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January 15, 2016

Via New Jersey Lawyers Service
The Hon. Karen M. Cassidy, A.J.S.C.
Civil Division Clerk's Office
Elizabethtown Plaza
2 Broad Street
Elizabeth, New Jersey 07207

Re: *In the Matter of the Township of Clark Mount Laurel Obligations*
Docket No.: UNN-L-002441-15

Dear Judge Cassidy:

Pursuant to the Court's order filed December 8, 2015, enclosed please find an updated Affordable Housing Report on behalf of the Township of Clark.

Thank you for Your Honor's courtesies.

Respectfully,

TRIARSI, BETANCOURT, WUKOVITS & DUGAN, LLC



HOWARD P. LESNIK

cc: See attached service list

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IN THE MATTER OF THE APPLICATON :
OF THE TOWNSHIP OF CLARK, A :
MUNICIPAL CORPORATION OF THE :
STATE OF NEW JERSEY. :

SUPRIOR COURT OF NEW JERSEY
LAW DIVISION: UNION COUNTY
DOCKET NO.: UNN-L-002441-15

CIVIL ACTION
(Mount Laurel)

PROOF OF SERVICE

I certify that on today's date, an updated Affordable Housing Report on behalf of the Township of Clark, was filed with the Honorable Karen M. Cassidy, A.J.S.C., 2 Broad Street, Elizabeth, New Jersey via New Jersey Lawyers Service. I further certify that a copy of the enclosed was served upon each individual on (a) the attached Supreme Court Service List, and (b) the attached COAH Service List, and (c) the attached list of any other party served by the municipality in the initial filing in this matter or subsequently added to the service list including any other party that has requested to be included as an interested party, with the exclusion of those parties who have affirmatively opted out of service, by first class mail, and if email addresses are available, electronic mail, except as noted for parties that have requested delivery by electronic mail only. I further certify that the Township of Clark's updated Affordable Housing Report and all supporting documents were made available to all parties served on www.ourclark.com.

I further certify that the foregoing statements are true and that if any of the foregoing are later shown to be willfully false, I may be subject to punishment.

Date: 1/15/2016

By: Howard P. Lesnik
Howard P. Lesnik, Esq.

CLARK TOWNSHIP AFFORDABLE HOUSING REPORT

14 January 2016

**Prepared by Kevin O'Brien, P.P., A.I.C.P.
NJ Planner 5348**

The original of this report has been signed and sealed in accordance with the Municipal Land Use Law

*Clark Township Affordable Housing Report Part 1- January 2015
Compliance with Original Prior Round Obligation 1987-1999*

**CLARK TOWNSHIP AFFORDABLE
HOUSING REPORT PART 1
Compliance with Original Prior Round Obligation 1987-1999**

Kevin O'Brien, P.P.

14 January 2016

I. SUMMARY

Clark Township received first round substantive certification on September 4, 1991. Due to insufficient vacant land, the Township received a vacant land adjustment and established a realistic development potential (RDP) of 23 units. Clark addressed its 23-unit RDP in its first round through zoning for 42 affordable units on four sites designated by COAH as suitable. Accordingly, the Township revised its Ordinance to accommodate the newly created R-B District-Multi-family Residential, which required twenty (20) percent of the total development to be set aside for low and moderate income households. Clark Township's Planning Board adopted a housing element and fair share plan on September 2, 1997, which addressed its 12-year cumulative obligation. The Township filed the plan with COAH on September 4, 1997 but did not petition at that time. COAH received Clark's resolution of petition on August 23, 1999. Three days later, the Township published a notice in The Star Ledger however; no objections were received then by COAH. On March 28, 2000, COAH issued a report requesting additional information from the Township. Subsequently, the Planning Board adopted an amended housing element and fair share plan on February 12, 2001. The governing body approved a resolution endorsing the plan and re-petitioned COAH for substantive certification on March 1, 2001. The Township re-published a notice in The Star Ledger and again no objections were received by COAH.

As a result of the change in municipal administration, however, the Planning Board adopted a third amendment to its housing plan on December 11, 2001 and re-petitioned COAH for substantive certification on December 17, 2001. On publishing a notice, COAH received two objections during the 45-day objection period. Mediation led to an agreement with Clark Developers for rezoning of Block 58/Lot 4 for age-restricted affordable housing overlay permitting a maximum of 300 units with 20 percent set aside for affordable housing. As a result of the agreement, the Planning Board adopted and amended the housing element and fair share plan for

the fourth time on August 24, 2004. Clark re-petitioned on September 13, 2004, with the only changes being the inclusion of the age-restricted overlay zoning on the Clark Developers property and an increase in permitted density on block 57/lot 1, locally as Schwarz Farm. The plan did not receive certification because objections were filed by several interested parties.

The plan was further reviewed through COAH's mediation process and a Mediation Report was issued on October 21, 2005. An amended Housing Element and Fair Share Plan, which incorporated the recommendations from mediation and addressed the Township's third-round affordable housing obligation, was adopted by the Planning Board on December 6, 2005. The Plan was submitted to COAH along with a petition for substantive certification. A report was issued by COAH on August 9, 2006 and recommended changes to the Plan. The Plan was amended to reflect these changes and adopted by the Planning Board on October 26, 2006 and submitted to COAH.

At this point The Township and COAH agreed to fold the second round obligation into the third round. So, no final certification for the second round was granted. Clark continued its best efforts to comply with the rules. On August 20, 2007 Clark responded to COAK's Compliance Mechanism report of April 25, 2007. Clark Township adopted a Housing Element and Fair Share Plan on March 12, 2009. The Township also responded to objector concerns in a letter to COAH dated 19 October 2009.

Clark Township has been active implementing the 2009 Housing Element and Fair Share Plan which was adopted 12 March 2009. Woodcrest at Clark, a multi-family development located at 1245 Westfield Avenue, was approved by the Planning Board in 2009. Three hundred and twenty seven units of rental housing with a twenty percent set aside for affordable housing, a total of sixty five units, were approved by the Planning Board. As of this date, two hundred twenty of these units have been completed and have been issued Certificates of Occupancy including sixty five affordable units. The remaining units are presently under construction and are expected to be completed in the near future.

Further, the Township of Clark adopted a non-residential development fee ordinance in 2009. As of this date, the sum of two hundred twenty seven thousand eight hundred eighty five dollars (\$227,885) has been set aside for affordable housing programs such as housing rehabilitation; preservation; accessory apartments; market to affordable and other local and regional housing programs.

*Clark Township Affordable Housing Report Part 1- January 2015
Compliance with Original Prior Round Obligation 1987-1999*

II. PRIOR ROUND OBLIGATION

Clark Township's prior round obligation is comprised of two parts: realistic development potential (RDP) and unmet need. The Township's RDP is 23 units, based upon the vacant land adjustment granted by COAH in 1991. COAH, however, has recalculated each municipality's prior-round obligation and, for Clark Township, has increased the prior round obligation from 63 units to 92 units. As a result, the unmet need has increased from 40 to 69 units.

Clark's RDP of twenty-three (23) units is reduced to eleven (11) units due to credits received from existing group home facilities. Clark has two existing group homes that are eligible for credits. These homes are eligible for a total of 6 credits. Also, Clark can receive 6 additional rental bonus credits for these existing group homes. Clark Township received a vacant land adjustment from COAH in its first round substantive certification due to the lack of sufficient vacant and developable land. Pursuant to N.J.A.C. 5: 934.2(f), a municipality that received a vacant land adjustment in addressing its first round obligation is entitled to retain it as a part of its second round plan and is presumed to address its Realistic Development Potential (RDP) and unmet need. The vacant land adjustment established Clark's Realistic Development Potential (RDP), at 23 units and an unmet need at 40 units.

The Township's Realistic Development Potential (RDP) of 23 units can be reduced to zero units through credits obtained from alternative living arrangement (group homes) and reductions received from the adopted inclusionary age restricted housing overlay zone on two parcels.

The Township's unmet need of 69 units can be reduced to 13 through prior-cycle credits and reductions received from the age-restricted housing overlay zoned sites.

The table below summarizes the Township's prior round obligation.

SUMMARY - PRIOR ROUND OBLIGATION Clark Township, Union County			
	Pre-credited	Credit	Reductions
Realistic Development	23		
Group Homes		6	
Rental Bonus		6	
Clark Developer's site			
Age-restricted			6
Non age-restricted			5
Subtotal	23	12	11

END OF PART 1

1

**CLARK TOWNSHIP AFFORDABLE
HOUSING REPORT PART 2
Compliance with Prospective Fair Share Obligation**

Kevin O'Brien, P.P.

14 January 2016

INTRODUCTION METHODOLOGY FOR A "WORKING NUMBER"

The court is aware of the differing methodologies used to calculate a municipal housing obligation. The growth share model used for the third round obligation calculations by the NJ Council on Affordable Housing (COAH) was rejected by the Supreme Court. In early 2015 the NJ Fair Share Housing Center (FSHC) published its analysis of the housing obligation of each municipality, known as the Kinsey Report. And on 30 December 2015 the municipal consortium led by Jeffrey Surenian, Esq. provided a report written by Dr. Angelides of Econsult Solutions, known as the Econsult Report which also attributed affordable housing obligations by municipality.

The two competing reports - Kinsey and Econsult arrived at vastly different obligation numbers for Clark Township. Kinsey reported a prior round initial obligation of 92, a present need of 53, a prospective need of 243 for a total of 388 affordable units. The Econsult report also listed a prior round initial obligation of 92, a present need of 37 and a prospective need of 64 for a total of 193 affordable units. The Kinsey Report numbers are double what the Econsult Report states.

Ms. McKenzie, Special Master for Union County has suggested that the Township use a working number based on an annualized obligation for the 12 year prior round (1987 - 1999) period which was 63 units. The 63 units divided by 12 would result in 5.25 units per year, multiplied by the 26 years from 1999 through 2025, totaling 137 units for the third round. The 137 units is higher than the 101 units in the Econsult Report and lower than the 296 in the Kinsey report.

The Township of Clark notes that the New Jersey Executive and the New Jersey Legislature has failed to provide a working methodology to the 565 municipalities in the State. Nor has the New Jersey Supreme Court established a methodology in its ruling which placed the responsibility for affordable housing in the 15 Vicinages.

*Clark Township Affordable Housing Report Part 2- January 2015
Compliance with Prospective Fair Share Obligation - 1999 - 2025*

The Township does not have the budget or resources to establish a methodology for affordable housing obligations. We have to rely upon other entities which look at this problem from a state and regional viewpoint and have the resources to do so.

For the purpose of this Report to the Court, the Township will establish the means by which affordable housing will be provided and a target number of affordable housing units that can be provided by each method. We will use Ms. McKenzie's suggestion to use 137 units as a "working number" for the third round with the proviso that this is not a binding number. Since this is an interim Report to the Court, we are hopeful that a methodology will be adopted by judicial or legislative authority that will not only guide Clark, but the other 564 municipalities in New Jersey.

I. FAIR SHARE PLAN

Clark Township's Fair Share Plan consists of a number of strategies which are described below. These are summarized on the accompanying Tables provided by the Court. Due to the lack of an adopted methodology as discussed above, the 137 unit "working number" suggested by Ms. McKenzie will be used as the Township's "target." The strategies below will be modified based upon the final obligation number. As it stands the strategies recounted below can provide the 137 units. Once the target number is set, a spending plan will be adopted and the various strategies below will be adjusted. The strategies below are the Township's best effort to show how we can comply and give a maximum number of affordable units for each strategy, and do not assume any financial constraints.

The strategies listed show all of the various mechanisms which the Township may use. Clark will only use those strategies that contribute to the Township obligation when this is decided. Several of the strategies listed below may not be in the final Housing Element/Fair Share Plan (HEFSP) depending on the final methodology adopted to determine the Township's affordable housing obligation as well as the budget available from the Affordable Housing Trust Fund.

II. CURRENT INCLUSIONARY ZONING

Clark currently has two inclusionary affordable housing zones. The R-B Multifamily Residential Zone District is located in three places within the Township - sites on

Lake Avenue, Raritan Road at Oak Ridge Road and on Madison Hill Road. The R-B Zone allows a density of 8 units per the acre. It also requires a 20% set aside for affordable housing with a requirement that one half of the units be reserved for very low income households and one half be set aside for low income households.

The Lake Avenue site has 5 acres, which would allow 40 units including 8 affordable units. This site has already been developed, so is no longer available. The Raritan/Oak Ridge site is approximately 8 acres which would allow 64 units, including 13 affordable. The Madison Hill site has 4.5 acres which would allow 36 housing units, including 8 affordable units.

The Madison Hill site is proposed to have a higher density affordable housing overlay which would yield more affordable units. This site has been excluded from the calculations in this section that show how many units may be generated at each site. Instead, the Madison Hill site is discussed below as part of the Affordable Housing Overlay and the site's potential development is listed there.

The Raritan/Oak Ridge site listed above would provide 13 affordable units using the current zoning, half of which would be for very low income households and half for low income households.

The other inclusionary zone is the R-SH Age Restricted/Senior Housing Overlay. This is situated on Westfield Avenue at Terminal Avenue and is commonly known as the Clark Developer's Site. The zone requires a 20% set aside for low and moderate income households of 55 years and over. The zone allows a density of 32 units an acre. This site, now called Woodcrest at Clark, has been approved by the Planning Board and 300 units of age restricted housing were built, including 60 affordable units.

Altogether the current inclusionary sites could provide a total of 73 affordable units using the current zoning rules currently in effect.

III. PROPOSED INCLUSIONARY ZONING

A. Vacant/Developable Lands

Clark Township has identified three sites of vacant/developable lands that can accommodate housing on land that does not have environmentally constraints. The

Township proposes that the three sites be placed in an inclusionary overlay zone which would require affordable housing at a 20% set aside.

The three sites are:

Gas Station Site - Block 34, Lot 25 on Raritan Road near Madison Hill.

Westfield and Raritan Road Site - Block 63, Lots 45, 47, 49, 51.

Schieferstein Site - Block 36, Lots 13, 14, 15 on Madison Hill.

The Gas Station Site is currently vacant and previously had a gasoline filling station on the property. With .8 acres and a development density of 12 units per acre this site could hold 10 units including 2 affordable units. The site is one property away from the intersection of Madison Hill Road, with an intervening dentist's office. Another commercial building is on the western side, with single family homes to the rear.

The Westfield and Raritan Site has one vacant property, another with a vacant and uninhabitable home, both of which face Raritan Road. There is also a home facing Westfield Avenue. A bank is located on the corner of Raritan and Westfield, which is surrounded by the proposed site. The Westfield Avenue property could provide access from that street. If developed at 16 units per acre the 2.5 acre site could accommodate 41 housing units, including 9 affordable units. The 16 unit per acre density is justified by the surrounding commercial properties and the high traffic streets.

The Schieferstein Site (discussed above as the Madison Hill site) on Madison Hill Road between Rainbow Drive and Amelia Drive is 4.5 acres. It is currently zoned R-B Multi Family which allows 8 units per acre. The Township propose placing this site into the new inclusionary overlay zone. At a density of 12 units per acre the site would accommodate 55 units, including 11 affordable. The 12 per acre density is justified by the presence of single family homes on three sides of this site.,

Should all three sites be developed as inclusionary sites with an affordable housing overlay, a total of 22 affordable units could be built.

B. Potentially Redevelopable Lands

Clark Township has identified two sites that are currently developed, although there are vacant parcels on each site, that could also be placed in an affordable housing overlay zone. The two sites are at opposite ends of the DTV (Downtown Village) Zone District, which allows mixed use development. This zone was established in 2004 and allowed higher densities as well as three story development with commercial uses on the first floor and residential above.

There has been no mixed use development in the DTV zone since its founding despite the presence of two large sites with vacant commercial buildings.

These two sites will be designated for the affordable housing overlay zone.

The two sites are:

Jack's Tavern site - Block 77, Lots 11, 12, 13, 14, 15, 17, 18 on Westfield Avenue at the intersection with Brant Avenue.

The Former A & P site - Block 105, Lots 2, 6, 8, 13, 14, 15, 16, 19, 20, 21, 22, 26.01 on the block formed by Westfield Avenue, Lincoln Boulevard, Broadway and Joseph Street.

The Jack's Tavern site formerly had a building with a tavern and a laundromat. This building has been razed. Several other buildings and uses currently exist: a vacant diner, an auto parts and repair facility, a residence used for the auto parts business, and a commercial building. If all of the properties at this 1.8 acre site were bundled together and redeveloped into housing, 30 housing units could be placed here including 7 affordable units. Density of 16 per acre would be appropriate given the commercial nature of Westfield Avenue and the nearby retail that would be supported by additional housing.

The Former A & P site takes up an entire block at the south end of the DTV - Westfield Avenue corridor near the border with the City of Rahway. The block has been improved with commercial and residential buildings. The residences are nonconforming in the DTV zone. Two very recent developments on this block include the new 7 - 11 convenience store at Westfield and Lincoln, and the newly renovated Investors Bank at Westfield and Joseph. These will be excluded from the overlay zone since they are recent and contribute to the Downtown Village. They will also support new housing and residents by providing needed services. The rest of the block will be placed in the affordable housing overlay zone which

would allow two storeys of residential above commercial, a required 20% set aside and a density of 16 units per acre. Density of 16 units an acre is justified by the downtown nature of the area and the wide extent of commercial buildings in the Westfield Avenue corridor. This block can accommodate 58 housing units, including 12 affordable.

The two sites discussed above can provide 88 housing units, including 19 affordable.

IV. REHABILITATION

To address its rehabilitation obligation, the township has participated in a rehabilitation program administered by the Union County Home Improvements program. The County receives Community Development Block Grants funding from the NJ Dept. of Community Affairs (DCA) for the Home Improvement Program. The current rehabilitation obligation is 53 units as established by the 2010 US Census. Five units have been rehabbed to date. The Township anticipates rehabbing up to two units per year.

Over the 25 year period of 1999 through 2025, a 27 year period, 54 units could be rehabilitated, provided County funds are available.

V. MARKET TO AFFORDABLE

N.J.A.C. 5:97-6.9 permits municipalities to address a portion of their affordable housing obligation through a market to affordable program. This program includes units that are purchased or subsidized through a written agreement with the property owner and sold or rented to low- and moderate-income households. Clark Township's effort will be comprised of 10 moderate-income units, including 5 rental units and 5 for-sale units. The Township will provide a minimum of \$25,000 per unit, for a total of \$250,000, to subsidize the cost of creating these moderate-income units. Additional subsidy may be necessary depending on market prices or rents in the Township. In order for a sales unit to be considered affordable to moderate-income households in Clark, sales prices must range between \$130,954 and \$170,142. In order for a rental unit to be considered affordable to moderate-income households in Clark, rental prices must range between \$1,131 and \$1,307 a month. In order for a rental unit to be considered to low-income households in Clark, rental

prices must range between \$550 for a 1 bedroom apartment to \$1,089 for a 3-bedroom apartment.

An review of existing housing units listed on Realtor.com showed over 35 available homes, ranging from \$180,000 to \$725,000, with an average of \$475,000. The same source listed five rental units ranging from \$1,210 to \$2,500, with an average of \$1,500.

The subsidy required to make a unit selling at \$300,000 affordable to a moderate-income household ranges is \$180,000. The cost to provide five sales units for moderate income households is \$900,000. On the rental side, current rents are provided at levels affordable to moderate-income households. In order to provide rental units affordable to low-income households, funding of approximately \$30,000 per year must be provided for an apartment at a market rent of \$1,500.

The Township anticipates funding five affordable homes and five affordable apartments under this program.

VI. GROUP HOMES

Clark Township has a total of three group homes, all run by the Arc of Union County. Two of the three bedroom group homes were counted in the prior round COAH reports. They are located at Union County Parkway and Oak Ridge Road. An additional three bedroom group home has been opened on Oak Ridge Road which will be counted towards the third round obligation.

Clark Township is proud of its continued partnership with the Arc of Union County and has had recent correspondence with the Arc concerning additional group homes. The Township is quite interested in working with the Arc and will assist the Arc in providing up to two additional four bedroom group homes within the Township.

This strategy will result in eight units of affordable housing as well as the third group home noted above for three units.

VII FUNDING

Funding for the strategies discussed above will be provided through a Development Fee Ordinance. The Township adopted a nonresidential development fee of 2.5% in 2009, which will be used to fund as many affordable housing programs as possible. The current balance in the fund is \$227,885 and it continues to grow due to recent commercial development in the Township.

VIII SUMMARY OF POSSIBLE STRATEGIES

The various strategies described above are summarized with the maximum number of affordable units available by each strategy. The mix of strategies will be adjusted once a target number is set and a spending plan is adopted. The Township may wish to use only some of the strategies listed above, depending on the final affordable housing obligation for Clark and the moneys available in the Affordable Housing Trust Fund.

Current inclusionary Zoning	73
Proposed Inclusionary Zoning	22
New redevelopment	19
Rehabilitation	54
Market to Affordable	10
Group Homes	8
Maximum Affordable Units	186

Please see the accompanying tables supplied by the Court for a graphic representation of the above.

**SUMMARY OF PLAN
FOR
TOTAL FAIR SHARE OBLIGATION**

MUNICIPALITY:

Clark Township

COUNTY:

Union County

	EST. OBLIG.	COMPLETED UNITS	PROPOSED UNITS	LOW	MOD	VERY LOW	TOTAL UNITS
Rehabilitation Share (per 2010 Census)	53	5					48
<i>Rehabilitation Credits</i>							
Rehab Program(s)	5						
Remaining Rehabilitation Share	48						
1987-1999 Prior Round Obligation (1)							
<i>Vacant Land Adjustment (if applicable)</i>							
Unmet Need	40						
RDP	23						
Mechanisms (2)							
Prior Cycle Credits (4/1/80-12/31/86)							
Credits without Controls							
Inclusionary Zoning							
100% Affordable							
Accessory Apartments							
Write Down-Buy Down/Market-to-Affordable							
Alternative Living/Supportive & Special Needs		6				6	6
Assisted Living							
RCA Units (previously approved)							
Compliance Bonus							
Rental Bonuses							3
<i>Total Prior Round Credits</i>							6
Units Addressing 1987-1999 Prior Round							9
1999-2015 GAP Period Estimate (1)							
Mechanisms (2)							
<i>Vacant Land Adjustment (if applicable)</i>							
Unmet Need							
RDP							
Inclusionary Zoning							
Redevelopment							
100% Affordable							
Accessory Apartments							
Market-to-Affordable							
Supportive & Special Needs/ Alternative Living							

Assisted Living							
Extended Affordability Controls							
Other (describe on a separate sheet)							
Smart Growth Bonuses							
Redevelopment Bonuses							
Rental Bonuses							
Total Third Round Credits							
Units Addressing 1999-2015 GAP period							
2015-2025 Third Round Obligation (1)							
	137 (?)						
Mechanisms (2)							
Vacant Land Adjustment (if applicable)							
Unmet Need		40					
RDP		23					
Inclusionary Zoning		60	95	47	11	37	155
Redevelopment			19	10		9	19
100% Affordable							
Accessory Apartments							
Market-to-Affordable			10		10		10
Supportive & Special Needs/ Alternative Living			11			11	11
Assisted Living							
Extended Affordability Controls							
Other (describe on a separate sheet)							
Smart Growth Bonuses							
Redevelopment Bonuses							
Rental Bonuses							
Total Third Round Credits							
Units Addressing 2015-2025 Fair Share	137	60	135	57	21	57	195

(1) Identify the basis for asserting this number as the municipal obligation.

(2) Provide a description for each mechanism.

TOTALS	#	% OF TOTAL OBLIGATION
LOW/MOD UNITS	78	57%
VERY LOW INCOME	57	42%
BONUS CREDITS	8	6%
AGE-RESTRICTED	60	44%
NOT AGE-RESTRICTED	135	99%

**Inclusionary/Redevelopment
Summary of Built Projects**

MUNICIPALITY: Clark Township **Total Affordable Units:** 69
 COUNTY: Union County **Total Affordable Credits:** 69

(Provide a narrative description on a separate sheet and specify the number of completed units by affordability on the form below)

Project or Site Name (1)	Block/ Lot(s)	Affordable Units Constructed						Tenure (R- or S-Sale)	Rental Bonuses	
		Low (#/%)		Moderate (#/%)		Very Low (#/%)			AR (2)	NAR (3)
		AR (2)	NAR (3)	AR (2)	NAR (3)	AR (2)	NAR (3)			
Woodcrest at Clark	58/4	30		30				R	60	
ARC of Union County/Union County Pkwy	Not listed						3	R		3
ARC of Union County/Oak Ridge Road	Not listed						3	R		3
Arc of Union County/Oak Ridge Road #2	Not listed						3	R		3
TOTALS		30		30			9		60	9

(1) Attach narrative for each site.
 (2) Age-Restricted
 (3) Not Age-Restricted

**Inclusionary/Redevelopment
Summary of Proposed Projects
and Inclusionary Zoning**

(Provide a narrative description and specify the number of proposed units associated with each project, site or zone on the form below)

MUNICIPALITY: Clark Township

Total Affordable Units: 19

COUNTY: Union County

Total Affordable Credits: 19

Name of Project, Site or Zone (1)	Implementation Priority	Block/Lot(s)	Gross Acres	Net Acres (2)	Density (3)	Project and Site Suitability Criteria				Total Units	Zoned for Affordable Housing (4)	Affordable Units				Tenure (Note R-Rental or S-Sale)	Rental Bonuses	
						Approvable (local/State approval status?)	Available (clear title?)	Developable				Suitable	Low (#/%) (5)	Moderate (#/%) (5)	Very Low (#/%) (5)		AR (5)	NAR (6)
							WATER	SEWER	WQMP		Y-Yes or N-No	AR (5)	NA R (6)	AR (5)	NAR (6)	AR (5)	NAR (6)	
Former A & P site	1	105/2	3.6	3.6	16	Y	Y	Y	Y	59	N	6						
Former Jack's tavern site	2	77/11	1.8	1.8	16	Y	Y	Y	Y	30	N	4						
TOTALS										89		10				9	19	

(1) Attach narrative for each site. (2) less environmentally sensitive lands and easements. (3) Units/net acre (4) is affordable housing zoning currently in place? (5) Age-Restricted (6) Not Age-Restricted

"Approvable site" means a site that may be developed for low and moderate income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing. "Available site" means a site with clear title, free of encumbrances which preclude development for low and moderate income housing. "Developable site" means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable areawide water quality management plan (including the wastewater management plan) or is included in an amendment to the areawide water quality management plan submitted to and under review by DEP. "Suitable site" means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.

Vacant/Developable Lands and Environmental Constraints

Township of Clark
Union County, NJ

Legend

-  Vacant/Developable Lands
-  Potentially Redevelopable Lands
-  Wetlands
-  100 Year Floodplain
-  Slopes less than 15%
-  Slopes greater than 15% to 25%
-  Slopes greater than 25%



Map Scale = 1:118,000
or 1" = 1,400'

Data Sources: NOAA Office of Geographic Info Services, NIDEP FEMA and Microsoft Bing Maps

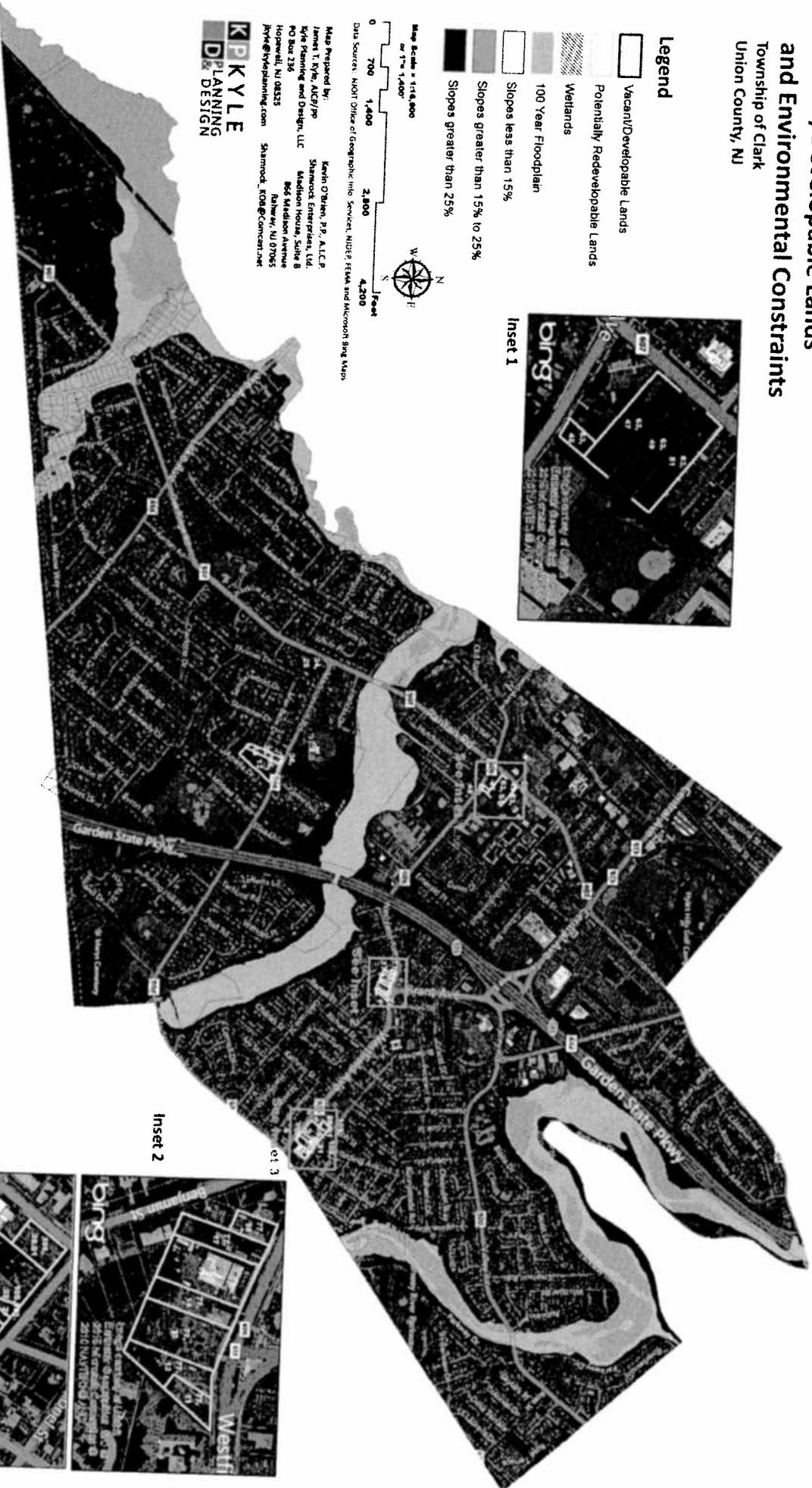
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Inset 1



Inset 3

Inset 2

Inset 3



IMAGE COURTESY OF USGS EARTHSTAR



CLARK TOWNSHIP AFFORDABLE HOUSING REPORT PART 3

Vacant Land Analysis Methodology and Outcome of the Analysis

Kevin O'Brien, P.P.

14 January 2016

I. METHODOLOGY

To assess vacant and potentially developable lands within a municipality, the tax parcel base map, land constraints such as slopes, wetlands and floodplain and corresponding assessor's data was accessed from NJ OIT Office of Geographic Information Services, NJDEP, FEMA and Microsoft Bing. Data was reviewed for completeness and accuracy with respect to property class codes and, where necessary, updated based on local information and/or aerial photography. Properties were then classified as to their use by property class code and all parcels that were vacant (property class 1) and vacant publicly owned (property class 15C) were extracted as a separate data set. This data was then compared with local information by the Township Engineer and Township Planner to eliminate recently developed parcels, parcels in active use for municipal government or utilities purposes, parcels included on the municipality's Recreation and Open Space Inventory (ROSI) on file with the NJDEP, parcels utilized for open space or conservation purposes that are otherwise restricted (but not on the ROSI), and parcels owned by other municipalities, the County or the State.

II. MAPPING

COAH's Prior Round rules (at N.J.A.C. 5:93, *et seq.*) pertaining to vacant land adjustment procedures allow certain environmentally constrained areas to be excepted from consideration, including land in 100 year floodplains, wetlands and steep slopes (over 15%). Data for these three environmental constraints were available from FEMA and NJDEP and were downloaded and mapped on the accompanying map "Vacant Developable Land and Environmental Constraints" by Kyle and O'Brien dated 17 December 2015. Environmentally constrained lands were then delineated in the boundaries of parcels considered vacant or otherwise available for development and the

area of environmentally constrained land was calculated and summarized for each parcel. Parcels that were entirely constrained were removed from the inventory of vacant developable land, while parcels considered developable or partially developable were left in.

Finally, any remaining parcels or developable portions of parcels that were too small to support the development of five (5) or more units were also eliminated from consideration unless it was part of a group of adjoining sites that could be combined into a larger parcel suitable for development.

The resulting map "Vacant Developable Land and Environmental Constraints" by Kyle and O'Brien dated 17 December 2015 that is provided with this report shows the extent of the environmental constraints affecting the Township and also shows the "short list" of vacant developable parcels after eliminating the parcels described above in the preceding paragraphs.

III. SPREADSHEETS

The data discussed above is summarized for each parcel on a spreadsheet showing each vacant and developable parcel by block and lot, the total area of each parcel, ownership information and street address, the sum of the area of each constraint factor (slopes greater than 15%, wetlands and areas of 100 year floodplain) along with a calculation of the total constrained area after eliminating for overlap. Due to the elimination of overlap, the total constrained area identified on each parcel is not necessarily the sum of all areas of slopes greater than 15%, wetlands and 100 year floodplain areas.

A. VACANT AND PUBLICLY OWNED SPREADSHEET

Appropriate densities that would support inclusionary residential development (densities ranging from 12 to 16 units per acre) were then assigned to each of the parcels on the "short list" to obtain the total number of dwelling units each parcel can support. An

affordable housing set-aside of 20 percent of the total number of units calculated was used to determine the RDP. Clark's RDP, based on the vacant developable land analysis, was initially determined to be 106 units, including 22 affordable units.

B. VACANT AND DEVELOPABLE LANDS SPREADSHEET

There are three sites in the township which allow the combination of existing vacant land with currently developed lands that are currently underutilized. These sites are listed in the Vacant/Developable Lands section of the "Clark Township Affordable Housing Efforts" Excel spreadsheet dated 8 January 2015. The three sites are discussed in detail below.

1. FORMER GAS STATION SITE

Block 34, Lot 25

The currently vacant site formerly occupied by a gas station on Raritan Road near Madison Hill Road has .811 acres. At 12 units per acre 10 units could be located on the site, including 2 affordable. The 12 unit per acre figure is used due to the adjoining single family residences. The largest question regarding this site is the status of any cleanup as a result of the former gas station use.

2. WESTFIELD AVENUE AND RARITAN ROAD SITE

Block 63, Lots 45, 47, 49, 51

There is one large .853 acre vacant parcel on Raritan Road that adjoins three Class 2 parcels facing both Raritan and Westfield Avenues. All are owned by the same corporation. This site has a total of 2.56 developable acres and is very close to the Clarkton Shopping Center, banking, restaurants, municipal services and schools. At 16 units to the acre 41 units could be located here including 9 affordable units. The 16 units per acre figure is used because of the adjoining commercial uses and the very heavy traffic on both roads.

3. SCHIEFERSTEIN SITE

Block 36, Lots 13, 14, 15

The Schieferstein site on Madison Hill Road is consists of three parcels - a landscape and nursery business, a residence and vacant land. Together they have 4.557 acres of land. The entire site was zoned R-B for Multiple Family Residential District, which requires a 20% set aside for affordable housing. This current report continues that recommendation and finds that the allowed eight units per acre should be increased to 12 units per acre, which would allow 55 total units including 11 affordable units. A well planned development with appropriate buffering and setbacks from the adjoining single family residences may be appropriate in this location.

4. CONCLUSION

The three sites discussed above would yield 106 total units including 22 affordable units on 7.928 acres.

C. POTENTIALLY REDEVELOPABLE LANDS SPREADSHEET

An evaluation was next undertaken of any additional developed or partially developed parcels of land that, if favorably zoned, might redevelop (with a small "r") for inclusionary residential purposes and yield affordable housing. Those parcels are described in the next few paragraphs, and the RDP that will be generated by each of these sites is estimated below and is added to the initially calculated RDP to obtain a final RDP.

1. JACKS TAVERN SITE

Block 77, Lots 11, 12, 13, 14, 15, 17, 18

This currently partially vacant site formerly had a tavern, laundromat and diner. There are also a number of operating businesses including an auto repair facility. The entire site of seven parcels is zoned DTV - Downtown Village District, which allows commercial first floors and residential uses on the second and third floors. No density is required in the Land Use Ordinance. An affordable housing overlay could be

established for this site allowing sixteen units per acre density and a 20% set aside.

Taken together as a single site, the seven parcels facing Westfield Avenue opposite Brant Avenue total 1.839 acres. At sixteen units per acre a yield of 30 units including 7 affordable units results.

2. FORMER A & P SITE

Block 105, Lots 2, 6, 8, 13, 14, 15, 16, 19, 20, 21, 22, 26.01

This site takes in the now vacant former A & P supermarket along with every other parcel on a block formed by Westfield Avenue, Lincoln Boulevard, Broadway and Joseph Street, with two exceptions. The new 7-11 convenience store at Westfield and Lincoln is excluded, as is the newly redeveloped Investors Bank at Westfield and Joseph. In addition to the vacant supermarket the site also has a hardware store, several residences and offices on a total of 12 parcels.

The entire site is zoned DTV - Downtown Village District, which allows commercial first floors and residential uses on the second and third floors. No density is required in the Land Use Ordinance. An affordable housing overlay could be established for this site allowing sixteen units per acre density and a 20% set aside.

The entire site contains 3.647 acres and could accommodate 58 units including 12 affordable units.

3. CONCLUSION

The two sites discussed above would yield 88 total units including 19 affordable units on 5.486 acres.

IV. TOTALS

Adding the 19 units in the Conclusion above to the RDP cited in #III. B. 4 above of 22 units totals 41 affordable units in the RDP.

BLKCD	LOT	PROPERTY CLASS	PROPERTY LOCATION	OWNER NAME	ADDRESS	CITY, STATE	ZIP	BUILDING DESCRIPTION	ACRES	ADDITIONAL LOTS	FACILITY NAME	NOTES
1	1	15C	OKA RIDGE RD	DIVISION OF PARKS & RECREATION	U C ADMIN BLDG ELIZABETH TWP PL	ELIZABETH, NJ	07207		11.3066762000			
1	2	1	OKA RIDGE RD	F & B & COOP APT. TAX DEPT	80 PARK PLAZA, 8TH FLOOR	NEWARK, NJ	07102-5454		1.274702381			Linked on ROSS
1	3	15C	OKA RIDGE RD	DIVISION OF PARKS & RECREATION	U C ADMIN BLDG ELIZABETH TWP PL	ELIZABETH, NJ	07207		35.7147559000			PS&B transmission line
2	1	15C	OKA RIDGE RD	DIVISION OF PARKS & RECREATION	U C ADMIN BLDG ELIZABETH TWP PL	ELIZABETH, NJ	07207		1.8240009193			Linked on ROSS
2	2	1	OKA RIDGE RD	F & B & COOP APT. TAX DEPT	80 PARK PLAZA, 8TH FLOOR	NEWARK, NJ	07102-5454		1.274702381			PS&B transmission line
3	1	15C	OKA RIDGE RD	DIVISION OF PARKS & RECREATION	U C ADMIN BLDG ELIZABETH TWP PL	ELIZABETH, NJ	07207		18.3209394400			Linked on ROSS
4	1	15C	101 OKA RIDGE RD	DIVISION OF PARKS & RECREATION	U C ADMIN BLDG ELIZABETH TWP PL	ELIZABETH, NJ	07207		91.2034633250			Linked on ROSS
4	2	1	101 OKA RIDGE RD	TOWNSHIP OF CLARK	400 WESTFIELD AVE	CLARK, NJ	07066		0.1362766600			Linked on ROSS
7	1	1	LAKE AVE	AKW BUILDERS INC	900 BOX 137	AVENEL, NJ	07001		8.8712403500			POOL
7	2	1	LAKE AVE	CLARK REALTY LTD INC	18 WASHINGTON ST #2A	CLARK, NJ	07066		0.6642175622		ALSO ALSO S/C PL	Developed with single family home. To be removed from list
1	1	1	1 GOODMANS CROSSING	CLARK REALTY LTD INC	134 WESTFIELD AVE	CLARK, NJ	07066		0.1362766600			Almost entirely floodplain encumbered. Can not develop
7	10	4	LAKE AVE	MORANO, KENNETH SCHAEFER, SCOTT	18 WASHINGTON ST #2A	CLARK, NJ	07066-0400	ALSO ALSO S/C PL	0.2132050418			Shallow slope and flood plain constraints. Insignificant depth. Can not develop
11	1	1	180 LAKE AVE	WILSON, WALTER H & BETA	964 RARITAN RD	CLARK, NJ	07066		0.4834089233			Cannot support more than 6 units at 10 units per acre
11	2	1	OKA RIDGE RD	KAYSTON, MARK & MARIE A	4 CROCHING TERR	CLARK, NJ	07066		0.1567903229			Wetland nomination. DEP application pending for single family development.
21	19 ST	1	90 BRIMBATH LANE	YOUNG, CHRISTOPHER & WESLEY	90 BRIMBATH LANE	CLARK, NJ	07066		0.1567903229			Cannot support more than 5 units at 10 units per acre
21	20	1	SELVINE DR	UNKNOWN	UNKNOWN	UNKNOWN	07066		0.0195868893			Developed with single family home. To be removed from list
24	19 ST	15C	18 ACKEN DR	COLUMA INVESTORS LLC	21 CORTLAND ST	CLARK, NJ	07066		0.1927066400		ALSO ALSO WDRG	Part of commercial lot in Woodbridge
24	19 ST	1	18 ACKEN DR	OLIVEIRA, DAVID & SUSANNA	18 ACKEN DR	CLARK, NJ	07066		0.0674933276			Developed with single family home
24	19 ST	1	18 ACKEN DR	AMATY, CORP N ASBROS BARRETT	430 WESTFIELD AVE	CLARK, NJ	07066		0.0649630047		VACANT LAND	Part of commercial lot in Woodbridge
26	9	1	18 ACKEN DR	PARK EXIST, INC	P O BOX 236	SELVINE, NJ	06830		0.0211066930			Cannot support more than 5 units at 10 units per acre
28	13	1	182 LAKE AVE	SANGLIAND GROUP LLC	16 E BLANCKE ST P O 2377	LINDEN, NJ	07036		2.246424847			Cannot support more than 5 units at 10 units per acre
28	13	1	182 LAKE AVE	SANGLIAND GROUP LLC	138 WESTFIELD AVE	CLARK, NJ	07066		0.1567903229			Cannot support more than 5 units at 10 units per acre
30	5	1	87 STONEDRIVE TERR	UNKNOWN	UNKNOWN	UNKNOWN	07066		0.1567903229			Currently being developed
30	06	1	345 OKA RIDGE ROAD	FREDERICK, WILFRED W & BETA	909 BRADON ST	CLARK, NJ	07066		0.1567903229			Currently being developed
31	1	15C	YACHT BRON DR REAR	COUNTY OF UNION U C OPEN SPACE	ADMAN RD ELIZ PLAZA	ELIZABETH, NJ	07066		0.8409219247			Developed with single family home. To be removed from list
32	1	1	181 STONEDRIVE TERR	COUNTY OF UNION U C OPEN SPACE	ADMAN RD ELIZ PLAZA	ELIZABETH, NJ	07066		0.8409219247		ADSD4218	Nonconforming lot to be merged with adjoining lot 79 in common ownership to create one conforming lot
32	1	1	LAKE AVE	MAYBERRY GARDENS AND FANELA	712 DUNDY STREET	LINDEN, NJ	07036	1.55079-1-1	0.5163789382			County-owned Open Space
32	1	1	LAKE AVE	COUNTY OF UNION U C OPEN SPACE	ADMAN RD ELIZ PLAZA	ELIZABETH, NJ	07066		1.1972705048			Developed with single family home. To be removed from list
32	1	1	LAKE AVE	COUNTY OF UNION U C OPEN SPACE	ADMAN RD ELIZ PLAZA	ELIZABETH, NJ	07066		0.8559395328			Apartment complex in Clark and Lincoln blks
38	9	1	1 VICTORIA'S - FEATHERED	COUNTY OF UNION U C OPEN SPACE	10 ELIZABETH TOWN PLAZA	ELIZABETH, NJ	07207	15V1E	0.7179328121		ADSD4168	County-owned Open Space
38	9	1	1 VICTORIA'S - FEATHERED	COUNTY OF UNION U C OPEN SPACE	10 ELIZABETH TOWN PLAZA	ELIZABETH, NJ	07207	15V1E	0.7179328121			County-owned Open Space
38	9	1	1 VICTORIA'S - FEATHERED	COUNTY OF UNION U C OPEN SPACE	10 ELIZABETH TOWN PLAZA	ELIZABETH, NJ	07207	15V1E	0.7179328121			Approved 2 1/8 subterranean construction
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Potentially Redevelopable Lands

BLOCK	LOT	PROPERTY CLASS	PROPERTY LOCATION	OWNER NAME	ADDRESS	CITY, STATE	ZIP	ACRES	WETLAND ACRES	FLOODPLAIN ACRES	TOTAL CONSTRAINED ACRES		DEVELOPABLE ACRES	RD DENSITY UNITS/ACRE	MARKET UNITS	AFFORDABLE UNITS	NOTES
											ACRES	ACRES					
34	25	1	FORMER GAS STATION SITE 777 RAFFERTY ROAD	PAPARATTO, VINCENT	295 NORTH HIGHLAND AVE	KENILWORTH, NJ	07033	0.811	0.00	0.00	0.811	0.811	12	9.7	2.0	Currently vacant. Former gas station. May have clean up issues.	
43	46	2	WESTFIELD AVE AND MARTIN RD SITE 107 RAFFERTY RD	MALDENIA PROPERTIES, LLC	300 LOVERLY AVE #114	HONOLULU HI	96822	0.162	0.00	0.00	0.162	0.162	16	2.6	0.6		
43	47	2	107 RAFFERTY RD	MALDENIA PROPERTIES, LLC	107 RAFFERTY RD	CLARK, NJ	07066	0.906	0.00	0.00	0.906	0.906	16	14.5	2.9		
43	49	1	1025 RAFFERTY ROAD	MALDENIA PROPERTIES, LLC	1025 RAFFERTY RD	CLARK, NJ	07066	0.633	0.00	0.00	0.633	0.633	16	10.2	2.8	Adding lot 50 (0.9 acres) property class 21 in common ownership and division drawings.	
63	51	2	SITE SURVEYAL	MALDENIA PROPERTIES, LLC	107 RAFFERTY RD	CLARK, NJ	07066	0.839	0.00	0.00	0.839	0.839	16	10.2	2.8		
36	13	4A	WOFFERTON, CITY MADISON HILL ROAD	SCHERFFSTON, BERGENCO	451 MADISON HILL RD	CLARK, NJ	07066	1.000	0.00	0.00	1.000	1.000	12	41.9	8.4		
36	14	2	385 MADISON HILL RD	SCHERFFSTON, F.R.R.L.C.	385 MADISON HILL RD	CLARK, NJ	07066	0.392	0.00	0.00	0.392	0.392	11	40.6	8.2	Currently vacant for landscaping and farm market. May be combined with other property.	
36	15	1	SITE SURVEYAL	SCHERFFSTON, ANDREW FARL	431 MADISON HILL RD	CLARK, NJ	07066	4.537	0.00	0.00	4.537	4.537	12	9.4	1.0		
			TOTAL FOR THIS SECTION					0.000	0.000	0.000	0.000	0.000	0.000	35	55	11	
77	11	2	JACKS TAYLORS SITE 247 WESTFIELD AVE	GOTTLEMAN, ROBERT	241 WESTFIELD AVE	CLARK, NJ	07066	0.124	0.00	0.00	0.124	0.124	16	2.0	0.4		
77	12	1	221 WESTFIELD AVE	BOGOSLO, JOSE J & JANETTE ALONSO	221 WESTFIELD AVE	CLARK, NJ	07066	0.220	0.00	0.00	0.220	0.220	16	3.7	0.8		
77	13	4A	223 WESTFIELD AVE	CLARK, NJ	223 WESTFIELD AVE	CLARK, NJ	07066	0.439	0.00	0.00	0.439	0.439	16	7.4	1.5		
77	14	1	223 WESTFIELD AVE	CLARK, NJ	223 WESTFIELD AVE	CLARK, NJ	07066	0.230	0.00	0.00	0.230	0.230	16	3.7	0.8		
77	35	4A	241, 245 WESTFIELD AVE	GOTTLEMAN, ROBERT M	241 WESTFIELD AVE	CLARK, NJ	07066	0.462	0.00	0.00	0.462	0.462	16	3.7	0.8		
77	37	1	241, 245 WESTFIELD AVE	GOTTLEMAN, ROBERT M	241 WESTFIELD AVE	CLARK, NJ	07066	0.232	0.00	0.00	0.232	0.232	16	3.7	0.8		
			SITE SURVEYAL	231, 233 WESTFIELD AVE, LLC, MADOTOLC	189 W TORBIA DR	CLARK, NJ	07066	0.232	0.00	0.00	0.232	0.232	16	3.7	0.8		
			TOTAL FOR THIS SECTION					1.639	0.00	0.00	1.639	1.639	16	29.5	6.2		
106	2	4A	FORMER A & P SITE 52 WESTFIELD AVE	DAVIDSON REALTY ASSOCIATES, LLC	1200 RT 202 STE 6200	BRIDGEWATER, NJ	8807	1.386	0.00	0.00	1.386	1.386	16	22.2	4.5		
106	6	4A	30 WESTFIELD AVE	TORBA, LLC	26 WESTFIELD AVE	CLARK, NJ	07066	0.691	0.00	0.00	0.691	0.691	16	5.1	1.1		
106	13	1	16 LINCOLN BLVD	PLA BEAL ESTATE CO	26 WESTFIELD AVE	CLARK, NJ	07066	0.157	0.00	0.00	0.157	0.157	16	11.1	2.3		
106	14	2	16 LINCOLN BLVD	BRIDGEMOUNT, JOSEPHINE	26 WESTFIELD AVE	CLARK, NJ	07066	0.150	0.00	0.00	0.150	0.150	16	2.5	0.5		
106	15	4A	25 BROOKDAWAY	ZS BROOKDAWAY LLC	25 BROOKDAWAY	CLARK, NJ	07066	0.173	0.00	0.00	0.173	0.173	16	2.4	0.5		
106	16	2	25 BROOKDAWAY	GANNET, SIMON	25 BROOKDAWAY	CLARK, NJ	07066	0.138	0.00	0.00	0.138	0.138	16	1.9	0.6		
106	20	2	33 BROOKDAWAY	BRIDGEWATER, CA	33 BROOKDAWAY	BRIDGEWATER, NJ	8807	0.079	0.00	0.00	0.079	0.079	16	1.3	0.3		
106	21	1	BROOKDAWAY	WVD CLARK, LLC	1200 RT 22	BRIDGEWATER, NJ	8807	0.074	0.00	0.00	0.074	0.074	16	1.2	0.3		
106	23	1	BROOKDAWAY	WVD CLARK, LLC	1200 RT 22	BRIDGEWATER, NJ	8807	0.074	0.00	0.00	0.074	0.074	16	1.2	0.3		
106	24	1	BROOKDAWAY	WVD CLARK, LLC	1200 RT 22	BRIDGEWATER, NJ	8807	0.074	0.00	0.00	0.074	0.074	16	1.2	0.3		
			SITE SURVEYAL	UNCONQU, J	1200 RT 22	BRIDGEWATER, NJ	8807	0.074	0.00	0.00	0.074	0.074	16	1.2	0.3		
			TOTAL FOR THIS SECTION					3.647	0.00	0.00	3.647	3.647	16	58	12		