

Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain

Date: July 14, 2018

To: All interested Agencies, Groups and Persons

This is to give notice that the **Essex County Division of Housing and Community Development (the "County")** has conducted an evaluation in accordance with Executive Order 11988 and HUD regulations at 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and protection of Wetlands, to determine the potential impact that a proposed activity in a floodplain that is to be funded through the HOME Investment Partnerships Program will have on the human environment. The proposed activity is more fully described as follows:

ACTIVITY

Township:	West Orange
Owner/developer	Valley Road Residential Urban Renewal, LLC
HOME Loan Amount	\$780,000

Address of activity: 22 – 24 Central Avenue, West Orange, New Jersey

HOME Activity Description: New Construction of Eleven (11) HOME assisted units to benefit low and very low income households; total number of units for this multifamily rental housing project is 100 units, 45 of which will be market rate units and 55 will be designated as affordable rental units.

Total acres of flood plain at project site: 1.55

A public notice describing the project was published in the Star ledger on June 15, 2018. A copy of the published notification is maintained by the County in the project file. The required 15 calendar days were allowed for public comment. No comments were received.

Upon evaluating the proposed activity, the County has determined there appears to be no practicable alternatives to building in the floodplain because a property search conducted by a realtor for the developer that indicates there are no comparable, readily available properties in the area that are large enough and/or zoned for construction of a 100 rental unit property; the intended use of the subject property is endorsed by the City of West Orange because it will address the demand for affordable housing and provide market rate units. Furthermore, the occupants of the proposed complex would benefit from being located in a neighborhood with access to public transportation, retail storefronts, restaurants, etc.

The "Not Build" option is not considered feasible because it would negatively impact the town's ability to achieve its objectives of providing affordable housing, and would fail to optimize the use of a currently underused and underserved land parcel. The preferred alternative described above is viewed as the most practicable alternative for enhancing the currently underused subject property and meeting the community's need for additional affordable housing within the Town without adversely impacting the floodplain.

The County has reviewed proposed mitigation measures and determined that they should minimize adverse impacts to the environment, and restore and preserve natural and beneficial values of the 100 year

flood plain. The habitable first finished floor will be built a minimum of one (1) foot above the BFE for the 100-year floodplain in compliance with NJDEP FHACA. Furthermore, the developer affirms that the design and construction of the building will be in compliance with the New Jersey Department of Environmental Protection (NJDEP) Flood Hazard Area Control Act (FHACA) and associated rules (New Jersey Statutes Annotated [N.J.S.A.] 58:16A and New Jersey Administrative Code [N.J.A.C.] 7:13, respectively) for construction within the 100-year floodplain for the applicable building category. In addition, the application is being designed with both water quality elements and storm water management, and will meet DEP and RSIS regulations to accommodate a reduction in runoff from the 2, 10 and 100-year storms.

The County has previously determined that this activity will have no significant impact on the environment. The County further acknowledges the proposed activity will be in compliance with state and local floodplain protection procedures, and the buildings will be covered by flood insurance.

PUBLIC COMMENTS

This notice is intended to meet procedural requirements and provide persons who may be affected by activities in the flood plain and/or have an interest in the protection of the natural environment to present their concerns and provide information about this area.

Any individual, group, or agency disagreeing with this determination, or wishing to comment on this project, may submit written comments to the:

Essex County Division of Housing & Community Development, 20 Crestmont Road, Verona, New Jersey 07044.

Comments may also be submitted via email to bmarvel@essexhcd.com.

All comments received by July 23, 2018 will be considered by the Essex County Division of Housing & Community Development prior to authorizing this action. Comments should specify this Notice.

Essex County will undertake the project described above with the Title II of the National Affordable Housing Act of 1990 HOME Investment Partnerships Program (HOME) funds.

JOSEPH N. DI VINCENZO, JR.
County Executive
Hall of Records
465 M.L. King, Jr., Blvd.
Newark, New Jersey 07102

George F. Serio, Jr.
Director
Essex County Division of Housing
& Community Development
20 Crestmont Road
Verona, New Jersey 07044