

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY



Housing Element & Fair Share Plan

May 2025

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Executive Summary:

As the Township of Hamilton continues to satisfy its affordable housing obligations, this Fourth Round Housing Element and Fair Share Plan provides a housing policy framework with a variety of options to provide affordable housing opportunities.

Through this Housing Element and Fair Share Plan, the Township promotes provision of a variety of housing types over a range of affordability, encourages the ongoing maintenance of the Township's existing housing stock, and formally acknowledges the constitutional obligation to provide a realistic opportunity for the provision of housing affordable to families of low and moderate income.

The Fourth Round Housing Element and Fair Share Plan continues to rely on the existing PVD Zoning Ordinance, which ensures that affordable housing is constructed as part of new developments in the Township's Regional Growth Areas. The Plan identifies opportunities to create new affordable housing by proposing overlay zoning for inclusionary affordable housing developments.

This Fourth Round Housing Element and Fair Share Plan will serve as the foundation for the Township's submission to the Superior Court of New Jersey and the Affordable Housing Dispute Resolution Program ("Program").

Introduction:

The Township has prepared this Fourth Round Housing Element and Fair Share Plan in accordance with the requirements set forth in the "Municipal Land Use Law" (N.J.S.A. 40:55D-28) ("MLUL"), the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), as amended by P.L. 2024 c.2, Administrative Directive #14-24 (the "amended FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et. seq.), and applicable regulations of the New Jersey Council on Affordable Housing (N.J.A.C. 5:93 et seq.) ("COAH").

New Jersey affordable housing law began with the New Jersey Supreme Court's (hereinafter the "Supreme Court") creation of the Mount Laurel doctrine in its landmark case, So. Burl. Cty. N.A.A.C.P. v. Tp. of Mt. Laurel, 67 N.J. 151 (1975) also known as "Mount Laurel I." In Mount Laurel I, the Supreme Court decided that under the State Constitution, each municipality "must, by its land use regulations, make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people who may desire to live there", including those of low and moderate income. Thus, the Supreme Court in Mount Laurel I decision ruled that municipalities should not use their zoning powers to prevent the potential for the development of affordable housing.

Displeased with progress under its earlier decision, in 1983, the Supreme Court decided So. Burlington Ct. N.A.A.C.P. v. Mount Laurel Tp., 92 N.J. 158 (1983) or "Mount Laurel II". Because the Legislature had not yet acted to implement the holding in Mount Laurel I, the Court in Mount Laurel II fashioned a judicial remedy, now commonly referred to as

a “Builder’s Remedy”. That remedy created a special process by which builders could file suit against a municipality for the opportunity to construct housing at much higher densities than a municipality otherwise would allow, creating affordable housing in the process. In essence, Builder’s Remedy lawsuits seek to force municipalities to meet their affordable housing obligations.

Responding to the chaos created by the implementation of the Supreme Court’s Mount Laurel decisions and the many Builder’s Remedy lawsuits that followed, the State Legislature passed the Fair Housing Act (hereinafter “FHA”) in 1985, which the Supreme Court upheld in (Hills Dev. Co. v. Bernards Twp., 103 N.J. 1 (1986) or “Mount Laurel III”), which created the Council on Affordable Housing (“COAH”) and authorized municipal Housing Elements and Fair Share Plan to be approved by COAH via the granting of Substantive Certification, which would protect municipalities from builder’s remedy lawsuits.

To implement the FHA requirements, COAH adopted a series of regulations. Round One regulations were enacted in 1987. Round 2 regulations were adopted by COAH in 1994. Round 3 regulations were supposed to be adopted in 1999 when the Round 2 rules were set to expire, but the first iteration of Round 3 regulations were not adopted by COAH until 2004. After those regulations were invalidated by the courts, COAH adopted a second iteration of Round 3 regulations in 2008. The second iteration of regulations were also invalidated by the Courts, and after COAH failed to adopt a third iteration of Round 3 regulations in 2014, the Supreme Court issued In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (Mount Laurel IV), in which it directed trial courts to assume COAH’s functions and ruled that municipalities would have to get their Third Round Housing Elements and Fair Share Plans approved in the courts via the granting a Judgment of Compliance and Repose (JOR), rather than getting the plans approved by COAH.

On March 20, 2024, this all changed once again when Governor Murphy signed into law, P.L. 2024, C.2, which substantially amended the FHA and created an entirely new affordable housing plan approval process. The amended FHA abolished COAH, and introduced a comprehensive structure for municipalities to meet their obligations before a new entity known as the Affordable Housing Dispute Resolution Program (hereinafter the “Program”), which consists of retired Mount Laurel judges and their Special Adjudicators, once known as Court Masters. The Program was created to approve Fourth Round Housing Elements and Fair Share Plans, along with the underlying local trial Court, and help municipalities mediate with objectors regarding their Fourth Round affordable housing obligations and the approval of the plans. The amended FHA also required the Department of Community Affairs (DCA) to take over the monitoring of affordable units in every municipality in the state, and to draft and release a report calculating non-binding Fourth Round municipal Present and Prospective Need obligation for every municipality in the state. The DCA released its Fourth Round numbers report in October of 2024. The amended FHA also ordered the New Jersey Housing and Mortgage Finance Agency (NJHMFA) to adopt new UHAC regulations. The amended FHA also changed the way municipalities receive bonus credits amongst other things.

In response to the requirements of the amended FHA, the Township of Hamilton adopted a resolution on January 21, 2025 committing to the Fourth Round Present and Prospective Need obligations as calculated by the DCA in its October 2024 numbers report. See Appendix A. The Township filed a Declaratory Judgment Complaint on January 23, 2025 with the Program and the Court, along with the Township's Fourth Round numbers resolution. See Appendix A.

On March 27, 2025, the Court entered an Order setting the Township's Fourth Round affordable housing obligations. See Appendix B.

Housing Element:

Pursuant to both the amended FHA and the MLUL, municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to describe the specific, intended methods that a municipality plans to use in order to meet its low- and moderate-income housing needs. Further, the housing element is meant to demonstrate the existing zoning or planned zoning changes that will allow for the provision of adequate capacity to accommodate household and employment growth projections, to achieve the goal of access to affordable housing for present and future populations.

A municipality's housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing, and shall contain at least:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;
- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and

- prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1);
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing.
 - g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52:27D-329.20);
 - h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and
 - i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

Demographic Characteristics

As indicated above, the MLUL requires an analysis of housing and demographic data as part of any Housing Element. The 2020 Census and the US Census population estimates are the most recent available comprehensive database of this type of information for the Township of Hamilton.

Table 1 below provides a comparison of population change in the Township of Hamilton, Atlantic County and the State of New Jersey.

Table 1
Township of Hamilton, Atlantic County and New Jersey
Population Changes: 1940-2023

	Township of Hamilton		Atlantic County		New Jersey	
Year	Number	Change	Number	Change	Number	Change
1940	3,363	-----	124,066	-----	4,160,165	-----
1950	3,774	12.2%	132,399	6.7%	4,835,329	16.2%
1960	6,017	59.4%	160,880	21.5%	6,066,782	25.5%
1970	6,445	7.1%	175,043	8.8%	7,168,164	18.7%
1980	9,499	47.4%	194,119	10.9%	7,365,011	2.7%
1990	16,012	68.8%	224,327	15.6%	7,730,188	5.0%
2000	20,499	28.0%	252,552	12.6%	8,414,350	8.9%
2010	26,503	29.3%	274,549	8.7%	8,791,894	3.2%
2020	27,484	3.7%	274,534	- 1.7%	9,288,994	5.7%
2023	28,669	4.3%	275,213	0.2%	9,290,841	< 0.0%

*Source: US Census Bureau, Population Estimates Program
2020 Census Data
U.S. Census Bureau*

The age distribution within the Township indicates a younger population than both Atlantic County and the State. This can be attributed to the large increase in single family dwellings that have been constructed in the Township that are occupied by younger families. Approximately 30.3% of the population was over 55 years of age in 2023. The distribution of ages of persons in the Township is indicated in Table 2.

Table 2
Township of Hamilton
Population by Age Group: 2000-2023

	2000		2010		2020		2023	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total Population	20,499	100%	26,503	100%	27,484	100%	27,884	100%
Sex								
- Male	10,217	49.8%	13,138	49.6%	13,197	48.0%	13,906	49.9%
- Female	10,282	50.2%	13,365	50.4%	14,287	52.0%	13,978	50.1%
Age								
Under 5	1,431	7.0%	1,605	6.1%	1,425	5.2%	1,408	5.0%
5-9 Years	1,585	7.7%	1,728	6.5%	1,611	5.9%	1,222	4.4%
10-14 Years	1,656	8.1%	1,864	7.0%	1,753	6.4%	1,975	7.1%
15-19 Years	1,385	6.8%	1,938	7.3%	1,756	6.4%	1,648	5.9%
20-24 Years	1,168	5.7%	1,714	6.4%	1,635	5.9%	1,965	7.0%
25-34 Years	3,246	15.8%	3,656	3.8%	3,714	13.5%	3,606	12.9%
35-44 Years	4,105	20.0%	3,903	14.7%	3,461	12.6%	3,918	14.1%
45-54 Years	2,753	13.4%	4,372	16.5%	3,623	13.2%	3,722	13.3%
55-59 Years	875	4.3%	1,647	6.2%	2,100	7.6%	1,551	5.6%
60-64 Years	612	3.0%	1,288	4.8%	1,930	7.0%	2,107	7.6%
65-74 Years	946	4.6%	1,659	6.2%	2,744	10.0%	3,449	12.3%
75-84 Years	555	2.7%	871	3.3%	1,283	4.7%	986	3.6%
85+ Years	182	0.9%	258	1.0%	440	1.6%	327	1.2%

Source: U.S. Census Bureau, 2023 American Community Survey 5-Year Estimates
2020 Census Data
2010 Census Data
2000 Census Data

Non-family households make up 36.1% of the households in the Township of Hamilton. This is higher than the County rate of 34.0% and higher than the State average 32.3%. In 2023, the average household size in the Township of Hamilton is 2.48 persons/dwelling unit, while the County average is 2.47 and the State average is 2.61, making the average household in the Township of Hamilton almost the same as that of the County and slightly less than that of the State.

Education:

Within the Township of Hamilton's adult population (25 and over) 94.1% have received a high school diploma and 31.7% received a bachelor's degree or higher making the Township slightly better educated than the rest of Atlantic County. When compared to the County, 88.9% of the adult population has received a high school diploma and 31.2% of the adult population has received a bachelor's degree or higher.

Age of Housing:

Table 3 depicts the number of new housing units constructed between 2000 and 2020 for the Township, County and State.

Table 3
Township of Hamilton, Atlantic County and New Jersey
Housing Units: 2000, 2010 & 2020

Jurisdiction	Housing Units 2000	Housing Units 2010	Housing Units 2020	Increase	% Increase from 2000-2020
Twp. of Hamilton	7,567	10,196	11,120	3,553	46.9%
Atlantic County	114,090	126,647	132,038	17,948	15.7%
New Jersey	3,310,275	3,553,562	3,761,229	450,954	13.6%

*Source: 2020 Census Data
2010 Census Data
2000 Census Data*

As of 2023, approximately 42.3% of the Township's current housing stock was constructed prior to 1980, with 6.6% constructed prior to 1940. The Township therefore has what can be considered a newer housing stock, reflective of the recent population growth in the Township. The age of housing stock can be used as a gauge of the overall condition of housing in the community. In the case of the Township of Hamilton, a large percentage of homes have been constructed in recent years, and therefore have not endured the "wear and tear" that typically takes place over years.

Housing Tenure:

The 2020 Census data indicates that 10,462 housing units (91.0%) in the Township were occupied and 658 units (9.0%) were vacant. A total of 7,433 units (71.0%) of the occupied units are owner occupied with the additional 3,029 units (29.0%) occupied by renters.

Table 4
Township of Hamilton
Housing Tenure: 2000, 2010 & 2020

TOWN	2000 Units	2000 % of Total	2010 Units	2010 % of Total	2020 Units	2020 % of Total
Total Housing Units	7,567	100%	10,196	100%	11,120	100%
Occupied Housing Units						
-Owner Occupied	5,279	73.9%	7,269	71.3%	7,433	71.0%
-Renter Occupied	1,869	26.1%	2,221	21.8%	3,029	29.0%
-Total	7,148	100%	9,490	100%	10,462	100%
Vacant Housing Units	419	5.5%	706	4.8%	658	9.0%
Seasonal, Recreational Use	83	N/A	109	N/A	97	N/A
Rental Vacancy Rate	5.4%	N/A	7.3%	N/A	6.7%	N/A
Household Size						
-Owner Occupied	2.82	N/A	2.72	N/A	2.59	N/A
-Renter Occupied	2.45	N/A	2.53	N/A	2.50	N/A

Source: 2020 Census Data
2010 Census Data
2000 Census Data

Physical Character of the Township Housing Stock

Table 5 provides an inventory of the age of the housing stock in the Township of Hamilton.

Table 5
Township of Hamilton
Inventory of Housing Age: 2023

Year(s) Constructed	Number	Percent of Total
2020 or later	98	0.8%
2010-2019	1,216	10.5%
2000-2009	2,709	23.5%
1990-1999	1,867	16.2%
1980-1989	2,199	19.1%
1970-1979	1,362	11.8%
1960-1969	563	4.9%
1950-1959	578	5.0%
1940-1949	177	1.5%
1939 or earlier	762	6.6%

Source: US Census Bureau, 2023 American Community Survey 5-Year Estimates

In 2023, the median value of the owner-occupied units in the Township of Hamilton was \$240,500. The median home value has increased since the release of the 2020 Census, which was \$201,500. While the Township of Hamilton's average median home value is

about 21% less than that of Atlantic County, it is significantly less than the average in New Jersey.

Table 6
Township of Hamilton, Atlantic County and New Jersey
Median Home Values: 2000, 2010, 2020 & 2023

Median Home Value	2000	2010	2020	2023	Percent Increase
Township of Hamilton	\$105,700	\$228,800	\$201,500	\$240,500	19.4%
Atlantic County	\$122,000	\$264,400	\$222,600	\$303,800	36.5%
New Jersey	\$170,800	\$357,000	\$355,700	\$427,600	20.2%

Source: US Census Bureau, 2023 American Community Survey 5-Year Estimates
2020 Census Data
2010 Census Data
2000 Census Data

As noted in Table 7 the majority of owner-occupied units are valued at less than \$500,000. Of the 7,629 units reported in the 2023 American Community Survey, 97% were valued at less than \$500,000.

Table 7
Township of Hamilton
Home Value of Specified Owner Occupied Units: 2023

Value of Specified Owner Occupied Units	Number of Units	Percent of Total
Less than \$50,000	282	3.7
\$50,000- \$99,999	164	2.1
\$100,000- \$149,999	1,109	14.5
\$150,000- \$199,999	956	12.5
\$200,000- \$299,999	2,861	37.5
\$300,000- \$499,999	2,028	26.6
\$500,000- \$999,999	163	2.1
Over \$1,000,000	66	0.9

Source: US Census Bureau
2023 American Community Survey 5-Year Estimates
2020 Census Data

As noted in Table 8, the majority of the gross rents charged were less than \$2,000 per month. Of the 2,601 rental units reported in the 2023 American Community Survey, 79% of the units were rented at less than \$2,000.

Table 8
Township of Hamilton
Gross Rent of Specified Renter Occupied Units: 2023

Value of Occupied Rental Specified Units	Number of Units	Percent of Total
Less than \$500.00	26	0.8%
\$500.00-\$999.00	192	5.8%
\$1,000.00-\$1,499.00	1,214	36.9%
\$1,500.00-\$1,999.00	1,169	35.5%
\$2,000.00-\$2,499.00	519	15.8%
\$2,500.00-\$2,999.00	171	5.2%
\$3,000 or more	0	0.0%
No cash rent	60	--

*Source: US Census Bureau
2023 American Community Survey 5-Year Estimates
2020 Census Data*

The median gross rent in the Township of Hamilton was \$1,591.00 in 2023. The median rent is higher than that of the Atlantic County average and lower than the New Jersey average.

Table 9
Township of Hamilton, Atlantic County and New Jersey
Median Rents: 2000, 2010, 2020 & 2023

Median Rent	2000	2010	2020	2023	% Change
Hamilton	\$806.00	\$1,273.00	\$1,367.00	\$1,591.00	16.4%
Atlantic County	\$677.00	\$955.00	\$1,129.00	\$1,325.00	17.4%
New Jersey	\$751.00	\$1,092.00	\$1,368.00	\$1,667.00	21.9%

*Source: US Census Bureau, 2023 American Community Survey 5-Year Estimates
2020 Census Data
2010 Census Data
2000 Census Data*

Single family detached homes remain the dominant housing structure in the Township, representing 52.0% of total housing units. In addition, mobile homes account for 4.3% of the housing structures in the Township. Even though the mobile homes are not deed restricted for affordable housing, their presence makes it clear that the Township (1) has an abundance of naturally affordable housing, and (2) does not exclude low- and moderate-income households.

Table 10
Township of Hamilton
Types of Dwelling Units: 2023

Type of Unit	Number of Units	Percent of Total
1- Unit; detached	5,998	52.0%
1- Unit; attached	2,236	19.4%
2 Units	273	2.4%
3 or 4 Units	627	5.4%
5 to 9 Units	949	8.2%
10 to 19 Units	787	6.8%
20 or more Units	163	1.4%
Mobile Homes	498	4.3%
Boat, RV, Van, etc.	0	0.0%
Total	11,531	100%

*Source: US Census Bureau
2023 American Community Survey 5-Year Estimates*

Table 11 provides Census data regarding the condition of housing and whether units are overcrowded:

Table 11
Township of Hamilton
Condition of Housing: 2023

Characteristic	Number of Units
Overcrowded (> 1 person per room)	111
Total Units lacking complete plumbing	0
Total Units lacking complete kitchen	114

Source: US Census Bureau, 2023 American Community Survey 5-Year Estimates

According to the 2023 American Community Survey, the 2023 median household income in the Township of Hamilton was \$85,582.00. Additionally, 7.5% percent of the Township's population identified as living below the poverty level.

Units Affordable to Low- and Moderate-Income Households

Units are affordable to low and moderate-income households if the maximum sales price or rent is set within a specified formula as per UHAC regulations. A moderate-income household is a household whose gross family income is more than fifty percent (50%) of the median income, but less than eight percent (80%) of median income for households of the same size within the housing region. A low-income household is a household whose gross family income is equal to or less than fifty-percent (50%) of median gross household income for a household and a very-low-income household is classified as earning less than thirty-percent (30%) of the median area income of the same size within the housing region for the Township of Hamilton. The Township of Hamilton is in

Region 6, which encompasses Atlantic, Cape May, Cumberland and Salem counties. The median household income in the Township of Hamilton in 2023 was \$85,582.00.

Table 12
2024 Affordable Housing Regional Income Limits
By Household Size

	1 Person	1.5 Person	2 Person	3 Person	4 Person
Median	\$68,852	\$73,770	\$78,688	\$88,524	\$98,360
Moderate	\$55,081	\$59,016	\$62,950	\$70,819	\$78,688
Low	\$34,426	\$36,885	\$39,344	\$44,262	\$49,180
Very Low	\$20,655	\$22,131	\$23,606	\$26,557	\$29,508

	4.5 Person	5 Person	6 Person	7 Person	8 Person
Median	\$102,294	\$106,228	\$114,097	\$121,966	\$129,835
Moderate	\$81,835	\$84,983	\$91,278	\$97,573	\$103,868
Low	\$51,147	\$53,114	\$57,049	\$60,983	\$64,917
Very Low	\$30,688	\$31,868	\$34,229	\$36,590	\$38,950

Source: AHPNJ, April 12, 2024

Based on the qualifying formula in N.J.A.C. 5:80-26, the monthly cost of shelter which includes mortgage (principal and interest), taxes, insurance and homeowners or condominium association fees, may not exceed twenty-eight percent (28%) of gross monthly household income based on a five percent (5%) down payment. In addition, moderate-income sales units must be available for at least three different prices and low-income sales units available for at least two different prices. The maximum sales prices must now be affordable to households earning no more than seventy-percent (70%) of median income. The sales prices must average fifty-five percent (55%) of median income.

Under UHAC regulations, rents including utilities may not exceed thirty percent (30%) of gross monthly income. The average rent must now be affordable to households earning fifty-two percent (52%) of median income. The maximum rents must be affordable to households earning no more than sixty-percent (60%) of median income. In averaging fifty-two percent (52%), one rent may be established for a low-income unit and one rent for a moderate-income unit for each bedroom distribution. The utility allowance must be consistent with the utility allowance approved by HUD and utilized in New Jersey. In addition, thirteen percent (13%) of all restricted rental units must be affordable to households earning no more than thirty percent (30%) of median income.

Based upon the average household size of 2.48 in the Township of Hamilton in 2023 and the regional limits, the median income in Region 6 for the Township of Hamilton in 2024 is \$88,524. At a minimum, 2,266 owner occupied units and 2,601 renter occupied units

could be considered affordable to three person very-low-, low- and moderate-income households as indicated in Table 13. Of the 2,266 owners occupied units, 76 units could be considered affordable to three person very low-income and low-income households and 2,190 units could be considered affordable to three-person low-income and moderate-income households.

Of the 2,601 renter occupied units, 218 units could be considered affordable to three person very low-income and low-income households and 2,383 units could be considered affordable to three-person low-income and moderate-income households. Based upon these numbers approximately 44.3% of the 10,980 units in the Township in 2023 are potentially affordable. Of these, a minimum of 294 units representing approximately 2.7% could be affordable to very low- and low-income households with the remaining 4,573 units representing approximately 41.6% could be affordable to low-income and moderate-income households.

Although these figures are estimates and assumptions regarding household size have been made, it appears that the Township has significant numbers of affordable units, some of which are naturally affordable, and some of which can be counted as affordable housing credits.

Table 13
Township of Hamilton
Estimate of 2023 Housing Units Affordable to Low & Moderate Income Households
Information for Median Income, Mortgage and Rental Information

Income Level	Annual Income	
Median Household Income	\$85,582	
Moderate Income	\$42,791 - \$68,465	
Low Income	\$25,674 - \$42,791	
Very Low Income	< \$25,674	
Income Level	Affordable Monthly Rent	Affordable Monthly Mortgage
Moderate Income	\$998.46 - \$1,711.63	\$1,069.78 - \$1,597.52
Low Income	\$641.85 - \$998.46	\$599.06 - \$1,069.78
Very Low Income	< \$641.85	< \$599.06
Mortgage Status and Selected Owner Costs	Number of Units	Affordability
Owner Occupied Units with a Mortgage		
Less than \$500.00	0	Very Low Income
\$500.00-\$999.00	76	Some Very Low Income & Low Income
\$1,000.00-\$1,499.00	524	Some Low Income & Moderate Income
\$1,500.00-\$1,999.00	1,666	Some Moderate Income & Some Not Affordable
\$2,000.00-\$2,499.00	1,159	Not Affordable
\$2,500.00-\$2,999.00	943	Not Affordable
\$3,000.00 or more	651	Not Affordable
Not Mortgaged	2,610	Not Applicable
Renter Occupied Housing Units		Affordability
Less than \$500.00	26	Very Low Income
\$500.00-\$999.00	192	Some Very Low Income & Low Income
\$1,000.00-\$1,499.00	1,214	Moderate Income
\$1,500.00-\$1,999.00	1,169	Some Moderate Income & Some Not Affordable
\$2,000.00-\$2,499.00	519	Not Affordable
\$2,500.00-\$2,999.00	171	Not Affordable
\$3,000.00 or more	0	Not Affordable
No Rent Paid	60	Not Applicable

Source: 2020 Census Data
2023 American Community Survey 5-Year Estimates

Housing Stock, Population & Employment Projections

Housing Unit Projections

The amended FHA requires that housing plans include a 10-year projection of new housing units based on the number of building permits, development applications approved, and probable developments, as well as other indicators deemed appropriate (N.J.S.A. 52:27D-310.b). Table 14 shows the balance of Certificates of Occupancy and Demolition Permits issued between 2013 and 2023. According to NJDCA permit data, 723 new units were certified, and 55 units were demolished. There is an annual average of 65 Certificates of Occupancy issued per year. If this rate were to remain relatively constant, the Township could see a net increase of 780 units by 2035.

Table 14
Township of Hamilton
Residential Construction Certificate of Occupancy
and Demolition Permits Issued: 2013-2023

Year	Certificates of Occupancy	Demolitions	Net New Dwellings
2013	41	5	36
2014	37	8	29
2015	26	4	22
2016	27	3	24
2017	22	3	19
2018	142	6	136
2019	49	10	39
2020	184	4	180
2021	126	5	119
2022	36	3	33
2023	33	4	29
Total	723	55	668
Annual Average	65	5	60

Source: New Jersey Department of Community Affairs, Division of Codes & Standards, Construction Reporter

Analysis of Existing Employment:

The 2023 American Community Survey data indicates that the civilian labor force (16 years and older) for the Township of Hamilton and Atlantic County in 2023 were 14,477 and 145,774 respectfully. The Township of Hamilton civilian labor force represents 9.9% of the County civilian labor force. In 2023, the percentage of the persons age 16 and over in the civilian labor force in the Township of Hamilton was 63.1%. This average is higher than the County average of 64.1%. The Township had a higher unemployment rate than the County, rates were 6.3% (1,440 people) and 4.1% (9,185 people) respectfully.

The Census data distribution of occupational positions in the Township of Hamilton generally reflects that of Atlantic County and the State. The largest difference, at the State level, comes in the service occupations. Approximately 27.9% of the Township of

Hamilton's labor force works in service occupations compared to 15.5% of the State. This is primarily due to the casino industry as well as the tourist industry in Atlantic County.

Table 15
Township of Hamilton and Atlantic County
Civilian Labor Force Characteristics: 2023

	Township of Hamilton		Atlantic County	
	Number of Persons	Percent of Total	Number of Persons	Percent of Total
Labor Force	14,477	63.1%	145,774	64.1%
Employed	13,037	56.9%	134,927	60.1%
Unemployed	1,440	6.3%	9,185	4.1%

Source: US Census, 2023 American Community Survey 5-Year Estimates

Table 16
Township of Hamilton, Atlantic County and New Jersey
Occupation Distribution: 2023

Occupation	Twp. of Hamilton	Atlantic County	New Jersey
Management, business, science and arts occupations	35.4%	38.6%	47.4%
Service Occupations	22.1%	27.0%	15.5%
Sales and Office Occupations	24.0%	16.8%	19.0%
Natural resources, construction and maintenance occupations	7.5%	7.5%	6.9%
Production, transportation and material moving occupations	11.0%	10.1%	11.2%

Source: US Census, 2023 American Community Survey 5-Year Estimates

In 2023, the median household income in the Township of Hamilton was \$85,582. However, there is a wide range of income levels, as 35.3% of the population make over \$100,000 and 10.2% make under \$25,000. The distribution of household income is indicated in Table 17.

Table 17
Township of Hamilton
Household Income: 2023

Household Income	Number	Percent
Less than \$10,000	319	2.9%
\$10,000- \$14,999	193	1.8%
\$15,000- \$24,999	601	5.5%
\$25,000- \$34,999	608	5.5%
\$35,000-\$49,999	1,066	9.7%
\$50,000- \$74,999	2,065	18.8%
\$75,000- \$99,999	1,371	12.5%
\$100,000- \$149,999	2,921	26.6%
\$150,000 or more	960	8.7%

Source: US Census, 2023 American Community Survey 5-Year Estimates

As mentioned in the 'Analysis of Existing Employment' section, data from the 2023 American Community Survey data indicates a civilian labor force (those in the population above the age of 16) of 14,477, of which 13,037 were employed. Classifications of workers by occupation distribution can be referenced in Table 18 which lists occupation by industry of workers in the Township.

Table 18
Township of Hamilton
Employment Classification: 2023

Industry	Number of Employees	% of Total Employed
Agriculture, forestry, fishing, hunting and mining	23	0.2%
Construction	589	4.5%
Manufacturing	638	4.9%
Wholesale Trade	189	1.4%
Retail Trade	2,213	17.0%
Transportation, warehousing and utilities	569	4.4%
Information	111	0.9%
Finance, Insurance, Real Estate and Rental/Leasing	480	3.7%
Professional, scientific, management, administrative and waste management services	1,757	13.5%
Educational services, health care and social assistance	3,208	24.6%
Arts entertainment, recreation, accommodation and food services	2,145	16.5%
Other services except public administration	364	2.8%
Public Administration	751	5.8%

Source: US Census, 2023 American Community Survey 5-Year Estimates

Population and Employment Projections

The South Jersey Transportation Planning Organization (“SJTPO”) is the Metropolitan Planning Organization for the southern New Jersey region, which contains all municipalities in the Counties of Salem, Atlantic, Cape May, and Cumberland. The SJTPO publishes population and employment forecasts for each county and municipality in the region. Between 2020 and 2060, the SJTPO projects a de minimus population increase and significant employment growth throughout the region. In the Township of Hamilton, SJTPO projects local employment growth of 3,002 jobs (+25.8%) with an insignificant change in population. As shown in Table 18, the Township is expected to experience an employment increase (+25.8%) slightly higher than what is projected to occur throughout the County (+25.1%).

Table 19
Township of Hamilton
Population and Employment Projections: 2020-2060

Location	Population			Employment		
	Estimate 2020	Projected 2060	Percent Change	Estimate 2020	Projected 2060	Percent Change
Township of Hamilton	27,484	27,507	+ 0.1%	11,617	14,619	+ 25.8%
Atlantic County	274,534	266,014	- 3.1%	150,987	188,855	+ 25.1%
SJTPO Region	588,786	557,050	- 5.4%	310,002	378,855	+ 22.2%

Source: SJTPO Population and Employment Projections 2020-2060

Lands Most Appropriate for Affordable Housing

In general, sites that are most appropriate for affordable housing are those that have the necessary infrastructure and are not encumbered by environmental constraints. Within the Township the Regional Growth Area located within the Pinelands, as well as Planning Area 3 Fringe and Planning Area 5 Environmentally Sensitive within the CAFRA portion of the Township, are appropriate locations for affordable housing. These are the areas that the State has, for the most part, encouraged growth.

Specifically, sites within the PVD Planned Village Development Zone are most appropriate for affordable housing, since multifamily dwellings are permitted.

In 2006, an Ordinance was passed to amend the Zoning Code for the PVD zoning district to provide a twenty percent (20%) affordable housing set-aside, consistent with Section 329.9 of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). See attached Appendix C. The Township uses its zoning code to meet affordable housing needs by requiring residential development in certain districts in the Pinelands area of the Township to provide affordable housing as is required by the amended FHA.

Multigenerational Family Housing Continuity

The FHA requires the Housing Element and Fair Share Plan to provide an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of 23 section 1 of P.L.2021, c.273 (C.52:27D-329.20).

A review of the Township's ordinance indicates that there are no ordinances that would specifically create a detraction from meeting the Commission's goal of allowing senior citizens to reside at the homes of their extended families. The ordinances in the Township of Hamilton do not detract from the multigenerational family continuity goal. The Township should update its land use ordinance to expand the areas where accessory apartments and in-law suites are permitted uses.

Consideration of Affordable Housing Options

The Township did not receive proposals from developers of affordable housing projects to satisfy the Township's Fourth Round Prospective Need Obligation. The Township believes that the projects that exist and are proposed in this Housing Element and Fair Share Plan represent the best options for affordable housing in the Township. While the Township recognizes that developers may, in the future, present sites that possess characteristics that could lend themselves to affordable housing development, additional sites are not needed to satisfy the obligation at this time.

FAIR SHARE PLAN

Affordable Housing and Fair Share Plan

In 1975, in the case Southern Burlington County NAACP v. Township of Mt. Laurel (Hereinafter "Mt. Laurel I"), the New Jersey Supreme Court ruled that developing municipalities have a constitutional obligation to provide for the construction of low- and moderate-income housing. The court's 1983 Mt. Laurel II decision expanded the obligation in ruling that all municipalities share in this constitutional obligation to provide a realistic means for addressing a fair share of the regional present and prospective need for housing affordable to low- and moderate-income families provided that any portion of the municipality is located in a "growth area" as set forth in the SDGP. As such, through a municipality's zoning and land use regulations, it is to be realistically possible, through provision of a variety of housing choices, for all categories of people within Housing Region 6 (including Salem, Cumberland, Cape May and Atlantic counties) to live if they choose in the Township of Hamilton.

Township of Hamilton Fair Share Obligations

the Township of Hamilton will address the following affordable housing obligations:

A. Present Need (Rehabilitation) Obligation:

The Present Need Obligation, also known as the rehabilitation obligation, can be defined as an estimate of the number of substandard existing deficient housing units currently occupied by low- and moderate-income households. The Township of Hamilton has a Present Need Obligation of 13 units, as per the Order entered by the Court on March 27, 2025. See Appendix B.

B. Prior Round Obligation (1987-1999):

The Township of Hamilton has a Prior Round Obligation of **349**.

C. Third Round - Prospective Need Obligation (1999-2025):

The Township of Hamilton has a Third Round Prospective Need Obligation of **201**, which is the number assigned to the Township under the 2018 Judge Jacobson decision.

D. Fourth Round Prospective Obligation (2025-2035):

The Township of Hamilton has a Fourth Round Obligation of **65**.

Housing Strategy:

Affordable Housing Caps and Requirements

As per the he amended FHA, the Township of Hamilton will address the following micro-requirements:

- A. This plan requires that thirteen percent (13%) of all the affordable units referenced in the Agreement, with the exception of units constructed as of July 1, 2008, and units subject to preliminary or final site plan approval as of July 1, 2008, will be very low income units (defined as units affordable to households earning thirty percent (30%) or less of the regional median income be household size), with half of the very low income units being available to families.
- B. Bonus credits in this plan have been calculated in accordance with N.J.A.C. 5:93-5.15(d).
- C. This plan will ensure that at least fifty percent (50%) of the units addressing the Fourth Round Obligation will be affordable to a combination of very-low-income and low-income households, while the remaining affordable units will be affordable to moderate-income households.
- D. This plan will ensure that a minimum of twenty-five percent of the Township's Fourth Round fair share obligation will be met through rental units, including at least half of the rental units available to families.
- E. This plan will ensure that at least half of the units addressing the Township's Fourth Round Prospective Need Obligation will be available to families.
- F. This plan complies with the Fourth Round age-restricted cap of thirty percent (30%).

The housing strategy outlined herein addresses the Township's 13-unit Rehabilitation Obligation, 349-unit Prior Round Obligation, Third Round 201-unit Obligation, and the 65-unit Fourth Round Obligation. Below are the affordable housing projects and mechanisms the Township has put in place to address the affordable housing obligations.

Addressing the Present Need Obligation:

The purpose of a Rehabilitation Program is to rehabilitate substandard housing units occupied by low- and moderate-income households. A substandard housing unit is defined as a unit with health and safety violations that require the repair or replacement of a major system. A major system includes a roof, plumbing, heat, electricity, sanitary plumbing and/or a load bearing structural system. Upon rehabilitation, housing

deficiencies are corrected and the unit is brought up to New Jersey Uniform Construction Code standards.

Based on the DCA's calculation for the municipality's present need, a Rehabilitation Obligation of thirteen (13) units was accepted by the Township. The Township plans to satisfy this obligation and will continue its efforts to rehabilitate the present need obligation of thirteen (13) units during the ten-year Judgment of Compliance and Repose period via its continued participation in the Atlantic County Improvement Authority's rehabilitation program and/or through other rehabilitation programs selected by the Township.

Addressing the Prior Round Obligation:

The Township has a Prior Round obligation of **349**, which it has addressed as follows:

- A. Thirty-eight (38) bedrooms from existing Supportive and Special Needs Housing:** Pursuant to N.J.A.C. 5:93-5.8, the unit of credit for Supportive and Special Needs Housing is the bedroom. As such, the Township is able to claim 38 credits, based on the number of bedrooms indicated below. The Township will seek credit for the following twenty-one (21) existing Supportive and Special Needs housing facilities, which contain thirty-eight (38) bedrooms:

1. Supportive and Special Needs Housing operated by Caring, Inc. in the Township:

5905 Buttercup Lane - Four (4) bedrooms

2. Supportive and Special Needs Housing operated by ARC of Atlantic County in the Township:

6307 Roosevelt Avenue - Four (4) bedrooms
 5303 Harding Highway #1104 - One (1) bedroom
 5303 Harding Highway #1402 - One (1) bedroom
 1795 McKee Avenue - Four (4) bedrooms
 4730 Andorea Drive – Two (2) bedrooms
 4433 Yorktown Place – Two (2) bedrooms
 4435 Yorktown Place – Two (2) bedrooms
 4469 Yorktown Place – Two (2) bedrooms
 4419 Yorktown Place – Two (2) bedrooms
 4424 Yorktown Place – One (1) bedroom
 4414 Yorktown Place – One (1) bedroom
 4539 Concord Place – Two (2) bedrooms
 4452 Concord Place – Two (2) bedrooms
 4756 Summersweet Drive – Two (2) bedrooms
 4758 Summersweet Drive – Two (2) bedrooms
 4708 Summersweet Drive – Two (2) bedrooms

3. Supportive and Special Needs Housing operated by Career Opportunity Development, Inc. (CODI) in the Township:

2817 Forsythia Court – Two (2) bedrooms
 2608 Nutmeg Court – One (1) bedroom
 2813 Hawthorn Court – Two (2) bedrooms
 3204 Juniper Court – One (1) bedroom

- B. **Forty-five (45) affordable family rental units from the Conifer Realty, LLC Pine Grove at Hamilton project:** Forty-five (45) family rental units from the already funded, constructed and occupied 99-unit Conifer Realty, LLC one hundred percent (100%) affordable project known as Pine Grove at Hamilton located at 1700 John Ash Court (Block 1131, Lot 5.01). This development has been approved, constructed and is currently occupied. Supporting documentation for this mechanism is included. See Appendix F.

- C. **Five (5) affordable units at Woodview Estates Assisted Living Facility:** The Woodview Estates Assisted Living Facility located at 5030 Unami Boulevard and contains 78 beds in the facility. Per the state law on licensing assisted living residences since 2001, the reservation of 10% of the beds for Medicaid-eligible individuals is required. Any beds reserved is recognized as providing low- and moderate-income housing requirements. The assisted living facility is required to reserve 8 of the 78 beds for this purpose. Five of the eight credits are being applied to satisfy the Prior Round Obligation.

- D. **One-hundred twenty-four (124) units from the Planned Village Development Zoning District:** The Township of Hamilton created the Planned Village Development (PVD) zoning district in 2006 to provide realistic opportunities for affordable housing within designated portions of the regional growth area. Several sites were previously identified in the Prior Round as realistic opportunities for development. The Planned Village Development ordinance is included in Appendix C.

Block 996, Lot 7, is located on the Black Horse Pike near the Atlantic Cape Community College campus and contains a lot area of 21.7 acres. With a proposed density of 5.45 dwelling units per acre, per the PVD zoning, the site will yield 118 dwelling units. The Township is proposing to amend the current ordinance to increase the set-aside required for rental units from 15% to 20% in the PVD zoning district. This will encourage the development of affordable units in the appropriate areas of the Township. The site is currently vacant and does not contain any areas of wetlands or wetlands buffers. The site is in the sewer service area and has frontage on existing roadways. The site is approvable and developable under the zoning regulations set forth in the current and proposed ordinances for the Planned Village Development zoning district.

Block 1135.01, Lot 10.01 (portion of) is a portion of the former Atlantic City Race Course on Leipzig Avenue behind the Hamilton Mall. The ACRC ceased operations and permanently closed in 2015. The site is located in the Township's PVD zone and with the 92 acres available in the area of the existing paddocks, the site will yield 500 dwelling units. The Township is proposing to amend the PVD ordinance to increase the rental set-aside requirement from 15% to 20% to increase the number of affordable units. This site is in the sewer service area, and has public utilities available as well as improved street frontage. The zoning of the property makes it suitable for multifamily dwellings in an area where commercial development and infrastructure exist to support the residential uses.

Maps of both sites are included and no wetlands are present on or in the area of any potential development. See Appendix G.

All 124 units are being credited towards satisfying the Prior Round Obligation.

E. Thirty-eight (38) units from the Harding Run Phase II site (PVD Zoning District): This project received preliminary approval in 2006 for a 135-unit inclusionary development which would produce 38 affordable units. This project is located within the Township's PVD zoning district and is still a developable and suitable project. A copy of the Decision & Resolution from the Planning Board is included. See Appendix H.

F. Eight (8) units from the Harding Highway (Woods Edge) site (PVD Zoning District): This site is known as Lot 1 in Block 1134 and has a lot area of 112 acres. This parcel was included in an Area in Need of Redevelopment Study and one of the subject parcels in the Woods Edge Redevelopment Plan adopted by the Township of Hamilton. The project received General Development Plan approval in accordance with Planning Board Resolution #PB2022-002 memorialized on May 5, 2022. A copy of the resolution is included. See Appendix I.

The 112-acre site will provide up to 600 units based on the PVD zoning district standards. This site will be required to provide a 15% set-aside resulting in 90 affordable units. These credits will be distributed amongst the Prior Round, Third Round and Fourth Round to meet the Township's affordable housing obligations. A map showing the wetlands constraints demonstrates that there are no wetlands impeding development on the site and that the site is approvable and suited for this area. Since the developer has zoning protections under the MLUL through the approval of a general development plan, development on this lot will remain at a 15% set-aside for affordable housing. Eight (8) of the 90 affordable units will be applied to the Prior Round to satisfy the Township's obligation.

G. 87 rental bonus credits

Table 20
Township of Hamilton
Prior Round Affordable Housing Unit Crediting

Development	Special Needs	Family	Senior	Rentals	Units	Bonus Credits	Total Credits
ARC of Atlantic County - 6307 Roosevelt Avenue	4			4	4	4	8
Caring Res. Services - 5905 Buttercup Lane	4			4	4	4	8
ARC of Atlantic County - 5303 Harding Highway #1104	1			1	1	1	2
ARC of Atlantic County - 5303 Harding Highway #1402	1			1	1	1	2
ARC of Atlantic County - 1795 McKee Avenue	4			4	4	4	8
ARC of Atlantic County - 4730 Andorea Drive	2			2	2	2	4
ARC of Atlantic County - 4433 Yorktown Place	2			2	2	2	4
ARC of Atlantic County - 4435 Yorktown Place	2			2	2	2	4
ARC of Atlantic County - 4469 Yorktown Place	2			2	2	2	4
ARC of Atlantic County - 4419 Yorktown Place	2			2	2	2	4
ARC of Atlantic County - 4424 Yorktown Place	1			1	1	1	2
ARC of Atlantic County - 4414 Yorktown Place	1			1	1	1	2
ARC of Atlantic County - 4539 Concord Place	2			2	2	2	4
ARC of Atlantic County - 4452 Concord Place	2			2	2	2	4
CODI - 2817 Forsythia Court	2			2	2	2	4
CODI - 2608 Nutmeg Court	1			1	1	1	2
CODI - 2813 Hawthorn Court	2			2	2	2	4
CODI - 3204 Juniper Court	1			1	1	1	2
Conifer - 1700 John Ash Court		45		45	45	45	90
ARC of Atlantic County - 4756 Summersweet Dr.	2			2	2	2	4
ARC of Atlantic County - 4758 Summersweet Dr.	2			2	2	2	4
ARC of Atlantic County - 4708 Summersweet Dr.	2			2	2	2	4
Woodview Estates Assisted Living			5	5	5		5
PVD Zoning – (B 996 L 37; B 1135.02 L 10.01)					124		124
PVD Zoning - Harding Run Phase II (B 1132.05 L 1.01 & 1.02)					38		38
PVD Zoning - Woods Edge (B 1134 L 1)					8		8
Total Credits	42	45	5	92	262	87	349

Addressing the Third Round Obligation

The Township of Hamilton has a Third Round (1999-2025) Obligation of **201** and has address said obligation as follows:

- A. Fifty-four (54) affordable family rental units from the Conifer Realty, LLC Pine Grove at Hamilton project:** The remaining fifty-four (54) family rental units from the already funded, constructed and occupied 99-unit Conifer Realty, LLC one hundred percent affordable project known as Pine Grove at Hamilton located at 1700 John Ash Court (Block 1131, Lot 5.01). Supporting documents for this mechanism are included. See Appendix F.

- B. Three (3) Affordable Family For-Sale Habitat for Humanity Houses:** The Township and Habitat for Humanity of South Central New Jersey, Inc. (hereinafter “Habitat”) entered into an Affordable Housing Agreement on December 22, 2010 for Habitat to build two single family for-sale low or moderate income affordable units, one to be located at 9 Matisse Drive (Block 1132.26, Lot 3) and the other one to be located at 13 Rembrandt Way (Block 1132.25, Lot 4). The 13 Rembrandt property was foreclosed upon and sold; following the latest sale, the controls have been extended for 20 years beginning on August 30, 2024. The 9 Matisse property has a current deed restriction for thirty years and was sold to an income qualified owner on November 2, 2021. The deed restrictions for both units are included. See Appendix J.

In 2022, the Township and Habitat entered into an Affordable Housing Agreement to build one single-family for sale low- or moderate-income affordable unit at 6372 Beacon Avenue (Block 611, Lot 17). A copy of the deed restriction is also included. See Appendix J.

- C. Two (2) Affordable Family Rental Homes from Homes for All, Inc.:** Homes for All, Inc. owns and manages two affordable family rentals at 510 Bainbridge Avenue and 520 Bainbridge Avenue. Homes for All, Inc. manages the rental properties and each unit is rented to a low-income-qualified household. The Township will seek a 40-year deed restriction on each property.

- D. Four (4) affordable family rental units from the Oakcrest Estates inclusionary project:** This property received approval to construct a 42-unit inclusionary development and will provide four (4) affordable units. The site is located in the Township’s PVD zoning district.

- E. Six (6) age-restricted units at 4119 Black Horse Pike utilizing a proposed overlay zone to allow affordable housing in mixed use development in the DC Design Commercial zoning district:** The Township recently named 4119 Black Horse, LLC as the Conditional Redeveloper for the former Zaberer’s Restaurant site (Block 1323, Lot 3) for the construction of mixed-use development which includes a 110-unit inclusionary age-restricted development and a large commercial development that fronts on the Black Horse Pike. The proposed residential development will provide twenty-two (22) age-restricted affordable units to be distributed to the Third Round (6 units) and Fourth Round (16 units).

The Township has proposed an overlay zone for the Design Commercial zoning district. See Appendix K. The overlay zone will allow a developer interested a mixed-use development in the Design Commercial zoning district to construct residential units in addition to the permitted commercial uses already included in the Design Commercial zone. There will be a 20% set-aside for both rental and for-sale affordable units in the overlay zone. The permitted uses and the allowed density in the overlay zone will be similar to the uses and density permitted in the PVD zoning district.

Utilizing the proposed overlay zoning, the proposed development will provide twenty-two (22) age-restricted affordable units to be distributed to the Third Round (6 units) and Fourth Round (16 units).

The site is well suited for affordable housing due to its close proximity to public transportation and commercial businesses, which can support the needs of a residential development. The site was previously developed with a restaurant and off-street parking before it was demolished in the 1980's and in 2020, the Township of Hamilton determined that this area met the criteria to be designated as an Area in Need of Redevelopment. The site is located within the sewer service area and utilities and improved streets are adjacent to the site. The site is vacant and no wetlands exist on the property and a preliminary concept plan has been prepared by the Conditional Redeveloper. See Appendix L.

- F. Eighty (80) affordable units from the Harding Highway site (PVD Zoning District):** This site is known as Lot 1 in Block 1134 and has a lot area of 112 acres. The project received General Development Plan approval in accordance with Planning Board Resolution #PB2022-002 memorialized on May 5, 2022. See Appendix I. Eighty (80) of the 90 affordable units will be applied to the Third Round to satisfy the Township's obligation.

G. 50 rental bonus credits

Table 21
Township of Hamilton
Third Round Affordable Housing Unit Crediting

Development	Special Needs	Family	Senior	Rentals	Units	Bonus Credits	Total Credits
Conifer - 1700 John Ash Court		54		54	54	50	104
Homes for All - 510 Bainbridge Avenue		1		1	1		1
Homes for All - 520 Bainbridge Avenue		1		1	1		1
Habitat for Humanity - 9 Matisse Drive					1		1
Habitat for Humanity - 6372 Beacon Avenue					1		1
Habitat for Humanity - 13 Rembrandt Way					1		1
Woodview Estates Assisted Living			2	2	2		2
Oakcrest Estates		4		4	4		4
4119 Black Horse, LLC - Age Restricted Inclusionary			6	6	6		6
PVD Zoning - Woods Edge (B 1134 L 1)					80		80
Total Credits	0	61	8	69	151	50	201

Addressing the Fourth Round Obligation

The Township of Hamilton has a Fourth Round (2025-2035) Obligation of **65** and will address said obligation as follows:

A. Transitional Living:

Lake Lenape Home is an existing transitional living house with a total of 18 bedrooms according to Township property records and is located at 798 Park Avenue. The property is licensed by the State of New Jersey as a Rooming and Boarding House. Annual inspections are conducted by the DCA. In accordance with the new legislation, in the Fourth Round, municipalities can count credits for transitional housing for up to 10% of the fair share obligation. The Township is applying one (1) credit towards the Fourth Round obligation for this facility.

Just Family & Friends Recovery is an existing transitional living house located at 301 Route 50 and contains five (5) bedrooms. The property is licensed by the State of New Jersey as a Rooming and Boarding House. Annual inspections are conducted by the DCA. In accordance with the new legislation, in the Fourth Round, municipalities can count credits for transitional housing for up to 10% of the fair share obligation. The Township is applying five (5) credits towards the Fourth Round obligation for this facility.

- B. Two (2) Affordable Family Rental Homes from Caring, Inc.:** Caring Residential Services 9 owns and manages two affordable family rentals at 600 Route 50 and 602 Route 50. The single-family dwellings are rented to a family with a head of household with a disability and each house has three bedrooms. Supporting documentation for these homes is included. See Appendix

- C. Sixteen (16) age-restricted affordable units at 4119 Black Horse Pike utilizing a proposed overlay zone to allow affordable housing in mixed-use development in the DC Design Commercial zoning district:** The Township recently named 4119 Black Horse, LLC as the Conditional Redeveloper for the former Zaberer's Restaurant site (Block 1323, Lot 3) for the construction of mixed-use development which includes a 110-unit inclusionary age-restricted development and a large commercial development that fronts on the Black Horse Pike. The proposed residential development will provide twenty-two (22) age-restricted affordable units to be distributed to the Third Round (6 units) and Fourth Round (16 units).

The Township has proposed an overlay zone for the Design Commercial zoning district. See Appendix L. The overlay zone will allow a developer interested a mixed-use development in the Design Commercial zoning district to construct residential units in addition to the permitted commercial uses already included in the Design Commercial zone. There will be a 20% set-aside for both rental and for-sale affordable units in the overlay zone. The permitted uses and the allowed

density in the overlay zone will be similar to the uses and density permitted in the PVD zoning district.

Utilizing the proposed overlay zoning, the proposed development will provide twenty-two (22) age-restricted affordable units to be distributed to the Third Round (6 units) and Fourth Round (16 units).

The site is well suited for affordable housing due to its close proximity to public transportation and commercial businesses, which can support the needs of a residential development. The site was previously developed with a restaurant and off-street parking before it was demolished in the 1980's and in 2020, the Township of Hamilton determined that this area met the criteria to be designated as an Area in Need of Redevelopment. The site is located within the sewer service area and utilities and improved streets are adjacent to the site. The site is vacant and no wetlands exist on the property and a preliminary concept plan has been prepared by the Conditional Redeveloper. See Appendix L.

Timber Glen Phase 5 Inclusionary Development: The 64-unit multifamily inclusionary development will provide twelve (12) affordable family rental units. This project received Planning Board approval on January 17, 2008 in accordance with Resolution No. SD 7.02-81. See Appendix N.

Two (2) affordable units from the Harding Highway site (PVD Zoning District): This site is known as Lot 1 in Block 1134 and has a lot area of 112 acres. The project received General Development Plan approval in accordance with Planning Board Resolution #PB2022-002 memorialized on May 5, 2022. See Appendix I. Two (2) of the 90 affordable units will be applied to the Third Round to satisfy the Township's obligation.

- D. Twelve (12) affordable units from the Mill Complex Redevelopment Plan and Cotton Mill Associates:** The Township adopted a redevelopment plan for the Mill Complex Redevelopment Area (Block 730, Lots 5.02 and 6 & Block 723, Lot 66), Ordinance 1606-2007 and last amended by Ordinance 1940-2020. The Township designated Cotton Mill Associates, LLC as the Conditional Redeveloper for the area on December 6, 2021. The Redevelopment Plan includes a requirement to provide affordable housing. The zoning requires a minimum of 10% of all residential units shall be set aside for occupancy by low- and moderate-income households. See Appendix O.

Table 22
Township of Hamilton
Fourth Round Affordable Housing Unit Crediting

Development	Special Needs	Family	Senior	Rentals	Units	Bonus Credits	Total Credits
Lake Lenape Home (789 Park Avenue)					1		1
Just Family & Friends Recovery (301 Route 50)					5		5
4119 Black Horse, LLC - Age Restricted Inclusionary			16		16	8	24
Caring Residential Services - 600 Route 50		1		1	1	1	2
Caring Residential Services - 602 Route 50		1		1	1	1	2
Woodview Estates Assisted Living			1	1	1		1
Timber Glen Phase 5 (64 units, inclusionary)		10		10	10		10
PVD Zoning - Woods Edge (B 1134 L 1)					2		2
Cotton Mill		12			12	6	18
Total Credits	0	24	17	13	49	16	65

Very Low-Income Units

Pursuant to the amended FHA (P.L. 2008, c.46), the Township must ensure that at least thirteen percent (13%) of affordable housing units approved and constructed (or to be constructed) after July 17, 2008, are available to very low-income households. The Township will exceed the requirement that thirteen percent (13%) of units be available to very low-income households in both the Third Round and Fourth Round.

Per the more recently amended FHA (P.L. 2024, c.2) at N.J.S.A. 52:27D-329.1, at least half of very low-income units addressing the Fourth Round Prospective Need must be “available for families with children.” To meet this requirement, the Township will continue to pursue affordable housing opportunities for family rental units.

Income and Bedroom Distribution

The Township will continue to follow UHAC regulations and ensure that any new affordable housing projects comply with proper bedroom and income distribution requirements..

Affordable Housing Administration and Affirmative Marketing

The Township of Hamilton currently has a Court-approved Affordable Housing Ordinance, Chapter 57 of the Township Code. The Affordable Housing Ordinance governs the establishment and occupancy of the affordable units in the Township, including, but not limited to, the phasing of affordable units, the mix of very-low-, low- and moderate-income units, bedroom distribution, occupancy standards, affordability controls, rents and sales prices, affirmative marketing, and income qualification.

The Township will prepare an updated Affordable Housing Ordinance in accordance with the DCA's proposed new regulations (N.J.A.C. 5:99), and UHAC's new 2025 regulations, once the DCA and HMFA finalize their rule proposals.

The Township's Affordable Housing Development Fee Ordinance is contained in the Township's Code in Chapter 167 Fees, Article XI Affordable Housing Development Fees. The Township will continue to collect development fees during the Fourth Round.

The Township has appointed a Municipal Housing Liaison by resolution (see Appendix E).

The Township has also contracted with Rehabco, Inc. to be the Township's Administrative Agent and to conduct the administration and affirmative marketing of its affordable housing sites.

The Township shall work with its Administrative Agent to draft and adopt by resolution an Affirmative Marketing Plan. The Township's Administrative Agent designated by the Township of Hamilton, or any Administrative Agent appointed by a specific developer, shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.

Affirmative Marketing Plans are designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to the affordable units located in the Township. Additionally, affirmative marketing plans are intended to target those potentially eligible persons who are least likely to apply for affordable units and who reside in the Township's housing region, Region 6, consisting of Atlantic, Cape May, Cumberland, and Salem counties.

The Township's Affirmative Marketing Plan will lay out the random-selection and income qualification procedure of the administrative agent, which is consistent with COAH's rules and N.J.A.C. 5:80-26.1. All newly created affordable units will comply with the minimum 30-year (or 40-year for rentals) affordability controls required by UHAC, N.J.A.C. 5:80-26.1 et seq. This plan must be adhered to by all private, nonprofit or municipal developers of affordable housing units and must cover the period of deed restriction or affordability controls on each affordable unit.

State Development and Redevelopment Plan

This Housing Element and Fair Share Plan is consistent with the 2001 State Development and Redevelopment Plan (SRDP) and the draft proposed SDRP as the proposed projects and zoning mechanisms will provide the opportunity for the construction of affordable housing.

A small portion of the Township, 3% of the land area, is located within the CAFRA jurisdiction and within the PA3 Fringe and PA5 Environmentally Sensitive Planning Areas. These areas are not suitable for development and are also located outside of the NJDEP Sewer Service Area.

The SDRP has accepted the Pinelands Management Areas and incorporated them into the State Plan Policy Map. Since the majority of the Township of Hamilton is within the Pinelands Areas, the SDRP “acknowledges the special statutory treatment accorded to the New Jersey Pinelands under the Pinelands Protection Act” and relies exclusively on the adopted plans and regulations of the Pinelands Commission to implement statewide goals and objectives in those Pinelands Management Areas.

The Township continues to encourage the development affordable housing in the PVD Planning Village Development District. This is consistent with the overall SRDP goal to direct redevelopment and growth into areas where infrastructure can support the development and support services such as open space, retail shopping and public transportation are within walking distance.

In 2006, the Township added the PVD Planned Village Development district to encourage the development of affordable housing. This zoning has resulted in several projects which have provided affordable units within these zoning districts.

Cost Generation

The Township’s Subdivision of Land and Site Plan Review and Zoning ordinances have been reviewed to eliminate unnecessary cost generating standards. The Township will amend, if needed, the Planning Board rules for expediting the review of development applications for affordable housing projects, including, but not limited to, scheduling special monthly public hearings. All development applications containing affordable housing shall be reviewed for consistency with the Township’s ordinances, Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.) and the FHA regarding unnecessary cost-generating requirements.

Once the DCA and HMFA finalize their rule proposes, the Township will revise its Subdivision of Land and Site Plan Review and Zoning ordinances, if needed, in accordance with the DCA’s proposed new regulations (N.J.A.C. 5:99), and UHAC’s new 2025 regulations in order to comply with the new requirements to address cost-generative issues.

Spending Plan

The Township is in the process of preparing a Fourth Round Spending Plan, which will be adopted and submitted to the Program and the Court for review, and which discusses anticipated revenues, collection of revenues, and the use of revenues, in accordance with N.J.A.C. 5:93-5.1(c). All collected revenues are placed in the Township’s Affordable Housing Trust Fund and will be dispensed for the use of affordable housing activities as

indicated in the Fourth Round Spending Plan. Once DCA and HMFA finalize their rule proposals (anticipated after June 30, 2025), the Township will prepare an updated Spending Plan in accordance with DCA's proposed new regulations at N.J.A.C. 5:99, UHAC's new 2025 regulations that are anticipated to be released shortly, as well as to address any order of the Court or the Affordable Housing Mediation Program.

The Township may, in the future, seek to amend its Spending Plan and obtain court approval to use its affordable housing trust funds for the following additional permitted affordable housing activities, including new, emergent affordable housing activities, subject to applicable limitations and minimum expenditures. N.J.S.A. 52:27D-329.2 permits the use of revenues generated by a development fee ordinance for activities that address the municipal fair share obligation including, but not limited to, rehabilitation, new construction, improvement to land, roads and infrastructure for affordable housing, assistance to render units more affordable, and administrative costs of housing plan implementation.

The Township will ensure that a portion of its collected development fees are used to provide affordability assistance to very low-, low- and moderate-income households in affordable housing units included in the Township's Housing Element and Fair Share Plan. A minimum of one-third (1/3) of the affordability assistance must be utilized for very-low-income units.

No more than 20% of the revenues collected each year from development fees shall be spent on administrative fees, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a rehabilitation program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program.

Summary

Through the proposed mechanisms addressed in this Fourth Round Housing Element and Fair Share Plan, the Township will be able to satisfy its Rehabilitation, Prior Round, Third Round and Fourth Round Prospective Need affordable housing obligations by 2035 providing for a realistic opportunity for the production of very low-, low- and moderate-income units within the Township.

