

An aerial photograph of Baltimore, Maryland, showing the harbor, city buildings, and a large modern building with a glass facade in the foreground. The image is partially obscured by a dark blue diagonal overlay on the left side.

**ICMA**  
conference

**BALTIMORE**  
104th Annual Conference  
SEPTEMBER 23-26 **2018**

# Affordable Housing: The What and the How

Anthony P. Mercantante, P.P. AICP  
Middletown Township Administrator  
ICMA Conference Presenter

**#ICMA2018**



# Affordable Housing: The What and the How

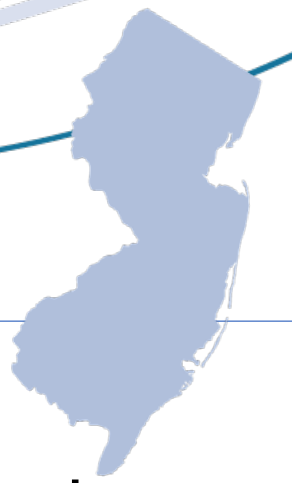
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**AFFORDABLE HOUSING AND THE NEW JERSEY EXPERIENCE**

Anthony P. Mercantante, P.P. AICP – Middletown Township Administrator

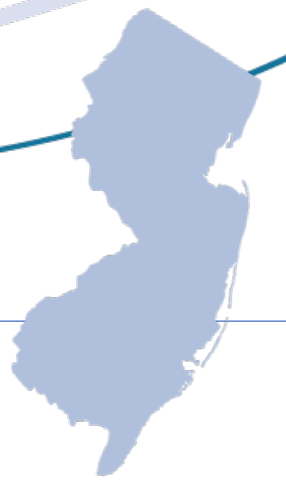
# Objectives

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- Briefly review the Mount Laurel Decision and how it affects municipalities in New Jersey and their ability to provide affordable housing.
- Understand the target populations municipalities need to serve.
- Discuss different avenues for partnerships in the development of affordable housing.
- Explore various methods of creating affordable housing and the various housing types.
- Review samples of projects completed in Middletown, New Jersey.

# Mount Laurel Decision



- **67 N.J. 151 (1975); 336 A.2d 713**
- **The Supreme Court of New Jersey**
- SOUTHERN BURLINGTON COUNTY N.A.A.C.P., CAMDEN COUNTY C.O.R.E., CAMDEN COUNTY N.A.A.C.P., GLADYS CLARK, BETTY WEAL AND ANGEL PEREZ, PLAINTIFFS-RESPONDENTS AND CROSS-APPELLANTS, AND ETHEL LAWRENCE, THOMASINE LAWRENCE, CATHERINE STILL, MARY E. SMITH, SHIRLEY MORRIS AND JACQUELINE CUSTIS, PLAINTIFFS-RESPONDENTS, v. TOWNSHIP OF MOUNT LAUREL, DEFENDANT-APPELLANT AND CROSS-RESPONDENT.
- January 8, 1974 – Argued  
March 24, 1975 – Decided
- <https://law.justia.com/cases/new-jersey/supreme-court/1975/67-n-j-151-0.html>

# Mount Laurel Doctrine - *Wikipedia*

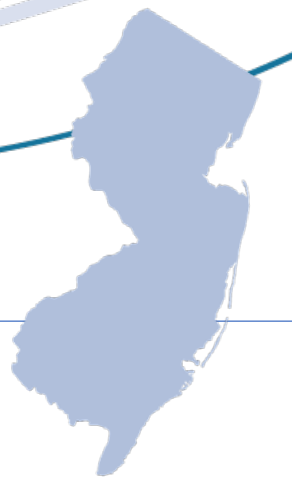
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The Mount Laurel doctrine is a controversial judicial interpretation of the New Jersey State Constitution. The doctrine requires that municipalities use their zoning powers in an affirmative manner to provide a realistic opportunity for the production of housing affordable to low and moderate income households.

The doctrine takes its name from the lead case in which it was first pronounced by the New Jersey Supreme Court in 1975: *Southern Burlington County N.A.A.C.P. v. Mount Laurel Township* (commonly called Mount Laurel I), in which the plaintiffs challenged the zoning ordinance of Mount Laurel Township, New Jersey, on the grounds that it operated to exclude low and moderate income persons from obtaining housing in the municipality.

# Mount Laurel Result

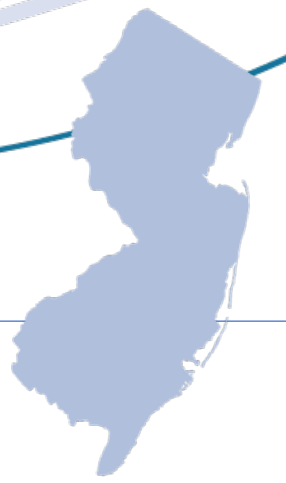
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- Decades of non-stop litigation.
- The development of approximately 60,000 affordable housing units.
- A projected need for still more affordable housing units through 2025; estimated between 64,844 and 284,974 units.
- Turned public school students into Public Enemy #1.
- The full employment act for certain lawyers and planners.

# Know Your Target Population

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Who are you looking to serve with affordable housing opportunities?

- The Poor - [Less than 50% Of Area Median Income](#)
- Low Income Households - [50-80% of Area Median Income](#)
- Moderate Income Households - [80-120% Of Area Median Income](#)

What about creditworthiness?

Who will finance?

Must your target population be employed?

# Home for More Than

New Jersey Ranks #1 for Millennials  
August 23, 2018

## "Mom? Dad? I'm Home:"

The list of population segments over  
Jersey appears to grow year after year  
senior citizens, limited income families  
difficult to live in the State.

New Jersey **ranks #1** for young adults  
living at home according to research  
Comet Financial Intelligence.

The *From Relatives to Roommates* study  
Millennials find themselves living at home  
closely by California and New York.

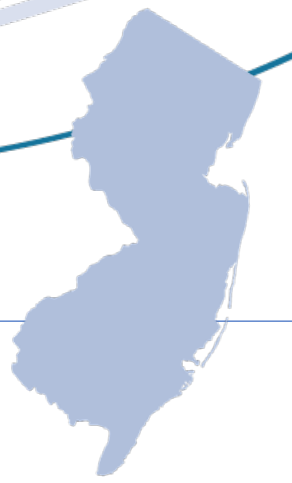
Source: <http://fairpropertytaxesforall.com>





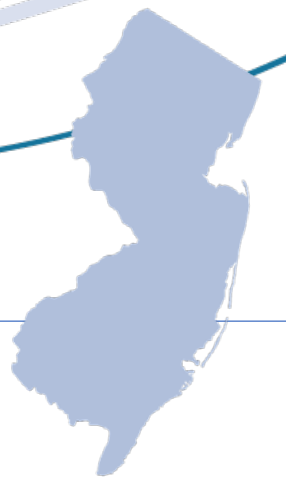
# Who Can You Partner With?

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- Traditional Banks
- Large Project Non-Profit Affordable Housing Developers
- Small Project Affordable Housing Developers
- Public Housing Authorities
- Community Land Trusts

# Methods of Creating Affordable Housing



- Inclusionary Zoning
  - For Sale Housing
  - Rental Housing
- 100% Affordable Housing
  - Low Income Housing Tax Credits
  - In Lieu of Inclusionary Zoning
  - Direct Municipal Subsidy
- Senior Citizen Housing
- Scattered Site Housing
- Accessory Apartments
- Special Needs Housing
  - Group Homes
- Housing Rehabilitation
  - Gut Rehabs
  - Regional Contribution Agreements

What about Affordability Controls?

Who will manage affordable units?

Look for creative solutions.

# Contact Information

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