



PRESS RELEASE
BY: MAYOR KEITH S. BALLA

FOR IMMEDIATE RELEASE
JULY 7, 2022

Watchung, NJ - At the June 16, 2022 Borough Council meeting, a number of concerned residents were in attendance to discuss the proposed resolution listed as R10. That proposed resolution was designed to provide funding to a group home in exchange for affordable housing credits. Due to technical difficulties, that meeting was canceled but Borough Attorney Joseph Sordillo and Administrator James Damato provided residents in attendance with the facts about Group Homes. To better inform residents who were not present, we are providing the following information.

Affordable housing credits were needed for the Borough to comply with its second-round obligation in accordance with a consent order entered by Judge Thomas C. Miller, of the Superior Court. The Borough did not authorize the purchase of the property or grant any zoning approvals. The Borough is guided by the following New Jersey Statutes which pertain to group homes:

- Group homes (or community residences) for persons with developmental disabilities are permitted uses in all residential districts of a municipality pursuant to State Statute (N.J.S.A. 40:55D-66.1).
 - This Statute also applies to community shelters for victims of domestic violence, community residences for persons with terminal illnesses, community residences for persons with head injuries, and adult family care homes for persons who are elderly and adults with physical disabilities.
- This Statute overrides any other municipal zoning ordinance regulating or prohibiting such uses within the municipality.
- Group homes are only required to comply with the zoning regulations and requirements that are the same as for single family dwelling units located within the same zone district.
 - A municipality cannot impose any additional construction or zoning requirements on the group home that would not otherwise apply to other single-family dwellings in the zone.
- Municipalities have no control over which type of group home (or community residence) is located within the residential zone unless otherwise agreed upon with the operator of the group home.

- Our House purchased a property within a residential zone in the Borough to operate a six (6) bedroom group home for persons with developmental disabilities.
 - Our House will be operating the property as a group home and does not need separate approval from the Borough, nor can the Borough legally prohibit such use.
- The Borough of Watchung was approached by Our House for monetary contribution towards renovations being made to the property.
- In exchange for the monetary contribution, Our House is offering to place an affordable housing deed restriction on the property; thus, allowing the Borough to claim affordable housing credits for each of the bedrooms.
 - The Borough can claim an affordable housing credit for each bedroom for group homes, qualifying as a supportive and special needs housing.
- In addition, by entering into the affordable housing agreement Our House has agreed to operate the group home for adults with developmental disabilities and not change such use or sell the property to another group home without the Borough's prior consent.

Further questions may be directed to the Borough Administrator James Damato at (908) 756-0080