

# Howell residents protest apartment complex

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Kala Kachmar



A drawing of the site plan for Howell Family Apartments. (Photo: The Walters Group)

HOWELL - A \$22.5 million, 72-unit affordable apartment complex proposed in Howell has sparked a petition by residents who are against its construction.

The land, which will be subdivided into 12- and 15-acre parcels if approved at a Planning Board meeting later this month, is at the southeast corner of the intersection of Fort Plains and West Farms roads, just west of Route 9. Howell Family Apartments is planned by the Walters Group, a Barnegat-based developer that has built similar projects in Toms River and Barnegat.

The nine apartment buildings, main office, maintenance garage and outdoor recreational space would be on the 12-acre parcel, said Joe Del Duca, an attorney for the Walters Group. The 15-acre parcel might be developed as commercial space in the future.

Most of the housing will be reserved for families and individuals who make 50 to 80 percent of the median income in Monmouth and Ocean counties, Del Duca said. A small portion will be for families who make slightly less, he said.

An individual making below \$51,630, which is 80 percent of the median income, would be eligible to rent at the complex. For a family of four, that figure would be \$73,360.

Rent will be controlled and based on income, but not subsidized completely like Section 8 housing, he said.

"The basic idea behind this is that working class people who are struggling to find housing in New Jersey should be able to pay 30 percent of their income toward housing costs," he said.



BUILDING 'A' - FRONT ELEVATION



BUILDING 'B' - FRONT ELEVATION

A rendering of the buildings at Howell Family Apartments. (Photo: The Walters Group)

But the project isn't so cut-and-dry, Howell Mayor William Gotto said. The development is a crucial part of the town's affordable housing plan it – and all other towns in the state – have recently been required to generate. And it's upsetting residents.

Residents have voiced concerns about the project on several Facebook groups. A petition with more than 500 signatures is also circulating, according to Howell resident Charles O'Donnell, who is managing the paper petition.

Some say the process hasn't been transparent, and others are concerned that all the town's affordable housing is unfairly piled on the north side of town.

By law, municipalities have to have certain amounts of low- and medium-income housing based on population.

Under a court ruling, a municipality is required to submit a plan that identifies specific locations where such housing is viable and that proves to the assigned judge that the town is making an effort to get projects moving.

This project would fulfill about 20 percent of the mandated affordable housing units.

"(Affordable housing) isn't going to happen overnight," said Gary Forshner, an attorney who practices real estate and land use law with Stark & Stark, a New Jersey law firm. "What the Supreme Court has done is develop a process where municipalities and developers know their obligations and opportunities now."

Judges will decide by Dec. 8 whether the plans are viable, Forshner said. If a plan isn't approved, towns will be open to "builders' remedy" lawsuits, which means if a developer with land sues and wins, they can build in a town with little oversight.

Forshner said in that scenario, most housing would probably be inclusionary, meaning about 20 percent would be affordable. Towns could end up with more developments than they want.

Gotto said it's best to get ahead so the town can have more control over where the developments go. If the town gets sued, it would have little control over the scope of the project or where it goes, he said.

On Monday, a public hearing on whether to rezone the property for affordable housing will be held at the Township Council meeting. According to Facebook posts, residents are expected to show up in large numbers to speak against the project.

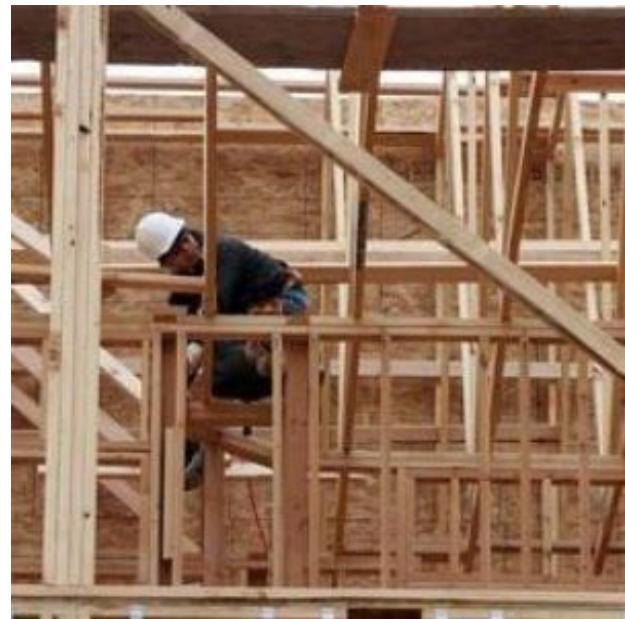
If approved by the council and then the Planning Board at the end of the month, the project would still be contingent on \$12.2 million in Sandy recovery funds the company has applied for. Two public hearings — one on the subdivision and one on the plan proposal — will be held at the Oct. 29 Planning Board meeting.

The Sandy money, a long-term, low-interest loan, is part of the Restoration of Multi-Family Housing Program, Del Duca said.

The rest of the money for the project is \$6.4 million in federal Low-Income Housing Tax Credits that have already been committed to the development, Del Duca said.

Del Duca said the project will be regulated because it's funded with public dollars.

"The state comes down every year and inspects everything you do," he said. "Every tenant you bring in is reviewed and approved by the state. Our company does independent reviews, credit checks and criminal background checks. Then a third-party company we hire and the state will do the same."



The town and the developer have also agreed that the project would be exempt from property taxes under the Payment In Lieu Of Taxes program, which is set up by state statute.

Instead, the developer will pay about 8 percent of the income it earns from the project.

Gotto said PILOT payments are usually 3 to 5 percent.

"It's a fine balance between wanting them to come in and put the development in an area that makes sense, but you don't want to hamstring yourself financially," he said. "If you push too hard, the developer will go to another town."

The Township Council meeting will be held at 7:30 p.m. Monday in the municipal building's main meeting room, 4567 Route 9 North, Howell.

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