

AFFORDABLE HOUSING

THIRD ROUND MIDPOINT REVIEW

PREPARED FOR:

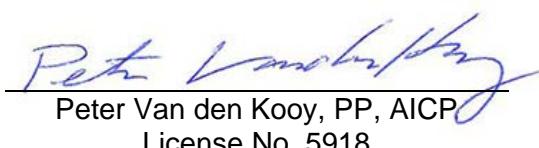
Borough of Red Bank
Monmouth County, New Jersey

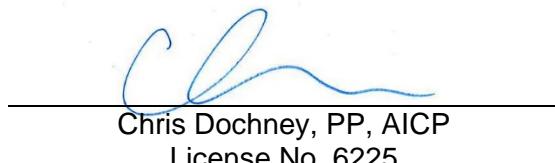
June 30, 2020

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Affordable Housing Midpoint Review Report

Borough of Red Bank, Monmouth County, New Jersey

CME Associates (“CME”) is pleased to provide this mid-point review report for the Borough of Red Bank outlining the progress made by Red Bank since the adoption of the Housing Plan Element and Fair Share Plan by the Planning Board in April of 2019. This report should serve to satisfy one of the major requirements of the Borough’s affordable housing compliance reporting in the Third Round (1999-2025).

Purpose

The Borough of Red Bank’s Settlement Agreement with Fair Share Housing Center (“FSHC”) requires that the Borough comply with the statutory midpoint review requirements of the Fair Housing Act (“FHA”) and specifically N.J.S.A. 52:27D-313, which provides in relevant part: “[t]he Council shall establish procedures for a realistic opportunity review at the midpoint of the certification period and shall provide for notice to the public.” Pursuant to the FSHC Settlement Agreement, that review requires the Borough to post on its website, with a copy to FSHC, and an opportunity for comment, a status report regarding its compliance mechanisms and whether or not unbuilt sites/unfulfilled non-deferred mechanisms continue to present a realistic opportunity.

Relevant Background

Red Bank Borough’s Settlement Agreement with Fair Share Housing Center was signed by the by the Borough on January 23, 2019, and amended on March 13, 2019. Subsequently, the Borough received a final Judgment of Compliance and Repose on September 9, 2019. A summary of the status and realistic opportunity provided by the various mechanisms included within the Borough’s compliance plan is included below.

Status and Realistic Opportunity Review

The status of each project and mechanism included within the Borough’s compliance plan is included within the attached forms (Exhibits A-E), as provided by FSHC. As the realistic opportunity standard applies to all mechanisms for non-adjustment municipalities and RDP/non-deferred mechanisms for Vacant Land/Durational Adjustment municipalities, a realistic opportunity review has been provided for the mechanisms within its compliance plan.

Trust Fund Monitoring:

As of March 2020, the Borough had a sum of \$332,222.00 in the Affordable Housing Trust Fund, available to fund affordable housing programs. Since January of 2019, approximately \$20,000.00



had been spent on administrative fees for attorneys, planners, and the Borough's administrative agent for services related to the implementation of the various mechanisms in the compliance plan.

Rehabilitation Monitoring:

The Borough has started their own municipal rental and owner occupied rehabilitation program, and continues participation in the Monmouth County Home Improvement Program. The Borough's program was delayed in its establishment due in part to personnel changes and retirements in the Borough, and is behind schedule according to the Housing Plan Element. To date 3 homes have been identified by the administrative agent and will soon be rehabilitated through the municipal program, and one home has been rehabilitated by the County program, since the adoption of the Housing Plan Element by the Planning Board. The Borough continues to work diligently to pursue rehabilitation opportunities in fulfillment of their obligation.

Prior Round and Third Round Monitoring:

The Borough has satisfied its Prior Round obligation, and its Vacant Land Adjustment Realistic Development Potential (RDP) obligations. The following projects listed in the Housing Plan Element and Fair Share Plan to address the Third Round need and RDP have been commenced but have not yet been completed:

- Popkin (under construction)
- Denholtz/The Rail (under construction)
- Tudor Village (approved)
- Riverwalk Commons (under construction)
- Fortune Square (recently received C/O)
- Brownstone/Yellowbrook (under construction)
- VNA Redevelopment (approved)
- Azalea Gardens (approved)

The Borough has adopted a sliding scale inclusionary ordinance that requires affordable housing on all multi-family projects in the Borough. Since the adoption of the ordinance, several new projects have been proposed, that if approved would provide additional affordable units that were not identified in the Housing Plan Element. If each of these projects are approved, it would provide the Borough with up to 50 additional affordable units.

Very Low Income Monitoring:

Very Low income status monitoring is not due until 30 days after the third anniversary of the signing of the settlement agreement, which will be in January of 2022.



Conclusion

The Borough is on track to satisfy its affordable housing obligations as determined by the settlement agreement, the final judgment of compliance and repose, and as outlined in the adopted Housing Plan Element and Fair Share Plan that was approved by the court.

Red Bank is behind on the anticipated pace for satisfying their rehabilitation obligation, due to delays in launching the program, but has been making progress and expects to meet their obligations by the end of the Third Round in 2025 through the planned rehabilitation of additional units going forward.

Progress is being made on several projects throughout the Borough, including the VNA Redevelopment Area, and several new projects, which will require an affordable housing set aside due to the adoption of the new sliding scale inclusionary ordinance.

Comments

Any interested party is invited to submit comments to the Borough of Red Bank with a copy to Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity for the development of affordable housing, and should be replaced. Comments may be directed to the Borough Clerk with a copy to Fair Share Housing Center.

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EXHIBITS:

Affordable Housing Trust Fund Monitoring

Rehabilitation Monitoring

Prior Round and Third Round Monitoring

Very Low Income Monitoring

Affordable Housing Questions

EXHIBIT A:
AFFORDABLE HOUSING TRUST FUND MONITORING

1. GENERAL INFORMATION AND TRUST FUND MONITORING

MUNICIPALITY NAME:	Red Bank Borough
COUNTY:	Monmouth County
Date through which funds reported:	Mar-20
Name of person filling out form and affiliation/role:	CME Associates - Affordable Housing Planner
Date of filling out form:	24-Jun-20
Email:	cdochney@cmeusa1.com
Municipal Housing Liaison for municipality:	Ziad Shehady
Email:	zshehady@redbanknj.org
Income Limits Year Being Used by Municipality*:	2018

(Note: Date in Approved Spending Plan = date through which revenues/expenditures are shown in the approved spending plan; if no approved spending plan, show revenues/expenditures through June 30, 2015 in Column B and beginning July 1, 2015 in Column C.)

TRUST FUND INFORMATION

	Inception - December 31, 2018	January 2019 - March 2020	Total
REVENUE SUMMARY			
Barrier Free Escrow			\$0
Development Fees	\$	123,823	\$123,823
Interest Earned			\$0
Other Income			\$0
Payments-in-Lieu of Construction			\$0
TOTAL	\$ 208,400	\$ 123,823	\$332,222

EXPENDITURE SUMMARY			
Administration**	\$	20,233	\$20,233
Affordability Assistance***			\$0
Very Low-Income Affordability Assistance			\$0
Barrier Free Conversions			\$0
Housing Activity			\$0
TOTAL	\$ -	\$ 20,233	\$20,233

ADMINISTRATION: Date in Approved Spending Plan to Present

Name	List types of administrative expenses	Amount
	Attorney fees	\$7,271.49
	Court master fees	\$4,962.00
	Admin Agent fees	\$8,000.00
TOTAL		\$20,233

AFFORDABILITY ASSISTANCE: Date in Approved Spending Plan to Present

Name	List affordability assistance projects and programs	Amount
TOTAL		\$0

HOUSING ACTIVITY: Date in Approved Spending Plan to Present

Type of Housing Activity	Specific Site or Program	Amount
TOTAL		\$0

Comments:

EXHIBIT B:
REHABILITATION MONITORING

2. REHABILITATION

Total Third Round rehabilitation obligation	129
Rehabilitation program administrator(s) with email, phone number, and address: (if multiple rehab programs list administrator for each)	Red Bank Affordable Housing Corporation (RBAHC)
Period of time covered Only completed rehabs since either the adoption of the Housing Element and Fair Share Plan or the previous annual report should be included on this sheet:	May 2019 - June 2020

Please list below all units rehabilitated towards the municipality's Third Round rehabilitation obligation

Comments

*=further information to be provided when available

EXHIBIT C:
PRIOR ROUND AND THIRD ROUND MONITORING

3. PRIOR AND THIRD ROUND MONITORING

Site / Program Name:	Locust Landing	MW at Red Bank / Westside Lofts	Popkin	Denholtz / The Rail	Oakland Square / RB Monmouth / RB West	Tudor Village Apts	River Street School
Project developer:							
Compliance Mechanism:	100% Affordable Family Rental	Inclusionary Family Rental	Inclusionary Family Rental	Inclusionary Family Rental	Needs Housing	Inclusionary Family Rental	100% Age Restricted Rental
Compliance Mechanism #2 (if project has multiple):	RCA						
Round:	Prior Round	Prior Round	Prior Round	Prior Round	Prior Round	Prior Round	Prior Round
Block (if multiple separate by commas):	71, 35, 37, 62, 99			36	63	42	103
Lot (if multiple separate by commas):	1.01, 7, 6.01, 7, 8.01, 10, 10.01, 8, 7	8, 23.01-23.06		1.01, 3, 4, 8, 9, 10, 10.01		19.01	13.20
Address:	Locust Lane	West Front Street / Bridge Street	Monmouth Street	Chestnut Street / Oakland Street	Monmouth Street / Oakland Street	Broad Street	River Street
Construction required to begin by (for mechanisms other than inclusionary development):							
Status:	Built	Built	Under Construction	Approved	Built	Approved	Built
If project has site plan /or subdivision approval, date building permits received (DD/MM/YYYY):							
If "approved not built" or "under construction," date of site plan and/or subdivision approval:			1/3/2019	11/5/2018			2/4/2016
If "under construction," expected date of completion:							
Date of issuance of C.O.:							
If "built," date controls began:	10/12/2004	3/27/2015		4/18/2019	1/12/2017		1/1/1996
Length of Affordability Controls (years):	30	30		30	30		35
Administrative Agent or other entity responsible for affirmative marketing:							
Contribution (for payments in lieu)							
Total Affordable Housing Units Proposed	6	10	2	9	12	1	51
Total Affordable Housing Units Completed to Date	6	10	2	0	12	1	51
Type of Affordable Units:							
<i>Family</i>	6	10	2	9	8	1	0
Family For-Sale							
Family Rental	6	10	2	9	8	1	
<i>Senior</i>	0	0	0	0	0	0	51
Senior For-Sale							
Senior Rental							51
<i>Supportive/Special needs</i>	0	0	0	0	4	0	
Supportive For-Sale							
Supportive Rental					4		

Bedroom/Income Splits:

<i>1 BR/or Efficiency Affordable Units</i>	0	2	0	1	0	0	0
Very Low-income:				1			
Low-Income:		2					
Moderate-Income:							
<i>2 BR Affordable Units</i>	0	6	0	6	0	0	0
Very Low-Income:		1		1			
Low-Income:		1		2			
Moderate-Income:		4		3			
<i>3+ BR Affordable Units</i>	0	2	0	2	0	0	0
Very Low-Income:							
Low-Income:		1		1			
Moderate-Income:		1		1			
<i>Supportive/Special Needs Units:</i>	0	0	0	0	0	0	0
Very Low-Income:							
Low-Income:							
Moderate-Income:							

3. PRIOR AND THIRD ROUND MONITORING

Site / Program Name:	Wesleyan Arms	RW Rivers Edge	Bergen Square	Collaborative Support Programs of NJ	VNA Redevelopment	Riverwalk Commons	Fortune Square	Brownstones / Yellowbrook
Project developer:								
Compliance Mechanism:	100% Age-Restricted Rental	Family for Sale	Family for Sale	Special Needs Housing	Inclusionary Family Rental	Inclusionary Family Rental	Inclusionary Family Rental	Family for Sale
Compliance Mechanism #2 (if project has multiple):								
Round:	Prior Round	Prior Round	Prior Round	Third Round	Third Round	Third Round	Third Round	Third Round
Block (if multiple separate by commas):	33; 82; 83		75.01	23	3	29	75.01	75.03
Lot (if multiple separate by commas):	6.01	17; 5, 6.01, 6.02		82.01	2; 2.01, 4.01, 6, 7.01, 9.01	5.01	86	46, 47, 48.01, 53, 54.01, 56
Address:	Pearl Street / Wall Street	Bank Street	Drs. James Parker Blvd	Spring Street	Bodman Place / Route 35	Mechanic Street	Drs James Parker Blvd	Catherine Street / River Street
Construction required to begin by (for mechanisms other than inclusionary development):								
Status:	Built	Built	Built	Built	Approved Not Built	Under Construction	Built	Approved
If project has site plan /or subdivision approval, date building permits received (DD/MM/YYYY):								
If "approved not built" or "under construction," date of site plan and/or subdivision approval:					12/16/2019	10/18/2012		10/19/2017
If "under construction," expected date of completion:								
Date of issuance of C.O.:								
If "built," date controls began:	7/1/1997	7/6/2016	8/14/2009					2/13/2019
Length of Affordability Controls (years):	20	30	30				30	
Administrative Agent or other entity responsible for affirmative marketing:								
Contribution (for payments in lieu)								
Total Affordable Housing Units Proposed	60	2	10	3	32	2	3	2
Total Affordable Housing Units Completed to Date	60	2	10	3	0	0	0	0
Type of Affordable Units:								
Family	0	2	10	0	32	2	3	2
Family For-Sale		2	10					2
Family Rental					32	2	3	
Senior	60	0	0	0	0	0	0	0
Senior For-Sale								
Senior Rental	60							
Supportive/Special needs	0	0	0	3	0	0	0	0
Supportive For-Sale								
Supportive Rental				3				

Bedroom/Income Splits:

3. PRIOR AND THIRD ROUND MONITORING

Site / Program Name:	Azalea Gardens	Cedar Crossing
Project developer:		
Compliance Mechanism:	Family for Sale	100% Family for Sale
Compliance Mechanism #2 (if project has multiple):		
Round:	Third Round	Third Round
Block (if multiple separate by commas):	58, 75.01, 75.03	
Lot (if multiple separate by commas):	1, 2, 3, 4, 5, 6	83, 84, 85; 50.01, 69
Address:	Clay Street	Cedar Street
Construction required to begin by (for mechanisms other than inclusionary development):		
Status:	Under Construction	Built
If project has site plan /or subdivision approval, date building permits received (DD/MM/YYYY):		
If "approved not built" or "under construction," date of site plan and/or subdivision approval:	9/7/2017	
If "under construction," expected date of completion:		
Date of issuance of C.O.:		
If "built," date controls began:		11/12/2011
Length of Affordability Controls (years):		30
Administrative Agent or other entity responsible for affirmative marketing:		
Contribution (for payments in lieu)		
Total Affordable Housing Units Proposed	2	36
Total Affordable Housing Units Completed to Date	0	36
Type of Affordable Units:		
Family	2	36
Family For-Sale	2	36
Family Rental		
Senior	0	0
Senior For-Sale		
Senior Rental		
Supportive/Special needs	0	0
Supportive For-Sale		
Supportive Rental		

Bedroom/Income Splits:

1 BR/or Efficiency Affordable Units	0	0
Very Low-income:		
Low-Income:		
Moderate-Income:		
2 BR Affordable Units	0	0
Very Low-income:		
Low-Income:		
Moderate-Income:		
3+ BR Affordable Units	0	0
Very Low-income:		
Low-Income:		
Moderate-Income:		
Supportive/Special Needs Units:	0	0
Very Low-income:		
Low-Income:		
Moderate-Income:		

EXHIBIT D:
VERY LOW INCOME MONITORING

4. VERY LOW INCOME REPORTING

Please note that very low income unit reporting for Red Bank Borough is not due until 30 days of 3rd anniversary of signing of settlement agreement - January 23, 2022.

Very Low Income Units approved and constructed since July 17, 2008				
Development/Compliance Mechanism	Total Affordable Units	VLI units constructed as of date of report	VLI units not constructed as of date of this report but still planned	Type of Very Low Income Unit (Family, Senior, Special Needs)
Total	0	0	0	

This tab provides reporting required on very low income units, i.e. units affordable to and reserved for households at or below 30% of regional median income.

See N.J.S.A. 52:27D-329.1.

EXHIBIT E:
AFFORDABLE HOUSING QUESTIONS

Borough of Red Bank – Monmouth County

Affordable Housing Compliance
Midpoint Review Questions
June 30, 2020

In addition to updating the attached monitoring spreadsheet with up to date information on each project in your approved settlement/fair share plan, please answer the following questions in narrative form:

Conditions of Compliance

1. What conditions from the court's approval of the municipal housing element and fair share plan and judgment of compliance and repose (or whatever standard terms is being used), if any, have not yet been satisfied? Explain the reasons for any delay and the steps the municipality is taking to satisfy the condition(s).

Response: *The Borough of Red Bank was granted a final judgment of compliance and repose on September 9, 2019. All conditions have been met. The Borough is actively implementing its mechanisms in accordable with the settlement agreement and final judgment in order to maintain compliance. The Affordable Housing Trust Fund and Annual Monitoring & Reporting, which are ongoing conditions, are satisfied via the submission of the attached completed forms and supplementary information, which will be sent to follow under separate cover.*

Developments that Are Not Completed

2. For each court-approved inclusionary development project that is not yet constructed, please provide a narrative as to its status and any progress towards construction.

Response: *The following inclusionary development projects were included in the Borough's Housing Element and Fair Share Plan, but have not yet been completed and occupied:*

Popkin: *This project received bifurcated use variance approval in 2017, and site plan approval from the Zoning Board of Adjustment memorialized on January 3, 2019. The existing office building, located on Monmouth Street, will be expanded into a mixed use building with ground floor retail and 20 total apartments. In accordance with the sliding scale set-aside ordinance discussed further below, this site will contribute two (2) family rental units to the Borough's Prior Round unmet need obligation. This project is currently under construction, and remains a realistic opportunity and viable location for affordable housing.*

Denholtz / The Rail: *This development received site plan approval from the Planning Board on November 5, 2018 for the construction of a mixed use project with 57 total*

units between Chestnut Street and Oakland Street, proximate to the NJ Transit train station. In accordance with the sliding scale set-aside ordinance discussed further below, this site will contribute nine (9) family rental units to the Borough's Prior Round unmet need obligation. This project is currently under construction, and the developers have had meetings with the Borough's administrative agent to establish the procedures for affirmative marketing, and rents for each affordable unit.

Tudor Village Apartments: *This project is an existing 12 unit market rate apartment complex built in the 1920s/1930s, located on Broad Street. This project has received site plan approval for the construction of five (5) additional units, of which one (1) is proposed to be affordable and non-age-restricted. Although construction has not started, the project approval and zoning remains in place for the provision of affordable housing.*

VNA Redevelopment Site: *The former site of the Visiting Nurses Association is the location of a proposed inclusionary redevelopment project. The Borough adopted a redevelopment plan for the site in December of 2018 that permits up to 90 dwelling units per acre, and requires a 15% affordable unit set aside. It is anticipated that a total of 189 units can be constructed, with 28 of those units being affordable family rentals. The project was recently granted a final site plan approval by the Borough's Planning Board, and it is anticipated that construction will begin in the summer or fall of 2020.*

Riverwalk Commons: *The Riverwalk Commons project was approved in 2012 and is presently under construction at 24 Mechanic Street for the development of an apartment building with 24 rental units, of which two (2) will be affordable to low and moderate income families. Although approved initially in 2012, the project experienced delays, but has received permits, and is currently under construction.*

Fortune Square: *This project, approved in 2016 provides 32 rental units, inclusive of three (3) affordable family rental units, on Drs. James Parker Boulevard. The developer has had meetings with the Borough's administrative agent to establish the initial rents and affirmative marketing of the three affordable units. At the time of adoption of the Housing Plan, this project was listed as "under construction". The project has been completed and families are now occupying the building.*

Brownstone / Yellowbrook: *This project received site plan approval on September 7, 2017 for the construction of 22 townhouses, including two (2) affordable units. This project is currently under construction. The developer has had a meeting with the Borough's administrative agent to establish the initial sales prices and affirmative marketing of the two affordable units. Construction is nearing completion, and the project is expected to be issued a final certificate of occupancy soon.*

Azalea Gardens: *This project was granted use variance and site plan approval by the Borough Zoning Board in 2016 and 2017, respectively. This project will provide 18*

Borough of Red Bank – Monmouth County

townhouse units on the corner of Harding Road and Clay Street. Two (2) family-for-sale affordable units are planned for this site. Although construction at this site has not begun, the approvals remain in place and the site remains suitable for affordable housing, making it still a realistic location for development of new affordable housing.

3. Have any non-inclusionary development projects (including 100% affordable projects, group homes, accessory apartments, market-to-affordable, extensions of affordability controls, etc.) included in the court-approved plan not yet been built/converted to affordable housing/controls extended? If yes, explain how many units, if any, have been built for each non-inclusionary project or mechanism and when construction is expected to be completed on the remaining units.

Response: *The Borough does not have any non-inclusionary projects that were included in the court approved plan that have not yet been constructed.*

4. Are there any projects that have missed any construction deadline established in the court-approved Settlement Agreement, or other mechanisms (e.g. market-to-affordable, accessory apartments, extensions of affordability controls) that have not met the completion schedule set forth in the Settlement Agreement or Housing Element and Fair Share Plan? If yes, what steps is the municipality taking to complete construction and what is the current timetable?

Response: *All projects are being constructed in compliance with applicable sections of NJAC 5:93 et seq.*

5. Are all unbuilt developments currently in a sewer service area, and if not what has the municipality done to incorporate the site into a sewer service area? Are there any barriers to obtaining water or sewer for any unbuilt site? Are there any other regulatory conditions (e.g. changes to DEP permits or conditions) that make it not possible to complete any site as originally contemplated?

Response: *All proposed projects are located within a designated sewer service area.*

Rehabilitation Obligation

6. Is the rehabilitation program being administered by a municipality, county, or both? Do the program(s) include rental rehabilitation? If the municipality has not met at least half of its rehabilitation obligation by this midpoint review, what affirmative steps is the municipality taking to meet the obligation and to facilitate participation by homeowners and/or landlords?

Borough of Red Bank – Monmouth County

Response: *Red Bank has a rehabilitation obligation of 129 units by 2025. As of the time of adoption of the Housing Element and Fair Share Plan in April of 2019, there had been 13 dwellings in the Borough that had been rehabilitated through the Monmouth County Home Rehabilitation Program that have been credited towards Red Bank's obligation. Since the adoption of the plan, one additional home has been rehabilitated by the County, at 90 Newman Springs Road.*

The Borough has initiated a municipal rehabilitation program for both owner occupied units and rental units. The Red Bank Affordable Housing Corporation (RBAHC), serving as the administrative agent for the program has affirmatively marketed the program and has identified three individuals that are income qualified and their homes are in need of the rehabilitation of a major system. They are currently in the process of selecting contractors to perform the work on these three homes. The program continues to be actively marketed and funding is in place to rehabilitate additional properties as they are identified.

The Red Bank Housing Authority operates two projects of low and moderate income housing that are in need of rehabilitation. Evergreen Terrace, and Montgomery Terrace have 90 apartment units between them. The RBHA is working to rehabilitate these units. The court approved Housing Plan Element and Affordable Housing Trust Fund Spending Plan identified that if by this midpoint review report of July 2020, the 90 units at these two Red Bank Housing Authority projects were in the process of being rehabilitated, then the Borough's obligation could be reduced by 90. At this time, it does not appear that these units will be rehabilitated in the near future, so the Borough will continue to pursue rehabilitation as identified in the Spending Plan, and will not adjust its targeted number of homes to rehabilitate.

The Borough's approved Spending Plan had anticipated that 6 units would be rehabilitated in 2019, and an additional 22 units would be rehabilitated through 2020. As of the writing of this report, due to delays in launching the municipal rehabilitation program due in part to changes in personnel and the retirement of the Borough's municipal housing liaison, as well as a lack of qualified applicants, the Borough is on pace to rehabilitate three units by the summer of 2020 through the municipal program, but continues to work to identify eligible owner and renter-occupied homes in the Borough that are in need of rehabilitation.

The Housing Plan Element and Fair Share Plan anticipated that one additional unit each year would be rehabilitated by the Monmouth County Home Rehabilitation Program. With one additional rehabilitation being completed by the County, this is on pace with the anticipated conditions of the plan.

For Municipalities with a Prior Round and/or Third Round Vacant Land Adjustment (note please make sure any development referenced in the answers to these questions that includes or will include affordable housing is also in the monitoring spreadsheet):

7. If the municipality's court-approved Prior and/or Third Round plan includes Unmet Need:
 - a) Has there been any development, proposal for development received by the municipality (even if ultimately rejected), adoption of rezoning or a redevelopment plan for any parcel larger than 0.5 acres since the settlement was approved by the court on a parcel that was neither previously identified in calculating the municipality's RDP nor included in an inclusionary overlay zone? If so:
 - i. Please describe the development(s), development proposal(s), rezoning(s) or redevelopment plans(s)?
 - ii. Is any affordable housing included in any of the development(s) proposals(s), and/or rezoning(s) or redevelopment plan(s) referenced?
 - iii. If the municipality has a mandatory set-aside ordinance, was that applied to the development(s) and/or rezoning(s) or redevelopment plan(s)?
 - b) Has any development occurred or been proposed to occur within any inclusionary overlay zone or for which a mandatory set-aside ordinance, if required to be adopted by the municipality, would apply since the settlement? If so:
 - i. What is that development or developments?
 - ii. Does that proposed or actual development include any affordable housing? What percentage of the development is affordable?
 - c) Have any changed circumstances occurred that result in additional parcels becoming available for development that were neither previously identified in calculating the municipality's RDP nor included in an inclusionary overlay zone? If yes, please identify the parcel(s) and describe how the municipality plans to address the changed circumstances.

Response: *Red Bank had a Vacant Land Adjustment in its Housing Plan Element and Fair Share Plan that reduced the Borough's Third Round Realistic Development Potential to 92 units. Since the adoption of the Housing Plan Element and Fair Share Plan, the following projects have been proposed, each of which will include affordable housing if approved by the respective Board:*

121 Monmouth Street: *At Block 42, Lots 7, 8, 11, and 11.01, proposed is a 45 unit mixed use multi-family residence that would include 9 affordable housing units. This proposal is currently before the Zoning Board.*

120 Monmouth Street: *This project is a proposal for 32 apartments, 6 of which would be affordable family rentals. This proposal is currently before the Zoning Board.*

Yellowbrook: *This project at 234-240 Shrewsbury Avenue Block 78, Lots 11-14 is proposed to contain 25 apartments with 5 of those being affordable family rentals. This project has been proposed and is currently before the Zoning Board.*

American Real Estate Opportunities: *273 Shrewsbury Avenue, Block 77, Lots 1, 2.01, 2, 3, and 25.02. This project proposes a mixed use building with 13 market rate apartments and 3 affordable apartments. This project is currently before the Zoning Board.*

141 West Front Street/ Red Bank Corporate Plaza: *A 9 story apartment building with 150 units is proposed at this location. They would have a requirement to provide 23 affordable units. 16 of those units are proposed to be on-site, and 7 would be off-site. This project is currently before the Zoning Board.*

AOZ Fund LLC: *This project at 72 Bridge Street is proposed to have 20 apartments. An application has been submitted but not yet deemed complete or scheduled for a hearing before the Planning Board.*

Inclusionary Zoning: *Red Bank's inclusionary zoning ordinance, adopted after the settlement agreement, requires set asides for affordable housing on all developments – Borough wide. The inclusionary overlay covers the entirety of the Borough, and there is no need to change the boundaries of the inclusionary requirement. As shown above, there are several projects in the pipeline that will all contribute towards addressing the Borough's unmet need.*

For Municipalities with a Prior Round and/or Third Round Durational Adjustment:

8. If the municipality's court-approved plan had a durational adjustment, have there been any changed circumstances with regards to limited sewer and/or water capacity? If yes, please describe the changes and when and where additional infrastructure capacity will become available.
9. What steps has the municipality taken, if any, to address limited water and/or sewer capacity, and to facilitate the extension of public water and/or sewer to any site identified in the settlement agreement?
10. Has any property owner or developer contacted the municipality to extend public water and/or sewer to a site not identified in the settlement agreement? If so, how did the municipality respond to the request?

Response: *Red Bank did not include a durational adjustment in its court approved Housing Plan Element and Fair Share Plan. This section does not apply.*