

NOTICE is hereby given that the Borough of Collingswood, pursuant to N.J.S.A. 52:27D-313, has, as of 02/06/2023, issued a Midpoint Review report as required by the Borough's Settlement Agreement with Fair Share Housing Center ("FSHC"). A copy of the Midpoint Review report is available on the Borough's website [here](#).

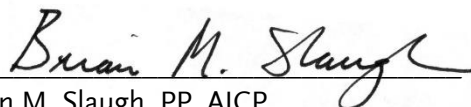
In addition, members of the public may arrange to physically inspect/obtain a paper copy of the Midpoint Review report by calling the municipal clerk at (856) 854-0720 x127 or by emailing at [hmannel@collingswood.com](mailto:hmannel@collingswood.com). Any interested party may submit comments to the municipality, with a copy to Fair Share Housing Center, regarding whether the compliance mechanisms continue to satisfy the municipality's obligations. Any comments must be received within 30 days of the 02/06/2023 posting date. Any interested party may by motion request a hearing before the Court regarding these issues. Any motions must be filed within 30 days of the 02/06/2023 posting date.

**AFFORDABLE HOUSING  
THIRD ROUND MIDPOINT REVIEW  
BOROUGH OF COLLINGSWOOD  
CAMDEN COUNTY, NEW JERSEY**

**As of July 1, 2020**

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## PURPOSE

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Collingswood's Settlement Agreement with Fair Share Housing Center ("FSHC") requires that the Borough comply with the statutory midpoint review requirements of the Fair Housing Act ("FHA") and specifically N.J.S.A. 52:27D-313, which provides in relevant part: "[t]he Council shall establish procedures for a realistic opportunity review at the midpoint of the certification period and shall provide for notice to the public." Pursuant to the FSHC Settlement Agreement, that review requires the Borough to post on its website, with a copy to FSHC and an opportunity for comment, a status report regarding its compliance mechanisms and whether or not unbuilt sites/unfulfilled mechanisms continue to present a realistic opportunity. This report has been prepared to comply with those statutory midpoint review requirements.

## BACKGROUND

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The Borough filed a petition on July 7, 2015, seeking declaration of its compliance with the Mount Laurel doctrine and the Fair Housing Act, in accordance with In re N.J.A.C. 5:96 and 5:97. Pursuant to negotiations with FSHC, in 2016 the Borough prepared a Housing Element and Fair Share Plan ("HEFSP") that enumerated how the Borough will fulfill its constitutionally mandated affordable housing obligations between now and the end of the Third Round of affordable housing obligations, which runs through July 2025. The Borough and Fair Share Housing Center executed a Settlement Agreement on July 14, 2016, that memorialized the Borough's fair share obligations as set forth in the HEFSP. The Settlement Agreement was approved by the Court, and the Borough was granted a Judgment of Repose, in an order entered July 18, 2016.

This report provides details on any changes in status since the HEFSP was adopted.

The HEFSP and the Settlement Agreement established the Borough's Third Round Fair Share obligation as follows:

- Rehabilitation share: 106 units
- Prior Round obligation: 0 units
- Third Round gap and prospective need obligation: 190 units

Through the application of a Vacant Land Adjustment that acknowledges the Borough's shortage of land that presents a reasonable opportunity for development of affordable housing, its Third Round obligation was reduced to a Realistic Development Potential ("RDP") of 65 units, leaving a remaining unmet need of 125 units.

**REHABILITATION OBLIGATION REVIEW**

The Settlement Agreement and HEFSP set the Borough’s Rehabilitation obligation at 106 units. The HEFSP indicates that, through the Camden County Home Improvement Program, 11 units in the Borough had been rehabilitated between April 1, 2010 and the time of adoption of the HEFSP, leaving a remaining obligation of 95 units. The Settlement Agreement stipulated that the Borough’s ongoing participation in the County program would be sufficient to satisfy the remaining obligation.

For this report, the Camden County Home Improvement Program staff has provided a detailed list of 13 units in the Borough rehabilitated through its program since 2010, including two units rehabilitated in 2022. Unfortunately, the report shows that two units were rehabilitated prior to April 1, 2010, and thus cannot be counted, leaving the total number of units in the Borough rehabilitated through the County program unchanged at 11 units. Taken together, the average per-unit hard cost expended on these 11 units is \$26,375.

The full list of 11 rehabilitated units may be found in Appendix A of this report.

**PRIOR ROUND REVIEW**

The Borough had a Prior Round obligation of 0 units; thus, no review is required.

**THIRD ROUND REALISTIC DEVELOPMENT POTENTIAL REVIEW**

The Borough agreed to satisfy its Third Round RDP of 65 units with a combination of existing assisted-living and special-needs housing, and a proposed rezoning of various lots around the Borough’s PATCO station to provide for inclusionary development. The table below provides additional detail.

**Table 1. Credits Towards the Third Round RDP.**

<b>Third Round RDP – 65 Units/Credits</b>	<b>Units</b>	<b>Bonuses</b>	<b>Rental</b>	<b>Senior</b>	<b>Special Needs</b>
<b>Special Needs Housing – Existing</b>					
Center for Family Services	2		2		2
Bancroft Neurohealth	4		4		4
Subtotal	6		6		6
<b>Assisted Living – Existing</b>					

Third Round RDP – 65 Units/Credits	Units	Bonuses	Rental	Senior	Special Needs
Collingswood Manor	10		10	10	
Subtotal	10		10	10	
Inclusionary Development – Proposed					
Transit Village	33	16	33		
Subtotal	33	16	33		
Subtotals	49	16	49	10	6
<b>Total Units and Credits</b>	<b>65</b>				

A redevelopment plan for the Transit Village area was adopted in 2003. Since the adoption of the HEFSP, no significant changes have occurred in the Borough’s mechanisms for satisfying its RDP.

### THIRD ROUND UNMET NEED REVIEW

In its HEFSP the Borough included various measures to help satisfy its unmet need. It has an existing development fee ordinance, which it adopted in 2009, and as part of updating its Affordable Housing Ordinance it adopted a Borough-wide overlay requiring an affordable housing set-aside on all multi-family residential developments of five units or more, wherever located. The Borough provided the updated Affordable Housing Ordinance including the overlay, adopted August 1, 2016, as an appendix to its adopted 2016 HEFSP.

In addition, the Borough proposed to adopt an overlay ordinance on four sites requiring that developments providing five or more units would need to set aside 15% of those units as affordable. The underlying zoning on three of the sites does not permit multi-family uses, and the zoning on the fourth permits residential as an accessory use.

The four sites, with their location by block and lot, overlay densities, and potential affordable housing yields are listed in the following table.

**Table 2. Unmet Need Sites, Permitted Densities and Potential Yields.**

Site No.	Blocks and Lots; Gross Acreage	Permitted Density	Potential Affordable Units
1	Block 38, lots 12, 12.01, 12.02, 12.03; 0.81 acres	10 units/acre	1
2	Block 60, lots 2, 3, 4, 5, 5.01, 5.02; 0.62 acres	16 units/acre	2
3	Block 97, lots 4.02, 5, 5.01, 5.02, 8; 1.27 acres	14 units/acre	3
4	Block 63, lots 1, 1.01, 2, 3, 6.01, 6.07; approx. 0.91 acres	13.9 units/acre	2
<b>Total Potential Units</b>			<b>8</b>

The adopted ordinance is attached as Appendix B to this report.

To date, the Borough reports that the lots in Block 97 (Site 3) have been declared a non-condemnation area in need of redevelopment. A conditional redeveloper had been appointed and the execution of a Memorandum of Understanding authorized; however, the proposed project has not moved forward and a redevelopment plan for the area has not yet been adopted.

No applications have been approved or are pending for any developments that would take advantage of the overlay zones, or be subject to the Borough-wide overlay provisions.

**VERY LOW-INCOME ANALYSIS**

As shown in Table 3 below, the Borough has sufficient existing and proposed mechanisms to address its very-low income statutory requirements at N.J.S.A. 52:27D-329.1 and as part of its Settlement Agreement with FSHC. The Borough addresses its seven-unit statutory very-low income requirement with 20 built or proposed very-low income units, including six very low-income family units, thus also meeting its very low-income family requirement.

**Table 3. Very Low Income Affordable Units Analysis.**

<b>Mechanism</b>	<b>Total Affordable Units</b>	<b>VLI Units Provided</b>	<b>VLI Units Proposed</b>	<b>Type</b>
Center for Family Services	2	2		Family
Bancroft Neurohealth	4	4		Special Needs
Collingswood Manor	10	10		Age-Restricted
Transit Village	33		4	Family
<b>Totals</b>	<b>49</b>	<b>16</b>	<b>4</b>	
<b>Very Low-Income Requirement (49 x 0.13 = 6.37, round up)</b>	<b>7</b>			
<b>Very Low-Income Family Requirement (50% of VLI requirement)</b>	<b>4</b>			

**SUMMARY**

The Borough’s Court-approved Third Round compliance mechanisms continue to create a realistic opportunity for Collingswood to meet its constitutional obligation to provide for its fair share of affordable housing. All affordable units with the exception of the Transit Village development are completed and occupied, and the Borough continues to negotiate in good faith with the conditional redeveloper for the proposed Transit Village project. The Borough also meets its statutory requirement to provide at least 13% of all units approved and constructed since 2008 as very low-income units, affordable to households earning 30% or less of regional median income.

In the event the Court determines that a compliance site or mechanism no longer presents a realistic opportunity and should be replaced, the Borough of Collingswood reserves the right to supplement or revise its Housing Element and Fair Share Plan to correct any resulting deficiency.



## APPENDIX A – REHABILITATED UNITS SINCE APRIL 1, 2010

Municipality:

Collingswood

Camden

County:

Total administrative costs for rehabilitation this report period: \$ \_\_\_\_\_

Report Period:

\_\_\_\_\_ through \_\_\_\_\_

1. The following units have been rehabilitated through the \_\_\_\_\_ Rehabilitation Program

street address	case number	block	lot	unit number	owner (Ö)	renter (Ö)	3			4	5	6	7	8	9	10	11
							very low (Ö)	low (Ö)	mod (Ö)								
26 E. Zane Avenue	09-D-331				x		X		6/2/2010	\$59,960.00		3,1,9					
322 Comly Ave	09-D-330				x			X	9/8/2010	\$27,251.00		1,7					
36 Haddon Ave	09-D-333				x			X	1/27/2011	\$37,380.00		8,9					
313 Comly Ave.	09-H-338				x		X		10/4/2012	\$21,935.00		8,7					
950 Park Avenue	09-D-340				x		X		5/23/2013	\$16,325.00		1,15					
224 Cresmont Terrace	09-H-341				x			X	10/2/2014	\$38,737.00		10					
411 Haddon Avenue	09-D-342				x		X		2/19/2015	\$24,759.00		8,12,1,15					
919 Stokes Ave	09-D-344				x				7/2/2015	\$27,165.00		1,8,7					
224 Woodlawn Terrace	09-D-346				x			X	3/11/2016	\$9,650.00		1					
722 Collings Avenue	09-H-5187				x		X		3/22/2022	\$25,008.02		1					
629 Cedar Ave	09-H-5191								7/22/2022	\$8,550.00		1					

Verification by Program Administrator that all households are income eligible, that appropriate affordability controls are in place and that rental prices conform to COAH regulations.

Verification by Building Code Official that units were below code and raised to code per the NJ State Housing Code or the Rehabilitation Subcode and that the work involved major systems.

Program Administrator \_\_\_\_\_

Date \_\_\_\_\_

Code Official \_\_\_\_\_

Date \_\_\_\_\_

## APPENDIX B – AFFORDABLE HOUSING OVERLAY ORDINANCE

**Ordinance No. 1599**

**ORDINANCE OF THE BOROUGH OF COLLINGSWOOD, COUNTY OF  
CAMDEN, NEW JERSEY AMENDING AND SUPPLEMENTING  
CHAPTER 141, DEVELOPMENT REGULATIONS,  
ARTICLE VI, ZONING DISTRICT BOUNDARIES**

**BE IT ORDAINED** by the governing body of the Borough of Collingswood, County of Camden, New Jersey, that Chapter 141 of the Code of the Borough of Collingswood, "Development Regulations" is hereby amended and supplemented as follows:

**SECTION ONE:** Article VI, "Zoning District Boundaries" is hereby amended and supplemented as follows (*strikeouts denote deletions, underlined text denotes additions*):

§ 141-25     Affordable Housing Overlay District

A.     Purpose. The purpose of the Affordable Housing Overlay District is to establish an area for capturing the Borough's unmet need from its Third Round Fair Share Affordable Housing obligations, in conformance with the requirements of the New Jersey Fair Housing Act of 1985.

B.     Applicability.

(1)     Affordable Housing Overlay District shall be applied to the lands known as Block 38, Lots 12, 12.01, 12.02, and 12.03; Block 60, Lots 2, 3, 4, 5, 5.01, and 5.02; Block 63, Lots 1, 1.01, 2, 3, 6.01, and 6.07; and Block 97, Lots 4.02, 5, 5.01, 5.02, and 8 on the Collingswood Tax Map.

(2)     The Official Zoning Map of the Borough of Collingswood is hereby amended in accordance with the foregoing and is further incorporated by reference.

C.     Permitted Use; Permitted Density.

(1)     The development of multifamily dwellings shall be permitted in the Affordable Housing Overlay District.

(2)     Residential density permitted in the Affordable Housing Overlay District shall be as follows:

(a)     Block 38, Lots 12, 12.01, 12.02, and 12.03 – 10 du/acre;

(b)     Block 60, Lots 2, 3, 4, 5, 5.01, and 5.02 – 16 du/acre;

(c) Block 63, Lots 1, 1.01, 2, 3, 6.01, and 6.07 – 13.91 du/acre; and

(d) Block 97, Lots 4.02, 5, 5.01, 5.02, and 8 – 14 du/acre.

D. Affordable Housing Set Aside. A fifteen percent (15%) set aside for affordable housing for all development applications consisting of five (5) or more residential units within the areas described in subsection (B)(1) above is required.

E. Compliance with Other Regulations and Ordinances.

(1) All multifamily dwellings developed within the Affordable Housing Overlay District shall comply with all development regulations applicable to the Multifamily Residential District.

(2) All other development regulations applicable to the underlying zones for each property located within Affordable Housing Overlay District shall remain in full force and effect unless in conflict with this Section.

(3) All affordable units constructed within this overlay zones shall also comply with Chapter 85 of this Code.

**SECTION TWO:** Section 141-25, “Change in zoning use; approval required” is hereby renumbered as § 141-26 and is hereby supplemented to include a new Subsection E as follows:

E. Any property in the Borough of Collingswood that is currently zoned for nonresidential uses and that is subsequently rezoned for residential purposes or receives a zoning change or a use variance to permit residential development, or receives a zoning change or a density variance to permit higher density residential development, and provided such residential development provides a sufficient compensatory benefit in terms of the density of development permitted, shall provide an affordable housing set-aside as set forth in § 85-6(E)(3). The determination of a "sufficient compensatory benefit" shall be a density that is above the presumptive density pursuant to N.J.A.C. 5:93-5.6.

**SECTION THREE:** Section 141-26, “Redevelopment plans” is hereby renumbered as § 141-27.

**SECTION FOUR:** Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Code of the Borough of Collingswood are ratified and remain in full force and effect.

**SECTION FIVE:** If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION SIX:** This Ordinance shall take effect immediately upon the approval by the Superior Court of New Jersey, Chancery Division, Camden County of the Borough of Collingswood's Housing Element and Fair Share Plan and entry of a judgment approving the Borough of Collingswood's Housing Element and Fair Share Plan.

**ADOPTED:** 8/1/2016

**ATTEST:**

**BOROUGH OF COLLINGSWOOD**

K. Holly Mannel  
K. Holly Mannel  
Borough Clerk

M. James Maley, Jr.  
M. James Maley, Jr., Mayor

Absent  
Joan Leonard, Commissioner

Michael A. Hall  
Michael Hall, Commissioner