

# **2022 AFFORDABLE HOUSING ANNUAL MONITORING REPORT**

## **Borough of West Cape May Cape May County, New Jersey**

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Prepared By:



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## **WEST CAPE MAY, CAPE MAY COUNTY 2022 ANNUAL MONITORING REPORT**

The purpose of this report is to outline the status of affordable housing projects as well as to account for housing trust fund activity. West Cape May executed a Settlement Agreement with Fair Share Housing Center (“FSHC”) on March 28, 2018 (hereinafter “2018 FSHC Settlement Agreement”), which was approved at a properly noticed Fairness Hearing on May 23, 2018, and was later memorialized by a Court Order entered on June 15, 2018. The Borough subsequently adopted a Housing Element and Fair Share Plan (“HEFSP”) to implement the 2018 FSHC Settlement Agreement, which was approved at a properly noticed Compliance Hearing on August 28, 2018. The Court entered a conditional Judgment of Compliance and Repose Order on August 31, 2018 (“JOR Order”), and after all conditions were satisfied, entered a second order on November 18, 2018, which finalized the JOR Order. Pursuant to the Court-approved 2018 FSHC Settlement Agreement, the Borough needs to provide monitoring reports on the status of all affordable housing activity within the municipality. The following constitutes the Borough’s 2022 report.

Pursuant to the 2018 FSHC Settlement Agreement and the Borough’s HEFSP, West Cape May’s Affordable Housing Obligation is as follows:

- Rehabilitation Obligation: 2
- Prior Round Obligation (1987-1999): 7
- Third Round Obligation (1999-2025): 50
- Third Round Realistic Development Potential or RDP: 10
- Third Round Unmet Need: 40

### **TRUST FUND MONITORING**

West Cape May’s most recent Spending Plan was approved by the Court on August 31, 2018 and covers revenues and expenditures through July 18, 2018. Since then, the Borough has received approximately \$324,835.25 in development fees and \$1,406 in interest, spent approximately \$78,581.02 in administrative fees, and has made no expenditures pertaining to affordability assistance, barrier free conversions, or other housing activity. As of December 31, 2021, the Borough has a total of \$864,365.04 in the affordable housing trust fund account.

**PRIOR AND THIRD ROUND MONITORING**

West Cape May, Cape May County Annual Project Form 7/13/2020 - Present						
<b>Site/Program Name:</b>	<b>Cape Manor House</b>			<b>Accessory Apartment Program</b>		
<b>Affordable Housing Round:</b>	Prior and Third Round			Third Round		
<b>Project Type:</b>	Supportive Shared Living Facility			Accessory Apartment Program		
<b>Block &amp; Lot</b>	B52 L62.02			B37 L 6; B6 L 1		
<b>Street:</b>	339 Fifth Avenue			301 N Broadway; 307 5 <sup>th</sup> Avenue		
<b>Status:</b>	Completed and occupied			2 out of 4 are completed and occupied		
<b>Date:</b>	10/18/2010					
<b>Length of Controls:</b>	30 years			Occupied prior to 2018: 15 years Occupied after 2018: 10 years		
<b>Administrative Agent:</b>	Collaborative Support Programs of NJ 11 Spring Street Freehold, NJ 07728 Hhttps://cspnj.org 732-780-1175			Leigh Fleming Heyer Gruel & Associates 236 Broad Street Red Bank, NJ 07701 adminagent@hgapa.com 732-741-2900		
<b>Contribution (PIL):</b>	N/A			N/A		
<b>Type of Units:</b>	Supportive/Special Needs			Family Rental		
<b>Total Affordable Units:</b>	7			4		
<b>Income/Bedroom Distribution:</b>	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR
<b>Very Low Income</b>	7			-	-	1
<b>Low Income</b>	-			-	1	-
<b>Moderate Income</b>	-			-	-	-
<b>Notes:</b>	Four bedrooms are allocated to the Prior Round, and three are allocated to the Third Round.			Two out of the four accessory apartments are completed and occupied. See attachment for complete details.		

## **THIRD ROUND UNMET NEED MECHANISMS**

### **Existing Inclusionary Zoning**

As part the Borough's Third Round compliance, the Borough adopted an ordinance on October 18, 2018 to modify the C-1, C-2 and C-3 zones to 1) require affordable housing set-asides of twenty percent (20%) for for-sale units and fifteen percent (15%) for rental units in all projects that produce five (5) or more residential units regardless of the height of the buildings involved; 2) not allow buildings taller than 35 feet while retaining the three-story limit; 3) require that all residential affordable housing projects provide thirteen percent (13%) very-low-income units, thirty-seven percent (37%) low-income units and fifty percent (50%) moderate-income units; and 4) require that all affordable units comply with Uniform Housing Affordability Controls ("UHAC") bedroom distribution requirements.

No new units have been approved or created under this mechanism at this time.

### **Accessory Apartments**

Per the Borough's JOR Order, after the two additional accessory units that are part of the Third Round are completed, any additional accessory apartment units created will apply to unmet need.

No additional units have been approved or created under this mechanism at this time.

### **Mandatory Set-Aside Ordinance**

The Borough adopted a Borough-wide Mandatory Set-Aside Ordinance ("MSO") on October 10, 2018 that requires that any site that benefits from a rezoning, variance or redevelopment plan approved by the Borough or one of its boards that results in a multi-family residential development of five (5) or more units to produce affordable housing at a set-aside of fifteen percent (15%) for rental projects and twenty percent (20%) for for-sale projects.

No new units have been approved or created under this mechanism at this time.

**REHABILITATION PROGRAM MONITORING**

The Borough of West Cape May has a Rehabilitation Share / Present Need obligation of 2 units, which was fully satisfied as of the date the Borough received its final JOR. In addition, the Brough has 11 “surplus” credits which it may use towards its Fourth Round Rehabilitation Obligation if allowed by then existing law, as stated in the 2018 Housing Element and Fair Share Plan.

**VERY LOW-INCOME REPORTING**

<b>Very Low-Income Breakdown Analysis – West Cape May Affordable Housing</b>				
<b>Development</b>	<b># OF TOTAL AH UNITS <u>POST 2008</u></b>	<b>VL</b>	<b>Low</b>	<b>Mod</b>
<b>Constructed</b>				
Collaborative Supportive Programs of NJ	7	7	-	-
Accessory Apartment 307 5 <sup>th</sup> Avenue (3BR)	1	1	-	-
<b>CONSTRUCTED TOTALS</b>	<b>8</b>	<b>8</b>	-	-

Council on Affordable Housing  
Unit Information - Rehabilitation  
WEST CAPE MAY BORO, CAPE MAY

Project Name: West Cape May Small Cities Rehab Program -- Project ID : 13714

Unit Address	Blk/Lot/ Qual/Unit	Final Inspection Date	Funds Expended on Hard Costs	Develop- ment Fees Expended	Funds Re- Captured	Effect. Date of Affordability Controls	Per- petual Lien	Length of Afford- ability Controls	Date Afford- ability Controls Removed	Completed /Credit worthy	Major System Repaired	Unit Categories	Unit Flags
108 Second Avenue	B: 34-; L: 12-; Q: ; Unit:	04/24/14	\$17,295.00	\$0.00	\$0.00	01/30/14	Y	0		1/1	Plumbing/Wells Roof Weatherization (Insulation, Siding, Windows/Door)	Low Income Sale	Raised to Code
115 Third Avenue	B: 36-; L: 8-; Q: ; Unit:	11/25/13	\$22,175.00	\$0.00	\$0.00	08/14/13	Y	0		1/1	Heating Plumbing/Wells Weatherization (Insulation, Siding, Windows/Door)	Moderate Income Sale	Raised to Code
12 Willow Avenue	B: 21-; L: 28-; Q: ; Unit:	11/25/13	\$25,000.00	\$0.00	\$0.00	08/01/13	Y	0		1/1	Electrical Plumbing/Wells Sanitary/Septic/S ewer Hookup Weatherization (Insulation, Siding, Windows/Door)	Moderate Income Sale	Raised to Code
121 Sixth Avenue	B: 54-; L: 10-; Q: ; Unit:	04/24/14	\$13,010.00	\$0.00	\$0.00	02/20/14	Y	0		1/1	Electrical Heating Loading Bearing System Weatherization (Insulation, Siding, Windows/Door)	Moderate Income Sale	Raised to Code

Council on Affordable Housing  
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127 Goldbeaten Alley	B: 35-; L: 11-; Q: ; Unit:	02/12/16	\$8,645.00	\$0.00	\$0.00	02/12/16	Y	0		1/1	Plumbing/Wells	Low Income Sale	
132 Pearl	B: 5-; L: 13-; Q: ; Unit:	03/22/13	\$17,508.00	\$0.00	\$0.00	12/14/13	Y	0		1/1	Electrical Plumbing/Wells Roof Weatherization (Insulation, Siding, Windows/Door)	Sale Very Low Income - 30%	Raised to Code
132 York	B: 4-; L: 12-; Q: ; Unit:	08/02/13	\$21,848.00	\$0.00	\$0.00	05/29/13	Y	0		1/1	Electrical Plumbing/Wells Roof Weatherization (Insulation, Siding, Windows/Door)	Moderate Income Sale	Raised to Code
137 Stimpson	B: 0-; L: 0-; Q: ; Unit:	09/20/16	\$23,420.00	\$0.00	\$0.00	09/20/16	Y	0		1/1	Sanitary/Septic/S ewer Hookup	Moderate Income Sale	
140 York Avenue	B: 4-; L: 10-; Q: ; Unit:	08/02/13	\$18,000.00	\$0.00	\$0.00		Y	0		1/1	Loading Bearing System Plumbing/Wells Roof	Sale Very Low Income - 30%	Raised to Code

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140 York Avenue	B: 4-; L: 10-; Q: ; Unit:	11/25/15	\$21,260.00	\$0.00	\$0.00	05/03/16	Y	0		1/1	Weatherization (Insulation, Siding, Windows/Door)	Moderate Income  Sale	
207 Stevens Street	B: 69-; L: 3-; Q: ; Unit:	06/19/01	\$0.00	\$0.00	\$0.00	06/19/01	N	5	06/19/06	1/1		Sale	
216 3rd Avenue	B: 39-10; L: 0-; Q: ; Unit:	09/17/15	\$23,783.00	\$0.00	\$0.00	10/09/15	Y	0		1/1	Electrical	Moderate Income  Sale	
226 Sixth Avenue	B: 52-; L: 29-; Q: ; Unit:	04/06/01	\$0.00	\$0.00	\$0.00	04/06/01	N	5	04/06/06	1/1		Sale	
298 Sixth	B: 52-; L: 11-; Q: ; Unit:	09/20/13	\$11,765.00	\$0.00	\$0.00	04/20/13	Y	0		1/1	Electrical  Heating  Weatherization (Insulation, Siding, Windows/Door)	Moderate Income  Sale	Raised to Code
312 Sixth Avenue	B: 52-; L: 3-; Q: ; Unit:	06/25/13	\$9,400.00	\$0.00	\$0.00	12/14/12	Y	0		1/1	Roof	Sale  Very Low Income - 30%	Raised to Code
314 Sixth	B: 52-; L: 2-; Q: ; Unit:	02/17/17	\$23,360.00	\$0.00	\$0.00	02/17/17	Y	0		1/1	Roof	Moderate Income  Sale	



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406 Pacific	B: 41-; L: 10-; Q: ; Unit:	12/12/12	\$11,235.00	\$0.00	\$0.00	11/15/12	Y	0		1/1	Plumbing/Wells Roof Weatherization (Insulation, Siding, Windows/Door)	Low Income Sale	Raised to Code
409 Pacific Avenue	B: 37-; L: 7-; Q: ; Unit:	09/27/13	\$22,450.00	\$0.00	\$0.00	05/29/13	Y	0		1/1	Loading Bearing System Roof Weatherization (Insulation, Siding, Windows/Door)	Low Income Sale	Raised to Code
421 4th Street	B: 47-; L: 5-; Q: ; Unit:	02/02/16	\$20,355.00	\$0.00	\$0.00	05/02/16	Y	0		1/1	Roof	Moderate Income Sale	
<b>Total Units</b>			<b>Total Hard Costs</b>	<b>Total Development Fees Expended</b>	<b>Total Funds Recaptured</b>					<b>Total Completed/ Credit Worthy</b>			
19			\$310,509.00	\$0.00	\$0.00					19 / 19			

Council on Affordable Housing  
 Unit Information - New Construction  
 WEST CAPE MAY BORO, CAPE MAY

Project Name: Accessory Apartment Program -- Project ID: 13717

Unit Address	Blk/Lot/ Qual/Unit	Building Permit Complete Date	C.O. Num/ Date	Initial Sale or Retail Sale	% of Afford- ability	Municipal Subsidy	Effect. Date of Afford- ability Controls	Sale/ Transfer Date	Per- Petual Flag	Length of Afford- ability Controls	Date Afford- ability Controls Removed	Completed/ Credit worthy	Unit Categories	Unit Flags
301 North Broadway	B: 37-; L: 6-; Q: ; Unit: 1			\$805.00	50%	\$25,000.00	10/10/11		N	15		1/1	Moderate Income  Rental  2 Bedroom  Family	
307 5th Avenue	B: 6-; L: 1-; Q: ; Unit: 1			\$303.00	30%	\$75,000.00	02/23/11		N	15		1/1	Rental  Very Low Income - 30%  3 Bedroom  Family	

Council on Affordable Housing  
 Unit Information - New Construction  
 WEST CAPE MAY BORO,CAPE MAY

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Unit Address	Blk/Lot/ Qual/Unit	Building Permit Complete Date	C.O. Num/ Date	Initial Sale or Retail Sale	% of Afford- ability	Municipal Subsidy	Effect. Date of Afford- ability Controls	Sale/ Transfer Date	Per- Petual Flag	Length of Afford- ability Controls	Date Afford- ability Controls Removed	Completed/ Credit worthy	Unit Categories	Unit Flags
					Total Avg % Afford- ability	Total Municipal Subsidy						Total Completed/ Credit Worthy		
					40%	\$100,000.00						2 / 2		