the Municipality with a copy of the Construction Agreement which includes an itemized price list of the work.

It is the contractor's responsibility to ensure all required permits are applied for prior to the start of construction and, if applicable, at the time of any change orders.

The construction permitting process is handled by the municipality's Construction office.

#### **P. Initiate Municipal Voucher**

Upon contractor award decision, the Municipality will provide the Housing Rehabilitation Specialist with a blanket purchase order to create two purchase orders for each case for the contractor to sign at the pre-construction conference at time of contract signing. The contractor's signed purchase orders will be held by the Housing Rehabilitation Specialist until construction progress is sufficient to submit to the municipality.

The Municipal voucher will be separated into two potential payments. The Program staff will match the payment request up with the Municipal voucher issued at the pre-construction conference and adjust the payment amount as per the inspection results. Ultimately upon construction completion, the payments will equal the full voucher amount plus or minus any change orders.



For each contractor's first award in a calendar year, the Housing Rehabilitation Specialist will provide the municipal applicable staff with the awarded contractor Business Registration Certificate (BRC) and W-9 form.

#### **Q. Progress Inspections**

The Program Inspector will make the necessary inspections of the progress of property improvements. Inspections are necessary to ensure that the ongoing improvements coincide with the scope of work outlined in the work write-up. It is the contractor's responsibility to notify the Program Inspector when a minimum of 40% of the total contract work is completed. The Program Inspector will schedule the inspection with the homeowner, at which time the Program Inspector will also obtain verbal confirmation from the homeowner that the work is ready for inspection.

If work passes the satisfactory progress inspection, the Housing Rehabilitation Specialist will follow the procedures spelled out in Section V subsection T *Payment Structure and Process* to process a contractor's progress payment request.

The Program Inspector will notify the contractor and the homeowner in writing of any work deficiencies discovered during the progress inspection. Work deficiencies must be corrected prior to the contractor's request for the next inspection.

For houses built prior to 1978, a work item marked EPA RRP Rule cannot be paid for until the contractor provides a post renovation report to the Program. Refer to Section VII Lead Base Paint (LBP) for the EPA regulation.

#### **R. Change Orders**

If it is determined during rehabilitation that a change from the original work write-up is required, a Program Change Order Authorization form must be completed and approved by the homeowner, the contractor, the Program and the Municipality.

The Housing Rehabilitation Specialist will forward the executed change order to the Municipality for approval via a Resolution by the Municipal Committee. If the change order work discovery is urgent, such as during roof tear off and cannot wait until the next Committee meeting, it will be submitted for Municipality's preliminary special needs approval prior to Resolution at upcoming Committee meeting.

The contractor will be notified by the Housing Rehabilitation Specialist of the results, and no change order work should be undertaken by the contractor until he has received a copy of the fully executed Change Order Authorization or the contractor risks non-payment for the change order work.

## S. Final Inspection

Prior to requesting a final inspection, it is the contractor's responsibility to:

- Properly close out all the permits and to provide proof of closed out permits to the Housing Rehabilitation Specialist via the municipal Certificate of Approval;
- Deliver to the homeowner a complete release of all liens arising out of the Construction Agreement, a receipt in full covering all labor, materials and equipment for which a lien could be filed or a bond satisfactory to the owner indemnifying owner against any lien; and;
- Provide the homeowner with all applicable warranties for items installed and work completed during the course of the rehabilitation.

Once the contractor has provided the Housing Rehabilitation Specialist with all required job closeout forms, the contractor will be responsible to request the Program's final inspection. The Program Inspector will schedule the final inspection with the homeowner, at which time the Program Inspector will also obtain verbal confirmation from the homeowner that the rehabilitation work has been completed and is ready for inspection. The Program Inspector will then conduct a final inspection to certify that the required property improvements are complete. The homeowner will be present during the final inspection and the contractor will be present if there are issues to resolve.

Construction progress on work line items will be inspected and considered for payment. If the work passes satisfactory final inspection, the Housing Rehabilitation Specialist will follow the procedures spelled out in Section V subsection T. *Payment Structure and Process* to process the contractor's final payment request.

For houses built prior to 1978, a work item marked EPA RRP Rule cannot be paid for until the contractor provides a post renovation report to the program. Refer to Section VII Lead Base Paint (LBP) for the EPA regulation.

If the Program Inspector identifies any work deficiencies during the final inspection, the Program Inspector will notify the contractor and the homeowner of the deficiencies in writing and the value of said deficiencies will be deducted from the final payment request. Work deficiencies discovered during the final inspection will require the Program Inspector to conduct a subsequent inspection upon contractor's correction of deficiencies. The Rehabilitation Program reserves the right to hold the contractor responsible to pay the cost of any additional inspections beyond the final inspection at a rate per inspection determined by the program administrative contract current at that time, for prematurely requesting the final inspection with the work not 100%



completely done in a workman-like manner. Additional inspections are those in excess of the one progress inspection and the final inspection which are needed to inspect corrected deficiencies. The contractor must issue the failed final inspection penalty payment directly to the Program Administrator, CGP&H, via a check prior to the Program Inspector scheduling and repeating the final inspection process. CGP&H will notify the municipality each time a penalty is levied.

The Program lien period will commence upon satisfactory completion of the final inspection. Photographs will be taken of the rehabilitated housing unit by the Program Inspector at the time of the satisfactory final inspection.

#### **T. Payment Structure and Process**

The Municipality will issue all payments, which will be made according to the following schedule:

One progress payment (representing a minimum of 40% of total contract work completed) will be paid. Upon completion of one hundred percent (100%) of the rehabilitation work, the contractor is eligible for final payment of the contract price.

Upon a satisfactory program inspection, and confirmation from the Housing Rehabilitation Specialist that all contractor's documents have been submitted according to program procedures, the Housing Rehabilitation Specialist will submit to the Municipality:

- Program's Request for Payment form with Owner's and Program's written approval
- The Municipal voucher signed by the contractor and adjusted to match the current payment amount
- Copy of change order, if one occurred

The Municipality retains the right to make payments to the contractor without homeowner approval should the homeowner become unavailable to sign the Program contractor payment form due to illness or absence. In such instance, the Program shall make reasonable attempts to contact the homeowner. If such efforts are not successful within a two-week period from the final inspection date, the Program shall advise the Municipality, provide documentation of efforts to obtain homeowner approval, and may authorize contractor payment without homeowner sign-off, to not hold up payment rightfully due to the contractor.

The Housing Rehabilitation Specialist is to submit the contractor payment request to the applicable municipal staff and, if acceptable, the payment request will be placed on the upcoming Bill List agenda. The Municipality will forward to the Housing Rehabilitation Specialist a copy of the executed payment to the contractor for case file records.

Upon job completion, the combined Municipality payments will total the Construction Agreement, including all applicable change order(s) if any, and minus owner contribution, if any. The combined Municipality payments will also match the final Municipal Voucher amount. Progress and final payments will be made payable to the contractor.

#### **U. Standard Certification**

A Certificate of Approval issued by the municipal construction official at the time the contractor closes out the rehabilitation construction permits, will confirm the scope of rehabilitation work has been completed and that the housing unit is now up to code standard. The contractor is to provide the Certificate of Approval to the Housing Rehabilitation Specialist when requesting the final inspection. The Housing Rehabilitation Specialist will ensure that a copy of the Certificate of Approval is placed in the case file.

#### **V. Record Mortgage Documentation**

At construction completion, the Housing Rehabilitation Specialist will forward the executed mortgage to the Township's Director of Planning and Community Development for recording. The Municipality will immediately file the mortgage with the County Clerk. For rental properties, the Deed Restriction will also be recorded.

#### **W. File Closing**

The Housing Rehabilitation Specialist will close the homeowner's file after the final payment is made and the mortgage, and when applicable, Deed Restriction is/are returned from the County with recorded date, book and page.

The Housing Rehabilitation Specialist will send the homeowner a case closeout letter explaining the warranty period, importance of program documents for personal record keeping, explaining the homeowner's responsibility to continue to maintain the home, providing the homeowner with a home maintenance checklist as guidance, thanking the owner for program participation, and encouraging him/her to recommend the program to other households in the community and, when applicable, reminding owner of the affordable housing rental requirements listed in the program lien documents and deed restriction.

#### **X. Requests for Subordination or Program Loan Payoff**

The Plainsboro Township may agree to subordination of its lien if the mortgage company supplies an appraisal showing that the new loan plus the balance(s) on all unpaid loans (including the value of the rehabilitation assistance) does not exceed ninety-five (95%) of the appraised value of the unit. If the homeowner is simply refinancing their primary mortgage to a lower interest rate and not "cashing out" any equity, The Plainsboro Township will subordinate up to 100% of the appraised value.

The fee to process program loan subordination requests will be paid by the homeowner directly to the Program Administrator in accordance with the fee set forth in the yearly program administration contract.

## VI. CONTRACTOR REQUIREMENTS AND RECRUITMENT

### A. Marketing

The Program will coordinate with the Municipality to advertise the availability of construction work on the Municipality's website and display a contractor outreach poster and handouts in the municipal building, including the local construction office. Additionally, CGP&H will reach out to home improvement contractors registered with Consumer Affairs who are geographically near or in the Plainsboro Township. If determined needed, additional outreach will be conducted in the local newspapers and through the posting of community notices. As necessary, the Program will advertise the availability of construction work by posting information at local building supply dealers. All interested contractors will have the opportunity to apply for inclusion on the Program Contractor List, which will be made available for the homeowner's use in selecting rehabilitation contractors. The contractor outreach material will also be posted on CGP&H's website.

### B. Contractor Qualifications

To qualify, contractors must meet the following minimum requirements:

- Contractors must carry at least \$1,000,000 in general liability insurance. The Contractor shall carry full workmen's compensation coverage including Employer's Liability limits of at least \$500,000 and statutory state coverage for all his/her employees and those of his/her subcontractors engaged in program rehab work. The Contractor must provide the Housing Rehabilitation Specialist with a certificate of insurance naming the Program as Certificate Holder, and naming the Municipality and CGP&H as additional insureds at time of Program job award; and
- At least three favorable references on the successful completion of similar work; and
- The Contractor's State Business Registration Certificate; and
- Current Consumer Affairs Home Improvement Contractor license; and
- Applicable lead certifications for contractors working on houses built prior to 1978. As identified in the scope of work, the contractor must comply with the EPA Renovation, Repair and Painting (RRP) Rule regarding certification; and

- If claiming prior experience with local, state or federally funding housing rehabilitation programs, a record of satisfactory performance in a neighborhood rehabilitation program or other federal/state programs; and
- Appropriate licenses; e.g. plumbing, electrical.

Contractors must also complete a Contractor Qualification Form. The contractor's qualifications will be reviewed and the references cited will be checked by the Program Inspector before the contractor is awarded a job.

Additionally, CGP&H will also conduct periodic contractor orientation sessions via Zoom. Contractors who are new to the program are required to attend an orientation session either via Zoom or one-on-one with the Program Inspector.

## VII. Lead Based Paint (LBP):

For houses built prior to 1978, contractors must comply with the Environmental Protection Agency Renovation, Repair and Painting Rules (40 CFR Part 745) when any work item is marked with (EPA-RRP Rule) in the work specifications. The requirements are spelled out in the General Conditions of the work specifications.

The Program has the option to refer the homeowner to the State of New Jersey Department of Community Affairs (DCA) Lead-Safe Home Remediation Program / HUD Lead-Based Hazard Reduction Program for houses built prior to 1978.

Though lead remediation is not a DCA or Court requirement for the HIP or for state rehab credit, the municipality has the option to add a lead safe component into the HIP as an eligible activity for the occupants' health concerns. If that option is added:

- Program assisted homes constructed prior to 1978 will be tested for lead-based paint via a lead risk assessment.
- The HIP will then follow the lead-based paint (LBP) provisions in accordance with HUD regulations 24 CFR Part 35 Lead-Safe Housing Rule for lead hazard reduction.
- The HIP manual will be revised under this VII section accordingly.

## VIII. Rental Procedures:

Rental units are subject to the Uniform Housing Affordability Controls (UHAC) at N.J.A.C.5-80:26.1 et. seq. once the rental units are rehabilitated. In addition to the mortgage and mortgage note, the controls on affordability shall be in the form of a deed restriction.

- If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall

require the unit be rented to an income eligible household at an affordable rent and affirmatively marketed pursuant to UHAC.

- If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to UHAC.
- Rental Increases: See section VIII C, below.

The municipality's Administrative Agent will administer the rental affordability controls during the 10-year affordability period for each rental property assisted. Landlords are responsible to pay income certification fees for re-rentals.

#### **A. Determining Initial Affordable Rents**

The initial maximum affordable rent for a rehabilitated unit is determined by the program staff based on several NJ rules and regulations. The Administrative Agent will make every attempt to price initial rents to average fifty-two percent (52%) of the median income for the household size appropriate to the sized unit within each individual project (N.J.A.C. 5:80-26.3 (d)). Thirty percent (30%) (N.J.A.C. 5:80-26-12 (a)) of that figure is considered the "maximum base rent." Subtracted from the maximum base rent is the cost of all tenant-paid utilities as defined and calculated by the HUD Utilities Allowance figures (updated annually). The remainder becomes the maximum initial rent for that unit. The Home Improvement Program staff can provide potential applicants/landlords with a reasonable estimate of what the maximum base rent will be on their rental unit if they elect to participate in the program.

#### **B. Pricing by Household Size**

Initial rents are based on the number of legal bedrooms in each unit. Initial rents must adhere to the following rules.

**Table 4 Initial Rental Pricing by Housing Size**

<b>Size of Unit</b>	<b>Household Size Used to Determined Max Rent</b>
Studio/Efficiency	1
1 Bedroom	1.5
2 Bedrooms	3
3 Bedrooms	4.5
4 Bedrooms	6



- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

*The above rules are only to be used for setting initial rents.*

### **C. Determining Rent Increases**

Rents in rehabilitated units may increase annually based on UHAC and N.J.A.C. 5:97-9. Rent increases are permitted at the anniversary of tenancy according to HMFA's Annual Regional Income Limits Chart.

In addition, the Township's Administrative Agent must be used by the Landlord to ensure that all appropriate affirmative marketing and all other affordable housing compliance procedures are followed and will continually oversee compliance for these affordable rental units throughout their restrictive term.

These increases must be filed with and approved by the Administrative Agent. Property managers or landlords who have charged less than the permissible increase may use the maximum allowable rent with the next tenant with permission of the Administrative Agent. Rents may not be increased more than once a year, may not be increased by more than one approved calculated increment at a time, and may not be increased at the time of new occupancy if this occurs less than one year from the last rental. No additional fees may be added to the approved rent without the express written approval of the Administrative Agent.

## **IX. MARKETING STRATEGY**

In coordination with the Municipality, the Program Administrator will employ a variety of proven strategies to advertise the program within the Plainsboro Township to establish the Program's applicant pool/waiting list. The marketing strategy/plan possibilities include but are not limited to:

- Creation and distribution of Program homeowner outreach posters, flyers and handouts
- Place Program outreach material on the Municipal website and, of available, social media
- Place Program outreach material on CGP&H's website and social media
- Municipal E-newsletter and paper newsletter (if available)

- Appending announcements and/or flyers to other municipal mailings as they become available (tax, etc.) or direct mailing, if approved by the municipality
- Municipal email blasts
- Program marketing will be distributed to local community organizations and major employers including religious organizations, civic groups, senior group, ethnic organizations, etc.
- Free local cable TV advertising (when available)
- Periodic Press releases
- Program group presentations to community organizations or at the Municipal Building to prospective homeowners and even to local contractors
- Paid newspaper advertisements (last resort) when deemed necessary and appropriate
- The order of method used will be analyzed to implement the most effective combination of strategies. Extensive marketing efforts are essential for all successful housing rehabilitation programs to meet their productivity objectives.

Available rental units assisted via the HIP will be affirmatively marketed in accordance with the Plainsboro Township Affordable Housing Affirmative Marketing Plan.

## **X. MAINTENANCE OF RECORDS AND CLIENT FILES**

### **A. Programmatic Recording**

The Program files will include:

- The policies and procedures manual, which will also be updated when applicable.
- An applicant pool will be maintained by the Program staff to track intake of the people interested in the program and the corresponding outgoing application invites.
- A rehabilitation log will be maintained by the Program staff that depicts the status of all applications in progress.

### **B. Participant Record Keeping**

The Program will be responsible for ensuring that individual files for each unit are established, maintained and then submitted to the municipality upon completion. Each completed file will contain a minimum of the following:

- Checklist
- Application form
- Tenant Application form (Rental Units Only) including rental lease
- Proof of ownership
- Income verification (for all households)
- Proof of currency of property tax and water/sewer accounts
- Proof of homeowner extended coverage/hazard insurance (Declaration Page)
- Proof that the municipal lien plus the total of other liens does not exceed the market value of the unit.
- Certification of Eligible Household or Notice of Ineligible Household (whichever is applicable)
- Homeowner/Program Agreement
- Certificate of Substandard
- Work Specifications/Cost Estimate aka Work Write-Up
- Bid Notice
- Contractor bids
- Bid Tabulation
- Construction Agreement
- Mortgage and Mortgage Note, and for rental properties, Deed Restriction
- Notice of Right of Rescission
- Homeowner Confirmation of Receipt of EPA Lead Information Pamphlet
- Contractor Confirmation of Receipt of Lead Paint Notice
- Copies of all required permits
- Change orders, if any

- Work progress and final inspection reports
- Copies of contractor payment documentation
- Photographs (Before and After)
- Close-out documents
- Certification of Approval

### **C. State Reporting**

For each unit, the following information must be retained to be reported annually:

- Street Address
- Block/Lot/Unit Number
- Owner/Renter
- Income: Low/Mod
- Final Inspection Date
- Funds expended on Hard Costs
- Funds Recaptured
- Major Systems Repaired
- Unit Below Code & Raised to Code
- Effective date of affordability controls
- Length of Affordability Controls (yrs.)
- Date Affordability Controls removed
- Reason for removal of Affordability Controls

The Program Administrator is responsible for entering each completed unit's data into the State's online AHMS system.

### **D. Financial Recordkeeping**

Financial recordkeeping is the responsibility of the Municipal Housing Liaison, with assistance from the Administrative Agent, as may be requested from time to time.

## **XI. HOUSING ADVISORY COMMITTEE AND APPEALS PROCESS**

The Program staff is skilled in effectively achieving resolution of homeowner/contractor disputes, in a fair and documented manner.

If a homeowner refuses to pay the contractor and work has been done to work specification and to the satisfaction of the Program, it may authorize payment to the contractor directly. However, the Program will make a reasonable attempt to resolve the differences before taking this step.

However, on the rare occasion if a homeowner or contractor decides to dispute a Program staff decision, the Program will refer the matter to the Municipality for further resolution. It is recommended the Municipality forms a Housing Advisory Committee to mediate and resolve the differences. Homeowners or contractors involved in a dispute will be instructed to submit their concerns in writing. The homeowner or contractor may request a hearing conducted by the Housing Advisory Committee. All Housing Advisory Committee decisions are final. The Housing Advisory Committee formation may occur when the first need arises.

## **XII. CONCLUSION**

If the procedures described in this manual are followed, the Plainsboro Township's Home Improvement Program should operate smoothly and effectively. Where it is found that a new procedure will eliminate a recurring problem, that procedure may be incorporated into the program operation. In addition, this manual may be periodically revised to reflect changes in local, state and federal policies and regulations relative to the Home Improvement Program.



## APPENDIX A - LIST OF PROGRAM FORMS

- Application Transmittal Letter
- Program Information Handout
- Application for Assistance- Homeowner
- Application for Assistance- Landlord (Investor)
- Application for Assistance- Tenant
- Eligibility Release Form
- Checklist
- Special Needs Waiver (Eligibility Requirements)
- Special Needs Waiver (Exceed Program Limit)
- Certification of Eligible Household
- Eligibility Determination Form
- Notification of Eligibility
- Notification of Ineligibility
- Homeowner/Program Agreement
- Certificate of Substandard
- Certificate of Substandard – Emergency Situation
- Letter: forward work write-up and contractor list to homeowner
- Work Write-Up Review form
- Request for Rehabilitation Bid
- Affidavit of Contractor
- Subcontractor Bid Sheet
- Bid Tabulation/Contractor Selection
- Construction Agreement
- Mortgage
- Mortgage Note – single family, multi family, investor versions
- Notice of Right of Rescission
- COAH Deed Restriction (when applicable)
- Homeowner Confirmation of Receipt of EPA Lead Information Pamphlet
- Contractor Confirmation of Receipt of Lead Paint Notice
- Notice to Proceed
- Contractor's Request for Final Inspection
- Change Order Authorization
- Certificate and Release
- Closeout Statement

## APPENDIX B –INCOME LIMITS AND UPDATES

### New Jersey Housing and Mortgage Finance Agency (NJHMFA)

#### Maximum Income Limits (2025)

Effective May 16, 2025

#### Region 3: Hunterdon, Middlesex, Somerset

Household Size	Very-Low Income	Low Income	Moderate Income	Median Income
<b>1 Person</b>	\$32,220	\$53,700	\$85,920	\$107,400
<b>2 Person</b>	\$36,840	\$61,400	\$98,240	\$122,800
<b>3 Person</b>	\$41,430	\$69,050	\$110,480	\$138,100
<b>4 Person</b>	\$46,020	\$76,700	\$122,720	\$153,400
<b>5 Person</b>	\$49,710	\$82,850	\$132,560	\$165,700
<b>6 Person</b>	\$53,400	\$89,000	\$142,400	\$178,000
<b>7 Person</b>	\$57,090	\$95,150	\$152,240	\$190,300
<b>8+ Person</b>	\$60,750	\$101,250	\$162,000	\$202,500

## **Appendix I. Plainsboro Sales Operating Manual**

# **Township of Plainsboro**

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## **Affordable Housing Services**

### **Operating Manual**

### **SALES & RESALES**

**Plainsboro Non-Profit Housing Corporation ♦ 201 Rockingham Row ♦  
Princeton, NJ 08540**

**T.609.786.1101 ♦ F.609-786-1105 ♦ [www.HousingQuest.com](http://www.HousingQuest.com)**

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## EXHIBITS

- A. Equal Housing Opportunity Posters
- B. Annual Regional Income Limits Chart
- C. Application for Affordable Housing
- D. Applicant Questionnaire and Document Checklist
- E. Resale Procedures for Owners Wishing to Sell an Affordable Unit

## INTRODUCTION

This Operating Manual has been prepared by Plainsboro Non-Profit Housing Corporation, the Administrative Agent for the Township of Plainsboro, to assist in the administration of for-sale units. General questions regarding its content can be addressed to Plainsboro Non-Profit Housing Corp. 201 Rockingham Row, Princeton, NJ 08540; by telephone to 609-786-1101; or by email at [info@HousingQuest.com](mailto:info@HousingQuest.com).

This manual describes the basic content and operation of the program, examines program purposes and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the initial sale process and in the resale process. It describes the eligibility requirements for participation in the program, record keeping and overall program administration. The Operating Manual governs all of the current affordable housing rental offerings in the Municipality.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and New Jersey Laws Against Discrimination Equal Opportunities laws<sup>1</sup>, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq., the substantive rules of the Council on Affordable Housing N.J.A.C. 5:96 and 5:97 and the affordable housing regulations of the Township of Plainsboro (hereafter referred to as the "Regulations").

All prior references to COAH have been replaced with references to the New Jersey Fair Housing Act ("NJ-FHA"). Also, please note that the Special Adopted Amendments: N.J.A.C. 5:80-26.1, 26.2, 26.4 through 26.27, and Appendices A through Q, together with the Special Adopted New Rules: N.J.A.C. 5:80-26.3 and 26.28 are incorporated herein by reference and supersede expiring rules as applicable.

## FAIR HOUSING AND EQUAL HOUSING OPPORTUNITIES



In accordance with the Federal Fair Housing Act, it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status. In addition, New Jersey Law prohibits discrimination in housing on the basis of race, creed, color, national origin, ancestry, nationality, marital or domestic partnership or civil union status, familial status, sex, gender identity or expression, affectional or sexual orientation, disability, source of lawful income or source of lawful rent payment (including Section 8) by all persons including real estate agents or brokers, financial institutions, property owners, landlords, or building superintendents, and their agents and employees with respect to the sale, rental or lease of real property,

listing or advertising of real property, receipt or transmittal of offers to purchase or rent real property, application and terms of a mortgage or other loan. See Exhibit A.

## **WHAT IS AFFORDABLE HOUSING?**

Affordable housing, unlike market rate housing, has affordability controls limiting the price for at least 30 years. The Regulations considers housing “affordable” if the household pays approximately 30% or less of the household’s gross income on housing costs. Affordable housing is priced to be affordable to households earning up to 80% of the area median income for the region in which the affordable housing is located.

## **WHO QUALIFIES FOR AFFORDABLE HOUSING?**

In order to be eligible for affordable housing in New Jersey, a household’s income will be below the income limit for the region in which the affordable housing is located, either for low or moderate levels. A moderate-income household is classified as earning between 50 percent and 80 percent of the area median income. A low-income household is classified as earning less than 50 percent of area median income. The New Jersey Fair Housing Act (NJFHA) was amended to included a new category for very low-income households, which are classified as earning less than 30 percent of area median income. Municipalities are not required to provide affordable sale housing to very low-income households.

The Affordable Housing Regional Income Limits Chart (Exhibit B) provides information about income limits for each of the six housing regions. Each region has different calculated median incomes, which are adjusted periodically. The Township of Plainsboro is located in Middlesex County, which is part of Region 3, together with Hunterdon and Somerset Counties.

## **LOCAL AFFORDABLE HOUSING PROGRAMS FOR PURCHASE**

The following affordable housing program is currently being administered for the Township of Plainsboro:

1. Tamarron
2. The Villages at Princeton Crossings
3. The Aspen
4. Ravens Crest

A copy of the Township of Plainsboro Housing Element and Fair Share Plan is available at the municipal building, located at 641 Plainsboro Rd, Plainsboro, NJ 08536.

## **OTHER AFFORDABLE HOUSING PROGRAMS AND OPPORTUNITIES**

In addition to the purchase opportunities, the Township of Plainsboro has rental opportunities. Please contact Plainsboro Non-Profit Housing Corp., for further information:

Affordable housing throughout the State of New Jersey is administered by a wide variety of organizations and agencies. Further information can be found at: <https://nj.gov/njhrc/>.

Individuals interested in applying for affordable housing should contact the Municipal Housing Liaison in the municipality in which they are interested in living. Each municipality has a Municipal Housing Liaison who is responsible for administering the municipality's affordable housing program. Some municipalities administer their own affordable housing and have their own application process. If not, the Municipal Housing Liaison can direct applicants to developers, nonprofit agencies, State agencies or consultants that may administer the affordable housing within the municipality.

The New Jersey Housing and Mortgage Finance Agency has established New Jersey's Housing Resource Center, an on-line, searchable database of affordable housing in the State. The Housing Resource Center provides a listing posted by developers, landlords, and municipalities of available affordable housing. Available units are listed with contact and application information. Look for the Housing Resource Center at [www.njhrc.gov](http://www.njhrc.gov).

**Applicants who do not have access to the Internet should call 211 for assistance.**

Plainsboro Non-Profit Housing Corp. also provides information on many affordable housing programs throughout the state of New Jersey. Detailed information about these affordable housing opportunities can be found at [www.HousingQuest.com](http://www.HousingQuest.com).

## **OVERVIEW OF THE AFFORDABLE HOUSING ADMINISTRATION PROCESS**

- The Municipal Housing Liaison serves as an initial point of contact for unsolicited calls to the municipality about affordable housing and where appropriate directs applicants to an Administrative Agent, who may be developers, nonprofit agencies, State agencies or consultants that may administer the affordable housing within the municipality.
- The Administrative Agent implements the municipality's Affirmative Marketing Plan.
- The Administrative Agent serves as the initial point of contact for all inquiries generated by the affirmative marketing efforts and sends out pre-applications to interested callers.
- Households that apply for low- and moderate-income housing will be prescreened by the Administrative Agent for preliminary income eligibility by comparing their total income and household size to the low- and moderate-income limits adopted by NJDCA (NJDCA shall mean NJDCA or its successors) and other program restrictions that may apply. All households will be notified as to their preliminary status.

## OVERVIEW OF THE NEW SALE PROCESS

- An initial deadline date, no less than 60 days after the start of the marketing process, will be established. All of the preliminary applications received by Plainsboro Non-Profit Housing Corp., on or before the initial deadline date, shall be deemed received on that date.
- Households that apply for low- and moderate-income housing will be prescreened by Plainsboro Non-Profit Housing Corp. for preliminary income eligibility by comparing their total income and household size to the low- and moderate-income limits adopted by NJDCA or its successors and other program restrictions that may apply. All households will be notified as to their preliminary status.
- A drawing will be held under the direction of Plainsboro Non-Profit Housing Corp. to determine the priority order of the pre-qualified applications received on or before the initial deadline date. All preliminary applications received after the initial deadline will be processed on a "first come, first served" basis after the applicants who were in the initial random selection.
- In order to ensure an adequate supply of qualified applicants, the advertising phase will continue until there are at least ten (10) pre-qualified applicants for each low- and moderate-income unit available, or until all of the low- and moderate-income units within the development have been sold.
- Final applications will be emailed by Plainsboro Non-Profit Housing Corp. to an adequate number of pre-qualified applicants, in priority order, for each available low- and moderate-income unit. The final application will require the applicants to supply documents to verify their identity and household composition as well as their income and assets.
- Completed final applications will be forwarded to Plainsboro Non-Profit Housing Corp. Plainsboro Non-Profit Housing Corp. will make a determination as to their eligibility for a low- or moderate- income unit. Applicants will receive a letter from Plainsboro Non-Profit Housing Corp. with respect to the status of their application each time a review is performed.
- When submitting final applications, applicants will also be asked to provide a pre-qualification letter from a qualified lending institution.
- Certified applicants will be given 15 days to sign a sales agreement with the developer. Mortgage contingencies may not be an acceptable term of the agreement.
- The sales agreement may also limit closing to a reasonable time to be approved by Plainsboro Non-Profit Housing Corp. in advance of the process.
- Subsequent to the initial sale closings, a list of pre-qualified applicants will be maintained by Plainsboro Non-Profit Housing Corp. on a re-sale waiting list.



## OVERVIEW OF THE RESALE PROCESS

When an Owner of a restricted unit wishes to sell, the sale will be processed through the Administrative Agent. Prior to the initial date of purchase, the Owner makes a certification regarding his or her understanding of this requirement.

The Administrative Agent coordinates certain aspects of the sales process for affordable homes on behalf of designated municipalities. The Administrative Agent is not a real estate agent, however, and recommends that the Seller use a qualified real estate professional. The process is outlined below.

- The Seller submits a Preliminary Notice and Request for Maximum Sale Price (MSP).
- The Administrative Agent will respond to the Seller in writing, explaining some of the details of the process and informing the Seller of the MSP. The MSP is calculated by using the Affordable Housing Annual Regional Income Limits Chart, or approved alternative, and can be estimated on the Resale Calculator at [HousingQuest.com](https://HousingQuest.com).
- The Seller then submits a Final Notice of Intention to Sell to the Administrative Agent.
- The Administrative Agent will respond by sending the seller 20 copies of a QR code which directs applicants to an address specific online application.
- The Administrative Agent will email a “Notice of Availability” to households on the waiting list for an affordable home of the same bedroom size and income category. The Notice will ask interested households to contact the Seller or their agent, directly, to make an appointment to see the affordable home within a two-week time frame. The Seller may want to prepare a flyer for us to distribute with the notice of availability. The Administrative Agent reserves the right to limit the number of notices that are mailed, based on the chronological order in which the prequalified applications were received. If the notices are limited in this way, applicants receiving notices will have a priority over those who do not.
- The Administrative Agent will affirmatively market the unit if there is no current applicant pool.
- The Seller or their agent may also want to advertise. Ads should include the “Equal Housing Opportunity” logo and should be sent to our office for review prior to distribution.
- The Seller or their agent, upon showing the home, provides potential buyers with a copy of the QR code (which may be duplicated if necessary).
- Interested households complete the application and upload a mortgage pre-approval letter from a qualified lending institution.

- At the end of the two-week time period, the Administrative Agent reviews all of the online applications submitted for a particular home. These applications are prioritized on the basis of a blind selection process or lottery. Preference may be given to households that can utilize all of the bedrooms, as well as handicap accommodations, when applicable.
- The first applicant or two on the prioritized list is emailed a letter which requires them to complete a final application within fourteen days. When an applicant is approved as a buyer, a copy of the approval letter is sent to the Seller and their agent, as applicable.
- The Seller and the certified interested household (now Buyer) execute a “Contract of Sale.” The Administrative Agent ensures that the Deed, Recapture Mortgage, Recapture Mortgage Note and Disclosure Statement (Appendix J) form are submitted as part of the closing package to the attorney responsible for the closing or other closing agent.
- The remaining applicants are maintained on the waiting list for this home or other homes in the same size and income categories. In the event that the potential buyer is not able and/or willing to purchase the affordable home, the next applicant on the prioritized list is notified pursuant to the process described above.
- When an applicant is in second priority position to purchase an affordable home (the *original* home), and another home of the same size and type in the same municipality (the *next* home) becomes available within 90 days of the lottery date of the *original* home, the applicant will have the option to transfer priority from the *original* home to the *next* home. The following conditions will apply: This opportunity only applies to the *next* home of the same bedroom number and income category as the *original* home that becomes available within the 90-day period. This offer will be made only one time and only for the *next* home. It does not apply to other similar homes that become available. The applicant must have completed a final application and be pre-qualified for the *original* home in order to be considered. The applicant will be notified by phone that an alternate home is available. The applicant will then have 3 business days in which to view the *next* home and make the determination if he/she would like to pursue that purchase. If so, the applicant would relinquish the secondary priority position for the *original* home. Once the decision to transfer to the *next* home is made, the applicant cannot be reinstated to the secondary position for the *original* home if he/she is unwilling to purchase the *next* home. Conversely, once the decision is made to remain in the secondary position for the *original* home, the applicant cannot then transfer to the *next* home if he/she is unable or unwilling to purchase the *original* home.
- A copy of the Sales Contract will be submitted to the Administrative Agent prior to closing. The terms of the contract (e.g., closing dates and mortgage contingencies) should be reasonable to both buyer and seller.

- During the final stages of the process, the Seller should provide a “Notice of Intent to Transfer Title” form. It will be necessary to make arrangements for the Mortgage and Note to be satisfied with respect to the Seller and new documents filed with respect to the Buyer.
- A copy of the TILA-RESPA or HUD Closing Statement (as applicable) will be submitted to the Administrative Agent. A certified copy of the recorded deed, the original recorded repayment mortgage and note, and the certificate of ownership should also be sent to the Administrative Agent after closing.
- The filing and recording of documents is the responsibility of the seller’s or buyer’s attorney, but the Administrative Agent may also elect to file the documents. Once all documents are filed and recorded and returned to the Administrative Agent for inclusion in the file, the Administrative Agent will process a release of the original documents.
- Annually, the Administrative Agent shall send a mailing to the Owner of the affordable unit reminding them of the rights and requirements of owning an affordable unit.

This outline is meant to describe the process utilized prior to the expiration of the deed restrictions. It is not meant to be a legal representation of the rights or responsibilities of any party, nor is it meant to modify the Affordable Housing Agreement, Mortgage Note or other Deed Restrictions. Buyers and Sellers are encouraged to seek legal counsel for specific questions in this regard. The Administrative Agent is available to both the Seller and the Buyer throughout the process to answer any questions that they may have.

## **ROLES AND RESPONSIBILITIES**

### **Responsibilities of the Municipal Housing Liaison or MHL**

The Municipal Housing Liaison is responsible for coordinating all the activities of the municipal government as it relates to the creation and administration of affordable housing units, in conjunction with the Municipal Attorney, where appropriate (see **Responsibilities of the Municipal Attorney**). The primary purpose of the MHL to ensure that all affordable housing projects are established and administered according to the Regulations as outlined in an Operating Manual. The duties of the MHL include the following duties and may include the responsibilities for providing administrative services as described in the next Section under **Responsibilities of an Administrative Agent**.

**Monitor the status of all restricted units in the municipality’s Fair Share Plan.** Regardless of any arrangements the municipality may have with one or more Administrative Agents, it is the Municipal Housing Liaison’s responsibility to know the status of all restricted units in their community.

**Serve as the municipality's primary point of contact for all inquiries from the State, Administrative Agents, developers, affordable housing sponsors, owners, property managers, and interested households.** The MHL serves as the municipality's primary point of contact on affordable housing issues. Interested applicants should be provided with information on the types of affordable units within the municipality and, where applicable, the name of the Administrative Agent that manages the units and the contact information for the Administrative Agent.

**Compile, verify and submit annual reporting.** Administrative Agents are responsible for collecting much of the data that is ultimately included in an annual NJDCA monitoring report. However, it is the Municipal Housing Liaison's responsibility to collect and verify this data and consolidate it into the annual report to NJDCA. Any requests from NJDCA for additional information or corrections will be directed to the MHL.

**Coordinate meetings with Administrative Agents and Developers/Affordable Housing Sponsors/Owners.** When a new affordable unit or series of units is in the planning process, the MHL should coordinate a meeting between the Administrative Agent and the developer, affordable housing sponsor or owner. The developer, affordable housing sponsor or owner may serve as their own Administrative Agent, if they meet the applicable requirements and are approved by the municipality and NJDCA. The purpose of this initial meeting is to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all NJDCA-related local ordinances -- that have already been adopted by the municipality.

It is the responsibility of the Municipal Housing Liaison, in conjunction with the Municipal Attorney, to have the affordable housing provisions of any Master Deed and Public Offering reviewed for consistency with NJDCA and UHAC regulations, before they are recorded and submitted to DCA for approval.

**Provide Administrative Services, unless those services are contracted out.** The responsibilities for providing administrative services are described in the next Section under, **Responsibilities of an Administrative Agent.**

### **Responsibilities of an Administrative Agent**

The primary responsibility of an Administrative Agent is to establish and enforce affordability controls and ensure that units in the Administrative Agent's portfolio are sold to eligible households. Administrative Agents will:

**Secure written acknowledgement from all developers, affordable housing sponsors and owners that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.**

**Create and adhere to an Operating Manual.** All Administrative Agents are required to follow the policies and procedures of an Operating Manual, as applicable to the scope of services they have been contracted to perform.



**Implement the municipality's Affirmative Marketing Plan.** The Administrative Agent, the developer, affordable housing sponsor or owner could be responsible for implementing the Affirmative Marketing Plan adopted by the municipality. At the first meeting with the Municipal Housing Liaison, Administrative Agent and the developer, affordable housing sponsor or owner, this responsibility should be discussed. Affirmative marketing includes conducting regional outreach and advertising for available affordable units. Advertising costs are the responsibility of the developer or current owner.

**Accept applications from interested households.** In response to marketing initiatives or by referral from the Municipal Housing Liaison, interested households will contact the Administrative Agent. The Administrative Agent will supply applicants with applications, provide additional information on available units and accept completed applications.

**Conduct random selection of applicants for sale and resale of restricted units.** The Administrative Agent is responsible for conducting the random selection in accordance with the Affirmative Marketing Plan and any related local ordinances, and as described in the Operating Manual.

**Create and maintain a pool of applicant households.** This includes reaching out to households in the applicant pool to determine continued interest and/or changes in household size and income.

**Determine eligibility of households.** The task of collecting application materials and documentation from applicant households and analyzing it for eligibility is the responsibility of an Administrative Agent. A written determination on a household's eligibility will be provided within twenty (20) days of the Administrative Agent's determination of eligibility or non-eligibility. Whether or not the household is determined to be eligible for a unit, it is an Administrative Agent's responsibility to secure all information provided by the household in individual files and to maintain strict confidentiality of all information regarding that household. An Administrative Agent is required to ensure that all certified applicants execute a Disclosure Statement acknowledging the rights and requirements of owning an affordable unit, in the form of Appendix J of UHAC, as applicable.

**Establish and maintain effective communication with owners and property managers.** Owners and property managers of restricted units should be instructed and regularly reminded that the Administrative Agent is their primary point of contact. The Administrative Agent will immediately inform all owners and property managers of any changes to the Administrative Agent's contact information or business hours. The Administrative Agent will create and distribute annual mailings to all Owners of affordable units reminding them of the rights and requirements of owning an affordable unit.



Owners should be instructed to immediately contact the Administrative Agent in the following circumstances:

- If they are considering or have decided to sell their home.
- In the event they wish to refinance their mortgage or take out a home equity loan and, consequently, will be seeking a subordination of their mortgage.
- If they are seeking an increase in the sales price of their unit due to capital improvements.
- If they are seeking a Hardship Waiver to allow them to rent their unit.

**Preserve affordability controls during the sale of restricted units.** Immediately upon being notified of an Owner's intent to sell their property, an Administrative Agent should inform the Owner of the Owner's role in the marketing and sale of the home. An Administrative Agent is responsible for extinguishing the affordability controls with the Seller and re-establishing them with the Buyer. An Administrative Agent is responsible for providing closing attorneys/agents with the appropriate legal instruments.

**Ensure cancellations of Recapture Mortgages are effectuated.** It is the Administrative Agent's responsibility to ensure that Recapture Mortgages are cancelled at the conclusion of the control period when the Recapture Mortgage is satisfied. If the Recapture Mortgage is being cancelled due to a sale of the property during the control period, then the Administrative Agent may wish to cancel the original Recapture Mortgage only after the Recapture Mortgage with the new Owner has been recorded.

**Send out annual mailings about restrictions.** Administrative Agents will annually mail to all Owners of affordable housing units a reminder of their rights and responsibilities as Owners of an affordable unit.

**Ensure unit has Continuing Certificate of Occupancy at final transfer.** To help ensure a healthy and safe living environment for all families, an Administrative Agent is responsible for obtaining an inspection or a certified statement from the local Building Inspector at the first sale after the expiration of the minimum affordability control period.

**Serve as the custodian of all legal documents.** An Administrative Agent is responsible for maintaining originals of all legal instruments for the units in their portfolio. Throughout the duration of a control period, an Administrative Agent will maintain a file containing its affordability control documents. This includes, but is not limited to, the recorded Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes and Disclosure Statement.

**Serve as point of contact on all matters relating to affordability controls.** It is recommended that the Administrative Agent develop a system to be notified by lenders when a unit is at risk of foreclosure. In the event of a foreclosure, the Administrative Agent should work with the foreclosing institution to ensure that the affordability

controls are maintained. The Administrative Agent should seek the counsel of the municipality's attorney on legal matters that threaten the durability of the affordability controls.

**Provide annual activity reports to Municipal Housing Liaison for use in the annual monitoring report.** An Administrative Agent is responsible for collecting the reporting data on each unit in the Administrative Agent's portfolio.

**Maintain and distribute information on HUD-approved Housing Counseling Programs.**

### **Responsibilities of the Municipal Attorney**

The Municipal Attorney assists the municipality with developing, administering, and enforcing affordability controls, including but not limited to:

- Assisting the Municipal Housing Liaison with the review of the affordable housing provisions of any Master Deed and Public Offering for consistency with NJDCA and UHAC regulations, before they are recorded and submitted to DCA for approval.
- Providing all reasonable and necessary assistance in support of the Administrative Agent's efforts to ensure compliance with the housing affordability controls, including reviewing legal documents and legal actions required on foreclosures and violations.

### **Responsibilities of Developers**

When a new affordable unit or series of units is in the planning process, the developer of affordable housing should contact the Municipal Housing Liaison, who shall coordinate a meeting with the Administrative Agent, where applicable, and the developer, affordable housing sponsor or owner.

The purpose of this initial meeting is to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all affordable-related local ordinances -- that have already been adopted by the municipality.

As provided for by ordinance, the developer will be responsible for the costs of advertising affordable units.

The Administrative Agent will secure from the developer written acknowledgement that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.

## **Responsibilities of an Owner**

Owners should read annual mailings from the Administrative Agent and cooperate with any and all requests for information from either the Municipal Housing Liaison or the Administrative Agent.

The Owner may sell the unit only to a household that has been approved in advance and in writing by the Administrative Agent. No sale of the unit shall be lawful unless approved in advance and in writing by the Administrative Agent. No sale shall be for a consideration greater than the maximum resale price, as determined by the Administrative Agent.

When an Owner wishes to sell an affordable unit, it is the Owner's responsibility to notify the Administrative Agent and to execute a "Notice of Intent to Sell". If a potential, certified Buyer makes an offer of the maximum resale price of an affordable unit, then the Owner is obligated to enter into a sales contract with that Buyer for the sale of that unit or withdraw the "Notice of Intent to Sell".

An Owner may not rent out the Owner's unit to any other person, not even to members of the Owner's family.

The Owner shall at all times maintain the unit as his or her principal place of residence, defined as residing at the unit at least 260 days out of each calendar year.

An Owner shall make no improvements to the unit that would effect its bedroom configuration or to increase the maximum permitted resale price, except for improvements approved in advance and in writing by the Administrative Agent.

The Owner shall pay all taxes and public assessments and assessments by the condominium association levied upon or assessed against the unit, or any part thereof, when they become due and before penalties accrue.

The Owner shall pay all charges of any utility authority when they become due and before penalties accrue.

The Owner shall not permit any lien, except those approved by the Administrative Agent, to attach and remain on the property for more than 60 days.

The Owner will have approval of the Administrative Agent if they wish to refinance their mortgage or take out a home equity loan and, consequently, will be seeking a subordination of their mortgage.

In the event that any first mortgagee or other creditor of an Owner of a low- and moderate-income unit exercises its contractual or legal remedies available in the event of default or nonpayment by the Owner of a low- and moderate-income unit, the Owner shall notify the Administrative Agent in writing within 10 days of such exercise by the first mortgagee or creditor and no later than 10 days after service of any summons and complaint.

An Owner shall notify the Administrative Agent within 10 days, in writing, of any default in the performance by the Owner of any obligation under either the master deed of the condominium association, including the failure to pay any lawful and proper assessment by the condominium association, or any mortgage or other lien against the low- and moderate-income unit, which default is not cured within 60 days of the date upon which the default first occurs.

## **AFFIRMATIVE MARKETING**

### **Overview of the Requirements of an Affirmative Marketing Plan**

All affordable units are required to be affirmatively marketed using the Township of Plainsboro's Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children to housing units which are being marketed by an Administrative Agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to target households who are least likely to apply for affordable housing, and to target households throughout the entire housing region in which the units are located.

Every Affirmative Marketing Plan will include all of the following:

- Publication of at least one advertisement in a newspaper of general circulation within the housing region; and
- At least one additional regional marketing strategy such as a neighborhood newspaper, religious publication, organizational newsletter, advertisement(s) with major employer(s), or notification through community and regional organizations such as non-profit, religious and civic organizations.

For each affordable housing opportunity within the municipality, the Affirmative Marketing Plan will include the following information:

- The address of the project and development name, if any
- The number of units, including number of sale units
- The price ranges of the sale units
- The name and contact information of the Municipal Housing Liaison, Administrative Agent or property manager

- A description of the Random Selection method that will be used to select applicants for affordable housing.
- Disclosure of required application fees, if any.

Advertisements will contain the following information for each affordable housing opportunity:

- The location of the units
- A range of prices for the housing units
- The bedroom size(s) of the units
- The maximum income permitted to qualify for the housing units
- The locations of applications for the housing units
- The business hours when interested households may obtain an application for a housing unit
- Application fees, if any

### **Implementation of the Affirmative Marketing Plan**

The affirmative marketing process for new affordable units shall begin at least four months prior to expected occupancy. In implementing the marketing program, the Administrative Agent shall undertake all of the strategies outlined in the Township of Plainsboro Affirmative Marketing Plan. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all the units have been sold. Applications for affordable housing shall be available in several locations in accordance with the Affirmative Marketing Plan. The time period when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

An applicant pool will be maintained by the Administrative Agent for re-sales. When an affordable resale unit becomes available, the applicants will be selected from the applicant pool and the unit will be affirmatively marketed as described in the Resale process, above

The selection of applicants from the applicant pool is described in more detail in this manual under Random Selection & Applicant Pool(s).



### **Developer, Affordable Housing Sponsor**

If permitted by the municipality, the developer or affordable housing sponsor may be responsible for advertising the affordable housing in accordance with the municipality's adopted Affirmative Marketing Plan. Prior to publication or broadcast, draft copies of the marketing material will be submitted to the Administrative Agent for approval. Proof of publication will be submitted, including a copy of the final advertisements with a copy of the paid bill. Public Service Announcements shall be submitted by the Administrative Agent.

### **RANDOM SELECTION & APPLICANT POOL(S)**

Applicants are selected at random before income-eligibility is determined, regardless of household size or desired number of bedrooms. The process is as follows:

After advertising is implemented, applications are accepted for 60 days. Applicants are required to determine their eligibility based upon information provided at the time of application. Confirmation that the Preliminary Application was properly submitted is indicated on the webpage at the time the Application is submitted. Applicants that are deemed, at this stage, to be ineligible are notified at the time they submit their online application.

Applications are entered into a data base and sorted by the unit size and affordability type that is appropriate. Applicants may check their eligibility on our webpage for the property prior to the random selection process.

Prior to the randomized selection, a list of applicants will be sent to the Municipal Housing Liaison (MHL) in the order to which the random numbers will be applied. This list should be maintained in the file so that the MHL can verify the establishment of the order of the list in advance of the random selection.

At the end of the 60-day period, the Administrative Agent arranges a time and date for the random selection process to take place via webinar. The MHL and a representative of the developer are invited and encouraged to attend. An announcement of the time and date is made by way of an email blast to those applicants who voluntarily sign up for this service through [www.HousingQuest.com](http://www.HousingQuest.com).

It is important to note that applicants need not be present at the random selection, and that there is no advantage given those applicants who do attend.

At the random selection, a website is used to generate a random list of numbers. The numbers are applied to the list in the order that was prearranged. A copy of the random numbers and the final list are sent to the MHL for verification and file.

All applicants are assigned a random number. Priority numbers will be posted on the property page after the random selection and are available for applicants to review if they provide the required security information. A random number does not guarantee that the

applicant will be deemed eligible. Applicants who submit more than one application and receive more than one priority number will forfeit the lower number with the highest priority.

When units become available, Final Applications are sent in the prioritized order as specified previously. The Administrative Agent may keep the applicant pool open after the initial lottery and add names to the existing list based on time and date of submission. On-going marketing is done primarily through [www.HousingQuest.com](http://www.HousingQuest.com).

For re-sales, applications received subsequent to the initial random selection may be subject to a random selection on a per-unit basis.

## **MATCHING HOUSEHOLDS TO AVAILABLE UNITS**

In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to implement the following policies:

- Provide an occupant for each unit bedroom;
- Prevent more than two persons from occupying a single bedroom; and
- Require that all the bedrooms be used as bedrooms.

A household is placed only on one unit list for eligibility. A household may chose to change the unit type for which they are eligible within the scope of the program.

## **APPLICATION FEES**

The Administrative Agent does not charge a fee to applicants.

## **HOUSEHOLD CERTIFICATION**

Before any household can purchase a restricted unit, the Administrative Agent will certify the household as eligible. Certification of a household involves the verification of two critical pieces of data: 1) Household size and composition, including gender; and 2) The total income and assets for all household members 18 years of age or older. The certification process begins with the applicant completing an application in its entirety and providing the required backup documentation. Once eligibility documents and data have been collected, the Administrative Agent can begin the process of calculating the household's income.

### **Household Composition and Circumstances**

Generally, a Household is defined as everyone who intends to reside in the affordable unit. Temporarily absent members of a household will be counted in very limited

circumstances, such as a member of the military in active duty. Unborn children and children in the process of being adopted shall be counted as members of the household.

The following are generally excluded from the household for the purposes of income qualifying but may be considered by the Administrative Agent for the purposes of determining the size of the unit: live-in aid, foster children and children who live in the household with less than 50% joint physical custody.

The following are various records for documenting household information:

- Social Security records or cards. Either individual Social Security card or letter from Social Security Administration
- Adoption papers, or legal documents showing adoption in process
- Income Tax Return
- Driver's License
- Birth Certificate or Passport
- Alien Registration Card
- Divorce Decree and Settlement Agreement
- Adoption Agency / Legal Correspondence and/or Certification
- Correspondence / Certification from Foster Care Services
- Doctor's Authorization for Live-in Aid.
- The Administrative Agent always reserves the right to require any other such documentation that, in its sole discretion, it deems necessary to verify composition.

### **Procedure for Income-Eligibility Certification**

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months. Applicants may NOT change or modify their situation relative to their income once they have submitted a Final Application.

Through the submission of the Final Application, the Administrative Agent shall require each member of an applicant household who is 18 years of age or older to provide documentation to verify their income. The application and a schedule of required documentation can be found in Exhibits C and D. Generally the documentation required is as follows:

- Four current consecutive pay stubs, including bonuses, overtime or tips, or a signed and dated letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
- Copies of Federal and State income tax returns for each of the preceding three tax years - A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
- A letter or appropriate reporting form verifying current monthly benefits such as
  - Social Security or SSI – Award letter or computer print out letter
  - Unemployment – verification of Unemployment Benefits
  - Welfare -TANF<sup>2</sup> current award letter
  - Disability - Worker's compensation letter
  - Pension income – a pension letter.
- A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony, child support and education stipends.
- Current reports of savings and checking accounts (bank statements and passbooks) and income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks or bonds.
- Evidence or reports of income from directly held assets, such as real estate or businesses.
- Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
- Current reports of assets – Market Value Appraisal or a contract with a real estate broker which sets forth the price of the property and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property, attach copies of all leases.
- The Administrative Agent always reserves the right to require any other such documentation that, in its sole discretion, it deems necessary to verify household income.

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<sup>2</sup> TANF – Temporary Assistance for Needy Families

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

***Income***

1. Wages, salaries, tips, commissions
2. Alimony
3. Regularly scheduled overtime
4. Pensions and regular distributions from retirement accounts
5. Social security benefits
6. Unemployment compensation (annualized)
7. TANF
8. Verified regular child support
9. Disability benefits
10. Net income from business or real estate
11. Actual interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
12. Imputed interest (using the current HUD Passbook Rate) from non-income producing assets, such as checking accounts, cash on hand, and equity in non-income producing real estate.
13. Net rental income from real estate
14. Non-tuition stipends for living expenses for students
15. Non-Governmental financial support
16. Any other forms of regular income reported to the Internal Revenue Service
17. Regular financial support from any source.

***Not Income***

1. Rebates or credits received under low-income energy assistance programs
2. Food stamps
3. Payments received for foster care



4. Relocation assistance benefits
5. Income of live-in attendants
6. Scholarships
7. Student loans
8. Personal property such as automobiles
9. Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
10. Part-time income of persons enrolled as full-time students

### ***Deduction from Income***

Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

### ***Student Income***

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household who is enrolled in a qualifying education program for 12 credit hours or more per semester; and part-time income is income earned on less than a 35-hour workweek. Full-time income (35 hours or more) for full-time students is always counted.

### **The Real Estate Asset Limit**

Except for federal programs, if an applicant's primary residence, which is to be sold upon purchase of an affordable unit, has no mortgage debt and is valued at or above the regional asset limit as published annually by NJDCA or their successor as part of the Annual Regional Income Limits Chart, the household will be determined ineligible for certification.

However, if the applicant's existing monthly housing costs including taxes, homeowner insurance, and condominium or homeowner association fees exceed 38 percent of the household's eligible monthly income, the household will be exempt from the asset limit.

An applicant will provide a recent, Market Value Appraisal, on the home they own unless the applicant has mortgage debt on the home or can demonstrate that the existing monthly housing costs exceed 38 percent of the household's eligible monthly income, in which case the applicant is exempt from the asset limit.

## **Income from Real Estate**

If real estate owned by an applicant for affordable housing is a rental property, the net revenue is considered income. Specifically, rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance and reasonable property management expenses as reported to the Internal Revenue Service. Other expenses are not deductible. If actual rent is less than fair market rent, the administrative agent shall impute a fair market rent.

If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Administrative Agent should determine the imputed interest from the value of the property. The Administrative Agent should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Based on current HUD Passbook Savings Rate, interest will be imputed on the determined value of the real estate.

## **Maximum Monthly Payments**

The percentage of funds that a household can contribute toward housing expenses is limited. However, an applicant may qualify for an exception based on the household's current housing cost (see below). The Administrative Agent will strive to place an applicant in a unit with a monthly housing cost equal to or less than the applicant's current housing cost.

A certified household is not permitted to purchase a unit that would require more than 33 percent of the verified household income to pay principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable. However, at the discretion of the Administrative Agent, this limit can be exceeded if the applicant:

- Obtains a firm mortgage loan commitment at the higher level from a licensed financial institution, under terms consistent with the requirements of the New Jersey Home Ownership Security Act of 2002, N.J.S.A. 46:10B-22 et seq.; and
- Submits a certification from a non-profit counselor approved by HUD or the New Jersey Department of Banking and Insurance that the household has received counseling on the advisability of the loan transaction.

## **Housing Counseling**

The Administrative Agent will provide referrals for counseling, as a part of its services. Although housing counseling is recommended, a household is only required to attend counseling if their monthly housing expense exceeds UHAC standards. A HUD-approved housing counseling agency, or a counseling agency approved by the NJ Department of Banking and Insurance, meets UHAC's requirements for an experienced Housing Counseling Agency. This counseling to low- and moderate-income housing applicants will focus on subjects such as budgeting, credit issues, and mortgage

qualification, and is free of charge. A list of non-profit counselors approved by HUD and/or the New Jersey Department of Banking and Insurance is included on NJDCA's website and is available from the Administrative Agent.

In addition, the Administrative Agent will:

- Confirm and update all information provided on the application.
- Explain program requirements, procedures used to verify information, and penalties for providing false information. Ask the head of household, co-head, spouse and household members 18 years of age or older to sign the Authorization for Release of Information forms and other verification requests.
- Review the applicant's identification and financial information and documentation, ask any questions to clarify information on the application, and obtain any additional information needed to verify the household's income.
- Seek to ensure, to a reasonable degree, that the applicant has reported all sources for earned and benefit income and assets (including assets disposed of for less than fair market value in the past two years). Require the applicant to give a written certification as to whether any household member did or did not dispose of any assets for less than fair market value during the past two years.

### **Approving or Rejecting a Household**

Administrative Agents will notify applicant households of their eligibility within twenty (20) days of the Administrative Agent's determination.

Households with a verified total household income that exceeds 80 percent of the regional income limit for the appropriate family size are ineligible for purchase or rental of restricted units. A letter rejecting the household's application shall be mailed to the household.

Similarly, households with a verified total household income that is within the income limits, but too low to afford any of the units administered by the Administrative Agent, shall be sent a letter rejecting the household's application and/or referring them to housing counseling.

Households with a verified total household income of less than 80 percent shall be issued a letter certifying eligibility. This certification is valid for 180 days. If the applicant does not sign a Sales Agreement within that time frame, an extension may be granted once the household's eligibility is updated and verified.

Once the applicant is certified and matched to an available unit, the Administrative Agent will secure from the applicant a signed and notarized acknowledgement of their requirements and responsibilities in purchasing a restricted unit. UHAC's Disclosure Statement shall be forwarded to the applicants.

In addition to non-eligibility based on income, the Administrative Agent may deny a certification because of the household's failure or inability to document household composition, income, assets, sufficient funds for down payment, or any other required facts and information. A household may also be denied certification if the Administrative Agent determines that there was a willful or material misstatement of fact made by the applicant.

### **Dismissal of Applications**

Applications can be dismissed for the following reasons:

1. The application is not signed or submitted on time;
2. The applicant's sources of income or household composition changes after the submission of the final application, but before approval;
3. The applicant commits fraud, or the application is not truthful or complete;
4. The applicant cannot or does not provide documentation to verify their income or other required information when due;
5. The household income does not meet the minimum or maximum income requirements for a particular property;
6. The applicant owns an asset that exceeds the Asset Limits for NJDCA properties;
7. The applicant fails to respond to any inquiry in a timely manner;
8. The applicant had a greater chance than any other applicant submitted for a random selection;
9. The applicant is non-cooperative or abusive with the our staff, property managers or the sellers of affordable units;
10. The applicant changes address or other contact information without informing us in writing;
11. The applicant is unable to obtain suitable and legitimate financing for a sale unit or fails to verify attendance in a home buyer credit counseling program when required to do so by the program rules;
12. The applicant does not respond to a periodic update inquiry in a timely fashion;
13. The applicant fails to sign the Compliance Certification, Certificate for Applicant; Lease Documents, Contract for Sale, Affordable Housing Agreement and/or Deed Restrictions as may be required; or
14. The applicant, once approved, fails to close on a sale in a timely manner.

Applicants will also be withdrawn from all lists held by us in the Township of Plainsboro once they have been approved for an affordable unit within that same municipality. However, these applicants may re-apply for other opportunities in that municipality once they have occupied their unit. Applicants withdrawn for fraud may be withdrawn from all

programs administered by Plainsboro Non-Profit Housing Corp., and may be subject to prosecution under the law.

Applicants who are withdrawn and who wish to re-apply to that specific program may do so using a new Preliminary Application. The new Preliminary Application will NOT be given preferential treatment but will be processed in the same way that all new Preliminary Applications for that specific program are processed. In the event that an application list is closed when the application is withdrawn, the applicant will be required to wait until the list is re-opened to apply again.

Applicants who are dismissed must re-apply. A minimum time period of six months applies in most situations where the applicant has been withdrawn for fraud, uncooperative behavior or other serious matters.

### **Appeals**

Appeals from all decisions of an Administrative Agent shall be made in writing to the Municipal Housing Liaison, Township of Plainsboro; or the Executive Director of the New Jersey Housing and Mortgage Finance Agency.

## **DETERMINING AFFORDABLE SALES PRICES**

### **Development Considerations and Compliance Issues**

There are several regulations that will be considered from the development perspective before the sales prices of individual units can be calculated. These requirements should be discussed at the first meeting between the Municipal Housing Liaison, Administrative Agent and developer or affordable housing sponsor. The following is a summary of the requirements for ownership projects.

**Bedroom Distribution.** The standards on the distribution of unit sizes for affordable developments require that:

- The combined number of efficiency and one-bedroom units may be no greater than 20 percent of the total low- and moderate-income units;
- At least 30 percent of all low- and moderate-income units will be two-bedroom units;
- At least 20 percent of all low- and moderate-income units are three-bedroom units; and
- The remainder, if any, may be allocated at the discretion of the developer.



**Age-restricted Units.** Affordable age-restricted units are not held to these bedroom distribution standards. For affordable age-restricted units, the number of age-restricted low- and moderate-income bedrooms will be equal to or greater than the number of age-restricted units within the development. In other words, the average bedroom size in an age-restricted development will be equal to or greater than one bedroom per unit. For example, if the overall age-restricted development is 25 percent efficiencies, and 50 percent one-bedroom units, and 25 percent two-bedroom units, that equals an overall development bedroom size of exactly one bedroom per unit. An age-restricted development can meet this standard by creating all one-bedroom units or by creating a two-bedroom unit for each efficiency unit, or any other combination that will equal a minimum of one bedroom per unit.

**Pricing by Household Size.** Initial sales prices and rents are based on targeted “model” household sizes for each size home as determined by the number of bedrooms. Initial sales prices and rents will adhere to the following rules. These maximum sales prices and rents are based on NJDCA’s Annual Regional Income Limits Chart at the time of occupancy:

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

The above rules are only to be used for setting initial sales prices. They are not guidelines for matching household sizes with unit sizes.

### **Determining Maximum Initial Sales Price**

To determine the affordable sale prices the Administrative Agent uses the regulations set forth in UHAC.

The maximum sales price for an ownership unit is determined by first calculating the amount that an appropriately sized household can afford for housing expenses at various income ranges. Several related expenses (homeowner insurance, private mortgage insurance (PMI), association fees and taxes) will then be subtracted from the household’s maximum monthly contribution toward housing expenses to arrive at the maximum monthly mortgage payment. The calculated mortgage amount, a five percent down payment, and the current lending rate will be used to arrive at the maximum sales price.

## **Additional Regulations for an Ownership Development**

In addition to the regulations in the previous Section entitled **Development Considerations and Compliance Issues**, ownership developments will also comply with the following regulations:

**Division of Units: Low- and Moderate-income.** In each affordable ownership development, at least 50 percent of each unit type will be affordable to low-income households. The remaining affordable units will be affordable to moderate-income households.

**Affordability Average.** Each affordable development will achieve an affordability average of no more than 55 percent of the regional median income for restricted ownership units. In achieving this affordability average, moderate-income ownership units will be available for at least three different prices for each bedroom type, and low-income ownership units will be available for at least two different prices for each bedroom type.

**Maximum Initial Sales Price.** The maximum initial sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of the regional median income.

**Condominium/Homeowner Association Fees.** The master deeds of affordable developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.

## **Determining Resale Prices**

Calculating the maximum resale price (MRP) for an ownership unit involves applying the annual percentage increase corresponding with each calendar year since the Seller bought the house. No increase is permitted during the balance of the calendar year immediately after the sale. A Resale Price Calculator has been created by the Administrative Agent to provide an estimate of the MRP to owners of affordable homes. It can be accessed at [www.HousingQuest.com](http://www.HousingQuest.com), by clicking on “Resale Calculator” on the menu bar and choosing the municipality in which your affordable home is located. In the alternative, homeowners can also call Plainsboro Non-Profit Housing Corp., at 609-786-1101, and request a verbal estimate by phone. The official MRP can only be given in writing in response to a written request, together with a copy of the recorded deed.

## **Requests for Increases in Maximum Sales Price**

The Seller of an ownership unit may ask the Administrative Agent to increase the sales price of their home beyond the maximum sales price under limited circumstances. Only those improvements “that render the unit suitable for a larger household or that add an additional bathroom” can increase the calculated maximum sales price. In no event shall

the maximum sales price of an improved housing unit exceed the limits of affordability for the larger households.

## **WAIVERS AND EXEMPTIONS<sup>3</sup>**

### **Hardship and Income Waivers**

An Owner may not rent out the Owner's unit to any other person, not even to members of the Owner's family. The Administrative Agent may grant a Hardship Waiver for the following extenuating circumstances:

- The Owner's employer is temporarily sending the Owner to a work place a great distance from the Owner's home, and the employer expects the Owner to resume work for the employer back at home within the next 12 months.
- The Owner is called up for military service

An Owner of a low-income unit may request that the unit be sold to a household whose income exceeds the established income eligibility criteria for a low-income household, but does not exceed the income criteria for a moderate-income household, by submitting a written request for an Income Waiver to the Administrative Agent. The Owner will demonstrate that this request is consistent with the following reasons for an Income Waiver:

- The unit is in marketable condition as determined by the Administrative Agent.
- The Owner has made a good faith effort to sell the unit to a certified household for no less than six (6) months, in accordance with procedures required by the Administrative Agent and no certified household has made a "reasonable" offer during the that six-month period.
- The Owner has demonstrated a willingness to consider price offers lower than the maximum allowable resale price, taking into account current market conditions and the marketability of the unit.
- The Owner has advertised the unit's availability in newspapers and other locations likely to be noticed by potential purchasers, or has engaged the services of a qualified real estate agent to sell the home.

The Administrative Agent may grant an Income Waiver upon demonstration that the Owner has made a good faith effort to sell the unit and subject to NJDCA determining that there is an insufficient number of low-income purchasers in the market to permit prompt occupancy of the unit.

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<sup>3</sup> Revised 4.24.08

Upon receipt of a request for an Income Waiver,<sup>4</sup> the municipality shall have first option to purchase the unit at the approved resale price and holding, renting or conveying it to a certified household. The municipality shall have 30 days in which to exercise this option.

The Administrative Agent shall approve or deny a Hardship Waiver in writing within 30 days of receipt all requested verification.

The Administrative Agent shall approve or deny an Income Waiver in writing within 30 days of receipt of all requested verification from the Owner and a determination by NJDCA that there are an insufficient number of low-income purchasers in the market to permit prompt occupancy of the units. The Income Waiver shall be provided to the Owner with a copy to the Buyer at the time of closing. The original shall be filed with the Deed. The Income Waiver is only valid for the designated resale transaction. All future resales will be in accordance with the Deed restrictions and sold to income eligible households for no more than the approved indexed resale price.

The approval of an Income Waiver for a particular resale does not guarantee receipt of the maximum resale price to the Owner.

If the Administrative Agent denies a Hardship Waiver or Income Waiver, the Owner may appeal the decision of the Administrative Agent within 30 days from the date of notification of the decision of the Administrative Agent (see **Appeals**). If a written request has not been received within 30 days following the household's receipt of notification, the denial will be final. Owners shall be required to produce documentation to support their claim.

### **Exempt Transactions**

The following title transactions shall be deemed exempt transactions and, when requested, the Administrative Agent shall provide the Owner receiving title with written confirmation of the exemption to those restrictions that determine occupancy of the unit.

- Transfer of ownership between former spouses ordered as a result of a judicial decrees of divorce or judicial decree of separation (but not including sales to third parties);
- Transfer of ownership between family members by will or intestate succession;
- Transfer of ownership through an Executor's Deed to a Class A beneficiary; and
- Transfer of ownership by Court Order.

An exempt transfer of ownership does not terminate the resale restrictions or existing liens on the property. All liens will be satisfied in full prior to subsequent resale and all

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<sup>4</sup> Rev 5.16.08

subsequent resale prices will be calculated using the resale price index in compliance with the term of the affordable housing regulations.

The exempt transaction shall not be considered as a recorded transaction in calculating subsequent resale prices.

The Owner shall notify the Administrative Agent in writing of any proposed transaction that requires approval as an exempt transaction. The Owner shall supply the Administrative Agent with all necessary documentation to demonstrate that the transaction qualifies as an exemption as defined above.

If the Administrative Agent denies the exemption, the Owner may appeal the decision of the Administrative Agent within 30 days from the date of notification of the decision of the Administrative Agent (see Appeals). If a written request has not been received within 30 days following the household's receipt of notification, the denial will be final. Owners shall be required to produce documentation to support their claim.

## **VIOLATIONS, DEFAULTS AND REMEDIES**

In the event of a threatened breach of any of the regulations governing the affordable unit by an Owner, the Administrative Agent shall have all the remedies provided at law or equity, including the right to seek injunctive relief or specific performance, it being recognized by both parties that it will cause irreparable harm to the municipality, in light of the public policies set forth in the Fair Housing Act and the obligation for the provision of low- and moderate-income housing.

Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

## **MAINTENANCE OF RECORDS AND APPLICANT FILES**

Pursuant to N.J.A.C. 5:80-26.14(a)8, N.J.A.C. 5:80-26.15(c) and N.J.A.C. 5:80-26.17 current records will be maintained by the Administrative Agent and outdated records will be given to the municipality for safe-keeping. A file will be created and maintained on each restricted unit for its control period.

The Administrative Agent will maintain detailed records on all marketing initiatives.

### **Files To Be Maintained on Every Applicant**

The Administrative Agent will maintain files on every applicant. All files will contain a preliminary application. If an applicant's preliminary application is approved, and the applicant files a formal application, the file will contain at a minimum:



- Application Form.
- Income Verification
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility.

Individual files will be maintained throughout the process and submitted to the municipality upon termination of the program.

### **Files To Be Maintained on Every Unit**

The Administrative Agent will maintain files on every unit for the length of the affordability controls. The unit file will contain at a minimum:

- Base sales prices
- Identification as low- or moderate-income
- Description of number of bedrooms and physical layout
- Floor plan
- Original deed restriction
- Affordability control documents, including Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes, Disclosure Statement
- Application materials, verifications and certifications of all present owners, pertinent correspondence, any documentation of home improvement, hardship or income waivers or other approvals granted by an AA, certificate of exemption

### **Files To Be Maintained on Every Project**

The Administrative Agent will maintain files on every project for the length of the affordability controls. The project file will contain at a minimum:

- Condominium Master Deed
- Condominium Public Offering

### **Files To Be Maintained on The Applicant Pool**

- Any changes to the applicant pool
- Any action taken with regard to the applicant pool
- Any activity that occurs that affects a particular applicant
- Current applications for all applicants whose status is active in the applicant pool
- The application, the initial rejection notice, the applicant's reply to the notice, a copy of the Administrative Agent's final response to the applicant, and all documentation of the reason the applicant's name was removed from the applicant pool.

**Monitoring**

A sample Deed will be submitted for each project. Additionally, the current annual monitoring information required to be maintained and reported annually to the Municipal Housing Liaison can be found on NJDCA's website. The information required for each unit includes but is not limited to:

- Street Address
- Block/Lot/Qualifier/Unit Number
- Housing Type
- Income: Very Low/Low/Moderate
- Initial Sale Price
- % of affordability
- Bedroom Type
- Age-restricted
- Handicap accessible/adaptable
- Co #, date
- Effective date of affordability controls
- Length of affordability controls (yrs)
- Date Affordability controls removed
- 95/5

## **Appendix J. Plainsboro Rental Operating Manual**

# **Township of Plainsboro**

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## **Affordable Housing Services**

### **Operating Manual**

### **RENTAL PROGRAM**

**Plainsboro Non-Profit Housing Corporation ♦ 201 Rockingham Row ♦  
Princeton, NJ 08540**

**T.609.786.1101 ♦ F.609-786-1105 ♦ [www.HousingQuest.com](http://www.HousingQuest.com)**

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- C.** Application for Affordable Housing
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## INTRODUCTION

This Operating Manual has been prepared by Plainsboro Non-Profit Housing Corp., the Administrative Agent for the Township of Plainsboro, to assist in the administration of rental units. General questions regarding its content can be addressed to Plainsboro Non-Profit Housing Corp. 201 Rockingham Row, Princeton, NJ 08540; by telephone to 609-786-1101; or by email at [info@HousingQuest.com](mailto:info@HousingQuest.com).

This manual describes the basic content and operation of the program, examines program purposes and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations and/or procedures.

This manual explains the steps in the rental process. It describes the eligibility requirements for participation in the program, record keeping and overall program administration. The Operating Manual governs all of the current affordable housing rental offerings in the Municipality, including units at Icon at Riverwalk, Wyndhurst at Plainsboro and Princeton Lakeview.

Implementation of any procedure, even if it is not included in this Operating Manual, shall be in accordance with the Federal Fair Housing Act and New Jersey Laws Against Discrimination Equal Opportunities laws, the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq., the substantive rules of the Council on Affordable Housing N.J.A.C. 5:96 and 5:97 and the affordable housing regulations of the Township of Plainsboro (hereafter referred to as the "Regulations").

All prior references to COAH have been replaced with references to the New Jersey Fair Housing Act ("NJ-FHA"). Also, please note that the Special Adopted Amendments: N.J.A.C. 5:80-26.1, 26.2, 26.4 through 26.27, and Appendices A through Q, together with the Special Adopted New Rules: N.J.A.C. 5:80-26.3 and 26.28 are incorporated herein by reference and supersede expiring rules as applicable.

## FAIR HOUSING AND EQUAL HOUSING OPPORTUNITIES



In accordance with the Federal Fair Housing Act, it is unlawful to discriminate against any person making application to buy or rent a home with regard to age, race, religion, national origin, sex, handicapped or familial status. In addition, New Jersey Law prohibits discrimination in housing on the basis of race, creed, color, national origin, ancestry, nationality, marital or domestic partnership or civil union status, familial status, sex, gender identity or expression, affectional or sexual orientation, disability, source of lawful income or source of lawful rent payment (including Section 8) by all persons including real estate agents or brokers, financial institutions, property owners, landlords, or building superintendents, and their agents and employees with respect to the sale, rental or lease of real property,

listing or advertising of real property, receipt or transmittal of offers to purchase or rent real property, application and terms of a mortgage or other loan. See Exhibit A.

## **WHAT IS AFFORDABLE HOUSING?**

Affordable housing, unlike market rate housing, has affordability controls limiting the price for at least 30 years. The Regulations considers housing “affordable” if the household pays approximately 30% or less of the household’s gross income on housing costs. Affordable housing is priced to be affordable to households earning up to 80% of the area median income for the region in which the affordable housing is located.

## **WHO QUALIFIES FOR AFFORDABLE HOUSING?**

In order to be eligible for affordable housing in New Jersey, a household’s income will be below the income limit for the region in which the affordable housing is located, for very low-, low-, or moderate-income levels. A moderate-income household is classified as earning more than 50 percent up to 80 percent of the area median income. A low-income household is classified as earning less than 50 percent of area median income. The New Jersey Fair Housing Act (NJFHA) was amended to include a new category for very low-income households, which are classified as earning 30 percent or less of area median income. Municipalities shall decide what projects will be required to help meet this obligation. Existing rental projects have a minimum requirement for very low-income apartments, priced at 35% of the AMI; and new rental projects have an obligation to provide 13% of the affordable units as very low-income units at 30% of the AMI to very low-income households.

The Affordable Housing Regional Income Limits Chart (Exhibit B) provides information about income limits for each of the six housing regions. Each region has different calculated median incomes, which are adjusted periodically. The Township of Plainsboro is located in Middlesex County, which is part of Region 3, together with Hunterdon and Somerset Counties.

## **LOCAL AFFORDABLE HOUSING PROGRAMS FOR RENT**

The following is a list of affordable for-rent housing units in the Township of Plainsboro that are covered by this manual:

1. Icon Riverwalk
2. Wyndhurst at Plainsboro
3. Princeton Lakeview

A copy of the Township of Plainsboro Housing Element and Fair Share Plan is available at the municipal building, located at 641 Plainsboro Rd, Plainsboro, NJ 08536.

## **OTHER AFFORDABLE HOUSING PROGRAMS AND OPPORTUNITIES**

In addition to future affordable rental opportunities, the Township of Plainsboro has purchase opportunities. Please contact Plainsboro Non-Profit Housing Corp., for further information:

Affordable housing throughout the State of New Jersey is administered by a wide variety of organizations and agencies. Further information can be found at: <https://nj.gov/njhc/>.

Individuals interested in applying for affordable housing should contact the Municipal Housing Liaison in the municipality in which they are interested in living. Each municipality has a Municipal Housing Liaison who is responsible for administering the municipality's affordable housing program. Some municipalities administer their own affordable housing and have their own application process. If not, the Municipal Housing Liaison can direct applicants to developers, nonprofit agencies, State agencies or consultants that may administer the affordable housing within the municipality. A list of Municipal Housing Liaisons can be found at:

[http://www.nj.gov/dca/divisions/lps/hss/admin\\_files/muniliaisons.pdf](http://www.nj.gov/dca/divisions/lps/hss/admin_files/muniliaisons.pdf)

The New Jersey Housing and Mortgage Finance Agency has established New Jersey's Housing Resource Center, an on-line, searchable database of affordable housing in the State. The Housing Resource Center provides a listing posted by developers, landlords, and municipalities of available affordable housing. Available units are listed with contact and application information. Look for the Housing Resource Center at [www.njhrc.gov](http://www.njhrc.gov).

**Applicants who do not have access to the Internet should call 211 for assistance.**

Plainsboro Non-Profit Housing Corp. also provides information on many affordable housing programs throughout the state of New Jersey. Detailed information about these affordable housing opportunities can be found at [www.HousingQuest.com](http://www.HousingQuest.com).

## **OVERVIEW OF THE AFFORDABLE HOUSING ADMINISTRATION PROCESS FOR NEW RENTALS AND RE-RENTALS**

- The Municipal Housing Liaison serves as an initial point of contact for unsolicited calls to the municipality about affordable housing and where appropriate directs applicants to an Administrative Agent, who may be developers, nonprofit agencies, State agencies or consultants that may administer the affordable housing within the municipality.

- The Administrative Agent implements the municipality's Affirmative Marketing Plan.
- The Administrative Agent serves as the initial point of contact for all inquiries generated by the affirmative marketing efforts and sends out pre-applications to interested callers.
- An initial deadline date, no less than 60 days after the start of the marketing process, will be established. All of the preliminary applications received by the Administrative Agents, on or before the initial deadline date, shall be deemed received on that date.
- Households that apply for very low-income housing will be prescreened by Plainsboro Non-Profit Housing Corp. for preliminary income eligibility by comparing their total income and household size to the very low-income limits pursuant to the New Jersey Fair Housing Act, N.J.S.A. 52:27-D-304 ("NJFHA"). Households that apply for low- and moderate-income housing will be prescreened by Plainsboro Non-Profit Housing Corp. for preliminary income eligibility by comparing their total income and household size to the low- and moderate-income limits pursuant to the Uniform Housing Affordability Controls, 5:80-26.1 et seq. ("UHAC"). All households will be notified as to their preliminary status.
- A drawing will be held under the direction of the Administrative Agent to determine the priority order of the pre-qualified applications received on or before the initial deadline date. All preliminary applications received after the initial deadline will be processed on a "first come, first served" basis after the applicants who were in the initial random selection.
- In order to ensure an adequate supply of qualified applicants, the advertising phase will continue until there are at least ten (10) pre-qualified applicants for each very-low, low- and moderate-income unit available, or until all of the very-low, low- and moderate-income units within the development have been leased.
- When units become available, final applications will be emailed by the Administrative Agent to an adequate number of pre-qualified applicants, in priority order, for each available very low-, low-, and moderate-income unit. The final application will require the applicants to supply documents to verify their identity and household composition as well as their income and assets.
- Completed final applications will be forwarded to the Administrative Agent, who will make a determination as to their eligibility for a very low-, low-, or moderate-income unit. Applicants will receive a letter from the Administrative Agent with respect to the status of their application each time a review is performed.
- When submitting final applications, applicants will also be asked to make an appointment to visit the leasing office.



- Rental applicants will be subject to the Tenant Selection Criteria set forth by the Landlord.
- Certified applicants will be given a pre-determined amount of time to sign a lease with the landlord or developer.
- For rental units, the Administrative Agent will provide certifications that must be signed and notarized by the applicant.
- The certified household moves into the affordable rental unit.
- Subsequent to the initial rent-up period, a list of pre-qualified applicants will be maintained by Plainsboro Non-Profit Housing Corp. on a rental waiting list.

## **ROLES AND RESPONSIBILITIES**

### **Responsibilities of the Municipal Housing Liaison or MHL**

The Municipal Housing Liaison is responsible for coordinating all the activities of the municipal government as it relates to the creation and administration of affordable housing units, in conjunction with the Municipal Attorney, where appropriate (see **Responsibilities of the Municipal Attorney**). The primary purpose of the MHL is to ensure that all affordable housing projects are established and administered according to the Regulations as outlined in an Operating Manual. The duties of the MHL include the following and may include the responsibilities for providing administrative services as described in the next Section, under **Responsibilities of an Administrative Agent**.

**Monitor the status of all restricted units in the municipality's Fair Share Plan.** Regardless of any arrangements the municipality may have with one or more Administrative Agents, it is the Municipal Housing Liaison's responsibility to know the status of all restricted units in their community.

**Serve as the municipality's primary point of contact for all inquiries from the State, Administrative Agents, developers, affordable housing sponsors, owners, property managers, and interested households.** The MHL serves as the municipality's primary point of contact on affordable housing issues. Interested applicants should be provided with information on the types of affordable units within the municipality and, where applicable, the name of the Administrative Agent that manages the units and the contact information for the Administrative Agent.

**Compile, verify and submit annual reporting.** Administrative Agents are responsible for collecting much of the data that is ultimately included in an annual monitoring report. However, it is the Municipal Housing Liaison's responsibility to collect and verify this data and consolidate it into the annual report. Any requests for additional information or corrections will be directed to the MHL.

**Coordinate meetings with Administrative Agents and Developers/Affordable Housing Sponsors/Owners.** When a new affordable unit or series of units is in the planning process, the MHL should coordinate a meeting between the Administrative Agent and the developer, affordable housing sponsor or owner. The developer, affordable housing sponsor or owner may serve as their own Administrative Agent, if they meet the applicable requirements and are approved by the municipality. The purpose of this initial meeting is to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all affordable housing-related local ordinances -- that have already been adopted by the municipality.

It is the responsibility of the Municipal Housing Liaison, in conjunction with the Municipal Attorney, to have the affordable housing provisions of any Master Deed and Public Offering reviewed for consistency with the UHAC regulations, before they are recorded and submitted to DCA for approval.

**Provide Administrative Services, unless those services are contracted out.** The responsibilities for providing administrative services are described in the next Section under, **Responsibilities of an Administrative Agent.**

### **Responsibilities of an Administrative Agent**

The primary responsibility of an Administrative Agent is to establish and enforce affordability controls and ensure that units in the Administrative Agent's portfolio are sold to eligible households. Administrative Agents will:

**Secure written acknowledgement from all developers, affordable housing sponsors and owners that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.**

**Create and adhere to an Operating Manual.** All Administrative Agents are required to follow the policies and procedures of an Operating Manual, as applicable to the scope of services they have been contracted to perform.

**Implement the municipality's Affirmative Marketing Plan.** The Administrative Agent, the developer, affordable housing sponsor or owner could be responsible for implementing the Affirmative Marketing Plan adopted by the municipality. At the first meeting with the Municipal Housing Liaison, Administrative Agent and the developer, affordable housing sponsor or owner, this responsibility should be discussed. Affirmative marketing includes conducting regional outreach and advertising for available affordable units. Advertising costs are the responsibility of the developer or current owner.

**Accept applications from interested households.** In response to marketing initiatives or by referral from the Municipal Housing Liaison, interested households will contact the Administrative Agent. The Administrative Agent will supply applicants with applications, provide additional information on available units and accept completed applications.

**Conduct random selection of applicants for rental of restricted units.** The Administrative Agent is responsible for conducting the random selection in accordance with the Affirmative Marketing Plan and any related local ordinances, and as described in the Operating Manual.

**Create and maintain a pool of applicant households.** This includes reaching out to households in the applicant pool to determine continued interest and/or changes in household size and income.

**Determine eligibility of households.** The task of collecting application materials and documentation from applicant households and analyzing it for eligibility is the responsibility of an Administrative Agent. A written determination on a household's eligibility will be provided within twenty (20) days of the Administrative Agent's determination of eligibility or non-eligibility. Whether or not the household is determined to be eligible for a unit, it is an Administrative Agent's responsibility to secure all information provided by the household in individual files and to maintain strict confidentiality of all information regarding that household. An Administrative Agent is required to ensure that all certified applicants execute a Disclosure Statement acknowledging the rights and requirements of renting an affordable unit, in the form of Appendix K of UHAC.

**Establish and maintain effective communication with property managers and landlords.** Property managers and landlords of restricted units should be instructed and regularly reminded that the Administrative Agent is their primary point of contact. The Administrative Agent must immediately inform all property managers and landlords of any changes to the Administrative Agent's contact information or business hours.

Property managers and landlords should be instructed to immediately contact the Administrative Agent:

- Immediately upon learning that an affordable rental unit will be vacated.
- For review and approval of annual rental increases.

**Provide annual notification of maximum rents.** Each year when the Affordable Housing Professionals of New Jersey releases its very-low, low-, and moderate-income limits, rental households must be notified of the new maximum rent that may be charged for their unit. The Administrative Agent's contact information must be included on such notification in case the tenant is being overcharged.

**Serve as the custodian of all legal documents.** An Administrative Agent is responsible for maintaining originals of all legal instruments for the units in their portfolio. Throughout the duration of a control period, an Administrative Agent must maintain a file containing its affordability control documents. This includes, but is not limited to, the recorded Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes and Appendix J and K.

**Serve as point of contact on all matters relating to affordability controls.** It is recommended that the Administrative Agent develop a system to be notified by lenders when a unit is at risk of foreclosure. In the event of a foreclosure, the Administrative Agent should work with the foreclosing institution to ensure that the affordability controls are maintained. The Administrative Agent should seek the counsel of the municipality's attorney on legal matters that threaten the durability of the affordability controls.

**Provide annual activity reports to Municipal Housing Liaison for use in the annual monitoring report.** An Administrative Agent is responsible for collecting the reporting data on each unit in the Administrative Agent's portfolio.

**Maintain and distribute information on HUD-approved Housing Counseling Programs.**

### **Responsibilities of the Municipal Attorney**

The Municipal Attorney assists the municipality with developing, administering, and enforcing affordability controls, including but not limited to:

- Assisting the Municipal Housing Liaison with the review of the affordable housing provisions of any Master Deed and Public Offering for consistency with COAH and UHAC regulations, before they are recorded and submitted to DCA for approval.
- Providing all reasonable and necessary assistance in support of the Administrative Agent's efforts to ensure compliance with the housing affordability controls, including reviewing legal documents and legal actions required on foreclosures and violations.

### **Responsibilities of Developers**

When a new affordable unit or series of units is in the planning process, the developer of affordable housing should contact the Municipal Housing Liaison, who shall coordinate a meeting with the Administrative Agent, where applicable, and the developer, affordable housing sponsor or owner.

The purpose of this initial meeting is to develop a clear division of labor between the parties and to transmit any components of the Operating Manual – including copies of all affordable-related local ordinances -- that have already been adopted by the municipality.

As provided for by ordinance, the developer will be responsible for the costs of advertising affordable units.



The Administrative Agent will secure from the developer written acknowledgement that no restricted unit can be offered or in any other way committed to any person other than a household duly certified by the Administrative Agent.

### **Responsibilities of Owners of Rental Developments**

Open and direct communication between the Owners of rental developments, the Municipal Housing Liaison and the Administrative Agent is essential to ongoing administration of affordability controls. Although the Administrative Agent is required to serve as the primary point of contact with households, the Owner must provide the Municipal Housing Liaison and Administrative Agent with information on vacancies. Owners of rental developments are also responsible for working with the Administrative Agent to ensure that the Municipal Housing Liaison has all necessary information to complete the annual reporting.

### **Responsibilities of Landlords and Property Managers**

Landlords and property managers must place a notice in all rental properties annually informing residents of the rent increase for the year and the contact information for the Administrative Agent.

## **AFFIRMATIVE MARKETING**

### **Overview of the Requirements of an Affirmative Marketing Plan**

All affordable units are required to be affirmatively marketed using the Township of Plainsboro's Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children to housing units which are being marketed by an Administrative Agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to target households who are least likely to apply for affordable housing, and to target households throughout the entire housing region in which the units are located.

Every Affirmative Marketing Plan will include all of the following:

- Publication of at least one advertisement in a newspaper of general circulation within the housing region; and
- At least one additional regional marketing strategy such as a neighborhood newspaper, religious publication, organizational newsletter, advertisement(s) with major employer(s), or notification through community and regional organizations such as non-profit, religious and civic organizations.



- Listing on the state's Housing Resource Center website, <https://nj.gov/njhrc/>, in accordance with applicable law.

For each affordable housing opportunity within the municipality, the Affirmative Marketing Plan will include the following information:

- The address of the project and development name, if any
- The number of units, including number of affordable rental units
- The rental rates of the rental units
- The name and contact information of the Municipal Housing Liaison, Administrative Agent or property manager
- A description of the Random Selection method that will be used to select applicants for affordable housing.
- Disclosure of required application fees, if any.

Advertisements will contain the following information for each affordable housing opportunity:

- The location of the units
- A range of rents for the housing units
- The bedroom size(s) of the units
- The maximum income permitted to qualify for the housing units
- The locations of applications for the housing units
- The business hours when interested households may obtain an application for a housing unit
- Application fees, if any

### **Implementation of the Affirmative Marketing Plan**

The affirmative marketing process for new affordable units shall begin at least four months prior to expected occupancy. In implementing the marketing program, the Administrative Agent shall undertake all of the strategies outlined in the Township of



Plainsboro Affirmative Marketing Plan. Advertising and outreach shall take place during the first week of the marketing program. Applications for affordable housing shall be available in several locations in accordance with the Affirmative Marketing Plan. The time period when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

An applicant pool will be maintained by the Administrative Agent for re-rentals.

When a re-rental affordable unit becomes available, the applicants will be selected from the applicant pool and, if necessary, the unit will be affirmatively marketed as described, above.

The selection of applicants from the applicant pool is described in more detail in this manual under Random Selection & Applicant Pool(s).

### **Developer, Affordable Housing Sponsor**

The developer or affordable housing sponsor is responsible for advertising the affordable housing in accordance with the municipality's adopted Affordable Housing Ordinance and its adopted Affirmative Marketing Plan. Prior to publication or broadcast, draft copies of the marketing material will be submitted to the Administrative Agent for approval. Proof of publication will be submitted, including a copy of the final advertisements with a copy of the paid bill. Public Service Announcements shall be submitted by the Administrative Agent.

### **RANDOM SELECTION & APPLICANT POOL(S)**

Applicants are selected at random before income-eligibility is determined, regardless of household size or desired number of bedrooms. The process is as follows:

After advertising is implemented, applications are accepted for 60 days. Applicants are required to determine their eligibility based upon information provided at the time of application. Confirmation that the Preliminary Application was properly submitted is indicated on the webpage at the time the Application is submitted. Applicants that are deemed, at this stage, to be ineligible are notified at the time they submit their online application.

Applications are entered into a data base and sorted by the unit size and affordability type that is appropriate. Applicants may check their eligibility on our webpage for the property prior to the random selection process.

Prior to the randomized selection, a list of applicants will be sent to the Municipal Housing Liaison (MHL) in the order to which the random numbers will be applied. This list should be maintained in the file so that the MHL can verify the establishment of the order of the list in advance of the random selection.

At the end of the 60-day period, the Administrative Agent arranges a time and date for the random selection process to take place via webinar. The MHL and a representative of the developer are invited and encouraged to attend. An announcement of the time and date is made by way of an email blast to those applicants who voluntarily sign up for this service through [www.HousingQuest.com](http://www.HousingQuest.com).

It is important to note that applicants need not be present at the random selection, and that there is no advantage given those applicants who do attend.

At the random selection, a website is used to generate a random list of numbers. The numbers are applied to the list in the order that was prearranged. A copy of the random numbers and the final list are sent to the MHL for verification and file.

All applicants are assigned a random number. Priority numbers will be posted on the property page after the random selection and are available for applicants to review if they provide the required security information. A random number does not guarantee that the applicant will be deemed eligible. Applicants who submit more than one application and receive more than one priority number will forfeit the lower number with the highest priority.

When units become available, final applications are sent in the prioritized order as specified previously. The Administrative Agent can keep the applicant pool open after the initial lottery and add names to the existing list based on time and date of submission. On-going marketing is done primarily through [www.HousingQuest.com](http://www.HousingQuest.com).

If there are sufficient names remaining in the pool to fill future re-rental, the applicant pool shall be closed.

When the applicant pool is close to being depleted, the Administrative Agent will re-open the pool and conduct a new random selection process after fulfilling the affirmative marketing requirements. The new applicant pool will be added to the remaining list of applicants.

For future re-rentals only, the Administrative Agent can keep the applicant pool open after the initial lottery and add names to the existing list based on time and date of submission. On-going marketing is done primarily through [www.HousingQuest.com](http://www.HousingQuest.com).

## **MATCHING HOUSEHOLDS TO AVAILABLE UNITS**

In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to implement the following policies:

- Provide an occupant for each unit bedroom;
- Prevent more than two persons from occupying a single bedroom; and

- Require that all the bedrooms be used as bedrooms.

A household is placed only on one unit list for eligibility. A household may choose to change the unit type for which they are eligible within the scope of the program.

## **APPLICATION FEES**

The Administrative Agent does not charge a fee to applicants.

## **HOUSEHOLD CERTIFICATION**

Before any household can lease a restricted unit, the Administrative Agent will certify the household as eligible. Certification of a household involves the verification of two critical pieces of data: 1) Household size and composition, including gender; and 2) The total income and assets for all household members 18 years of age or older. The certification process begins with the applicant completing an application in its entirety and providing the required backup documentation. Once eligibility documents and data have been collected, the Administrative Agent can begin the process of calculating the household's income.

### **Household Composition and Circumstances**

Generally, a Household is defined as everyone who intends to reside in the affordable unit. Temporarily absent members of a household will be counted in very limited circumstances, such as a member of the military in active duty. Unborn children and children in the process of being adopted shall be counted as members of the household.

The following are generally excluded from the household for the purposes of income qualifying but may be considered by the Administrative Agent for the purposes of determining the size of the unit: live-in aid, foster children and children who live in the household with less than 50% joint physical custody.

The following are various records for documenting household information:

- Social Security records or cards. Either individual Social Security card or letter from Social Security Administration
- Adoption papers, or legal documents showing adoption in process
- Income Tax Return
- Driver's License
- Birth Certificate or Passport
- Alien Registration Card



- Divorce Decree and Settlement Agreement
- Adoption Agency / Legal Correspondence and/or Certification
- Correspondence / Certification from Foster Care Services
- Doctor's Authorization for Live-in Aid.
- The Administrative Agent always reserves the right to require any other such documentation that, in its sole discretion, it deems necessary to verify composition.

### **Procedure for Income-Eligibility Certification**

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months. Applicants may NOT change or modify their situation relative to their income once they have submitted a Final Application.

Through the submission of the Final Application, the Administrative Agent shall require each member of an applicant household who is 18 years of age or older to provide documentation to verify their income. The application and a schedule of required documentation can be found in the Appendix. Generally, the documentation required is as follows:

- Four current consecutive pay stubs, including bonuses, overtime or tips, or a signed and dated letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
- Copies of Federal and State income tax returns for each of the preceding three tax years - A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
- A letter or appropriate reporting form verifying current monthly benefits such as
  - Social Security or SSI – Award letter or computer print out letter
  - Unemployment – verification of Unemployment Benefits
  - Welfare -TANF<sup>5</sup> current award letter
  - Disability - Worker's compensation letter
  - Pension income – a pension letter.

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<sup>5</sup> TANF – Temporary Assistance for Needy Families

- A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony, child support and education stipends.
- Current reports of savings and checking accounts (bank statements and passbooks) and income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks or bonds.
- Evidence or reports of income from directly held assets, such as real estate or businesses.
- Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
- Current reports of assets – Market Value Appraisal or a contract with a real estate broker which sets forth the price of the property and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property, attach copies of all leases.
- The Administrative Agent always reserves the right to require any other such documentation that, in its sole discretion, it deems necessary to verify household income.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

### ***Income***

1. Wages, salaries, tips, commissions
2. Alimony
3. Regularly scheduled overtime
4. Pensions and regular distributions from retirement accounts
5. Social security benefits
6. Unemployment compensation (annualized)
7. TANF
8. Verified regular child support
9. Disability benefits
10. Net income from business or real estate

11. Actual interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
12. Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as checking accounts, cash on hand, and equity in non-income producing real estate.
13. Non-tuition stipends for living expenses for students
14. Non-Governmental financial support
15. Any other forms of regular income reported to the Internal Revenue Service
16. Regular financial support from any source.

### ***Not Income***

1. Rebates or credits received under low-income energy assistance programs
2. Food stamps
3. Payments received for foster care
4. Relocation assistance benefits
5. Income of live-in attendants
6. Scholarships
7. Student loans
8. Personal property such as automobiles
9. Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
10. Part-time income of persons enrolled as full-time students

### ***Deduction from Income***

Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income.

### ***Student Income***

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household who is enrolled in a qualifying education program for 12 credit hours or more per semester; and part-time income is income earned

on less than a 35-hour workweek. Full-time income (35 hours or more) for full-time students is always counted.

### **The Real Estate Asset Limit**

Except for federal programs, if an applicant's primary residence, which is to be sold upon purchase of an affordable unit, has no mortgage debt and is valued at or above the regional asset limit as published annually by the Affordable Housing Professionals of New Jersey as part of the Annual Regional Income Limits Chart, the household will be determined ineligible for certification.

However, if the applicant's existing monthly housing costs including taxes, homeowner insurance, and condominium or homeowner association fees exceed 38 percent of the household's eligible monthly income, the household will be exempt from the asset limit.

An applicant will provide a recent, Market Value Appraisal, on the home they own unless the applicant has mortgage debt on the home or can demonstrate that the existing monthly housing costs exceed 38 percent of the household's eligible monthly income, in which case the applicant is exempt from the asset limit.

### **Income from Real Estate**

If real estate owned by an applicant for affordable housing is a rental property, the net revenue is considered income. Specifically, rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance and reasonable property management expenses as reported to the Internal Revenue Service. Other expenses are not deductible. If actual rent is less than fair market rent, the administrative agent shall impute a fair market rent.

If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Administrative Agent should determine the imputed interest from the value of the property. The Administrative Agent should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Based on the current HUD Passbook Savings Rate, interest will be imputed on the determined value of the real estate.

### **Minimum Income**

The annual rent and utility allowance as determined by the Administrative Agent shall not exceed 35% of the applicant's gross annual income unless the applicants' liquid assets exceed 100 times the monthly rent.

### **Housing Counseling**

The Administrative Agent will provide referrals for counseling, as a part of its services. Although housing counseling is recommended, a household is only required to attend

counseling if their monthly housing expense exceeds UHAC standards. A HUD-approved housing counseling agency, or a counseling agency approved by the NJ Department of Banking and Insurance, meets UHAC's requirements for an experienced Housing Counseling Agency. This counseling to low- and moderate-income housing applicants will focus on subjects such as budgeting, credit issues, and mortgage qualification, and is free of charge. A list of non-profit counselors approved by HUD and/or the New Jersey Department of Banking and Insurance is included on DCA's website and is available from the Administrative Agent.

In addition, the Administrative Agent will:

- Confirm and update all information provided on the application.
- Explain program requirements, procedures used to verify information, and penalties for providing false information. Ask the head of household, co-head, spouse and household members 18 years of age or older to sign the Authorization for Release of Information forms and other verification requests.
- Review the applicant's identification and financial information and documentation, ask any questions to clarify information on the application, and obtain any additional information needed to verify the household's income.
- Seek to ensure, to a reasonable degree, that the applicant has reported all sources for earned and benefit income and assets (including assets disposed of for less than fair market value in the past two years). Require the applicant to give a written certification as to whether any household member did or did not dispose of any assets for less than fair market value during the past two years.

### **Approving or Rejecting a Household**

Administrative Agents will notify applicant households of their eligibility within twenty (20) days of the Administrative Agent's determination.

Households with a verified total household income that exceeds 80 percent of the regional income limit for the appropriate family size are ineligible for purchase or rental of restricted units. A letter rejecting the household's application shall be mailed to the household.

Similarly, households with a verified total household income that is within the income limits, but too low to afford any of the units administered by the Administrative Agent shall be sent a letter rejecting the household's application, and/or referring them to housing counseling.

Households with a verified total household income of less than 80 percent shall be issued a letter certifying eligibility. This certification is valid for 180 days. If the applicant does not sign a Lease Agreement within that time frame, an extension may be granted once the household's eligibility is updated and verified.



Once the applicant is certified and matched to an available unit, the Administrative Agent will secure from the applicant a signed and notarized acknowledgement of their requirements and responsibilities in purchasing a restricted unit. UHAC's Disclosure Statement shall be forwarded to the applicants.

In addition to non-eligibility based on income, the Administrative Agent may deny a certification because of the household's failure or inability to document household composition, income, assets, sufficient funds for down payment, or any other required facts and information. A household may also be denied certification if the Administrative Agent determines that there was a willful or material misstatement of fact made by the applicant.

### **Dismissal of Applications**

Applications can be dismissed for the following reasons:

1. The application is not signed or submitted on time;
2. The applicant's sources of income or household composition changes after the submission of the final application, but before approval;
3. The applicant commits fraud, or the application is not truthful or complete;
4. The applicant cannot or does not provide documentation to verify their income or other required information when due;
5. The household income does not meet the minimum or maximum income requirements for a particular property;
6. The applicant owns an asset that exceeds the Asset Limits for deed restricted units;
7. The applicant fails to respond to any inquiry in a timely manner;
8. The applicant had a greater chance than any other applicant submitted for a random selection;
9. The applicant is non-cooperative or abusive with our staff, property managers or the sellers of affordable units;
10. The applicant changes address or other contact information without informing us in writing;
11. The applicant is unable to obtain suitable and legitimate financing for a sale unit or fails to verify attendance in a home buyer credit counseling program when required to do so by the program rules;
12. The applicant does not respond to a periodic update inquiry in a timely fashion;
13. The applicant fails to sign the Compliance Certification, Certificate for Applicant; Lease Documents, as may be required; or
14. The applicant, once approved, fails to sign a lease in a timely manner.

Applicants will also be withdrawn from all lists held by us in the Township of Plainsboro once they have been approved for an affordable unit within that same municipality. However, these applicants may re-apply for other opportunities in that municipality once they have occupied their unit. Applicants withdrawn for fraud may be withdrawn from all programs administered by Plainsboro Non-Profit Housing Corp., and may be subject to prosecution under the law.

Applicants who are withdrawn and who wish to re-apply to that specific program may do so using a new Preliminary Application. The new Preliminary Application will NOT be given preferential treatment but will be processed in the same way that all new Preliminary Applications for that specific program are processed. In the event that an application list is closed when the application is withdrawn, the applicant will be required to wait until the list is re-opened to apply again.

Applicants who are dismissed must re-apply. A minimum time period of six months applies in most situations where the applicant has been withdrawn for fraud, poor credit, uncooperative behavior or other serious matters.

Applications may be held in abeyance for a period not to exceed 90 days if there is an error on the credit report, so that the applicant can correct the error and re-apply. Units will not be held open for that applicant. However, once the credit report is corrected, the applicant will be given priority for the next opportunity at that property.

## **Appeals**

Appeals from all decisions of an Administrative Agent shall be made in writing to the Municipal Housing Liaison, Township of Plainsboro; or the Executive Director of the New Jersey Housing and Mortgage Finance Agency.

## **DETERMINING AFFORDABLE RENTS**

To determine the affordable rents, the Administrative Agent uses the calculators located at <https://ahpnj.org/resources/updated-coah-calculators>.

## **Development Considerations and Compliance Issues**

There are several regulations that must be considered from the *development perspective* before the rents of individual units can be calculated. These requirements should be discussed at the first meeting between the Municipal Housing Liaison, Administrative Agent and developer or affordable housing sponsor. The following is a summary of the requirements for rental projects.

**Bedroom Distribution.** The standards on the distribution of unit sizes for family affordable developments require that:

- The combined number of efficiency and one-bedroom units may be no greater than 20 percent of the total low- and moderate-income units;
- At least 30 percent of all low- and moderate-income units must be two-bedroom units;
- At least 20 percent of all low- and moderate-income units are three-bedroom units; and
- The remainder, if any, may be allocated at the discretion of the developer.

**Age-restricted Units.** Affordable age-restricted units are not held to these bedroom distribution standards. For affordable age-restricted units, the number of age-restricted low- and moderate-income bedrooms must be equal to or greater than the number of affordable age-restricted units within the development. In other words, for affordable units in an age-restricted development, the average bedroom count must be equal to or greater than one bedroom per unit. For example, if the affordable units in an overall age-restricted development is 25 percent efficiencies and 50 percent one-bedroom units, and 25 percent two-bedroom units, that equals an overall bedroom count of exactly one bedroom per unit. An age-restricted development can meet this standard by creating all one-bedroom affordable units or by creating a two-bedroom affordable unit for each affordable efficiency unit, or any other combination that will equal a minimum of one bedroom per affordable unit.

**Pricing by Household Size.** Initial rents are based on targeted “model” household sizes for each size home as determined by the number of bedrooms. Initial rents must adhere to the following rules. These maximum rents are based on the Affordable Housing Professionals of New Jersey’s Annual Regional Income Limits Chart at the time of occupancy:

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

The above rules are only to be used for setting initial rents. They are not guidelines for matching household sizes with unit sizes. The pricing of age-restricted units may not exceed affordability based on a two-person household.

#### **Additional Regulations for a Rental Development**

In addition to the regulations covered earlier in the Section **Development Considerations and Compliance Issues**, rental projects must also comply with the following regulations:

**Split Between Low- and Moderate-income Rental Units.** At least 50 percent (of the affordable units within each bedroom distribution (unit size) must be low-income units and at least 13 percent of all affordable units must be very-low income units affordable to households earning no more than 30 percent of the regional median income. The remainder of the affordable units may be affordable to moderate-income households.

**Affordability Average.** The average rent for all affordable units cannot exceed 52 percent of the regional median income. At least one rent for each bedroom type must be offered for very low-income, low-income and moderate-income units. Calculation of the affordability average is available on the Affordable Housing Professionals of New Jersey's website.

**Maximum Rent.** The maximum rent of restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of the regional median income.

### **Determining Rent Increases**

Annual rent increases are permitted in affordable units. Rent increases are permitted at the anniversary of tenancy according to the Affordable Housing Professionals of New Jersey's Annual Regional Income Limits Chart, available on AHPNJ's website or an approved alternative. These increases must be filed with and approved by the Administrative Agent. Property managers or landlords who have charged less than the permissible increase may use the maximum allowable rent with the next tenant with permission of the Administrative Agent. The maximum allowable rent would be calculated by starting with the rent schedule approved as part of initial lease-up of the development and calculating the annual increase from the initial lease-up year to the present. Rents may not be increased more than once a year, may not be increased by more than one approved increment at a time, and may not be increased at the time of new occupancy if this occurs less than one year from the last rental. No additional fees may be added to the approved rent without the express written approval of the Administrative Agent.

## **VIOLATIONS, DEFAULTS AND REMEDIES**

In the event of a threatened breach of any of the regulations governing the affordable unit by an Owner, the Administrative Agent shall have all the remedies provided at law or equity, including the right to seek injunctive relief or specific performance, it being recognized by both parties that it will cause irreparable harm to the municipality, in light of the public policies set forth in the Fair Housing Act and the obligation for the provision of low- and moderate-income housing.

Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

## **MAINTENANCE OF RECORDS AND APPLICANT FILES**

Pursuant to N.J.A.C. 5:80-26.14(a)8, N.J.A.C. 5:80-26.15(c) and N.J.A.C. 5:80-26.17 current records will be maintained by the Administrative Agent and outdated records will be given to the municipality for safe-keeping. A file will be created and maintained on each restricted unit for its control period.

The Administrative Agent will maintain detailed records on all marketing initiatives.

### **Files to Be Maintained on Every Applicant**

The Administrative Agent will maintain files on every applicant. All files will contain a preliminary application. If an applicant's preliminary application is approved, and the applicant files a formal application, the file will contain at a minimum:

- Application Form.
- Income Verification
- Letter of Certification of Eligibility or Letter of Determination of Ineligibility.

Individual files will be maintained throughout the process.

### **Files to Be Maintained on Every Unit**

The Administrative Agent will maintain files on every unit for the length of the affordability controls. The unit file will contain at a minimum:

- Base rent
- Identification as very low-, low-, or moderate-income
- Description of number of bedrooms and physical layout
- Floor plan
- Application materials, verifications and certifications of all present owners, pertinent correspondence
- Copy of lease
- Disclosure Statement (Appendix K)



### **Files to Be Maintained on Every Project**

The Administrative Agent will maintain files on every project for the length of the affordability controls. The project file will contain at a minimum:

- Condominium Master Deed
- Condominium Public Offering
- Crediting Information
- Original deed restriction
- Affordability control documents, including Declarations of Covenants, Conditions and Restrictions, Deed Restrictions, Deeds, Recapture Mortgages, Recapture Mortgage Notes, Disclosure Statement (Appendix J)

### **Files to Be Maintained on The Applicant Pool**

- Any changes to the applicant pool
- Any action taken with regard to the applicant pool
- Any activity that occurs that affects a particular applicant
- Current applications for all applicants whose status is active in the applicant pool
- The application, the initial rejection notice, the applicant's reply to the notice, a copy of the Administrative Agent's final response to the applicant, and all documentation of the reason the applicant's name was removed from the applicant pool.

### **Monitoring**

A sample Deed will be submitted for each project. Additionally, the current annual monitoring information required to be maintained and reported annually to the Municipal Housing Liaison can be found in the Borough's adopted Affordable Housing Ordinance. The information required for each unit includes but is not limited to:

- A sample Deed for each project.
- Street Address
- Block/Lot/Qualifier/Unit Number
- Housing Type
- Income: Very Low/Low/Moderate
- Initial Rental Price
- % of affordability
- Bedroom Type
- Age-restricted
- Handicap accessible/adaptable
- Co #, date
- Effective date of affordability controls
- Length of affordability controls (yrs)
- Date Affordability controls removed

## **Appendix K. Spending Plan**

## **TOWNSHIP OF PLAINSBORO**

### **AFFORDABLE HOUSING TRUST FUND SPENDING PLAN**

The Township of Plainsboro has a history of compliance with its Mount Laurel affordable housing obligation and has previously implemented all necessary ordinances for establishing an affordable housing trust fund financed through the collection of mandatory development fees to assist in accomplishing the provision of affordable housing.

The Township has prepared a Fourth Round Housing Element and Fair Share Plan that advances a comprehensive strategy for meeting its regional share of affordable housing need in accordance with the intent of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Fair Housing Act (N.J.S.A. 52:27D-301), and in accordance with the procedural and substantive requirements of N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:91-1 et seq. The Township has actively participated in the Fourth Round compliance process.

The Township's existing development fee ordinance, codified as Chapter 57 of the Township's General Legislation, most recently revised in 2019, will be updated and continue to require and regulate the collection of residential and non-residential development fees as revenue for the Township's affordable housing trust fund. The sections below outline the Township's plan for the administration and use of collected development fee revenues as per the requirements of N.J.A.C. 5:93-5.1(c).

#### **I. Projected Revenues through 2035**

A projection of anticipated revenues to be collected during the tenure of the Fourth Round has been calculated based on historical annualized trends in the amount of development fees collected to date.

As of December 31, 2024, the Township had a balance of \$1,427,051.48 in the trust fund account. Based on anticipated revenue from development fees, the Township anticipates a total of \$2,309,308.32 from development fees to be collected for the fourth round period from 2025-2035. This figure, in combination with the fund's anticipated interest accrual of \$3,000 per month, provides a reasonable estimate for anticipated annual development fee revenues through 2035.

The Township of Plainsboro projects a total of \$2,705,308.32 in revenue and interest to be collected from July 1, 2025 to June 30, 2035. This projected amount, when added to the trust fund balance from December 31, 2024, results in an anticipated total revenue of \$4,132,359.80 available to fund and administer the Township's affordable housing plan and programs. All interest earned on the account shall accrue to the account and be used only for the purposes of affordable housing. See the Projected Revenues Table, appended to the end of this Spending Plan.

## **II. Administrative Mechanisms for Collecting and Distributing Revenues**

The Township's existing Development Fee Ordinance is recorded in Chapter 57 of Plainsboro's General Legislation. Procedures for collection, administration, and distribution of development fees as affordable housing trust fund revenues are fully established in this section. The Township's ordinance complies with P.L. 2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7).

The Development Fee Ordinance covers the following general topics:

1. Determination of residential development fees;
2. Determination of non-residential development fees;
3. Fee collection procedures;
4. Operation of the affordable housing trust fund;
5. Permitted uses of funds;
6. Monitoring; and
7. Ongoing collection of fees as related to affordable housing compliance.

All development fees are deposited in a separate affordable housing trust fund held in an account at Provident Bank. Per stipulations in the Development Fee Ordinance the account and the record of distribution of funds is maintained by the Township's Chief Financial Officer.

## **III. Anticipated Use of Development Fees**

As per the Township's ordinance, development fees shall be used for the sole purpose of providing low- and moderate-income housing. Funding mechanisms can be set up as a grant or revolving loan program to cover costs associated activities including, but not limited to, the following:

1. Preservation or purchase of housing for maintaining or implementing affordability controls;
2. Rehabilitation grants;
3. New construction of affordable housing units and related costs;
4. Implementing accessory apartment, market to affordable, or regional housing partnership programs;
5. Conversion of existing non-residential buildings to create new affordable units;
6. Green building strategies designed to be cost saving and in accordance with accepted national or State standards;
7. Purchase of land or improvement of land to be used for affordable housing;
8. Extensions or improvements of roads and infrastructure to affordable housing sites;
9. Financial assistance designed to increase affordability; and
10. Administration necessary for implementation of the Housing Element and Fair Share Plan.

**(A) Anticipated Rehabilitation**

The Township of Plainsboro will dedicate \$1,325,000 towards rehabilitation opportunities.

***Rehabilitation Program***

The Township anticipates dedicating \$1,325,000 to its rehabilitation program. As discussed in the Housing Element and Fair Share Plan, Plainsboro has a rehabilitation present need obligation of 53 units. To address this need, the Township plans to provide eligible households with the equivalent grant funding to meet this obligation at an estimated cost of \$25,000 per grant. The Township anticipates rehabilitating an average of five (5) units per year for the first ten (10) years, and three (3) units per year for the remaining one (1) year to satisfy its rehabilitation obligation. See the Projected Expenditures table appended to the end of this spending plan for a yearly breakdown of rehabilitation program expenditures.

Plainsboro's Rehabilitation Program is managed by the Plainsboro Township Affordable Housing Administrative Agent. The availability of the program shall be advertised continually on the Township's website.

**(B) Affordability Assistance Requirement**

As per the requirements of N.J.A.C. 5:93-8.16, at least thirty (30%) percent of all development fees and interest earned shall be used to provide low- and moderate-income households in affordable units with affordability assistance. One-third of the required affordability assistance shall specifically be used to provide affordability assistance to very low-income households (i.e. those households earning thirty percent or less of regional median income). The Townships anticipates using a minimum of \$1,243,000 from the Affordable Housing Trust Fund towards affordability assistance.

The projected minimum affordability assistance requirement through 2035 is calculated as follows:



**Table 1. Minimum Affordability Assistance**

Trust fund balance as of 01/01/25	\$ 1,427,051.48
Projected development fees plus interest, 2025-2035	\$ 2,705,308.32
<b>PROJECTED TOTAL</b>	<b>\$ 4,132,359.80</b>
Projected minimum affordability assistance requirement (30%)	\$ 1,239,707.94
Projected minimum required for very low-income households (1/3 of total affordability assistance)	\$ 413,235.98

**(C) Administrative Expenses**

Plainsboro Township may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan. Also in accordance with N.J.A.C. 5:93-8.16, to the extent that funds are available after funding the programs outlined above, the Township can use up to twenty (20%) percent of all revenues collected from development fees on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, rehabilitation program, a Housing Element and Fair Share Plan, an affirmative marketing program, income qualification of households, monitoring the turnover of sale and rental units, and/or compliance with monitoring requirements.

The projected maximum administrative expenditures through 2035 is calculated as follows:

**Table 2. Maximum Administrative Expenditures**

Trust fund balance as of 01/01/25	\$ 1,427,051.48
Projected development fees plus interest, 2025-2035	\$ 2,705,308.32
<b>PROJECTED TOTAL</b>	<b>\$ 4,132,359.80</b>
Projected maximum administrative expenditures (20%)	\$ 826,471.96

Through 2035, Plainsboro anticipates using a total of \$826,400 of the maximum allowable \$826,471.96 for administrative expenses.

**IV. Schedule for New or Rehabilitated Housing Units**

The schedule for new or rehabilitated housing units is documented by year in the Projected Expenditures table attached to this Spending Plan.

**V. Implementation in the Event of Unexpected Shortfalls**

The Township of Plainsboro will commit to funding any shortfall of revenue needed to

implement the Housing Element and Fair Share Plan as outlined above. Shortfalls will be addressed as need arises. The Township will fill gaps in funding through municipal bond. Any excess funds shall be put toward additional affordability assistance measures.

## **VI. In Sum**

Plainsboro has prepared this Spending Plan in support of the implementation of its Fourth Round Housing Element and Fair Share plan, and in accordance with the administrative requirements of N.J.A.C. 5:93-1 et seq. The Spending Plan represents the Township's intended use of development fee revenues that are collected in its Housing Trust Fund, illustrating how the Township will use these funds to provide for its fair share of regional affordable housing need.



