



WEST WINDSOR TOWNSHIP

HEMANT MARATHE, Ph.D.
MAYOR

Affordable Housing Comments by Mayor Hemant Marathe at Council Meeting on Jan. 27th, 2025

Before I speak about our response to DCA provided number for required affordable housing units in West Windsor during round 4, I would like to talk a little bit about affordable housing.

There is nothing new I will say today. I have been saying this for the last several years but it bears repeating. The affordable housing requirement started under Mount Laurel because certain townships were trying to restrict people from living there.

West Windsor has never done that since I started paying attention to the issue, both under mayor Hsueh or definitely not since I became mayor in 2017. West Windsor is one of the most progressive towns as far as offering affordable housing is concerned.

- Until now we have not allowed any exclusionary housing insisting that the affordable units be dispersed throughout the development. With ever increasing requirements even the most ardent supporters of this approach have told me privately it's time to rethink.
- We insist that the developer provide the same amenities to people living in affordable housing that they provide for market rate units. I have seen the Planning Board spend significant time during the approval process to make sure the affordable unit residents are not treated unfairly.
- West Windsor has never slowed construction of affordable units. In fact, during round 3, we were one of the few townships which had engineered plans for each of our approved developments before we went to court. Almost every development approved under Plan 3, except one, has started construction and some have finished construction. You can compare it to surrounding towns where in

certain cases they won't even break ground for another year. No foot dragging in West Windsor.

As the saying goes, "No good deed goes unpunished", in spite of being very progressive West Windsor has received the short end of the stick during round 3 and probably in earlier rounds as well. This round my approach is to do what's good for West Windsor residents while providing our share of affordable housing units to make it possible for people to move in town.

The best affordable housing policy is to reduce the cost of living in New Jersey, making it affordable for everyone. One of the most important components of it is to rethink how the state funds public education. However, that is heavy lifting and legislature would rather find an easy way out. Therefore, they passed an affordable housing legislation Assembly Bill 4 commonly known as A4.

A4 required Division of Community Affairs (DCA) to come up with numbers for each town based on 3 factors, land capacity factor or available land, equalized residential valuation factor and income capacity factor. Each of the three factors have equal weight which makes no sense to me.

The DCA did an analysis of these factors and came up with a prospective need number of 661 and present need number of 61 units for West Windsor This is one of the highest numbers in the state and puts West Windsor among top 20 towns in New Jersey.

When our planner and assessor analyzed the number, we found a number of errors in DCA calculations.

We have an excellent assessor who found an error in equalized nonresidential valuation factor which reduced our ratio from 4.42 to 3.78%.

It's getting in the weeds but, she also points out that this factor affects West Windsor negatively since Mercer County is lumped in the same group with Monmouth county. Monmouth county does an annualized reassessment which keeps their ratios very high. We don't know how DCA adjusted for that while calculating "Share of Region Non Equalized Valuation Change."

The biggest error was in the land capacity factor. The DCA calculated weighted developable land area at 777.862 acres. A large part of this was the Atlantic Realty or Bridgepoint 8 warehouse site as they considered that as available for development. After adjusting for that and a few other sites, we calculated our actual developable land area as 177.521 acres.

This significant change from 777.862 acres to 177.521 acres had an enormous impact on our affordable housing number. For the past several years we've been having a debate about what will happen if we had not agreed to let Atlantic Realty lease the land for warehouses. The proof is in these numbers where our developable land would have been closer to DCA's 777 acres and required number of units closer to 661.

During the last round we had an upper hand since the land was not zoned for housing. If we didn't have the foresight to lock up that land before round 4, we would have certainly been forced to rezone it for housing during current round. Then it's anyone's guess how many homes the developer would have proposed putting on the property. It would have been much harder fighting that battle.

Given that our ratio of affordable housing to market rate is 1 to 3 (25% affordable units), the 661 units proposed by DCA would have meant a total of 2644 new units in West Windsor. This is in addition to all the construction that is already ongoing in town.

With the two corrections to the DCA number we believe our obligation for affordable housing under the A4 legislation is 392 units, a reduction of over 40%. As relieved as I am with this reduction, this still puts us among top 50 in the state.

I am requesting the Council to adopt a resolution today to state our obligation for affordable housing units is 392. This is a requirement under the A4 legislation. Once the Council adopts the resolution our attorney will petition the court to give us immunity from builder's remedy lawsuits which is essential to control our own destiny.

However, we are not finished. As the resolution states, the Township retains the right to conduct a Vacant Land Adjustment (VLA) to determine our realistic development potential at a later date. We believe that analysis may

show our number to be lower than the 392 number the Council will adopt today.

Since becoming mayor in 2017, I have maintained that I was getting ready for the 4th round of affordable housing which started this year. This meant I had to make several hard decisions to engage land before the round started. I have faced criticism from several people - some genuine, some political - for the decisions I have made. Those decisions allowed us to reduce our obligation from 661 to 392 which will result in reduction in total new housing from 2644 to 1568 - a reduction of over 1000 residences. I am hoping that the Vacant Land Adjustment will make the number even lower.

I want to thank everyone who supported and stood by me while I made those hard decisions, both Council members and residents who told me they understood why I was making the choices I was making.

We are certain to face court challenges to our decision as it's very easy to sell houses in West Windsor at great profit. We are the favorite target for developers. I will continue to do what is right and moral for both existing residents and people looking to move in town.

I will be happy to answer any questions Council members & residents may have.