



N.J. Assembly approves bill abolishing Council on Affordable Housing

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Matt Friedman/Statehouse Bureau

(Note from Scott: [Click here](#) (pdf) to download an approximation of how this will affect Highlands municipalities, courtesy of [Elliott Ruga at the NJ Highlands Coalition](#). The first 3 columns are from Assemblyman Green's committee, who put together A3447, which passed the Assembly Monday. Elliott added the last column from the Highlands Council's Module 3 data for each Highlands municipality.)

TRENTON — The state Assembly has passed a controversial bill that would abolish the Council on Affordable Housing, but neither Republicans nor affordable housing advocates are happy with it.

The bill ([S1](#)), which passed 43-32, would require towns with less than 20 percent of their children eligible for free or reduced lunch to ensure that one-tenth of their housing stock is for low and moderate-income families. Towns where between 20 and 50 percent of children are eligible for free or reduced lunch would have to make 8 percent of their units affordable. The state's 71 towns with more than 50 percent of kids receiving free or reduced lunch would be exempt.

The bill does away with a 2.5 percent commercial development fee to pay for affordable housing, but includes a 1.5 percent fee for residential developments that do not include low-income housing.

“Just six months ago, basically the governor made it very clear: I want to see something on my desk,” said Assembly Housing Committee chairman Jerry Green (D-Union), the bill's sponsor. “Well, I'm confident today we can put something on his desk that not only reflects the state of New Jersey, but also reflects how the people of New Jersey feel about this particular issue.”

Green said it was the most the Legislature could do to reform the state's affordable housing law without running afoul of court decisions. In decisions written in the 1970s and 1980s, the state Supreme Court ruled that the state constitution obligates towns to include housing for low and moderate-income residents.

Republicans said the bill errs in setting any quotas for towns and allows developers to make use of “density bonuses” to built hundreds of units while only including a few affordable houses.

“Quotas cannot be in this legislation. I am convinced that the governor will not sign quotas, and I’m convinced it’s not in the best interests of this state,” said Assemblyman Jon Bramnick (R-Union).

Michael Drewniak, a spokesman for Gov. Chris Christie, said he supported an earlier version of the bill but not the one that just passed.

“The bill eliminating COAH that was passed in the Senate months ago. The governor cannot support Assembly bill in its current form with its host of last-minute amendments,” said Drewniak.

To reach the governor's desk, the modified bill would have to pass the Senate.

Kevin Walsh of the Fair Share Housing Center said he opposes the bill because it drastically reduces the number of affordable housing units towns need to create.

“It reduces statewide obligations going forward by 71 percent,” he said. “At a time when the housing needs in the state are at their greatest, this bill will require municipalities to do less than since the 1970s.”

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