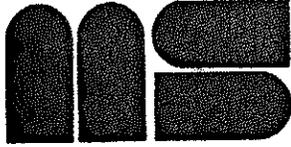


EXHIBIT A



MASER SOSINSKI
& ASSOCIATES, P.A.

Valley Professional Center
59 East Mill Road, Suite 4 - 201
Long Valley, NJ 07853
(908) 876-8400 ■ Fax (908) 876-8414

AMENDED
HOUSING PLAN ELEMENT
AND
FAIR SHARE PLAN

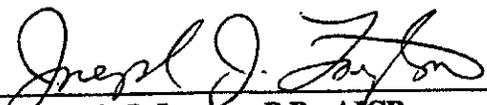
TOWNSHIP OF CLARK
UNION COUNTY, NEW JERSEY

Adopted By:

Township of Clark Planning Board

September 1997

Prepared By:



Joseph J. Layton, P.P., AICP
N.J. Planners License # 1443

MSA Project No. 97-375G

The original of this report was signed and sealed in accordance with N.J.S.A.45:14A-122

Consulting, Municipal & Environmental
Engineers ■ Planners ■ Surveyors
Landscape Architects

TOWNSHIP OF CLARK

1997

MEMBERS OF THE PLANNING BOARD

James Borden, Chairman

Charles Mazzucco, Vice Chairman

Robert Ellenport, Mayor

William Kuchar, Council Representative

Michael Khoda, Construction Official

John Lukac

Gregory Nozza

Joseph Rubino

Michael Kurzawski, Alternate

RESOLUTION PLANNING BOARD TOWNSHIP OF CLARK

MEETING DATE: September 2, 1997

MOTION BY: Robert Ellenport, Mayor

SECONDED: Greg Nozza

VOTE: 6 Ayes - 0 Nays

WHEREAS, this Planning Board has proposed that a document designated Housing Plan Element, Township of Clark, Union County, New Jersey, prepare by Joseph J. Layton, P.P. and dated September 1997, be the Housing Plan Element of the Master Plan of this Township (replacing a prior Housing Plan Element, adopted, as amended, in 1991); and

WHEREAS, this Board ordered a hearing held on such Housing Plan Element dated September 1997, to consider whether it should be adopted and become part of the Master Plan of this Township, and

WHEREAS, a hearing on such Housing Plan Element dated September 1997 (which contains a Fair Share Plan under the Fair Housing Act) was held at a meeting of this Board on September 2, 1997, at the Municipal Building on 430 Westfield Avenue in the Township; and

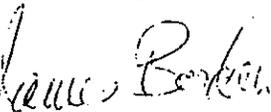
WHEREAS, the required publication and service of notices of such hearing was made and given by the Secretary of this Board; and

WHEREAS, a copy of such proposed Housing Plan Element dated September, 1997 has been on file in the office of the Secretary of this Board from at least ten (10) days prior to such public hearing and available for public inspection; and

WHEREAS, this Board considered any public comments and deliberated upon the Housing Plan Element upon which the hearing was held;

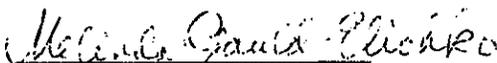
BE IT RESOLVED by the Planning Board of the Township of Clark, Union County, New Jersey, that the aforesaid Housing Plan Element dated September 1997 is adopted, pursuant to N.J.S.A. 40:55D-28, as this Township's Housing Plan Element (and Fair Share Plan) and as part of the Master Plan of this Township.

APPROVED:



JAMES BORDEN
Chairman

ATTEST:



MELINDA GAULD-ELICHKO
Secretary

Resolution No. 97-191

Introduced by: Hudak

Seconded by: Soyka

Date: September 2, 1997

WHEREAS, the Planning Board of the Township of Clark, on September 2, 1997, adopted a Housing Plan Element to the Master Plan of this Township (prepared by Joseph J. Layton, P.O. and dated September 1997); and

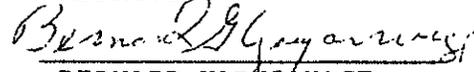
WHEREAS, such Housing Plan Element contains a Fair Share Plan to complement and implement such Housing Element; and

WHEREAS, the foregoing Housing Plan Element and Fair Share Plan have been reviewed by the Township Council and this Township Council approves of the same as the affordable housing plan of this Township, under the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., for the current cycle of housing under the regulations of the New Jersey Council on Affordable Housing ("COAH");

BE IT RESOLVED by the Township Committee of the Township of Clark, in the County of Union, New Jersey as follows:

1. This Township Council accepts and endorses such Housing Plan Element and Fair Share Plan.
2. This Township Council resolves to participate in the administrative processes of COAH, and directs the Township Clerk to cause the foregoing Housing Plan Element and Fair Share Plan, along with the certified copy of this Resolution, to be filed with COAH by September 4, 1997.

APPROVED:


BERNARD YARUSAVAGE
Council President

ATTEST:

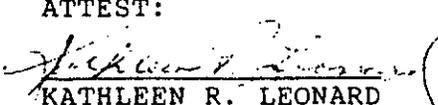

KATHLEEN R. LEONARD
Township Clerk

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I. INTRODUCTION

New Jersey's Fair Housing Act of 1985 and the Municipal Land Use Law (MLUL) require municipalities to adopt a housing element that addresses the municipal present and prospective housing needs, "with particular attention to low and moderate income housing." A housing element shall contain at least the following:

1. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
2. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next six years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing; and
6. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

Clark Township adopted a Housing Element on May 28, 1991 which was granted substantive certification by the Council on Affordable Housing (COAH) on September 4, 1991. This document serves as an amendment to the 1991 Housing Element that received substantive certification and describes how Clark Township intends to address any low and moderate income housing obligation established by COAH for the 1993-1999 period. This document also incorporates 1990 Census data that was not available at the time the 1991 Housing Element was prepared.

In adopting its housing element, a municipality may provide for its fair share of low and moderate income housing by means of any technique or combination of techniques which provide a realistic opportunity for the provision of the fair share. These techniques include but are not limited to:

- Rehabilitation of existing substandard housing units;
- New construction including rezoning for densities necessary to assure the economic viability of any inclusionary developments, either through mandatory set-asides or density bonuses;
- Utilization of funds generated by mandatory development fees on new construction;
- Utilization of funds obtained from any State or Federal subsidy toward the construction of low and moderate income housing;
- Utilization of municipally generated funds toward the construction of low and moderate income housing;
- A municipality may propose the transfer of up to 50% of its fair share to another municipality within its housing region by means of a Regional Contribution Agreement.

In preparing this Housing Element, Clark Township officials have carefully reviewed the above techniques singly and in combination. It has been determined that zoning for densities necessary to assure economic viability of inclusionary developments, along with mandatory set-asides for low and moderate income units, together with rehabilitation of existing substandard housing units, continues to be the most appropriate technique for Clark Township to address the entire current fair share obligation. In effect, this housing element is a confirmation of the planning decisions made by the Township in 1991 in recognition of its obligation to provide low and moderate income housing.

II. ANALYSIS OF HOUSING STOCK

As of the 1990 census, there were 5,638 housing units in Clark Township. The vast majority of these units, 98 percent, were occupied. Of the 5,523 occupied housing units in the Township, 4,488 (81 percent) were owner-occupied and 1,035 (19 percent) were rentals. The majority (81 percent) of the housing stock consists of single family detached housing.

Table II-1

Units in Structure	Number	Percent of Total Units
1, Detached	4,470	79.3
1, Attached	104	1.8
2	160	2.8
3 or 4	91	1.6
5 to 9	86	1.5
10 to 19	245	4.3
20 to 49	440	7.8
50 or more	0	0.0
Mobile home or trailer	2	0.0
Other	40	0.7
Total	5,638	100.0

Source: U.S. Census 1990

The median value of owner/occupied single family housing in Clark Township was \$197,300 according to the 1990 census. Nearly 50 percent of the owner occupied housing stock was valued in excess of \$200,000.

Table II-2
Value of Owner - Occupied Housing

Value (\$)	Units	Percentage
Less than 50,000	12	0.1
50,000-59,999	4	0.1
60,000-74,999	15	0.4
75,000-99,999	105	2.5
100,000-124,999	173	4.2
125,000-149,999	305	7.4
150,000-174,999	729	17.6
175,000-199,999	802	19.3
200,000-249,999	1,077	26.0
250,000-299,999	538	13.0
300,000-399,999	329	7.9
400,000-499,999	40	1.0
500,000 or more	19	0.5
Total	4,147	100.0

Source: U.S. Census 1990

For rental units, the median monthly gross rent was \$726. Cost of rentals is shown below.

Table II-3
Cost of Rentals

Rent(\$)	Units	Percentage
0-199	2	0.0
200-299	12	0.1
300-499	42	4.1
500-749	735	71.2
750-999	190	18.4
1000 or more	31	3.0
No cash rent	21	2.0
Total	1,035	100.0

Source: U.S. Census 1990

Condition of Housing Stock

COAH utilizes the 1990 census to try to estimate the number of substandard housing units in Clark Township that are occupied by low and moderate income households. COAH uses the census to determine which units are occupied by low and moderate income households. COAH then analyzes the low and moderate income housing stock based on the following factors:

Year Structure Built. A distinction is made between units built before 1940 and units built thereafter. Research has demonstrated that units built before 1940 are much more likely to be in substandard condition. This factor is probably the most dominant factor in estimating the condition of a municipal housing stock.

Persons per Room. 1.01 or more persons per room is an index of overcrowding.

Plumbing Facilities. Inadequate plumbing facilities is indicated by either a lack of exclusive use of plumbing facilities or incomplete plumbing facilities.

Kitchen Facilities. Inadequate kitchen facilities are indicated by shared use of a kitchen or the lack of a sink with piped water, a stove or a refrigerator.

Heating Fuel. Inadequate heating is use of coal, coke wood or no fuel for heating.

Sewer. Inadequate sewer services are indicated by a lack of public sewer, septic tank or cesspool.

Water. Inadequate water supply is indicated by a lack of either city water, drilled well or dug well.

Not all of the census indicators of substandard housing are available at the municipal level. Therefore, COAH developed a procedure in which it estimates the number of low and moderate income households in substandard housing within a census region and then estimates the number of low and moderate households in substandard housing at the municipal level based on census indicators that are available at the municipal level. The procedure classifies a low and moderate income unit as substandard if it "fails" two of the census indicators listed above. Once a census regional total of substandard low and moderate income units has been calculated, the procedure assigns a share of this total to each municipality within the census region based on the following census indicators that are available at the municipal level:

Plumbing Facilities - non-exclusive use of complete plumbing.

Persons per Room - more than 1.01 persons per room.

Age of Housing - housing built in 1939 or earlier.

Water or Sewer Problem - deficiency in one or the other.

No Telephone - absence of telephone in unit.

Nonstandard Heating Fuel - use of coal, coke, or wood for heating, or no fuel.

In Appendix A of its rules, COAH describes its approach for estimating the condition of low and moderate income housing in a municipality as follows:

It should be realized that any of these characteristics need not signal deficiency on their own. The unit must be occupied by a poor household; be more than 50 years old and contain a single deficiency; or be similarly occupied, be 50 years old or less, but contain an additional detrimental condition, to signal deficiency. Even then, the unit may not be actually deficient, but there is a high probability that it will be subsequently lost from the housing stock.

This procedure for establishing housing deficiency: (1) is drawn from the literature of the field; (2) encompasses a broad array of physical insufficiency including such items as incomplete or inadequate kitchen and plumbing, crowding, inadequate heating fuels, and insufficient sewer and water resources; (3) ensures against erroneous inclusion of good units; and (4) provides a very high probability that the housing identified at least in relative terms, is clearly less than adequate.

The reason COAH must use indicators of substandard housing is that the census does not classify housing units as standard or substandard. The data presented below are the data COAH uses to generate its estimates for Clark Township.

Table II-5
Condition of Housing Stock

Number of Persons Per Room	Total	Percentage
1.01 or more	23	0.4

	Total	Percentage
Plumbing Facilities		
Units Lacking Complete Plumbing Facilities	16	0.3
Heating Equipment		
Utility Gas	3,633	65.8
Bottled, tank or lp gas	16	0.3
Electricity	171	3.0
Fuel oil, kerosene, etc.	1,635	29.6
Coal or coke	9	0.2
Wood	15	0.3
Solar energy	0	0.0
Other Fuel	18	0.3
No fuel used	26	0.5
Kitchen Facilities		
Lacking complete facilities	6	0.1
Source of Water		
Public system or private company	5,593	99.2
Individual well		
Drilled	36	0.6
Dug	9	0.2
Some other source	0	0.0

	Total	Percentage
Sewage Disposal		
Public sewer	5,616	99.6
Septic tank or cesspool	22	0.4
Other means	0	0.0
Telephone		
No telephone	6	0.1
Year Structure Built		
1989 until census	19	0.3
1985-1988	68	1.2
1980-1984	68	1.2
1970-1979	318	5.6
1960-1969	1,891	33.5
1950-1959	2,043	36.2
1940-1949	797	14.1
Before 1940	434	7.7

Source: U.S. Census 1990

Most of the census indicators available at the municipal level indicate a sound housing stock. Less than one half of one percent of the units are occupied by more than 1 person per room. More than 99 percent of the entire housing stock has complete plumbing facilities. Only six housing units do not have a telephone and over 99% have complete kitchen facilities. Most of the units are heated with standard heating fuels.

The majority of Clark Township's housing stock has been constructed relatively recently. Over forty percent of the housing stock, was constructed since 1960 and seventy-eight percent was constructed since 1950. A total of 434 housing units (only 7.7%) were constructed prior to 1940. Given that units constructed prior to 1940 is COAH's most powerful indicator of substandard housing, one would not expect that COAH would determine that there are a significant number of substandard units occupied by low and moderate income households in Clark Township.

III. PROJECTED HOUSING STOCK

Since 1986, Clark Township has issued building permits for only 90 housing units (see Table III-1). This represents an average increase of 8 new housing units per year. If this historic rate of growth continues over the next six years, one can expect the Township to add an additional 48 new units. Note that there was a dramatic increase in the number of building permits issued in 1996 which was after the lifting of a sewer connection ban in 1995. Due to the limited number of vacant lots in the Township the level of development experienced in 1996 is not expected to continue. Rather, the long term trend is expected to be more consistent with the historical trend of 8 units a year.

**Table III-1
Dwelling Units Authorized**

Year	Number
1986	12
1987	6
1988	39
1989	1
1990	1
1991	3
1992	2
1993	4
1994	2
1995	1
1996	19
Total	90

Source: N.J. Dept of Labor Annual Building Permit Summaries

IV. DEMOGRAPHIC CHARACTERISTICS

Clark Township had its highest rate of population growth after World War II and in the decades of the 1950's and 1960's after completion of the Garden State Parkway. (see Table IV-1). The population doubled between 1940 and 1950 and nearly tripled between 1950 and 1960. The 1960's also saw significant growth with a peak population of 18,829 being recorded in the 1970 U.S. Census. Between 1970 and 1990 there was decline in total population numbers due primarily to smaller family size and the aging of the population. This decline has since leveled off and the Township is no longer experiencing a decrease in population.

**Table IV-1
Population Growth**

Year	Population	Population Change	Percentage Change
1940	2,083	----	----
1950	4,352	+2,269	+108.9
1960	12,195	+7,843	+180.2
1970	18,829	+6,634	+54.4
1980	16,699	-2,130	-11.3
1990	14,629	-2,070	-12.4
1994*	14,557*	-72	0.0

*Estimated by N.J. Department of Community Affairs

Source: U.S. Census 1940-1990

The age distribution and sex of Clark Township residents is shown in Table IV-2.

Table IV-2
1990

Age	Male	Female	Total
Under 5	352	333	685
5 to 9	356	378	734
10 to 14	339	306	645
15 to 19	421	380	801
20 to 24	522	483	1,005
25 to 34	1,047	1,038	2,085
35 to 44	1,049	1,125	2,174
45 to 54	732	855	1,587
55 to 59	410	473	883
60 to 64	567	657	1,224
65 to 74	891	1,030	1,921
75 & Over	<u>315</u>	<u>570</u>	<u>885</u>
Total:	7,001	7,628	14,629

Source: U.S. Census 1990

Consistent with State and Nationwide trends the number of senior citizens in Clark Township has increased significantly in the last two decades. The population of those 65 and older increased from 921 in 1970 to 1,718 in 1980. From 1980 to 1990 the population of those 65 and older increased to 2,806 persons and represented 19.2 percent of the population.

V. EMPLOYMENT CHARACTERISTICS

The census reports on work activity of residents 16 years and older. From this population, 4,351 of 5,869 men and 3,542 out of 6,563 women worked in 1989. Most Clark Township residents worked in the private sector as depicted in Table V-1.

Table V-1
Class of Worker

Private wage and salary	6,344
Local government	692
State government	72
Federal Government	93
Self Employed	352
Unpaid Family	8

Source: U.S. Census 1990

An analysis of the employed (over age 16) by economic sector indicates that the majority of Clark Township workers were involved in manufacturing, retail trade, and service industries. Within the service sector, 8.6 percent of the work force were involved in educational services and 6.9 percent were involved in health services. Table V-2 is a consolidated summary of the Clark Township work force by sector of the economy.

Table V-2
Work force by Sector

Sector	Employees	Percentage of Work Force
Agriculture, forestry & fisheries	51	0.7
Mining	0	0.0
Construction	372	4.9
Manufacturing	1,605	21.2
Transportation	353	4.7
Communications & other public utilities	287	3.8
Wholesale Trade	486	6.4
Retail Trade	1,249	16.5
Finance, Insurance & Real Estate	553	7.3
Services	2,402	31.8
Public Administration	203	2.7

Source: U.S. Census 1990

Most Clark Township workers are involved in managerial and technical and sales occupations (see Table V-3). Over 70 percent of the Clark Township work force have been classified by the census as managerial and professional or technical, sales and administrative support.

**Table V-3
Occupation Characteristics**

Occupation	Employed Persons	Percentage
Managerial and professional	2,571	34.0
Technical, sales & administrative support	2,803	37.1
Service occupations	666	8.8
Farming, forestry & fishing	38	0.5
Precision production, craft & repair occupations	764	10.1
Operators, fabricators & Laborers	719	9.5

Source: U.S. Census 1990

The median household income in Clark Township in 1990 was \$50,095. This compares favorably with both State (\$40,927) and Union County (\$41,791) median household incomes.

VI. DETERMINATION OF LOW AND MODERATE INCOME HOUSING NEED

COAH, pursuant to the Fair Housing Act, is responsible for defining regions and developing criteria for establishing each municipality's share of the regional housing need. Clark Township lies within a region consisting of Essex, Morris, Union and Warren Counties.

The Clark Township low and moderate income housing responsibility consists of: a present need; a share of the low and moderate income households that COAH has estimated to have formed from 1987-1993; and a share of the low and moderate income households that COAH projects will form during the 1993-1999 period. The present need is an estimate of substandard units occupied by low and moderate income households. It is estimated, for each municipality and for the housing region, through use of the 1990 census. COAH then establishes a regional need for low and moderate income households living in substandard housing. A portion of the regional need is then reallocated among municipalities in the region. The substandard low and moderate income units that remain the municipal responsibility represent the municipal indigenous need. The substandard units that are a regional responsibility are called reallocated present need.

In Clark Township, COAH estimates that there are 19 substandard units (indigenous need) occupied by low and moderate income households. Fifty-two units of reallocated present need have also been assigned to Clark Township.

The final component of municipal housing need is a projection of housing need for the 1993-1999 period. COAH's formula for determining housing need is very complex because it tries to recognize that housing becomes available to low and moderate income households as a result of market forces. Demolitions reduce the number of units available to low and moderate income households but other housing units are sold to low and moderate income households (filtering). Owners of structures also convert them into housing units that are affordable to low and moderate income households (conversions). Landlords also rehabilitate substandard units (spontaneous rehabilitation).

COAH attempts to project the level of all this activity that will occur in each municipality from 1993-1999. COAH projects this activity based on data related to multi-family housing and the income of municipal residents. These projections of secondary sources of demand and supply (demolitions, filtering, conversions and spontaneous rehabilitation), act to reduce the number of low and moderate income units a municipality must address in its housing element.

COAH's formula results in a 1987-1999 Clark Township housing obligation of 105 units. The 105 units may be divided into a rehabilitation component (indigenous need-spontaneous rehabilitation) and an new construction component. The following is a summary of Clark Township's 1987-1999 low and moderate income housing obligation pursuant to COAH's formula:

Clark Township's 1987-1999 Housing Obligation

Rehabilitation Component

Indigenous Need	19
Spontaneous Rehabilitation	<u>- 6</u>
Rehabilitation Component	13

New Construction Component

Reallocated Present Need	52
Prospective Need	10
Prior Cycle Prospective Need	<u>51</u>
Subtotal	113

Secondary Sources

Demolition	1
Filtering	- 18
Conversions	<u>- 4</u>
Subtotal	- 21

Total New Construction Component 92

Precredited Need 105

Having established a cumulative housing obligation for 1987-1999, COAH's rules permit municipalities to receive credit for housing activity that has occurred that has addressed the housing obligation. The estimates of substandard housing are based on the 1990 census. The census was performed on April 1, 1990. Therefore, any rehabilitation activity that was performed after April 1, 1990 may be eligible for a credit. To be eligible for a credit, the rehabilitation must repair or replace a major housing system and have cost at least \$8,000 in actual hard costs (the cost of the repairs).

A municipality may also receive credit for the construction of low and moderate income housing units that address this obligation. Municipalities may receive a one to one credit for sales units actually constructed that address COAH's criteria. Rental units that respond to (but do not exceed) a rental obligation defined by COAH's rules are eligible for additional credit. Rental units restricted to senior citizens are eligible for an extra one-third of a unit credit. Rental units that are open to the general public are eligible for an extra credit of one. Therefore, one and one-third units of credit may be applied to the 1987-1999 housing obligation for each senior rental that has been constructed and occupied since 1987; and a total of two units of credit may be applied for rentals constructed and occupied since 1987 that are available to the general public. COAH's rules also allow credit for sites that were zoned as a result of a previous substantive certification. If the sites have not yet yielded low and moderate income housing they are subject to review. The main thrust of this review is to determine if the sites are still suitable after a consideration of current environmental regulations.

In summary, COAH has determined that Clark Township has a 1987-1999 housing obligation of 105 housing units. It has estimated that Clark Township had received credits by providing zoning to address 23 units of this need. Thus, COAH estimated that Clark Township has a remaining obligation of 82 units. Clark Township believes it should receive credits for providing zoning for 42 units (see Section VII) resulting in a remaining obligation of 63 units. Clark Township requests that COAH review and verify these calculations.

COAH qualifies Clark's calculated need with a "VL" (Vacant Land Adjustment Community) designation. The VL designation is given to municipalities which received a vacant land adjustment in the first affordable housing cycle (1987 to 1993) from COAH. The VL designation indicates that COAH has developed a streamlined process for these municipalities to receive certification. In short there is a presumption that these municipalities, including Clark, do not have the vacant land capacity to meet its new construction component and are entitled to an on-going reduction in their calculated need. The calculated need, however, is retained in the system as a goal for future affordable housing efforts in the Township as development and redevelopment occur in the municipality. As is the case with Clark's present substantive certification, COAH would still require the entire rehabilitation component to be addressed, regardless of the municipality's status as to vacant land.

VII. PROPOSED FAIR SHARE PLAN FOR AFFORDABLE HOUSING

The "pre-credited need" assigned to Clark township by COAH is 105 units, which includes 13 units of "indigenous" need (after allowing for spontaneous rehabilitation) comprising estimated existing substandard housing occupied by low and moderate income families; and 92 units of new housing to meet local and "regional fair share" needs over the next six years. COAH regulations provide, however, for a downward adjustment in the new housing number, based on a showing of lack of available vacant and developable land for new housing. Clark Township was granted a vacant land adjustment by COAH when it certified the Township's 1991 Housing Element and Fair Share Plan.

Regarding the 13 units of indigenous need, the Union County Multi-Jurisdictional Housing Program has rehabilitated 6 units since April 1, 1990. Clark Township seeks rehabilitation credits for these units and will submit appropriate documentation to COAH to support the granting of credits. This leaves a remaining indigenous need of 7 units which is proposed to be rehabilitated through a continuation of the current rehabilitation program under the auspices of the Union County Multi-Jurisdictional Housing Program.

Regarding the new construction component, this Housing Element continues to apply the vacant land adjustment granted by COAH in 1991 since there has been essentially no change in the amount of vacant and developable land for housing activities since 1991. In 1991, the Township prepared a vacant land inventory as per N.J.A.C. 5:92 - 8.1 (now N.J.A.C. 5:93 - 4.2). N.J.A.C. 5:93 - 4.2(e) states that "a municipality that received an adjustment due to lack of vacant land in addressing its 1987-1993 need obligation shall be presumed to have addressed its realistic development potential, provided the municipality continues to implement the terms of its previous substantive certification." The Township of Clark proposes to continue to implement the terms of its previous substantive certification by retaining inclusionary zoning on the four parcels identified in the 1991 Housing Element and Fair Share Plan. These four parcels were rezoned R-B Multiple Family Residential with a low and moderate income set aside on July 15, 1991 (Ordinance No. 91-21). Permitted uses are townhouses and garden apartments at a density of 8 dwelling units per acre with a 20 percent affordable housing set aside. The potential number of low/moderate income units to be generated by these parcels is 42. Note that this is more than the 37 units estimated in the 1991 Housing Element since slightly more land was rezoned than proposed in the Housing Element due to inaccurate acreage totals associated with the Esposito Farm in 1991. A summary of the units potentially generated by the rezoning follows:

Site	Acres	Zoned Density Zoning	Potential Total Units	Potential Low/Moderate Units
1. Esposito Farm (Block 40, Lots 25, 25.01 & 27)	12.84	8 du/ac	102	20
2. Schieferstein Farm (Block 36, Lot 13)	3.25	8 du/ac	26	5
3. Miele Nursery (Block 28.01, Lots 13 & 14)	5.00	8 du/ac	40	8
4. Raritan Road and Charlotte Drive (Block 28, Lots 8 & 9)	5.43	8 du/ac	43	9
	—		—	—
Total	26.52		211	42

The R-B Multiple Family Zoning remains in place for each of these four parcels. As part of the substantive certification process in 1991, COAH found that all four sites met COAH's criteria of suitable, approvable, available and developable as N.J.A.C. 5:92 - 1.3 (now N.J.A.C. 5:93-1). To date they have not been developed due to market conditions. None of the property owners have approached the Township for rezoning to a more marketable product.

In addition to the above inclusionary units, the Township is investigating the possibility of senior citizen housing on the Charles H. Brewer School site which the Township currently leases from the Board of Education for municipal purposes. To implement this plan the Township would need to purchase the property from the Board of Education and make accommodations through new construction for the current municipal uses now present on the site. A long range planning committee is currently studying this proposal. If the proposal moves forward a percentage of the units constructed would be set aside for low and moderate income seniors. Should the plan come to fruition, the Township of Clark would seek to amend this Housing Element and Fair Share Plan to incorporate the senior citizen housing proposal.