

HOUSING ELEMENT
AND HOUSING PLAN

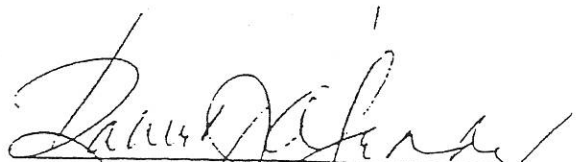
BOROUGH OF ROSELAND
ESSEX COUNTY, NEW JERSEY

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The original of this report was signed and sealed in
accordance with N.J.S.A. 45:14A-12.


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INTRODUCTION

In January, 1985, the New Jersey Legislature adopted the Fair Housing Act. This act represents the Legislature's response to the New Jersey Supreme Court's Mount Laurel II ruling which places responsibilities on municipalities to provide realistic opportunities for the development of low and moderate income housing.

The Fair Housing Act establishes a Council on Affordable Housing (COAH) and assigns that Council the task of monitoring affordable housing activities throughout the State. Among COAH's responsibilities are the establishment of housing regions, the determination of statewide and regional low and moderate income housing needs and the promulgation of guidelines and criteria for determination of municipal fair shares of regional housing needs. The Law further provides that if a municipality is to have a valid zoning ordinance, it must prepare and adopt a housing plan element of a Master Plan and zoning regulations must be substantially consistent with that housing element. The purpose of a housing element is to assess local housing needs and obligations, along with the municipality's ability to support such housing, and establish a program for development of low and moderate income housing.

This report is intended to satisfy the requirements of the Fair Housing Act by providing a realistic evaluation of Roseland's ability to meet its assigned, pre-credited housing need and by establishing a program to encourage the development of low and moderate income housing.

HOUSING INVENTORY

A major part of a housing element is an inventory of existing housing in the municipality. Primary sources of information relating to the housing stock include tax assessment data, municipal land use surveys and the U.S. Census. All three sources were used in performing a housing inventory for Roseland.

The Existing Development Map of the Borough was updated to reflect the use of each parcel of property and provide an indication of the type and quantity of existing housing. According to this recent land use survey, there are a total of 1810 housing units in Roseland as reflected in Table 1. The vast majority of these, 1295 or almost 72%, are one-family detached units. Another 477 units or 26% of the total are located in townhouse and apartment developments. Only 38 units or 2% of the total are located in isolated 2- and 3- family structures or in commercial buildings.

The data in Table 1 as it relates to units in 2-family structures and commercial buildings is not necessarily precise. Some residences which appear to be single family homes may, in fact, contain a small, second unit which is not readily discernible from field survey. Other, non-residential buildings may also contain small dwelling units which are not observable from sidewalk or windshield inspection.

The above conclusions are supported by the 1980 U.S. Census which indicates a greater number of units as well as a different distribution of units than revealed by the 1986 survey. Selected housing characteristics as reported by the Census are reflected in Table 2. This table indicates a total of 1843 housing units or 33 more than the latest survey reveals. It should be recognized, however, that the Census is not completely accurate and its methods of classification are somewhat different than those customarily used in local planning.

Table 2 indicates a dominance of single-family, owner-occupied housing generally consistent with Table 1 data. Only 6 units lacked complete plumbing and the median value of owner-occupied housing was \$90,200. This compares to \$67,200 for Essex County. Similarly, median contract rent was \$474 vs. only \$210 for the County. Mean values and rents were correspondingly higher than County averages.

TABLE 1**SUMMARY OF HOUSING UNITS
BOROUGH OF ROSELAND
AUGUST, 1986**

	Structures	Dwelling No.	Units %
1-Family	1295	1295	71.5
2-Family	16	32	1.8
3-Family	1	3	0.2
Apartments	30	360	19.9
Townhouses	55	117	6.4
Apts. w. Business	3	3	0.2
	<hr/> 1400	<hr/> 1810	<hr/> 100.0

Source: Tax Duplicate and Consultant's Land Use Survey

TABLE 2

SELECTED HOUSING CHARACTERISTICS
BOROUGH OF ROSELAND
1980

Total Housing Units	- 1843	
Occupied	- 1793	(97.3%)
Vacant	- 50	(2.7%)
Occupied Units	- 1793	
Owner Occupied	- 1355	(75.6%)
Renter Occupied	- 438	(24.4%)
Vacant Units	- 50	
For Sale	- 30	(60.0%)
For Rent	- 7	(7.0%)
Held for Occasional Use	- 2	(2.0%)
Other	11	(11.0%)
Units @ Address		
1	- 1435	(77.9%)
2 to 9	- 82	(4.4%)
10 or more	- 326	(17.7%)
Units lacking complete plumbing for exclusive use - 6		
Median value of owner occupied, non-condo units - \$90,200		
Median Contract Rent - \$474		
Mean Value	Non-Condo	Condo
Owner-Occupied	\$ 98,142	\$113,250
Vacant for Sale	\$107,916	\$112,500
Mean Rent		
Renter Occupied	\$466	(438 units)
Vacant for Rent	\$313	(7 units)
Persons Per Unit		
1 Person	285	(15.9%)
2 Persons	564	(31.4%)
3 Persons	309	(17.2%)
4 Persons	335	(18.7%)
5 Persons	200	(11.2%)
6 or More Persons	100	(5.6%)
Median	2.65	
Mean	2.97	
Persons Per Room	Total	Renter
1.00 or less	1787	437
1.01 to 1.50	5	-
1.51 or more	1	1

Source: 1980 U.S. Census (STF - 1 Profiles)

Family and household size has declined in recent years and only 300 units or less than 17% contained more than 4 persons. The median number of persons per unit was 2.65 (2.39 in Essex County) and the mean number was 2.97 (also 2.97 in the County). There was extremely little overcrowding in Roseland. Only 6 of the 1793 occupied units contained an average of more than one person per room.

Table 2 is presumably based on a 100% census count and provides a very broad description of housing characteristics. In general, it reflects a condition of sound quality, high value, owner-occupied housing. Somewhat more detailed data based on a sampling of less than 20% is provided in Table 3. Due to this sampling, total figures may disagree with those in Table 2. Significant features of Table 3 can be summarized as follows:

1. The vast majority of units are 1-family detached units.
2. Roseland is a young community in terms of age of housing with 81% having been built since 1939.
3. Almost 66% of all units contain 3 or more bedrooms. Less than 13% contain only 1 bedroom.
4. Only 15 units (0.8%) lack a complete bath.
5. All housing units contain complete kitchens.
6. Less than 2% or 29 units lack central heating systems. Only 6 of these units would be classified as overcrowded.

Based on limited block data available from the Census Bureau, the accuracy of the data in Table 3 is in question. For example, the Census reported the existence of 3 dwelling units lacking complete plumbing in one particular block. The only dwelling units in that block are located in Nob Hill, a recently constructed apartment development in which all units have complete plumbing.

In order to further verify that the Census data exaggerates the extent of housing deficiencies, an exhaustive examination of local assessment records was performed. This examination identified only 3 dwelling units in the Borough that lacked central heating systems or had other major deficiencies.

TABLE 3

DETAILED, SELECTED HOUSING CHARACTERISTICS
BOROUGH OF ROSELAND
1980

Housing Units	Total		Occupied		Renter Occupied	
	No.	%	No.	%	No.	%
1 detached	1295	71.3	1267	71.9	43	10.0
1 attached	99	5.5	80	4.5	0	0
2	31	1.7	31	1.8	20	4.7
3 and 4	15	0.8	15	0.9	7	1.6
5 or more	<u>375</u>	<u>20.7</u>	<u>369</u>	<u>20.9</u>	<u>359</u>	<u>83.7</u>
	1815	100.0	1762	100.0	429	100.0
Year Built						
1979-March 1980	181	10.0	139	7.9	53	12.3
1975 - 1978	348	19.2	345	19.6	301	70.2
1970 -1974	152	8.4	147	8.3	5	1.2
1960 - 1969	409	22.5	409	23.2	17	4.0
1950 - 1959	212	11.7	212	12.0	0	0
1940 - 1949	168	9.2	165	9.4	6	1.4
1939 & earlier	<u>345</u>	<u>19.0</u>	<u>345</u>	<u>19.6</u>	<u>47</u>	<u>10.9</u>
	1815	100.0	1762	100.0	429	100.0
Bedrooms						
1	232	12.8	226	12.8	212	49.4
2	391	21.5	365	20.7	173	40.3
3	611	33.7	592	33.6	23	5.4
4	494	27.2	492	27.9	11	2.6
5 or more	<u>87</u>	<u>4.8</u>	<u>87</u>	<u>5.0</u>	<u>10</u>	<u>2.3</u>
	1815	100.0	1762	100.0	429	100.0
Bathrooms						
0 or 1/2	15	0.8	15	0.8	7	1.6
1 complete	537	29.6	523	29.7	249	58.0
1 comp. & halves	282	15.5	273	15.5	41	9.6
2 or more comp.	<u>981</u>	<u>54.1</u>	<u>951</u>	<u>54.0</u>	<u>132</u>	<u>30.8</u>
	1815	100.0	1762	100.0	429	100.0

Kitchens

All units have complete kitchens.

Heating Systems

With Central Heat	1786	98.4
Without Central Heat	<u>29</u>	<u>1.6</u>
	1815	100.0

Units by Heating Equipment	With Central Heat	Without Central Heat
1939 or earlier		
Less than 1.1 persons/room	340	5
1.1 or more persons/room	0	0
1940 - 1980		
Less than 1.1 persons/room	1378	18
1.1 or more persons/room	0	6

Source: 1980 U.S. Census (STF - 3 Profiles)

HOUSING STOCK PROJECTION

Very little basis exists for making a projection of Roseland's housing stock. Development activity in the Borough has been very modest with only 63 dwelling units, all of them single family homes, constructed between 1980 and 1985. This is an annual average of only 10-1/2 units. More than half of the 63 units, or 35 units, were constructed in 1984, with the 7 units being the maximum number constructed in any other year. At present there are no major residential development proposals before the Planning Board that would indicate any significant change in this development trend.

Based upon present zoning and ignoring the presence of environmental constraints, such as wetlands and flood hazard areas, Roseland might accommodate a maximum of 350 additional housing units. It is concluded, however, that these wetlands and flood hazard areas will reduce the Borough's potential for future growth to not more than 300 housing units.

Obviously, the zoning measures needed to implement the housing element proposals would result in a greater development potential. Adoption of these measures would result in the potential for 564 additional housing units, of which 113 would be low and moderate income units. Since construction of these potential housing units depends upon the availability of sanitary sewerage facilities and since a moratorium on sewer tie-ins due to insufficient treatment capacity is currently in effect, it is very difficult to project the rate of development or the number of units that might be constructed in the next 6 years. Should sewer capacity become available, it is reasonable to expect that the 564 units would be built within a relatively short period of time. This development would virtually exhaust land available for residential development.

DEMOGRAPHIC CHARACTERISTICS

Population and other demographic characteristics constitute an important part of a housing element. More than half of Roseland's growth has taken place since 1950 when there were only 2019 persons compared to a 1980 population of 5330. The Borough's population by decade since 1930 was as follows:

<u>Year</u>	<u>Persons</u>
1930	1058
1940	1556
1950	2019
1960	2804
1970	4453
1980	5530

Assuming that average household size has remained unchanged and based on the number of units constructed since 1980, the current population of the Borough would be approximately 5500 persons. Based on this estimate, it is evident that the rate of growth experienced between 1970 and 1980 has been greatly reduced.

Household Size

Data relating to household size (persons per unit) was previously summarized. On the average, the Borough consists of larger households than the County. The reason is a much smaller percentage of 1-person households in the Borough and larger percentages of 2-, 4- and 5- person households. The predominant single family residential character of Roseland has much to do with these household size characteristics.

Age Distribution

Age and sex distribution for the Borough compared to age distribution for the County as reported by the 1980 U.S. Census is reflected in Table 4. By way of general comparison, Roseland had smaller percentages of its population in the under 10, 20-34 and 75 and over groups than the County and correspondingly larger percentages in other age groups, especially in the 35-64 groups. This data is indicative of the single family home character of the Borough and is a reflection of the household size characteristics shown in Table 3.

Income

Household incomes in the community are a further reflection of the community character and the nature of its population. In Table 5, 1979 household incomes for Roseland and Essex County are compared. Both the median and mean incomes of households in the Borough were substantially greater than in County. This is the result of the fact that, in general, Roseland had higher percentages of its households in income categories of \$22,500 and lower percentages below that amount. For example, 65.6% of Roseland's households earned \$22,500 or more compared to only 34.8% of the County's

TABLE 4

POPULATION BY AGE -1980
ROSELAND AND ESSEX COUNTY

	Roseland				County	
	Male	Female	Total	%	Total	%
Under 5	109	133	242	4.6	57,028	6.7
5 - 9	154	168	322	6.0	60,770	7.1
10 - 14	242	227	469	8.8	73,963	8.7
15 - 19	260	235	495	9.3	77,153	9.1
20 - 24	194	163	357	6.7	71,313	8.4
25 - 34	322	360	682	12.8	130,430	15.3
35 - 44	343	394	737	13.8	98,931	11.6
45 - 54	369	379	748	14.0	91,505	10.8
55 - 64	354	389	743	13.9	91,383	10.7
65 - 74	172	210	382	7.2	59,135	7.0
75 & over	54	99	153	2.9	39,505	4.6
Total	2573	2757	5330	100.0	851,116	100.0

Source: U.S. Census of Population

TABLE 5

INCOME DATA
ROSELAND AND ESSEX COUNTY
1979

Household Income	Roseland		County	
	No.	%	No.	%
Less than \$2,500	43	2.4	18,875	6.3
\$2,500 to \$4,999	28	1.6	32,555	10.8
\$5,000 to \$7,499	44	2.5	24,198	8.0
\$7,500 to \$9,999	45	2.5	22,285	7.4
\$10,000 to \$12,499	75	4.2	23,368	7.8
\$12,500 to \$14,999	70	3.9	19,199	6.4
\$15,000 to \$17,499	139	7.8	20,809	6.9
\$17,500 to \$19,999	76	4.2	17,024	5.7
\$20,000 to \$22,499	77	4.3	17,677	5.9
\$22,500 to \$24,999	95	5.3	13,244	4.4
\$25,000 to \$27,499	126	7.0	14,179	4.7
\$27,500 to \$29,999	149	8.3	10,725	3.6
\$30,000 to \$34,999	153	8.6	18,441	6.1
\$35,000 to \$39,999	175	9.8	13,309	4.4
\$40,000 to \$49,999	172	9.6	14,587	4.8
\$50,000 to \$74,999	207	11.6	13,412	4.5
\$75,000 or more	115	6.4	6,805	2.3
Median	\$28,784		\$16,186	
Mean	\$34,760		\$21,102	
Poverty Status				
Families & Individuals				
Income Above				
Poverty Status				
15 to 64 years	1,428	79.8	197,081	65.5
65 years and over	290	16.2	51,108	17.0
Total	1,718	96.0	248,189	82.5
Income Below				
Poverty Status				
15 to 64 years	56	3.2	42,060	14.0
65 years and over	15	0.8	10,533	3.5
Total	71	4.0	52,593	17.5
Total				
15 to 64 years	1,484	83.0	239,141	79.5
65 years and over	305	17.0	61,641	20.5
Total	1,789	100.0	300,782	100.0

Source: 1980 U.S. Census (STF - 3 Profiles)

58

households.

Also shown in Table 5 is a summary of family and individual incomes as related to the poverty level. As would be expected, a greater portion of Roseland's households were above the poverty level. Only 4% of the households in the Borough vs. 17.5% in the County were below poverty level.

EMPLOYMENT CHARACTERISTICS

Among the more important demographic factors related to housing needs are employment characteristics. Various labor force and employment data for the Borough and the County are summarized in Table 6. Two major factors or conditions are revealed by this information as follows:

1. Roseland has a higher rate of employment than the County (96.5% vs. 91.6%). Conversely, the Borough had an unemployment rate of 3.5% compared to a rate of 8.4% for the County.
2. A greater portion of the Borough's employed labor force was in managerial, professional and technical fields and correspondingly a lower portion in blue collar-type occupations. These conditions are indicative of the higher income level of the Borough vs. the County as previously reported.

More important in terms of a housing element than the employment characteristics of the municipality's labor force is local employment opportunities and growth in local employment. A customary source used in determining local employment characteristics and local employment trends is covered employment data reported by the New Jersey Department of Labor.

New Jersey unemployment covered jobs reported by the Department of Labor for Roseland from 1980 through 1985 are listed in Table 7. The data presented here indicates that local employment in Roseland has more than doubled in the past 5 years. Local private sector employment in the third quarter of 1985 presumably reached 9133 jobs. The large employment, as well as the exceptional employment growth, can be attributed to the extensive corporate office development that has taken place in the Becker Farm area.

The data in Table 7 is not necessarily accurate as indicated by the following statement issued by the Department of Labor.

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TABLE 6

LABOR FORCE & EMPLOYMENT DATA - 1979
ROSELAND AND ESSEX COUNTY

	Roseland				County	
	Male	Female	Total	%	Total	%
Labor Force*						
Armed Forces:	0	0	0	0	318	**
Civilian Labor Force						
Employed	1,506	1,140	2,646	61.8	358,757	55.8
Unemployed	49	47	96	2.3	32,855	5.1
Not In Labor Force	400	1,137	1,537	35.9	251,220	39.1
Total	1,955	2,324	4,279	100.0	642,832	100.0

	Roseland		County	
	No.	%	No.	%
Occupations				
Managerial & Professional Speciality				
Executive, Administrative, Managerial	512	19.3	39,785	11.1
Professional Speciality	530	20.0	48,755	13.6
Technical, Sales Administrative Support:				
Technicians and Related Support	30	1.1	9,126	2.5
Sales	375	14.2	30,971	8.6
Administrative Support Including Clerical	544	20.6	76,866	21.4
Service:				
Private Household	14	0.5	2,840	0.8
Protective Service	45	1.7	8,925	2.5
Service, Except Protective & Household	158	6.0	35,762	10.0
Farming, Forestry, and Fishing	30	1.1	1,435	0.4
Precision Production, Craft & Repair	178	6.7	33,991	9.5
Operators, Fabricators, and Laborers:				
Machine Operators, Assemblers, Inspectors	105	4.0	38,679	10.8
Transportation and Material Moving Handlers,	89	3.4	14,608	4.1
Equipment Cleaners, Helpers, Laborers	36	1.4	17,014	4.7

* Labor Force - Persons 16 years of age and older.

** Negligible

Source: 1980 U.S. Census (STF - 3 Profiles)

15A

TABLE 7

**PRIVATE SECTOR COVERED JOBS
BOROUGH OF ROSELAND**

	<u>Employer Units</u>	<u>Covered Jobs</u>
1980	N.A.	4,094
1981	118	4,825
1982	144	5,871*
1983	167	6,253*
1984	179	6,789*
1985	210	9,133*

* Third Quarter Only

Source: Division of Planning & Research
N.J. Department of Labor

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"Users of municipality level employment estimates should be aware of its limitations. The reliability of these data are affected primarily by incomplete or erroneous employer data, and inherent difficulties in coding large firms with numerous New Jersey locations.

"Although every effort is made to assign correct codes to employer accounts, the assignment of municipality codes is particularly difficult. Employers may not be aware of the jurisdictional boundaries of municipalities or may incorrectly report a mailing address rather than an actual location address. In such instances, an erroneous location code may be assigned, due to misleading information.

"As with all the covered employment statistics, no adjustments are made to previously released data as a result of corrections to municipality codes. Therefore, statistics may be unreliable for trend analysis."

Although actual job figures may not be accurate, the growth indicated is probably representative of what has taken place in the Borough. As to the future, a decline in the rate of growth should be experienced since most of the available land for office development is now utilized. An overall increase not to exceed half the rate of the past 5 years would be reasonable to expect in the next 5 years. This would result in a total of 11,653 jobs in 1990, an increase of 2520 over the 1985 total of 9133.

FAIR SHARE HOUSING NEED

The pre-credited need for low and moderate income housing established by COAH is 260 units consisting of the following components.

Indigenous Need	8
Reallocated Need	<u>87</u>
Present Need	95
Prospective Need	<u>180</u>
Total Need	275
Demolitions	- 7
Filtering	-16
Conversions	-1
Spontaneous Rehabilitation	<u>-5</u>
Pre-credited Need	260

A careful review of COAH's substantive rules indicates certain apparent errors in the calculations producing the above figures which would result in a reduction in the pre-credited need by 10 units to a total of 250 units. The areas in which apparent discrepancies were found are as follows:

- (a) Indigenous Need. Careful calculation produces 7.488 units which, when rounded, results in 7 units rather than 8.
- (b) Reallocated Need. Calculation results in 79.46 units which would be rounded to 79 compared to COAH's figure of 87.
- (c) Present Need. The above adjustments reduce the present need from 95 to 86.
- (d) Prospective Need. Calculation based on the substantive rules results in 176 units as opposed to COAH's figure of 180.
- (e) Total Need. Total need is reduced by 13 based on the foregoing adjustments.
- (f) Filtering. There is an apparent overestimate of 3 units in this category and this would increase the need by that number.
- (g) Pre-credited Need. The above adjustments result in an overall reduction of 10 units to a total of 250.

The revised pre-credited number of 250 can be separated into two individual parts for purposes of establishing measures for meeting the Borough's fair share. The two parts are the local indigenous portion, which, if possible, should be satisfied by rehabilitation of existing physically deficient units, and the balance of the number which might be satisfied in any number of ways. The indigenous number

assigned to Roseland is 7 units, however, since the pre-credited number includes an estimated 5 units which can be expected to be provided through spontaneous rehabilitation, the indigenous number is reduced to 2 units. This leaves a balance of 248 non-indigenous units.

VACANT LAND RESOURCES AND ADJUSTMENTS

The primary factor relating to a municipality's ability to satisfy future housing needs is available vacant land resources and determination of the amount of developable land. In order to make this determination, all vacant lands in the Borough were carefully identified. Excluded from the inventory, as allowed by COAH's guidelines, were vacant properties containing less than 2 acres. The inventory produced 11 individual properties or sites, identified as "A" through "K", which total approximately 327 acres. Each of the 11 sites in terms of its feasibility for housing development are described below.

A. BLOCK 1, LOT 3

Size: 17 Acres

Location: Southwest corner Route 280 & Eisenhower Parkway

Constraints: Totally in Wetland and/or Flood Hazard Area. It is unsuitable for development of any kind.

B. BLOCK 13, LOTS 70 & 71

Size: 3 Acres (approximate)

Location: Northwest corner of Route 280 & Passaic Avenue

Constraints: Mostly flood hazard. Unconstrained portion is much smaller than 2 acres.

C. BLOCK 12, LOT 3

Size: 8 Acres

Location: Passaic Avenue & Harrison Avenue

Constraints: Mostly wetland, some steep slope. Unconstrained portions total less than 2 acres.

D. BLOCK 12, LOT 16

Size: 8 Acres

Location: West side of Passaic Avenue, North of
Borough School

Constraints: Mostly wetland, some steep slope.
Unconstrained portions total less than 2 acres.

E. BLOCK ~~12~~ LOT 20

Size: 30 Acres

Location: Northwest corner of Route 280 and Eagle
Rock Avenue

Constraints: No significant environmental constraints.

F. BLOCK 12, LOTS 23, 24, 24-1 & 24-2

Size: 64 Acres

Location: South side of Harrison Avenue
easterly of Passaic Avenue

Constraints: About 17 Acres (27%) is wetland,
approximately 47 acres unconstrained.

G. BLOCK 20, LOTS 3, 4, 5, 6, 11, 12 & 14

Size: 32 Acres (approximate)

Location: West side Eisenhower Parkway
adjoining West Caldwell

Constraints: Almost entirely Wetland and/or
Flood Hazard Area. It is located in an
area of new commercial office development.

H. BLOCK 30, LOTS 18 & 21

Size: 17 Acres

Location: South side of Eagle Rock Avenue
west of Livingston Avenue

Constraints: No significant constraints.

I. BLOCK 34, LOTS 1, 2 & 3

Size: 91 Acres

Location: Prudential property at Route 280 and Livingston Avenue

Constraints: 13 acres is wetland and 78 acres has no significant environmental constraints. This site is part of Prudential Insurance Company's planned office park and is comprised of remaining sites which are designated for near future development by Prudential. The only feasible access to the site is from the internal office park roadway constructed by Prudential. Given the current extent of development which has undergone long term planning and investment, any residential development would be inappropriate and extremely disruptive of the established character of the area.

J. BLOCK 34, LOT 36

Size: 32 Acres

Location: Prudential property on Eagle Rock Avenue

Constraints: About half is steep slope and/or entrance road to the PRU Campus. It was planned and designed as a parkway entrance to the office park and provides protection to adjoining residences from the substantial employee traffic using the roadway. It is unavailable for development.

K. BLOCK 34, LOT - (No Number)

Size: 22 Acres

Location: Southerly side of Route 280 to the east of Livingston Avenue and adjoining the Township of Livingston. Locally it is referred to as the "Bow Tie" property.

Constraints: The site is a relatively long and narrow property having access only from dead-end residential streets in Livingston. It is owned by the Department of Transportation and is designated for future park purposes on the Livingston Master Plan. The westerly half of the site is too narrow to be developed and high density development of the easterly half would adversely impact the adjoining residential neighborhood in Livingston.

The sites described above are reflected on an "Existing Development" map and they are further shown on the "Environmental Constraints" map, both of which are contained in the Appendix.

Each of the sites has been evaluated in terms of the criteria established by COAH for making adjustments to the municipal fair share in order to yield vacant, suitable, developable, available and approvable land. This process reduces the number of sites that would be realistically available for housing to three, namely, sites "E", "F" and "H".

The three sites total 111 acres in area, but adjustments for environmental conditions result in a reduction to 94 acres. By applying the presumptive minimum density of 6 units per acre, this 94 acres might result in construction of 564 dwelling units. At a maximum set-aside of 20%, a total of 112 low and moderate income housing units would be created. (See Table 8). Based upon existing densities in Roseland, the established character of development and the impact that will be created by 564 units alone (this is a 31% increase in the housing stock), 6 units per acre is a more than reasonable density.

One of the three sites, Site E, is the subject of a suit filed against the Borough by the Plaintiff/Owner, Bellemead Development Corporation. This property, identified as Lot 20 in Block 12, contains approximately 30 acres. At one time, the property was located in the OB-2 Office Building District, but was subsequently rezoned to the R-5 Single-Family Residence District. The latter zone allows attached dwellings (townhouses) at a density of 6 units per acre.

The suit filed by Bellemead seeks to have the property returned to its previous OB-2 designation, whereas, it is the Borough's contention that the property is more appropriately designated for residential housing as set forth above which would, in turn, help satisfy the Borough's affordable housing obligations. Should Bellemead be successful in obtaining a judgment in support of office building zoning, the potential production of affordable housing would be reduced by approximately 36 units. Correspondingly, the Borough's proposed, adjusted pre-credited need would be reduced from 114 units to 78 units.

COAH Substantive Rules require that priorities be established for various housing sites included in a

municipality's housing plan. Roseland finds no particular need for prioritizing the 3 sites it has selected since they will all be zoned concurrently and all three sites are equally developable assuming that sewage treatment plant capacity were available. The only factors that might result in different timing of development of any of the 3 sites would be the following:

1. Assuming that limited sewer capacity were to become available, Site H, since it is the smallest site, would most likely develop first.
2. Even if sewer capacity were available, the development of Site E for housing purposes could be delayed or may even be uncertain because of current zoning litigation.

ALTERNATIVES

In the process of preparing its housing element, the Borough has explored various alternatives that might be effective in creating low and moderate housing units. In addition to the conventional incentive set-aside zoning approach, Roseland has considered the following:

1. Rehabilitation. Roseland lacks both sufficient quantity or concentration of physically deficient housing units to justify a rehabilitation program that would be effective in providing low and moderate income housing. As previously noted, the Borough's adjusted, indigenous need is only 2 units and this would not warrant a formal rehabilitation program.
2. Conversion. Attempts at locating existing structures that could be converted to housing use were unsuccessful. At present, there are no known available buildings that would be suitable for these purposes.
3. Non-residential Set-aside. The possibility of requiring the construction of low and moderate income housing or financial contributions for that purpose as a condition for construction of non-residential floor space, such as new office park development, has been seriously considered. This approach would eliminate the need for construction of large amounts of market rate housing needed to subsidize affordable housing under a conventional set-aside approach. It remains a potential option, but due to present uncertainties and time constraints, it is not included as part of this initial housing element. The Borough will, however, continue to explore the concept of non-residential set-aside for

TABLE 8

**SUMMARY OF
PROPOSED HOUSING SITES
BOROUGH OF ROSELAND**

	Site E	Site F	Site H
Tax Block/Lot	12/20	12/23, 24 24-1 & 24-2	30/18 & 21
Owner	Bellemead Develop. Corp.	BOBST Champlain Co., Inc.	Essex Glen Inc.
Area (Acres)	30	47*	17
Total Units	180	282	102
Affordable Units	36	56	20

* Total Area 64 acres of which 17 acres are wetland and /or flood hazard area.

13-A

possible future application.

4. **Surcharge Fees.** A supplementary measure under consideration involves imposing a special assessment or surcharge fee against specific types of development applications. The funds generated would be placed in a trust account and used for any number of housing related purposes including housing program administrative costs, rehabilitation payments and financial assistance to qualified low and moderate income buyers. The legal authority for surcharge fees is, at present, very uncertain.
5. **Municipal Subsidy.** Although some municipalities have considered the possibility of construction of low and moderate income housing with municipal funds, there is no requirement to expend public funds for these purposes. Any such arrangement would no doubt require voter approval which could result in substantial delay in creating housing even if that approval were obtained.
6. **Regional Contribution Agreements (RCA's).** The RCA mechanism offers a viable alternative to construction of all of the pre-credited need in the Borough and offers an opportunity to create more favorable housing density conditions. The Borough has contacted several municipalities potentially interested in being a host community for rehabilitation funding. Preliminary negotiations with two municipalities are in progress.

UTILITY SYSTEMS

All three recommended housing sites have direct access to or are within reasonable distance of existing water mains and sanitary sewer lines with sufficient capacity to support their development. (See utility maps in Appendixes). There is at present, however, a moratorium on any additional connections to the sanitary sewer system due to the fact that the capacity of the existing treatment plant, located in the Borough of Caldwell, has been exceeded. The time frame for correcting this situation is indefinite and, until such time as additional capacity becomes available, the three tracts cannot be utilized unless an alternative means of sewage treatment and disposal is provided. The Borough is presently awaiting a more specific evaluation of the projected time frame for sewerage availability. Documentation relating to the sanitary sewer moratorium is also contained in the Appendixes.

ROAD ACCESS

Although roads abutting the three proposed housing sites are overburdened with traffic, the sites nevertheless have access to major arteries, all of which are County Roads. Site E fronts on Eagle Rock Avenue, a major east-west artery extending through the entire Borough. Site F fronts on Harrison Avenue which extends between Passaic and Eagle Rock Avenues. Site H fronts on both Eagle Rock and Livingston Avenue. The latter is a secondary artery under the Federal Highway Administration's functional highway classification system.

SUMMARY OF PROPOSED HOUSING PLAN

The present moratorium regarding connection to the sanitary sewer system and the uncertain future availability of treatment plant capacity make equally uncertain the possibility of development of low and moderate income housing. Therefore, Roseland's housing plan must remain flexible and subject to modification according to sewer developments and as alternatives and options are further explored. For purposes of this initial housing element, the proposed housing plan for Roseland involves the following basic features.

1. It is proposed that Roseland's adjusted pre-credited need is 114 housing units consisting of an indigenous number of 2 units and a balance of 112. This number would be reduced to 76 units if Bellemead Corporation receives a favorable judgment in its zoning suit against the Borough.
2. If required by COAH, the Borough will seek funding for or, in lieu thereof, make funding available for the rehabilitation of the 2 indigenous units through direct contact with the owners of such units. The Borough will investigate the availability of Community Development Block Grant and similar program funding and, in the absence of such funding, will make its own financial resources available.
3. The Borough proposes to zone the 3 recommended sites for appropriate multi-family housing at densities not to exceed 6 units per acre with a 20% set-aside. Details of the three sites are summarized in Table 8 which indicates a total of 564 dwelling units of which 112 would be low and moderate income. It is presently intended that all three sites be zoned for attached, single-family dwellings (townhouses) and, excepting Site

H, the set-aside units would also be townhouses. Concerning Site H, it is proposed that set-aside units be apartments restricted to occupancy by senior citizen households. Site H has a central location close to shopping and cultural services. The number of set-aside units corresponds to the maximum 20% that may be restricted to occupancy based on age according to adopted COAH guidelines. Details of the zoning and development regulations are more specifically set forth in the proposed ordinance included in the Appendixes.

4. The Borough will continue negotiations of regional contribution agreements (RCA's) with interested receiving municipalities to transfer up to 50% of the adjusted, pre-credited number less 2 indigenous, or up to 56 units. One municipality has already expressed its willingness to accept the full 50% and the Borough anticipates receipt of a letter from that municipality confirming its intent. If present negotiations prove successful, early modification of the housing plan can be anticipated.
5. In the event an RCA is negotiated, any site relieved of any affordable housing assessment will be subject to a reduction in density. The funds needed to finance the cost of transfer of units will be generated from the housing development itself, from contributions by non-residential developers, or from both sources.
6. The Borough will explore the feasibility of an Ordinance providing for the establishment of a housing trust fund and the assessment of surcharge fees against specified classes of development applications or construction permits. The trust fund would be used for various affordable housing related activities including, but not limited to, the following:
 - a. Administrative costs of any necessary housing agency.
 - b. Rent subsidies and financial assistance to qualified low and moderate income housing purchasers.
 - c. Direct payments to qualified low and moderate income buyers in order to help ensure affordability.
 - d. Subsidies to developers for the construction of low and moderate income housing in order to help

maintain reasonable densities.

7. It is the Borough's intention to establish and administer affordability controls in connection with any low and moderate income housing constructed in Roseland. These controls, which will be consistent with the guidelines established by COAH in its Substantive Rules, are detailed to some degree in the proposed ordinance included in the Appendixes. It is anticipated that a municipal housing committee will be established to monitor the process of qualifying housing applicants and administering the overall program. Upon its establishment, the housing committee will be responsible for drafting appropriate regulations consistent with COAH guidelines.
