

## SURENIAN, EDWARDS, BUZAK & NOLAN LLC

Jeffrey R. Surenian, Esq. ▲  
Email - JRS@Surenian.com

Michael J. Edwards, Esq. ►  
Email - MJE@Surenian.com

Edward J. Buzak, Esq. ▼  
Email - EJB@Surenian.com

Erik C. Nolan, Esq.  
Email - EN@Surenian.com

*Also admitted:*  
◀ CA ▼ DC ▲ PA ■ MA ► NY

A Limited Liability Company  
Counselors at Law  
311 Broadway, Suite A  
Point Pleasant Beach, New Jersey 08742  
Phone: (732) 612-3100  
Fax: (732) 612-3101  
www.Surenian.com

—  
North Jersey location:  
150 River Road, Suite N-4  
Montville, NJ 07045  
Phone: (973) 335-0600  
Fax: (973) 335-1145

Keli L. Gallo, Esq. ►  
Email - KLG@Surenian.com  
Susan L. Crawford, Esq. ▲■  
Email - SLC@Surenian.com  
Nancy L. Holm, Esq. ▲  
Email - NLH@Surenian.com  
Jacquelin P. Gioioso, Esq.  
Email - JPG@Surenian.com  
William E. Olson, Esq.  
Email - WEO@Surenian.com

March 12, 2026

### Via eCourts

Honorable John C. Porto, P.J.Ch.  
Atlantic County Courthouse  
1201 Bacharach Blvd., Floor 3  
Atlantic City, New Jersey 08401

**RE: In the Matter of the Application of the City of Northfield  
Docket No. ATL-L-136-25**

Dear Judge Porto:

As the Court is aware, this office represents the City of Northfield with regard to affordable housing matters. In accordance with the Consent Order filed in this matter between the City, Fair Share Housing Center ("FSHC"), and Homes for All ("HFA"), and in accordance with the amended Fair Housing Act, N.J.S.A. 52:27D-304.1(f)(2)(c), please find the following documentation to be submitted in furtherance of the City's application for a Certificate of Compliance:

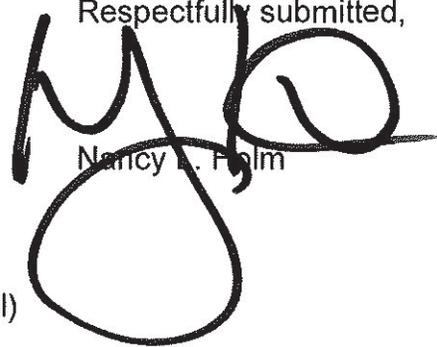
1. City's Amended Housing Element and Fair Share Plan ("HEFSP");
2. Planning Board Resolution Adopting Amended HEFSP;
3. Council Resolution No. 102-2026 Endorsing the City's Amended HEFSP;
4. Ordinance No. 5-2026, Repealing and Replacing the City's Affordable Housing Ordinance and Development Fee Ordinance;
5. Ordinance No. 7-2026, Adopting the Dolphin Avenue Redevelopment Plan (Habitat for Humanity Project);
6. Ordinance No. 6-2026, Adopting the Wabash Avenue Redevelopment Plan (Tunnels to Towers Project);
7. Resolution No. 100-2026 Adopting an Amended Spending Plan and Affordability Assistance Manual;

8. Resolution No. 101-2026 Adopting an Affirmative Marketing Plan; and
9. Resolution No. 83-2026 Authorizing the Mayor to sign a Developer's Agreement with HFA and Tunnels 2 Towers for veteran's supportive housing project. The City, FSHC, and Tunnels 2 Towers are finalizing the Developer's Agreement and it will be filed separately once fully executed.

The City has worked diligently to implement its Fourth Round HEFSP, as amended, and all of the corresponding ordinances and administrative documents. Should any documentation need to be corrected or amended, the City will do so timely, in accordance with the instructions of the Court and in collaboration with FSHC. The terms of the City's Consent Order that extend beyond the March 16, 2026 statutory deadline (Camden Diocese project, Habitat deed restriction and Certificate of Occupancy, etc.) will be provided in accordance with the terms of the Consent Order and will be included as terms in the City's Compliance Certification as needed.

The City extends its sincere appreciation to FSHC and HFA for working together with Northfield to come to an agreement in an extremely short timeframe, and looks forward to finalizing its Fourth Round compliance with the Court in the coming months.

Respectfully submitted,



Nancy L. Palm

cc: All Attorneys of Record (via eCourts)  
Ashley J. Lee, Esq. (via eCourts and email)  
CherylLynn Walters, Esq. (via email)  
City of Northfield (via email)  
Tiffany Morrissey, PP, AICP (via email)

1

0EMQĀIBĀMBĀ  
. NI=HĀ INHQĀ

Ā

.G AHĀĀ&\$Ā\*  
4IN LEĀFG AHMĀIBĀVHLKĀ8F=Ā  
3=EKĀ=KĀ8F=Ā

Ā



Ā

Ā  
Ā

1 MXMĀKQĀ @W WPĀ2XMĀXWĀQĀ+"Ā(&KĀBĀNĀJĀK WĀĀ  
5 WMXĀKQĀ X^Z WPĀ2XMĀXWĀQĀ'Ā(&KĀBĀNĀJĀK WĀĀ#(&(& Ā

Ā  
Ā

3A>KN=KQĀ&'Ā&\$Ā\*Ā

Ā  
Ā

3RaĀXOĀZQORĀ  
'&ĀQXZĀBXMĀ  
>XZQORĀMĀ(+Ā

Ā  
Ā  
Ā

@NYJZNMĀ2Ā0  
Ā

Ā  
Ā

Tiffany A. Cuiello, PP, LLC  
T.A.C. Community Development  
& Planning

Tiffany A. Morrissey, PP, AICP  
7 Equestrian Drive  
Galloway, NJ 08205  
(856) 912-4415  
tamorrissey@comcast.net



̄

**TABLE OF CONTENTS**

̄

2026 AMENDMENT..... 3

EXECUTIVE SUMMARY ..... 4

INTRODUCTION ..... 6

AFFORDABLE HOUSING HISTORY IN NEW JERSEY..... 9

HOUSING ELEMENT ..... 14

    Demographic Analysis ..... 15

    Housing Analysis..... 21

    Employment Analysis ..... 26

    Affordable Housing Obligation..... 29

        Present Need / Rehabilitation Component ..... 30

        Prior Round Component..... 30

        Round Three Component..... 30

        Round Four Component ..... 31

        Vacant Land Adjustment ..... 31

    Land Use Analysis..... 33

    Multigenerational Family Housing Analysis..... 34

    Regional Planning Analysis ..... 35

FAIR SHARE PLAN ..... 37

    Affordability Requirements..... 37

    Affordable Housing Plan..... 38

        Rehabilitation Obligation/Present Need: ..... 38

        Prior Round:..... 39

        Third Round:..... 40

        Fourth Round Prospective Need:..... 42

        Unfulfilled Prior Round (1987 through 2025) ..... 45

        Elements Satisfying Obligation ..... 49

        Phasing Plan for Affordable Housing Units ..... 56

        Bonus Provisions ..... 57

    Affordable Housing Trust Fund ..... 57

    Cost Generation ..... 58

    Monitoring..... 58

    Fair Share Ordinance and Affirmative Marketing ..... 59

    Conclusion ..... 60

̄

- APPENDIX A – Northfield DJ Complaint*
- APPENDIX B - Order Fixing Municipal Obligation for “Present Need” and “Prospective Need” for the Fourth Round Housing Cycle*
- APPENDIX C – Northfield Rehab Units*
- APPENDIX D – Tilton Road Mixed Use Tax Map*
- APPENDIX E –Affordable Housing Ordinances (Including Tilton Road Amendment)*

*APPENDIX F – Transitional Housing Licenses (To Be Provided)*  
*APPENDIX G – Consent Order for Conditional Compliance Certification*  
*APPENDIX H – Dolphin Avenue Redevelopment Plan*  
*APPENDIX I – Wabash Avenue Redevelopment Plan*  
*APPENDIX J – Tunnel to Towers Developer’s Agreement*

## 2026 AMENDMENT

Ä

The 2025 Housing Element and Fair Share Plan (HEFSP) is being amended in accordance with a “Consent Order for Conditional Compliance Certification” between the City of Northfield and Fair Share Housing Center and Homes for All, Inc.. This order is included Appendix.

In compliance with the mediation agreement the City is amending the 2025 HEFSP to change the project identified as Homes for All/Mason Properties from an inclusionary senior housing development providing 12 age-restricted affordable housing credits in the 2025 HEFSP. The new project is proposed as Veterans Supportive Housing through an agreement with the Stephen Siller Tunnel to Towers Foundation (T2T) creating up to 121 veterans supportive housing units which are intended to address both the Third-Round and the Fourth-Round Unmet Need. This project will result in the City having surplus credits that may be utilized in future affordable housing plans as supportive housing credits.

## EXECUTIVE SUMMARY

̄

̄ The City of Northfield has prepared this plan in response to the enactment of Assembly Bill 4 signed by the Governor in 2024. This legislation abolished the Council on Affordable Housing (COAH), the State agency responsible for administering and overseeing affordable housing plans. The legislation also amended affordable housing regulations as provided for in the Fair Housing Act (FHA) and set deadlines for municipalities for reporting and filing a Fourth-Round Housing Element and Fair Share Plan.

In accordance with the amendments to the FHA, Northfield accepted the Department of Community Affairs' (DCA) calculations of the Municipality's Present Need and Prospective Need in a binding resolution 53-2025 on January 21, 2025 and on January 22, 2025 the City filed the resolution with the Affordable Housing Dispute Resolution Program ("the Program") through a Complaint for Declaratory Relief in accordance with the Administrative Office of the Courts' Directive #14-24 ("AOC Directive #14-24). On March 27, 2025, the Court issued an Order fixing Municipal Obligations for Present Need and Prospective Need for the Fourth Round Housing Cycle for the municipality consistent with the DCA calculations: Present Need of 10 and Prospective Need as 24.

This plan provides for the Municipality's Fourth-Round affordable housing obligation as calculated by the DCA and fixed by the Courts. The City has updated its approved Vacant Land Adjustment (VLA) from its Third-Round Plan to identify any new or underutilized properties that may add to the City's Realistic Development Potential (RDP).

The City's VLA from the Court-approved Third-Round Fair Share Plan included a Third-Round RDP of 34 and an Unmet Need of 66. The updated VLA for the Fourth-Round has not identified any new vacant or underutilized properties which would

yield an additional RDP. In the Fourth-Round the City provides for an RDP of 0 and an Unmet Need of 24.

The City has approved several affordable housing projects including an inclusionary family rental development along Tilton Road which is completed and occupied. The City is working with Habitat for Humanity to create additional affordable family units and is providing the property and funds to assist this project. Lastly the City is working with the Camden Diocese to provide for age-restricted affordable housing units and has adopted the appropriate zoning to permit this development. The City proposes to amend parts of the Court-approved Third-Round plan to provide for the permitted bonuses and to provide for units to address the City's Fourth-Round obligation.

Over the years the regulations pertaining to each Round of Affordable Housing obligations have changed. In preparing the Fourth-Round components of the Fair Share Plan, the FHA as amended (N.J.S.A. 52:27D-310, et seq.), was followed. This Plan also follows the requirements of N.J.A.C. 5:93 where appropriate, as called for by the recent FHA amendments.

̄  
̄  
̄

## INTRODUCTION

Ä  
Ä

The City of Northfield is located in the eastern portion of Atlantic County, consisting of 3.45 square miles. The city is bounded to the south by the City of Linwood, to the north by the City of Pleasantville, and to the east and west by the Township of Egg Harbor. The City of Northfield was incorporated in 1905 after separating from Egg Harbor Township.

Ä

Northfield is a small community with several commercial establishments and professional offices generally along Tilton Road and Route 9. The majority of the land within the city consists of Residential land uses and Residential zoning classifications. Commercial development is focused on the two main roadways transecting the city from north to south along New Road (Route 9) and extending east into the center of the City along Tilton Road.

On January 22, 2015 the City of Northfield prepared, adopted, and endorsed an Affordable Housing Plan (“2015 Plan”) to address its 190-unit Prior-Round Obligation. The 2015 Plan was prepared pursuant to an Order entered by Honorable Nelson C. Johnson on January 5, 2015, addressing the City’s indigenous need rehabilitation obligation of fourteen (14) units, and its Prior Cycle prospective need obligation of one hundred and ninety (190) units. The Superior Court of New Jersey Law Division Atlantic County (Docket No. ATL-L-2050-14.) granted the City of Northfield a Judgment of Compliance and Repose based upon the January 22, 2015 Housing Element and Fair Share Plan. This order also granted the City a Stay of Third-Round Obligations.

In July of 2015 the City of Northfield filed an Application for Declaratory Judgment seeking Temporary Immunity from Mount Laurel Lawsuits. The Superior Court of New Jersey Law Division Atlantic County (Docket No. ATL-L-2050-14) granted the City Temporary Immunity through December 8, 2015 provided the City

file a Housing Element and Fair Share Plan addressing their future affordable housing obligation. The City entered into a settlement agreement with FSHC on April 27, 2018 which provided for the City's Third-Round Prospective Need running from 1999 through 2025 as 89 units. The settlement agreement provided for a Realistic Development Potential (RDP) of 18, based on the available vacant parcels in the City and included mechanisms to meet the City's affordable housing obligations. That settlement agreement was approved by the Court at a duly-noticed Fairness Hearing on June 1, 2018.

Consistent with the settlement agreement, the City amended their 2015 Plan in 2018 by adding the Mount Laurel compliance techniques through which the City would satisfy its Third-Round obligation. The 2018 Plan included a number of ancillary documents, including a Spending Plan that (1) accounts for the funds to be deposited through 2025, into the City's Mount Laurel Trust Fund; and (2) demonstrates the manner in which the City intends to expend the funds to advance the interests of the region's low- and moderate-income households. The Court approved the City's Third-Round HEFSP after a duly-noticed Compliance Hearing held on June 1, 2018 followed by an order of Conditional Judgment of Compliance and Repose for the City on August 31, 2018.

Ã

On March 7, 2024 the City amended their Third-Round HEFSP to provide for a new development site providing for a 100% age-restricted affordable housing project on land owned by Atlantic County. The City and FSHC amended their settlement agreement on October 13, 2023 to include the Camden Diocese project, which was approved by the Court at a duly-noticed Fairness Hearing held on January 22, 2024. The Court entered an order approving the amended Settlement agreement on March 15, 2024. A duly-noticed Compliance Hearing was held on June 13, 2024 and on July 22, 2024 the Court granted the City an Amended Judgement of Compliance and Repose.

In accordance with the amendments to the FHA, the City accepted the affordable housing obligations as calculated by the Department of Community Affairs (DCA) in a binding resolution 53-2025 on January 21, 2025 and filed the resolution on January 22, 2025 through a Complaint for Declaratory Relief Pursuant to AOC Directive #14-24. On March 27, 2025 the Court issued an order fixing Municipal Obligations for Present Need and Prospective Need for the Fourth-Round Housing Cycle for the City consistent with the DCA calculations: Present Need of 10 and Prospective Need as 24.

The 2025 HEFSP amends the Third-Round Plan to address approved affordable housing developments qualifying for bonuses, provides mechanisms to satisfy the City’s cumulative affordable housing obligations and updates the City’s Vacant Land Adjustment. All affordable housing sites in the 2025 HEFSP are the same as was approved by the Court on July 22, 2024 in their Amended Judgement of Compliance and Repose.

Ä

DQR&(.ÄI VNWMSM@ÄVNWQMÄUJWÄNYUJQÄXVNÄZÄUÄZÄSÄ  
with the Tunnel to Towers project and increases the City’s affordable housing units from  
QÄJPN#ÄZÄMÄWRÄZÄRWÄÄYZXYMÄYÄXÄÄXOÄNZÄWÄÄYÄXÄNÄQÄXÄWÄ  
LÄNÄÄ

## AFFORDABLE HOUSING HISTORY IN NEW JERSEY

Ā

Affordable Housing has been embedded in New Jersey land use regulations and policy since the 1975 New Jersey Supreme Court decision, *Southern Burlington NAACP v Mount Laurel Township*, known as “Mount Laurel I.” Following a challenge to Mount Laurel’s zoning the New Jersey Supreme Court ruled that developing municipalities have a constitutional obligation to provide a variety and choice of housing types affordable to low- and moderate-income households. This decision formed the foundation of affordable housing planning and regulations in the State.

In 1983 New Jersey Supreme Court in *Southern Burlington County NAACP v. Mount Laurel Township*, 92 N.J. 158 (1983) or “Mount Laurel II” extended the constitutional obligation to all municipalities within a “growth area” as designated in the State Development Guide Plan. This decision also created an opportunity for builders to challenge municipal ordinances, in certain circumstances, for the right to build affordable housing on land that was not zoned to permit the use or density. This is what was termed a “Builder’s Remedy” for municipalities that did not provide for their constitutional obligation of affordable housing.

In response to Mount Laurel II, the State adopted the New Jersey Fair Housing Act in 1985 which created the Council on Affordable Housing (“COAH”) as an administrative alternative to litigation. COAH was charged with promulgating regulations to establish housing regions, estimate the state’s low- and moderate-income needs, and set criteria for municipal compliance through adopted housing elements and fair share plans.

COAH established a municipality’s first round affordable housing obligation for a period of six-years, from 1987 to 1993. The rules established by COAH created both a rehabilitation (present need) obligation and a new construction (prospective need) obligation. In 1994, COAH adopted new regulations to address the second

round obligation for the period 1993 to 1999. These regulations also recalculated a portion of the municipal's first round obligation, creating a cumulative obligation from 1987 to 1999, and what is now called the "Prior Round" Obligation.

In 2004 COAH adopted rules and regulations for the Third Round, which defined the round from 1999 to 2014. These regulations changed the way in which COAH calculated a municipality's affordable housing obligation, moving from an absolute number based on available data to what the new regulations termed a "growth share" approach that linked affordable housing obligations to the construction of both residential and non-residential development in the municipality over the third round time period. This was short lived as the New Jersey Appellate Division invalidated key elements of these rules, including the growth share approach to calculating affordable housing obligations, In re Adoption of N.J.A.C. 5:94 and 5:95, 390 N.J. Super 1 (App. Div. 2007). The Court ordered COAH to adopt new rules, which was completed in 2008. The new regulations maintained in large part the growth share approach and extended the third round from 2014 to 2018.

The 2008 regulations were challenged and in 2010 the Appellate Division, In re Adoption of N.J.A.C. 5:96 and 5:97, 416 N.J. Super. 462, upheld the COAH Prior Round regulations which assigned rehabilitation obligations. However, the Appellate Division invalidated the regulations pertaining to growth share and directed COAH to use similar methods that were set in the First and Second rounds. This decision was reviewed and upheld by the New Jersey Supreme Court in September of 2013 and ordered that COAH adopt new regulations on or before October 22, 2014. COAH failed to adopt the new regulations, and Fair Share Housing Center (FSHC) filed a motion in aid of litigant's rights with the New Jersey Supreme Court. The New Jersey Supreme Court issued a ruling on March 10, 2015, known as "Mount Laurel IV," which set the framework for the Third-Round affordable housing plans.

Mount Laurel IV transferred the responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges. This meant that municipalities would need to apply to the Courts if they wish to be protected from exclusionary zoning lawsuits. A shortfall in this decision remained as to how a municipal's affordable obligation would be calculated and left that to the trial courts, with the direction that the obligations be determined in a methodology which was similar to those used in the First and Second Round rules. The decision also directed municipalities to rely on COAH's Second Round rules at N.J.A.C. 5:93 as well as the Fair Housing Act (N.J.S.A. 52:27D-301 et seq) in preparing Third Round Housing Elements and Fair Share Plans.

FSHC was permitted to serve as an interested party in every municipal Declaratory Judgement Action. In determining an affordable housing obligation, FSHC calculated municipal affordable housing obligations, as did an expert for municipalities, and offered to settle with municipalities. Many municipalities entered into Court approved Settlements with FSHC, those that did not challenged the methodology used by FSHC to determine municipal obligations.

The Third Round, which began with COAH's 2004 rules identified the time period of 1999 to 2014. However, with COAH's stalemate in adopting regulations and the associated court challenges all cumulating past the initial third round period into the 2015 "Mount Laurel IV" decision, the third round was now identified as the period 2015 to 2025. This left a "Gap Period" of 1999 to 2015. In 2017 the New Jersey Supreme Court, In Re Declaratory Judgment Actions Filed By Various Municipalities, 227 N.J. 508 (2017), found that the "gap period," defined as 1999-2015, generates an affordable housing obligation. This obligation expanded the definition of the municipal Present Need obligation to include low- and moderate- income households formed during the gap period as a component of the new-construction obligation rather than the rehabilitation obligation.

In 2018 an unpublished decision of the NJ Superior Court, Law Division, Mercer County was rendered In re Application of Municipality of Princeton, also known as the “Jacobson Decision” which established a methodology for calculating municipal obligations in the Third Round under the Mount Laurel Doctrine. Although this decision is specific to Mercer County, Mount Laurel judges throughout the State have relied upon the Court’s decision in calculating Third Round affordable housing obligations<sup>1</sup>. The decision came after many municipalities had entered into settlement agreements with FSHC which established a municipality’s affordable housing obligation.

While the Courts were addressing affordable housing policy and regulations, the State of New Jersey adopted two important pieces of legislation which shaped affordable housing policy. In 2008, Governor Corzine signed P.L. 2008. C.46 (referred to as “A500”, or the “Roberts Bill”) which amended the FHA. Key components of this bill include:

̄

- Eliminating Regional Contribution Agreements (“RCA”) which allowed a municipality to transfer a portion of their affordable housing obligation to an identified receiving municipality.
- Establishing a statewide 2.5% nonresidential development fee instead of requiring nonresidential developers to provide affordable housing
- Created a very low-income affordable housing category and required at least 13% of all affordable housing units be restricted as very low-income housing units
- Required municipalities to commit to spend all collected development fees for affordable housing within four years of the date of collection.

̄

̄

<sup>1</sup> The Jacobson decision is also referred to in the 2024 FHA amendments providing that the decision “shall be referenced as to datasets and methodologies that are not explicitly addressed” in N.J.S.A. 52:27D-304.3 of the FHA.

The second piece of legislation was adopted in 2024. Governor Murphy signed P.L. 2024, c.2 (referred to as “A4”) which further amended the FHA and abolished COAH. The legislation replaced COAH with “the Program” which is an Affordable Housing Dispute Resolution Program. Additional key components of the Act include:

̄

- Giving responsibility to the DCA to provide calculations of municipal present and prospective need using the standards as provided for in the legislation
- Establishing monitoring deadlines for all affordable units and trust funds
- Establishing mechanisms and bonuses for a municipality to meet its affordable housing obligation
- Establishing the Fourth Round of affordable housing obligations from 2025 through 2035
- Establishing a deadline of June 30, 2025 for a municipality to file a Housing Element and Fair Share Plan in compliance with the new regulations to remain protected from an exclusionary zoning lawsuit.

̄

This document has been completed to effectuate the requirements of the 2024 FHA amendments utilizing the affordable housing calculations as published by the DCA in October of 2024.

̄

## HOUSING ELEMENT

̄

The 2024 amendments to the Fair Housing Act included changes to what a Housing Element is required to address. The following is required to be part of any newly adopted Housing Element pursuant to N.J.S.A. 52:27D-310-10:

̄

- 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;
- 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 trends;
- An analysis of the municipality’s demographic characteristics, including, but not necessarily limited to, household size, income level, and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality’s present and prospective fair share of low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low and moderate income housing;
- A consideration of the lands 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;

- 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;
- 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.

̄

The following section of this report addresses each of the above referenced requirements.

̄

*A Note on the Data: The following statistics and demographic data are derived from one of the following sources.*

**2023 American Community Survey 5-year Estimates:** *The most up to date information is the American Community Survey (ACS) estimates, which are generated between the decennial censuses. ACS figures are based on data collected over a 5-year period.*

**2020, 2010, 2000 and 1990 Census:** *The 2020 Census is the most recent decennial census. This information is used when ACS information is unavailable, and sometimes for comparison.*

**NJ Building Permit Data:** *NJ reports building permits and certificates of occupancy issued for each municipality on a monthly basis.*

̄

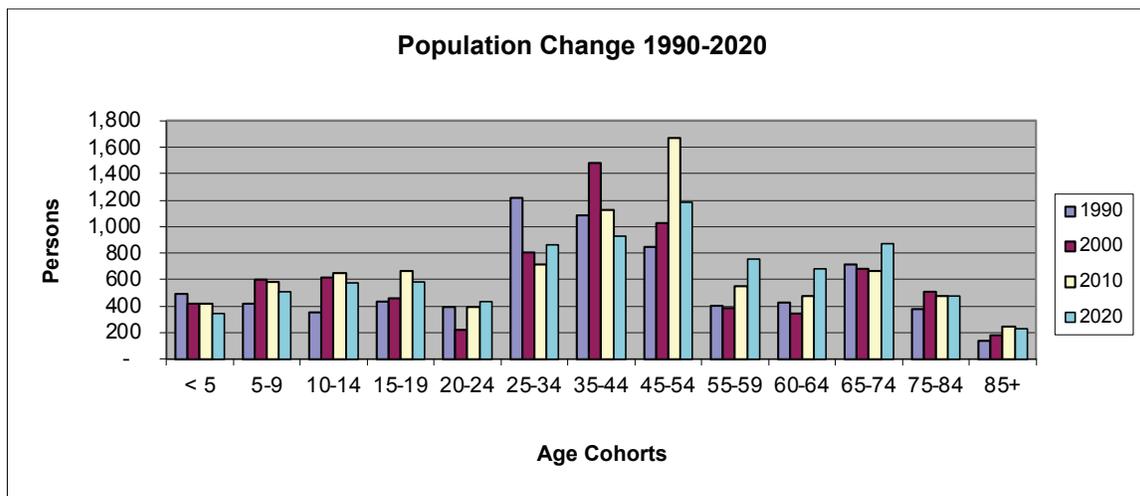
## Demographic Analysis

̄

The City of Northfield has seen a population increase over the past thirty years, with a 15.5% increase in total population. This primarily stems from the ten-year period from 2000 to 2010 where the population grew by 899 persons. Since 2010 the population has stabilized and showed a slight decline of 190 persons. The ACS 5-year estimates show that the population continues to remain steady reporting an estimated population of 8,427 persons.

Population Trends			
	City of Northfield	Atlantic County	New Jersey
1990	7,305	224,327	7,730,188
2000	7,725	252,552	8,414,350
2010	8,624	274,549	8,791,894
2020	8,434	274,534	9,288,994
1990 to 2000	5.7%	12.6%	8.9%
2000 to 2010	11.6%	8.7%	4.5%
2010 to 2020	-2.2%	0.0%	5.7%
1990 to 2020	15.5%	22.4%	20.2%

To understand the population changes it is helpful to look at both the changes over time to the different age-cohorts and the changes to the total housing units. We can see where the increase of population occurred in terms of age. The City saw a substantial jump in the 45-54 age-cohort from 2000 to 2010. This follows a similar increase ten-years prior from 1990 to 2000 in the 35-44 age cohort. There is also a sharp fall in the 45-54 age cohort from 2010 to 2020. The City’s median age has also increased from 37.8 years in 1990 to 44.8 years in 2020, an increase of seven years in age. Looking at the 25 through 54 age cohorts you can see an aging of the population as each cohort increases over the 20-year period of 1990 to 2010.



If you look at the total population change by age cohorts as shown in the table below from 1990 through 2020, the City has seen a general aging of the population. There was an 88% increase in the 55-59 age cohort and a 62% increase in the 85 and older age cohort.

1990 - 2020 Population Profiles or Cohorts - City of Northfield								
Age	Population							
	Year				Population Change			
	1990	2000	2010	2020	1990 to 2000	2000 to 2010	2010 to 2020	1990 to 2020
< 5	494	417	417	345	-15.6%	0.0%	-17.3%	-30.2%
5-9	416	599	585	511	44.0%	-2.3%	-12.6%	22.8%
10-14	355	612	652	571	72.4%	6.5%	-12.4%	60.8%
15-19	436	463	663	585	6.2%	43.2%	-11.8%	34.2%
20-24	393	219	390	437	-44.3%	78.1%	12.1%	11.2%
25-34	1,221	804	712	861	-34.2%	-11.4%	20.9%	-29.5%
35-44	1,083	1,483	1,124	929	36.9%	-24.2%	-17.3%	-14.2%
45-54	848	1,030	1,671	1,182	21.5%	62.2%	-29.3%	39.4%
55-59	400	383	552	752	-4.3%	44.1%	36.2%	88.0%
60-64	427	342	473	681	-19.9%	38.3%	44.0%	59.5%
65-74	714	684	663	874	-4.2%	-3.1%	31.8%	22.4%
75-84	377	507	474	478	34.5%	-6.5%	0.8%	26.8%
85+	141	182	248	228	29.1%	36.3%	-8.1%	61.7%
18+	5,777	5,755	6,533	6,616	-0.4%	13.5%	1.3%	14.5%
62+	1,505	1,570	1,678	1,953	4.3%	6.9%	16.4%	29.8%
65+	1,232	1,373	1,385	1,580	11.4%	0.9%	14.1%	28.2%
Median Age	37.8	40.4	43.1	44.8	6.9%	6.7%	3.9%	14.0%

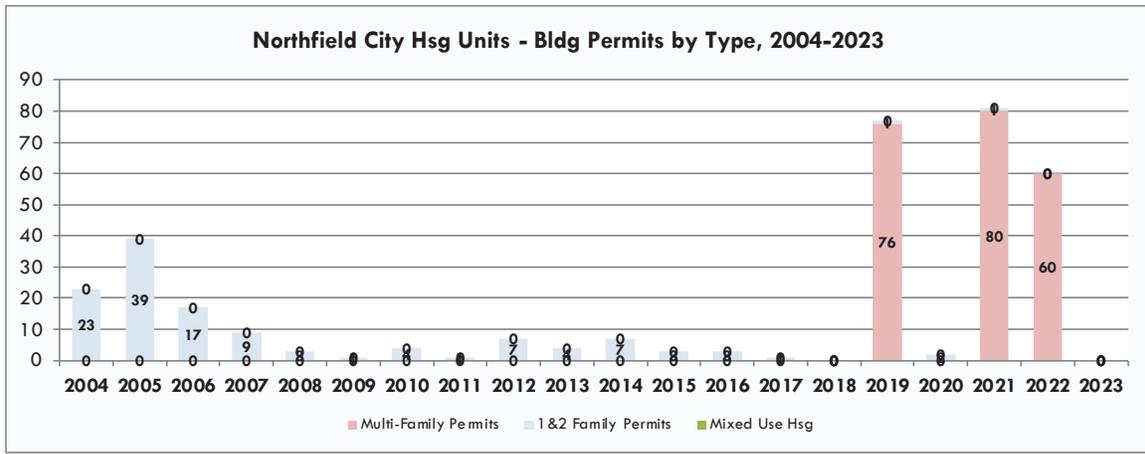
Correlating to the change in population is a similar change in the total number of housing units. From 1990 through 2020 the City saw a 17% increase in total housing units, a total of 483 new units. With an estimated household size of 2.54 persons per household per ACS 5-year estimates, this would account for an estimated 1,226 person change in population. This is higher than the actual reported population increase of 899 persons. In part this would be reflective of the new multi-family apartments which may have a lower household size.

<b>Housing Trends</b>			
	<b>Housing Units</b>		
	<b>City of Northfield</b>	<b>Atlantic County</b>	<b>New Jersey</b>
1990	2,826	106,877	3,075,310
2000	2,922	114,090	3,310,275
2010	3,260	126,647	3,553,562
2020	3,309	132,038	3,761,229
1990 to 2000	3.4%	6.7%	7.6%
2000 to 2010	11.6%	11.0%	7.3%
2010 to 2020	1.5%	4.3%	5.8%
1990 to 2020	17.1%	23.5%	22.3%

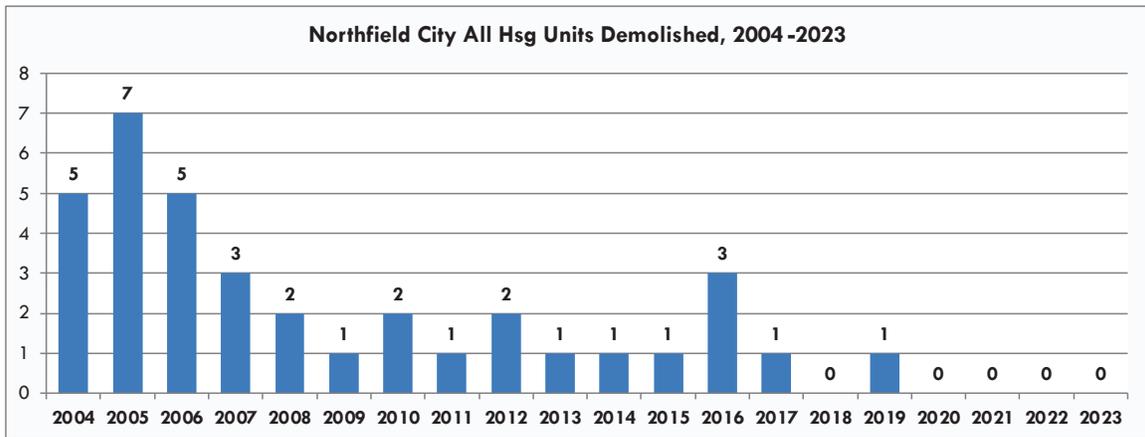
The State of NJ compiles reports of building permits issued for residential purposes which correlates with the census data and shows that housing growth was highest from 2004 through 2007 and then slowed until the growth in 2019 through 2022. The growth reported in 2019 through 2022 is related to the new multi-family housing development in Tilton Road. The tables below are sourced from the DCA Residential Development Viewer shows the total building permits and demolition permits issued for housing units in the City from 2004 through 2023.

The State of NJ compiles reports of building permits issued for residential purposes which correlates with the census data and shows that housing growth was highest from 2004 through 2007 and then slowed until the growth in 2019 through 2022. The growth reported in 2019 through 2022 is related to the new multi-family housing development in Tilton Road. The tables below are sourced from the DCA Residential Development Viewer shows the total building permits and demolition permits issued for housing units in the City from 2004 through 2023.

̄  
̄  
̄  
̄



̄  
̄



̄

2020 Population by Categories						
	City of Northfield		Atlantic County		New Jersey	
	Persons	%	Persons	%	Persons	%
<b>Total</b>	8,434	100%	274,534	100%	9,288,994	100%
<b>Sex</b>						
F	4,418	52.4%	142,183	51.8%	4,770,289	51.4%
M	4,016	47.6%	132,351	48.2%	4,518,705	48.6%
<b>Race</b>						
White	6,669	79.1%	156,796	57.1%	5,112,280	55.0%
Black or African American	210	2.5%	41,519	15.1%	1,219,770	13.1%
Asian	467	5.5%	21,784	7.9%	950,090	10.2%
American Indian and Alaska Native	21	0.2%	1,253	0.5%	51,186	0.6%
Native Hawaiian and Other Pacific Islander	8	0.1%	342	0.1%	3,533	0.0%
Other	447	5.3%	27,192	9.9%	1,048,641	11.3%
Two or More Races	612	7.3%	25,648	9.3%	903,494	9.7%
Hispanic or Latino	974	11.5%	53,713	19.6%	2,002,575	21.6%
<b>Age</b>						
25-64	4,405	52.2%	140,922	51.3%	4,927,277	53.0%
65+	1,580	18.7%	51,975	18.9%	1,531,299	16.5%
Median Age	44.8	n/a	42.5	n/a	39.9	n/a

Ä

Ä

Ä











### Employment Analysis

Ä

The median household income in the City is \$104,042, and the median family income is \$119,181. The poverty rate in the City is around 4% for all persons and 2% for families.

8CPN HÖ HHH			
	5QYÄNÄ UWPQRL		
	: UZXPURX	8IS QQX	? UT&IS Q
> NLQTÄTRUSM	Ä)(,%(,*Ä	Ä)1 %0)	Ä-0%0+Ä
> MITÄTRUSM	Ä),,%(0)Ä	Ä)/( %0/	Ä/+% 0Ä
DUZWMÄS 5 DÄ(*+Ä & NIVÄKXS IYXÄ			

=HRRHÖ ISIREUTPOÄ-HSPOSÄOGÄ DN INHÄEHMÄ-PVHXÄ HHM				
	=PQUNDIPOÄ HNWÄ-PVHXÄ IOH			5DN INHÄEHMÄ =PVHXÄ IOH
	0MÄ-HSPOS	Ä ÄPIÖ MÄ-HSPOSÄ '." ÄCHRÄPIÖ JH	ÄÄPIÖ MÄ-HSPOSÄ ,+" ÄCHRÄPIÖ JH	
5 QYÄNÄ UWPQRL	,'	1'1	-'0	*'+
3 YTYQÄS UZTY	)+' )	**'+	)(' (	1'1
? M ÄMM	1'0	0'0	1'-	/' (
DUZWMÄ ÄSDÄ(*+Ä & NIVÄKXS IYXÄ				

Affordable housing units are required to be priced to be affordable to low- and moderate-income families. Northfield is located within Region 6 for the purposes of determining housing affordability. Income limits for households ranging from 1 person to 5 persons range from a household income of \$20,655 for a one-person low-income family up to an income of \$84,983 for a 5-person moderate income household. Household income reported in the City includes 31% of households with incomes which would fall into the affordable housing income levels.





4 N QMIXN H0IĒXĀ-FFUQDIPOĀ L V LMDĀDN QNIXGĀQPUMD.PĀ, ĀHRSĀDGGĀPVR		
< HFUQDIPO	; P°Ā-HRSP0S	À Ā PRKIHG
> ITIOM\$ MY% ĀZQIMX% ĀQITKĀ TLĀ 3W	*%)*+	, . ' /
DMVQM	11/	*)' 1*
DIRKĀTLĀ@NQM	1(1	)' 10
?I YZWRĀMZWXĀS UTXXKQUTĀ TLĀ IQYMITK	+*/	/') 1
AWLKYQTĀE WTXVUVUTĀ Ā IYWRĀ U QTC	) 1+	, '*,
@PDM	*#-*/	' &Ā
DUZKĀĀ 3 DĀ(*+Ā&NWX\$ IYXĀ		

### Affordable Housing Obligation

Ā

A municipality’s affordable housing obligation is spread across different time periods. The most current obligation is related to the Fourth-Round. However, a municipality must also address any prior affordable housing obligations if they have not already been fully satisfied. The following reviews all components of Northfield’s affordable housing obligation beginning in 1987 and extending through 2035.

The following table identifies the Municipality’s comprehensive affordable housing obligation:

Ā

@N NĀ NNMBIQKĀ KURRRĀ	' &Ā
@ZĀBX WMĀ// !Ā	/'&Ā
BX WMĀN\UNWVĀ/ #(&(!Ā	./Ā
BX WMĀ*ĀĀ 3JL U\BXWĀ(&#(&)+Ā	(*Ā
;IM=Ā>HC=MHĀĀP Ā-HMĀ	'\$Ā

Ā

**Present Need / Rehabilitation Component**

The Present Need/Rehabilitation obligation is determined by estimating the existing deficient housing units currently occupied by low- and moderate-income households within the municipality, through the use of datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof. This figure was calculated by the Department of Community Affairs (“DCA”) based upon its interpretation of the standards of the Amended FHA. The City’s rehabilitation obligation is **10**.

~

**Prior Round Component**

The Prior Round obligation is the City’s cumulative Round 1 and 2 affordable housing obligation for the years between 1987 and 1999. The City’s Prior Round obligation is **190**.

~

**Round Three Component**

Pursuant to a settlement agreement dated April 27, 2018, by and between Northfield and Fair Share Housing Center, the City’s Third Round affordable housing obligation is **89** (per the Kinsey Report<sup>2</sup>, as adjusted by FSHC settlement agreement, including the “Gap Period” between 1999 and 2015). The Third Round Prospective Need includes the so-called “Gap Period Present Need,” which is a measure of households formed from 1999-2015 that need affordable housing, created by the Supreme Court in In re Declaratory Judgment Actions Filed By Various Municipalities, 227 N.J. 508 (2017).

~

( 4J^RMASARWNa"AO4"AOA6193 @A5 GA:5BC5HA<?GA 1>4A = ?45 B1D5A> 3 ?= 5 AS?EC 9>7 A ?2 <97 1 D9?>C A?B A// #&(+A 1 <3 E< 1D54 AE C9>7AD8 5 A: A ?18A @B9? BAB? E>4A %.- #!!! A = 5D8?4?< ?7 H"AUaA(&'+\$

̄

### **Round Four Component**

The Fourth-Round affordable housing obligation extends from 2025 through 2035. This is considered the current Prospective Need, which is a projection of housing needs based on development and growth which is reasonably likely to occur in a municipality. The Fourth Round prospective need was determined pursuant to methodology adopted by the state pursuant to the Fair Housing Act as amended in 2024.

̄

On October 18, 2024, the Department of Community Affairs (“DCA”) issued a report estimating the Fourth-Round affordable housing obligations for all municipalities based upon its interpretation of the standards of the Amended FHA. The City of Northfield adopted a binding resolution #53-2025 on January 21, 2025, committing to the DCA Fourth Round Prospective Need (New Construction) Obligation of **24**.

̄

### **Vacant Land Adjustment**

̄

As part of the 2018 Plan the City prepared a Vacant Land Adjustment (“VLA”) due to the lack of sufficient vacant, suitable land to fully-satisfy its Prospective Need obligations. A VLA requires an inventory of vacant parcels. Based upon the VLA approved in the 2018 Plan the City acknowledged a Realistic Development Potential (“RDP”) of 18 units. Subtracting the 18-unit RDP from the City’s Prospective Need Obligation of 89 results in a downward fair share adjustment of 71. This remainder of 71 is known as “Unmet Need,” and is that portion of the obligation which cannot be satisfied due to the lack of available land.

In 2024 the city amended their approved Fair Share Plan to include a new parcel of land for affordable housing development. As part of this process the City updated their VLA to increase their RDP from 18 to 29 based on two newly identified properties that were not considered in the approved 2018 VLA. This resulted in a new Unmet Need of 60. The properties in the court-approved VLA as contributing to the City’s RDP are in the table below.

̄

VACANT AND UNDERUTILIZED PARCELS (ADJUSTED FOR WETLANDS)									
Block	Lot	Property Location	Owner's Name	Zone	Acreage	Acreage Less Wetlands	RDP @ 6 u/a	20% Set Aside	Comments
1	9 & 10	2713 ZION RD	CUMMINGS, BETTY J	R-1A	6.29		37.74	7.548	Bayview Garden Center
16.01	46.01	800 TILTON RD	NIKMEHR PROP.-GENUINE PARTS CO.	C-B	1.760	0.880	5.3	1.1	
41	13	NORTHFIELD AVE	SIGANOS REALTY, LLC	O-PB	0.422		7.5	1.5	Adjoining Parcels
41	14	NORTHFIELD AVE	SIGANOS REALTY, LLC	O-PB	0.424				
41	15	407 NORTHFIELD AVE	RICHARD SIMON, TRUSTEE	O-PB	0.399				
66	11	DOLPHIN AVE	CITY OF NORTHFIELD	R-1	1.1		13.5	2.7	
69	1.02	605 DOLPHIN AVE	CITY OF NORTHFIELD	S.C.	1.15				
59	2.01	807 TILTON RD	PINCHUS KIEJDAN ESTA MARITAL TR B	R-C	4.450		26.7	5.3	
150	1	DOLPHIN AVE	COUNTY OF ATLANTIC	R-1	4		24.0	4.8	
34	24	OAK AVE	JEWISH COMMUNITY PROPERTIES, INC.	R-C	4.6		27.6	5.5	
<b>Totals</b>					<b>24.595</b>	<b>0.880</b>	<b>142.3</b>	<b>28.5</b>	

̄

In accordance with the 2024 amendments to the FHA, the City has prepared an updated VLA which identifies any new vacant contiguous parcels of land in private ownership which are of a size that would be suitable to accommodate five or more housing units. The municipality utilized the zoning density of 6 units per acre to determine if the site was suitable for development and contributing to their RDP. The updated VLA continues to utilize a density of 6 units per acre in the City, due to the Court’s prior approval of this density in the City’s Court-approved Third-Round Plan, both as approved in 2018 and amended and approved by the Courts in 2024.<sup>3</sup> No significant changes in density have occurred within the City since the Court’s approval

̄

<sup>3</sup> In accordance with the 2024 FHA amendments, N.J.S.A. 52:27D-310.1.1.c – vacant contiguous parcels of land in private ownership of a size which would accommodate fewer than five dwelling units based on appropriate standards pertaining to housing density. The City utilized a density of 6 units per acre as was utilized in their Round-Three VLA. This is higher than the permitted density in the City’s primary residential zoning districts.

of the 6 units per acre presumptive density. A review of all vacant parcels as of March 2025 were compiled and compared to those identified in the 2018 VLA and 2024 Amended VLA. There were no new vacant parcels identified which would add to the City’s RDP. The following table identifies all newly identified vacant properties.

NEWLY IDENTIFIED VACANT PARCELS - MARCH 2025*							
Block	Lot	Property Location	Owner’s Name	Zone	Acreage	Yield at 6 u/a	Notes
1	11	2701 ZION RD	CUMMINGS FAMILY LLC	R-1A	0.35	2.1	Parcel is too small to add to RDP
40	31	NEW RD & BURTON AVE	MARINCIN, JOSEPH & NAM I WOO	R-1	0.29	1.74	Parcel is too small to add to RDP
42	8	517 BANNING AVE	BUNTING HEALTH CENTER LLC	O-PB	0.14	0.84	Parcel is too small to add to RDP
67	9	MAPLE AVE	COHEN, ARIANNE R & MATTHEW S	R-1	0.062	0.372	Parcel is too small to add to RDP
67	10	MAPLE AVE	COHEN, ARIANNE R & MATTHEW S	R-1	0.21	1.26	Parcel is too small to add to RDP
68	19, 20, 21	305 NEW RD	305 NEW ROAD,LLC	O-PB	0.34	2.04	Parcel is too small to add to RDP
95	2	1717 ZION RD	BOURNE PERFECT LLC		0.38	2.28	Parcel is too small to add to RDP

\* The above includes those vacant parcels that were not listed and identified in the 2018 and 2024 Court-approved VLA

Ä

**Land Use Analysis**

Ä

The City has conducted an exhaustive review of all available vacant and underutilized parcels through their approved Vacant Land Adjustment. The City has given consideration to those sites which would be suitable for affordable housing purposes. The City has also reviewed all municipal owned parcels and is proposing a new affordable housing development on an unrestricted City owned property along Dolphin Avenue.

Ä

Consistent with smart growth principles, the City has chosen to intersperse affordable housing throughout existing residential neighborhoods in the City and in proximity to transportation corridors including the N.J. Transit bus service stops, U.S. Route 9 (New Road) and County Route (Tilton Road), which is a major county roadway traversing across the County from the City of Northfield to the Township of Galloway. These areas of the City provide the greatest number of employment opportunities and services. The developed portions of the City (excluding the marshlands) are within the State Planning Area 1, which is conducive and appropriate for development.

## Multigenerational Family Housing Analysis

̄

In 2021 the FHA was amended to require 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. Currently there are no recommendations published from the Commission. The duties of the commission are:

*“To prepare and adopt recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas.”*

A review of 2020 Census data shows that 4.5% of the occupied housing units in the City contain three plus generations of families. The City of Northfield is an older suburban community and recognizes the needs of older residents who want to age in place or continue to live independently in the City where they raised their families. The City has created opportunities for new age-restricted apartment housing with affordable housing units. The City ordinances do not prohibit the creation of extra living space for family members, provided they are part of the same housekeeping unit.

̄

̄

̄

## Regional Planning Analysis

Ā

The Office of Planning Advocacy and the State Planning Commission are currently in the process of Cross Acceptance to adopt the 2024 State Development and Redevelopment Plan (SDRP). This is the first update to the 2001 SDRP. In both the 2001 and 2024 SDRP the City of Northfield's developable land areas are within a Metropolitan State Planning Area (PA1). Along the City's eastern border, a portion of the City is within the Environmentally Sensitive Planning Area (PA5), which is consistent with the marshland areas of the municipality. No development is proposed or possible in the PA5 areas. The PA5 area accounts for less than 10% of the total land area.

As an older suburban community, the City is primarily built-out. The City has infrastructure for water and sewer and has approved stormwater management ordinances in accordance with the NJ DEP requirements. The City has access to public transportation through the New Jersey Transit bus services. In the 2024 Draft SDRP the PA1 Planning Area is intended to

- *provide for much of the state's future growth in compact development and redevelopment;*
- *revitalize cities, towns and neighborhoods, and in particular overburdened neighborhoods;*
- *address existing legacy issues such as air pollution, urban heat islands, lead contamination, Brownfields, urban highways, and combined sewer systems;*
- *prevent displacement and gentrification;*
- *promote growth that occurs in Centers, other appropriate areas that are pedestrian friendly, and in compact transit-oriented forms;*
- *rebalance urbanization with natural systems;*
- *promote increased biodiversity and habitat restoration;*

- *stabilize and enhance older inner ring suburbs;*
- *redesign and revitalize auto oriented areas;*
- *protect and enhance the character of existing stable communities.*

These intentions have been embodied in the City's planning efforts, specifically through their affordable housing planning and master planning efforts. The City has limited vacant land that can be developed, the majority of new development is rooted in the reuse and redevelopment of previously utilized properties. The City continues to look at their zoning to encourage the redevelopment and improvement of older facilities and properties while balancing the character of their community.

## FAIR SHARE PLAN

̄

A Fair Share Plan (FSP) is prepared to address how a municipality intends to meet their constitutional affordable housing obligations. The FSP identifies the affordable housing obligations, projects that have been completed, proposed mechanisms to meet the affordable housing obligations, and addresses the requirements of the FHA and affordable housing regulations applicable to each set of obligations, including N.J.A.C. 5:93 and N.J.A.C. 5:80 where applicable.

̄

### Affordability Requirements

̄

̄

Affordable housing is defined under New Jersey's Fair Housing Act as a dwelling, either for sale or rent that is within the financial means of households of low or moderate income as income is measured within each housing region. The City of Northfield is in Region 6, which includes Atlantic, Cape May, Cumberland and Salem counties. Moderate-income households are those earning between 50% and 80% of the regional median income. Low-income households are those with annual incomes that are between 30% and 50% of the regional median income. As required by the amended FHA (Roberts bill), there is also included a very low-income category, which is defined as households earning 30% or less of the regional median income.

Through the Uniform Housing Affordability Controls (hereinafter "UHAC") at N.J.A.C. 5:80-26.3(d) and (e), which were amended by "emergency" in December 2024, the maximum rent for a qualified unit be affordable to households that earn no more than 60% of the median income for the region. The average rent must be affordable to households earning no more than 52% of the median income. The maximum sale prices for affordable units must be affordable to households that earn no more than

70% of the median income. The average sale price must be affordable to a household that earns no more than 55% of the median income.

The regional median income is defined using the federal Department of Housing and Urban Development (“HUD”) income limits on an annual basis. In the spring of each year HUD releases updated regional income limits. It is from these income limits that the rents and sale prices for affordable units are derived. These figures are updated annually.

### Affordable Housing Plan

̄

The following amends in part the City’s approved Third Round Plan and incorporates provisions to address the City’s new Fourth-Round obligations.

̄

̄

### **Rehabilitation Obligation/Present Need:**

The City’s Present Need obligation is **10-units**. As it did in its Court-approved Third-Round plan, the City’s rehabilitation obligation is being addressed through the Atlantic County Improvement Authority (“ACIA”) through their “Owner Occupied Housing Rehabilitation Program.” The ACIA uses federal Community Development Block Grant (hereinafter “CDBG”) funds as well as prior rehabilitation funds paid back at the time of a home sale to operate a county-wide housing rehabilitation program. This program provides deferred loans for property owners that meet the required income limits. To qualify property owners must also demonstrate that the home is properly insured and the municipal taxes are paid up to the current quarter. The program requires that a household’s income not exceed 80% of the median income for Atlantic County in accordance with HUD published Section 8 income guidelines. If qualified a homeowner can use a deferred loan for basic rehabilitation needs

including plumbing, heating, electric, roof, windows, doors, insulation and exterior repair and painting.

From April of 2010 through December of 2024, the ACIA in cooperation with the City of Northfield had rehabilitated six (6) units within the City. The City's Fourth-Round rehabilitation obligation will be handled through the continued participation in the County-wide program. A list of all units which were rehabilitated from 2010 through 2024 is included in the Appendix.

**Prior Round:**

̄

As set forth above, the City of Northfield has addressed their Prior Round (1987-1999) obligation of **190** as per the City's Court approved housing element and fair share plan dated January 22, 2015. This plan was amended as part of the City's Third-Round settlement agreement and approved by the Court in its 2018 Judgment of Compliance and Repose (JOR) and again in the City's 2024 Amended JOR. In order to effectively address the City's total affordable housing obligation, the components addressing the prior round will be amended as follows below, utilizing all Court-approved projects from the City's Third Round plans, as amended in 2024.

̄

Bonus credits are permitted for rental units, up to 25% of the City's Prior Round obligation in accordance with N.J.A.C. 5:93-5.15(a). As such the City is permitted to take a bonus credit for a maximum of 47 credits. Additionally, in accordance with N.J.A.C. 5:93-5.14(a)1, the City is permitted to include up to 25% of the total Prior Round obligation (less prior cycle credits) as age-restricted housing units, for a maximum of 47 units.

The following Table summarizes the Prior Round Obligation Components as amended:

̄





6 I K D E K @ A ; D E @ A I N H A 8 K I J A ? M A A @ F H A < H G A M A A * S	9 A H M F A	: A H E K A	3 = G E F Q	< H E M A	/ I H N A O K A @ M A	; I M F A O K A @ M A
<i>Supportive Housing Credits</i>	A	A	A	A	A	A
D J W W A \ X A D X A G J K J J Q A ^ N W A	A	A	A	'(A	A	'(A
<i>Inclusionary Development Credits</i>	A	A	A	A	A	A
13 A X J W A A J U J A	A	A	'A	'+A	A	'+A
D R W A M A = N M A E I A	A	A	'A	/A	A	/A
C A R J W A I Z R [ Q A ? Z N A	A	'A	A	(&A	A	(&A
= J W M X Z A C # [ R M A ? M R W A	A	A	A	^ J Z R [ A	A	^ J Z R [ A
<i>100% Affordable</i>	A	A	A	A	A	A
3 J V M W A 4 R X A	A	'A	A	"A	A	"A
				; I M F A * + A	S A	* + A

A

The City will continue to address their Unmet Need with existing set-aside ordinances and overlay zones as provided for herein.

**Fourth Round Prospective Need:**

A  
A

The Department of Community Affairs (DCA) for the State of New Jersey has calculated proposed new affordable housing obligations for each municipality for Round 4 (2025 through 2035). The City’s Fourth-Round affordable housing obligation is **24**.

The City has an approved Vacant Land Adjustment in their Court-approved Third-Round plan which created an RDP of 29. A review of the 2025 tax records identified several new vacant parcels, all of which were of insufficient size to create an RDP. As such, the City’s Fourth Round **RDP is 0 with an Unmet Need of 24**.

When a Fourth-Round plan includes a VLA, the components of the Fair Share Plan are required to include an identification of parcels which are likely to redevelop over the next ten years which would provide for up to 25% of the City's Fourth-Round RDP. (FHA 52:27D-310.1) This would require a total of **0 credits** as the City's Fourth-Round RDP is zero. However, the City has provided for credits to the Fourth-Round RDP from the Habitat and Camden Diocese project and utilized transitional housing credits for a total of 19 housing unit credits, meeting this requirement. The City has also maintained their mandatory set-aside ordinance in the event of new development opportunities.

̄

The amendments to the FHA for a Fourth-Round plan require a municipality provide 50% of actual affordable units, exclusive of any bonus credits, available to families with children. Additionally, at least 25% of actual units, exclusive of bonuses, are required to be rental units, of which of which 50% of the rental units are to be available to families with children. (N.J.S.A. 52:27D-311.l) The proposed mechanisms for the Unmet Need includes nine (9) family units from the Habitat development. If units are developed through the Unmet Need components the City will ensure that they include family rental units where appropriate.

The 2024 amendments to the FHA included a new component for "Transitional Housing" which can account for up to 10% of a Fourth-Round obligation. The FHA defines "Transitional Housing" which may qualify for affordable housing credits. Within the City there are several Cooperative Sober Living Residence (Class F Rooming House) that have been licensed by the State Department of Community Affairs under N.J.S.A. 55:13B-1, et seq. While there are seven facilities with 31 total bedrooms, the City may only take credit for 3 bedrooms under the 10% cap.

̄

The City will maintain the mandatory set-aside ordinance as provided for in the Third-Round to address the remaining Unmet Need.

̄



̄

**Unfulfilled Prior Round (1987 through 2025)**

̄

̄ The mechanisms identified in Northfield’s Court approved FSP plan included several components which were not completed. In accordance with the requirements of the Amended FHA, the City evaluated these Court-approved mechanisms and have determined that they remain viable mechanisms to remain in the City’s plan and are discussed below.

*Atlantic City Country Club – 72 units*

̄

This parcel is located along Shore Road and consists of 225 acres, of which approximately 110 acres are considered uplands. The site is currently zoned Country Club C-C, permitting a golf course and single-family residential dwelling units. The zoning district also permits a Country Club Community as a permitted conditional use. The Country Club Community would permit a combination of golf course, single-family residential on one-acre lots, golf villas and golf suites for a maximum of 62 golf-villas, 50 golf-suites and 13-single-family dwelling units.

The City amended the existing Country Club Community standards to permit increased residential densities with an affordable housing set-aside. The ordinance restricts the residential development to areas on Block 175, Lot 48 and Block 179.01, Lot 1.01. The ordinance maintains the golf-course and club house. The zoning would permit up to 360 residential units as a combination of golf villas and townhouse units. The golf suites would continue to be a permitted use separate from the golf villas. It is estimated that the areas available for development consists of approximately 21+/- acres. The residential density on the 21 acres (excluding the balance of the 18-hole golf course) would be 17 units per acre. This would permit up to 72 affordable housing units with a 20% set-aside. Forty-seven (47) of these credits would be

applied to the Prior Round obligation with the balance being utilized to satisfy the City's Unmet Need.

The Atlantic City Country Club is under private ownership. It was founded in 1897 and is known as "The Birthplace of the Birdie" as well as being where the term "Eagle" was coined. ([www.accountryclub.com](http://www.accountryclub.com) *Course History*) The City recognizes the importance of the golf course and its future success. The City wants to see the golf course preserved as a fundamental part of the community. The proposed ordinance would not eliminate the 18-hole course but allow for added development along its fringe areas.

Ä

***Tilton Road Mixed Use – 9 units***

Ä

This parcel is a combination of two properties located on Block 16.01, Lots 52 and 57 and consists of 15.51 acres. The site is currently zoned Regional Commercial R-C, permitting non-residential development. This zoning district also permits Residential Senior Housing as a permitted conditional use. As a conditional use a property of at least 7 acres may create a Planned adult development with a density of 12 units per acre. The zoning also permits Mid-Rise Senior Citizen Housing as a conditional use on lots of 15 acres at a density of 15 units per acre. Both conditional uses require a 20% set-aside for low/moderate income housing.

The City rezoned this parcel as an overlay for Affordable Housing as part of a mixed-use development with a density of 2.6 units per acre on September 25, 2018 by Ordinance No 7-2018. The site would accommodate up to 40 multi-family housing units with an affordable housing set-aside of 20% or 8 units. The zoning would also permit first floor commercial/office space. The City currently does not permit multi-family residential housing as a mixed use. The overlay zone will offer additional opportunities for development that would not otherwise exist. The ability to create multi-family housing with first floor commercial provides incentives making the new

land use more attractive and feasible on this property. This zoning was approved by the Court in both its 2018 and 2024 Third Round plans.

***This plan amends the total lots and adds the adjoining lot 56 into the overall site as part of the Tilton Road Mixed Use zone noted below. This would add an additional 0.69 acres to the tract area and provide for an additional affordable housing unit. The addition of this parcel will create a larger tract and would improve the viability of the proposed mixed-use zoning designation. The tax map showing all three lots is located in the Appendix.***

A portion of this property is impacted by wetlands and additional investigations will need to be completed to determine the useable building envelope. However, given the permitted site coverages under the CAFRA regulations and the location of the property along a commercial corridor, the mixed-use development zoning provides an improved opportunity for development.

The site will also continue to permit the age-restricted housing development as a permitted conditional use. The requirements of the existing ordinance for the conditional use development includes a 20% affordable housing set-aside. In this development scenario the site could accommodate a greater housing density but no commercial space. The City reserves the right to review the appropriateness of the age-restricted conditional use standards at a later date.

The site is located on the City's primary commercial corridor, Tilton Road. It is bordered to the north by a newly constructed office building. The southern side of the site includes various non-residential land uses including a small shopping center with a lawn and garden contractors yard in the rear. Opposite the site on the eastern side of Tilton Road is a larger shopping center. To the rear of the shopping center is the recently zoned affordable housing site for MGS properties.

*Tunnel to Towers (Mill Road/Wabash Avenue) – 121 units*

Ä

This parcel is located on Block 92, Lots 25, 28, 29, 31, 33 & 34. The property contains a non-conforming business operation of a construction company. The uses on the property include an office, shop and storage building as well as an outside storage yard for equipment and materials. The site is bordered to the west by the City Library and the local bike path runs along the street frontage just opposite the site on Wabash Avenue. The surrounding neighborhood includes single-family detached dwelling units on lot sizes that range from 8,000 square feet to 13,000 square feet (approximately).

The City created a new zone on this parcel, Affordable Housing 1-Age Restricted district (AH1-AR) with a density of 12 units per acre. The site would accommodate a minimum of 80 units of which 12 would be affordable housing units using a set-aside of 15%. The site has been approved for development by the Planning Board; however, construction has not begun. The site was the subject of a Memorandum of Understanding, and the City is continuing to work with the property owner to facilitate the proposed development. This proposed project was approved by the Court in both its 2018 and 2024 Third Round plans.

Subsequent to the adoption of the 2025 HEFSP the property owner reached out to the City to propose a new project on this property. The City is now amending the HEFSP to include the proposed Stephen Siller Tunnel to Towers Foundation (T2T) project which consists of up to 121 Veterans Supportive Housing units. T2T, whose charitable mission, among other things, is to provide supportive housing to veterans, has entered into a Developer's Agreement with the City and the property owner. In accordance with the Developer's Agreement the project will provide at least 115

“creditworthy” units. These are noted as supportive housing credits in the City’s plan as applied to the City’s Third and Fourth Round Unmet Need and replacing the 12 age-restricted units from the Homes for All project. The City reserves the right to provide credits for up to the 121 units if they are in fact considered “creditworthy” under the applicable affordable housing regulations.

̄  
̄

### **Elements Satisfying Obligation**

̄

#### ***City Owned Site/Habitat for Humanity – 12 units***

̄

̄ This site was included in the City’s Court-approved Amended 2024 Fair Share Plan. The City has entered into an agreement with Habitat for Humanity to develop the property with up to twelve (12) affordable family units in the form of twins. The City is working with Habitat to approve a subdivision plan creating these lots, which is expected to be filed and approved in 2025.

The property is City owned and contains just over 2 acres along Dolphin Avenue and Harvey Drive on Block 66, Lot 11 and Block 69, Lot 1.02. The two parcels are not contiguous. The parcel along Harvey Drive is wooded and is bordered by a single-family dwelling on the north and west. Opposite the site on the east side of Dolphin Avenue is the Atlantic County public works yard. The parcel on Dolphin Avenue is also wooded and is completely surrounded by the Atlantic County public works yard.

Block 66, Lot 11 is located at the corner of Harvey Drive and Dolphin Avenue and contains one acre of land. Block 69, Lot 1.02 is located along Dolphin Avenue and contains 1.12 acres of land. The development plan proposes to provide for up to 12 affordable housing units. This would be achievable through partnership with Habitat for Humanity.

Site Suitability Analysis – City Owned Site - Site Suitability is addressed in COAH’s Second Round regulations at N.J.A.C. 5:93-5.3. The criteria under which a site is to be evaluated includes a finding that the site is available, approvable, developable and suitable as defined in N.J.A.C. 5:93-1.

# “Available site” means a site with clear title, free of encumbrances which preclude development for low- and moderate-income housing.

- This site belongs to the City of Northfield. The City is in the process of entering into an agreement with Habitat for Humanity for the development of the property with affordable housing units.

# “Approvable site” means a site that may be developed for low and moderate income housing in a manner consistent with the rules and regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate

income housing. – This site is zoned for single-family housing units. A zoning amendment will be required to provide for the proposed development of three duplexes on each of the two parcels. This amendment is recommended as part of the amended Fair Share Plan. The developed areas of the City of Northfield, where this site is located, are in a State Planning Area 1, Metropolitan (PA1). The State Plan encourages development in the PA1 and PA2 areas.

# “Developable site” means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area wide water quality management plan (including the wastewater management plan) or is included in an amendment to the area wide water quality management plan submitted to and under review by

DEP. – The site has access to public water and sewer and is consistent with the approved Atlantic County water quality management plan.

# “Suitable site” means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4. –The site is surrounded by moderate density single-family housing in Northfield and is also adjacent to the city public works facility. The site is also proximate to Route 9 and public bus transportation. In terms of the environmental policies at N.J.A.C. 5:93-4 the site development area is not impacted by wetlands, flood hazard areas or steep slopes. The development will require some tree removal but there are no known environmental constraints to the proposed development.

*Camden Diocese – 72 units*

Ā

This property was included in the 2024 plan amendment to provide affordable housing on land owned by Atlantic County in cooperation with the Camden Diocese, which was approved by the Court and included in the City’s 2024 Amended JOR. The property is identified as Block 150, Lot 1 and is located along Dolphin Avenue. This is a larger property of 28 +/- acres which is home to the Meadowview Nursing and Rehabilitation Center, owned and operated by Atlantic County. The Camden Diocese would be purchasing approximately 2.5 acres of land from the County to provide for up to 72 age-restricted rental affordable housing units in a 100% affordable housing project. The City adopted a zoning ordinance to provide for this proposed development.

Site Suitability Analysis – Camden Diocese - Site Suitability is addressed in COAH’s Second Round regulations at N.J.A.C. 5:93-5.3. The criteria under which a site is to be evaluated includes a finding that the site is available, approvable, developable and suitable as defined in N.J.A.C. 5:93-1.

# “Available site” means a site with clear title, free of encumbrances which preclude development for low- and moderate-income housing.

- This site belongs to the County of Atlantic. The County has agreed to subdivide up to 4 acres from the existing parcel to provide for the proposed development by the Camden Diocese.

# “Approvable site” means a site that may be developed for low and moderate income housing in a manner consistent with the rules and regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing. – This site requires a zoning amendment to provide

for the proposed development. This amendment is recommended as part of the amended Fair Share Plan. This is a developed site with adequate room available to provide for the proposed affordable housing development. The developed areas of the City of Northfield, where this site is located, are in a State Planning Area 1, Metropolitan (PA1). The State Plan encourages development in the PA1 and PA2 areas.

# “Developable site” means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area wide water quality management plan (including the wastewater management plan) or is included in an amendment to the area wide water quality management plan submitted to and under review by

DEP. – The site has access to public water and sewer and is consistent with the approved Atlantic County water quality management plan.

- # “Suitable site” means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4. – This site is part of a larger County owned property which includes the Meadowview Nursing and Rehabilitation Center. The site is also surrounded by moderate density single-family housing in Northfield and in the abutting City of Pleasantville. The site is also proximate to Route 9 and public bus transportation as well as having access to the County transportation system for senior citizens. In terms of the environmental policies at N.J.A.C. 5:93-4 the site development area is not impacted by wetlands, flood hazard areas or steep slopes. The proposed development is on an area of the tract which is generally cleared of trees and proximate to the current site improvements. The development will share a common access drive with the Meadowview Nursing facility.

Ä

***Overlay Zone – St. Gianna Beretta Molla Parish – 20 units***

The City created an overlay zone for Block 40, Lots 28, 29 & 40 (St. Gianna Beretta Molla Parish) to permit the development of complimentary housing options. This site is currently developed with the existing parish, rectory and associated improvements. The overlay zoning permits the creation of an inclusionary or 100% affordable age-restricted development, independent living or congregate care/assisted living facility. The total site is 14.4 acres with approximately 6 acres available for development. The ordinance permits the housing to be developed in addition to the existing church campus. The site is permitted to create at least 100 units/beds with 20 affordable units. The zoning permits 100% affordable or market-

rate with a minimum 20% set-aside. The market-rate would allow a density to support a minimum of 20 affordable housing units. Since the Catholic Church owns the site it is feasible to permit a 100% affordable development which could generate additional housing credits. This overlay was approved by the Court in both the City’s 2018 and Amended 2024 Third Round plans.

***Transitional Housing – 3 credits***

Ä

Ä The 2024 amendments to the FHA included a new component for “Transitional Housing” which can account for up to 10% of a Fourth-Round obligation. The FHA defines “Transitional Housing,” which qualify for affordable housing credits. The term means temporary housing which meets the following criteria:

- Includes, but is not limited to, single-room occupancy housing or shared living and supportive living arrangements;
- Provides access to on-site or off-site supportive services for very low-income households who have recently been homeless or lack stable housing;
- Is licensed by the department (DCA); and
- Allows households to remain for a minimum of six months.

While there are seven facilities with 31 total bedrooms, the City may only take credit for 3 bedrooms under the 10% cap. The facilities are identified below and copies of all licensing are included in the Appendix.

; K=HLMLH=FÄ4INECÄ 3=?EFEMÄ	/ A@NIG LA
CXYÄ\QNXRWÄ ,Ä +&(Ä]ZXWÄ1W]NÄÄU][ÄÖ	
CXYÄ\QNXRWÄ +Ä +/&Ä=JYUÄN^NW]NÄÄU][ÄÖ	
CXYÄ\QNXRWÄ ,Ä +'-Ä@RW]ZNÄÄU][ÄÖ	

1 \UJW\B\CKK^R^RWP )A )"A>N_ A\XMAAU[[ A6	
1 \UJW\B\CKK^R^RWP )A ,+&A8XUa_XXMAAU[[ A 6A	
1 \UJW\B\CKK^R^RWP )A *!A4XUYQRWAW]MAAU[[ A6	
CQXX^A8X]NA<3A )A7 XUQNA4R^NAAU[[ A6	+A

**Overlay Zone – City Wide**

A

The City adopted a municipal-wide ordinance requiring a mandatory affordable housing set aside for all new multifamily residential developments of five (5) units or more. The set aside for rental developments shall be fifteen percent (15%) and the set aside for for-sale developments shall be twenty percent (20%). The provisions of the ordinance do not apply to residential expansions, additions, renovations, replacement, or any other type of residential development that does not result in a net increase in the number of dwellings of five or more. This ordinance remains in full force and effect and was approved by the Court in both the 2018 and Amended 2024 Third Round plans.

A

**Miscellaneous Provisions A**

A

The City has provided for affordable housing opportunities under the existing zoning for age-restricted developments. In the R-1 and the RC zones the City permits a Planned Adult Community with 12 units per acre with a 20% low- and moderate-income set aside. The same districts also permit a mid-rise age-restricted development of 15 units per acre with a 20% low- and moderate-income set aside. These conditional uses will remain in the ordinance, continuing to provide future affordable housing opportunities.

A

̄

***Very Low-Income Units***

̄

̄ Very Low-income housing is affordable to those households with a gross household income of 30% or less of the median gross household income in the region. In 2008 the FHA was amended to include a requirement that at least 13% of all affordable housing units be very low-income units<sup>4</sup>. The 2024 amendments to the FHA added a provision that at least half of the very low-income units be available to families with children. This would apply to the City's Fourth-Round obligation.

The City is required to provide 13% of their total affordable housing units in their Third and Fourth-Round plans as very-low-income units. With a Third-Round RDP of 29 and a Fourth Round RDP of zero, the total very low-income units required are 4.

It is proposed that a portion of these units be addressed in the Camden Diocese project. At least 2 units are required to be family units. The City proposes to include these units in either the Habitat development, by using AHTF to buy-down units or in the event another affordable family unit development progresses on one of the zoned sites the City will ensure to require the 2 very-low-income family units.

̄

̄

**Phasing Plan for Affordable Housing Units<sup>5</sup>**

̄

The City has unbuilt units satisfying their Third and Fourth-Round RDP. The Unmet Need units will come online as the developments progress but are not included in the phasing schedule. The development of these units are subject to market

\_\_\_\_\_̄

<sup>4</sup> Assembly Bill A-500 adopted in 2008, also known as the Roberts Bill, created a new definition for very low-income units and a requirement that 13% of all affordable units be made available to very low-income households.

<sup>5</sup> Phasing is estimated and may not reflect changes to market conditions which will impact the proposed developments.

conditions. The City anticipates that the identified projects in the RDP for both rounds will be developed in accordance with the following schedule:

Ä

8HCKGÄ	&\$&*Ä	&\$&+Ä	&\$&,Ä	&\$&-Ä	&\$'SÄ	&\$'%Ä	&\$'Ä	&\$'Ä	&\$'(Ä	&\$')Ä
3JV MNW	Ä	*Ä	)Ä	Ä	Ä	Ä	Ä	Ä	Ä	Ä
4RX.N[Ä										
8JKRJÄRNÄ	*Ä	*Ä	*Ä	Ä	Ä	Ä	Ä	Ä	Ä	Ä
13 ÄXJWzÄ	Ä	Ä	Ä	Ä	'Ä	'Ä	'Ä	'Ä	'Ä	Ä
3UjKÄ										
; IMFÄ	(Ä	((Ä	'*Ä	SÄ	%SÄ	%SÄ	%SÄ	%SÄ	%SÄ	SÄ

Ä  
Ä  
Ä

**Bonus Provisions**

Ä

For the Prior Round and Third-Round plan, in accordance with N.J.A.C. 5:93-5.15, the municipality intends to take bonus credits for up to 25% their total obligation as provided for in the Court-approved Third-Round plan. The projected rental bonus would account for up to 94 credits.

Bonus credits are permitted for units in the Fourth Round in accordance with the amended FHA under N.J.S.A. 52:27D-311.k. for up to 25% of the total Fourth-Round prospective need, allowing for six (6) bonus credits. The City reserves the right to apply additional bonus credits in the future if they become available.

Ä  
Ä

**Affordable Housing Trust Fund**

Ä

City of Northfield adopted an affordable housing trust fund ordinance in accordance with affordable housing regulations for the purposes of funding affordable housing activities on October 17, 2017, under Ordinance 15-2017. The City is amending the Development Fee Ordinance to meet the newly adopted regulations of the Uniform Housing Affordability Controls under N.J.A.C. 5:80 et seq.,

as amended December 15, 2025, and the Fair Housing Act regulations under N.J.A.C. 5:99 et seq., as approved December 15, 2025. The proposed amended ordinance is included in the Appendix as part of the Affordable Housing ordinances. As of May 31, 2024 the balance of the AHTF was \$110,736. A Spending Plan will be completed to provide for the expenditure of funds.

### **Cost Generation**

̄

The City of Northfield will provide for expediting the review of development applications containing affordable housing. Such expedition may consist of, but is not limited to, scheduling of pre-application conferences and special monthly public hearings for projects involving affordable housing. Furthermore, development applications containing affordable housing shall be reviewed for consistency with the Land Development Ordinance and Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.) The City shall comply with all requirements for unnecessary cost generating requirements under N.J.A.C. 5:93-10.

̄

### **Monitoring**

̄

The City of Northfield shall complete all required annual monitoring reports for the municipality's Affordable Housing Trust Fund and of the affordable housing units and programs in accordance with the FHA regulations and requirements. In fact, the municipality has complied with all current AHMS reporting deadlines to date, as set forth in the Amended FHA. Northfield's Municipal Housing Liaison has access to the AHMS and has been regularly inputting the required monitoring data as it becomes available.

̄

̄

̄

**Fair Share Ordinance and Affirmative Marketing**

Ä

Ä The City of Northfield on September 11, 2018 by ordinance 6-2018 and in accordance with the City’s Court-approved Fair Share Plan, adopted an Affirmative Marketing and Fair Share Ordinance in accordance with N.J.A.C. 5:93 et seq., and UHAC at N.J.A.C. 5:80-26<sup>6</sup>. These ordinances are being amended in accordance with the newly adopted regulations of the Uniform Housing Affordability Controls under N.J.A.C. 5:80 et seq., as amended December 15, 2025, and the Fair Housing Act regulations under N.J.A.C. 5:99 et seq., as approved December 15, 2025. The proposed amended ordinance is included in the Appendix. The City’s Fair Share Ordinance will govern the administration of affordable units in the City as well as regulating the occupancy of such units. The Fair Share Ordinance covers the phasing of affordable units, the low/moderate income split, bedroom distribution, occupancy standards, affordability controls, establishing rents and sales prices, affirmative marketing, income qualification and the like. The costs of advertising and affirmative marketing of the affordable units (including the contract with the Administrative Agent) shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the City.

The affirmative marketing plan is 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 City. Additionally, the affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units and who reside in Housing Region #6, consisting of Atlantic, Cape May, Cumberland and Salem counties.

Ä

<sup>6</sup> At this time the State is in the process of amending the UHAC regulations and adopting new affordable housing regulations under proposed N.J.A.C. 5:99 which will potentially require amendments to the Municipal Housing Ordinances and Marketing Plan. At such time that these regulations become effective the ordinances will be amended as required by law.

The affirmative marketing plan includes regulations for qualification of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance with N.J.A.C. 5:80-26. All newly created affordable units will comply with the affordability controls required by the FHA and UHAC. This plan must be adhered to by all private, non-profit or municipal developers of affordable housing units and must cover the period of deed restriction or affordability controls on each affordable unit. The costs of implementing the affirmative marketing plan (i.e., the costs of advertising the availability of affordable units, contract with the Administrative Agent, etc.) are the responsibilities of the developers of the affordable units. This requirement will be included in the City's fair share ordinances and shall be a condition of any municipal development approval.

### **Conclusion**

̄

There are limited remaining opportunities to create affordable housing in the City given the scarcity of vacant or underutilized parcels. Despite this, the City proposes to meet its Prior Round affordable housing obligation through various mechanisms as demonstrated herein. The City also recognizes there is a need to provide future opportunities for affordable housing and therefore has revised portions of the existing zoning ordinance to ensure larger residential developments provide affordable housing

*APPENDIX A – Northfield DJ Complaint*

*APPENDIX B - Order Fixing Municipal Obligation for “Present Need” and  
“Prospective Need” for the Fourth Round Housing Cycle*

*APPENDIX C – Northfield Rehab Units*

*APPENDIX D – Tilton Road Mixed Use Tax Map*

*APPENDIX E – Affordable Housing Ordinances (Including Tilton Road  
Amendment)*

*APPENDIX F – Transitional Housing Licenses (To Be Provided)*

*APPENDIX G – Consent Order for Conditional Compliance Certification*

*APPENDIX H – Dolphin Avenue Redevelopment Plan*

*APPENDIX I – Wabash Avenue Redevelopment Plan*

*APPENDIX J – Tunnel to Towers Developer’s Agreement*

# APPENDIX A

**SURENIAN, EDWARDS, BUZAK & NOLAN LLC**

311 Broadway, Suite A

Point Pleasant Beach, NJ 08742

(732) 612-3100

By: Nancy L. Holm, Esq. (Attorney ID: 013442006)

*Attorneys for Declaratory Plaintiff, City of Northfield*

**IN THE MATTER OF THE  
APPLICATION OF THE CITY OF  
NORTHFIELD, COUNTY OF ATLANTIC,  
STATE OF NEW JERSEY**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: ATLANTIC COUNTY**

DOCKET NO.: ATL-L-\_\_\_\_

CIVIL ACTION  
AFFORDABLE HOUSING DISPUTE  
RESOLUTION PROGRAM  
PER DIRECTIVE # 14-24

**COMPLAINT FOR DECLARATORY  
RELIEF PURSUANT TO AOC  
DIRECTIVE # 14-24**

Declaratory Plaintiff, the City of Northfield, County of Atlantic, State of New Jersey (hereinafter, “Northfield” or the “City”), a municipal corporation of the State of New Jersey, with principal offices located at 1600 Shore Road, Northfield, New Jersey 08225, by way of this Declaratory Judgment Action (“DJ Action”) as authorized under Directive # 14-24 of the Administrative Office of the Courts (“AOC”) alleges and says:

### ***Background***

1. The City of Northfield is a municipal corporation of the State of New Jersey.
2. The Planning Board of the City of Northfield (hereinafter, “Planning Board”) is a municipal agency created and organized under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq., (“MLUL”), and, among other duties and obligations, is responsible for adopting the Fourth Round Housing Element and Fair Share Plan (“HEFSP”) of Northfield’s Master Plan.

3. Through this DJ Action, Northfield seeks the following relief in relation to its Fourth Round (2025-2035) affordable housing obligation: (a) to secure the jurisdiction of the Affordable Housing Dispute Resolution Program (the “Program”) pursuant to P.L. 2024, c.2 (hereinafter, the “Act”) and the Court, pursuant to AOC Directive # 14-24; (b) to have the Program and the Court approve the City of Northfield’s Present and Prospective affordable housing obligations as set forth in the binding resolution adopted by the City, attached hereto as **Exhibit 1**; (c) to have the Program and the Court approve the City’s HEFSP to be adopted by the Planning Board and endorsed by the Council and issue a conditional or unconditional “Compliance Certification” pursuant to the Act or other similar declaration; (d) to the extent it is not automatically granted pursuant to the Act, through the filing of this DJ Action and binding resolution, to have the Program and the Court confirm Northfield’s immunity from all exclusionary zoning litigation, including builder’s remedy lawsuits, during the pendency of the process outlined in the Act and for the duration of the Fourth Round, i.e., through June 30, 2035; and (e) to have the Program and the Court take such other actions and grant such other relief as may be appropriate to ensure that the City receives and obtains all protections as afforded to it in complying with the requirements of the Act, including, without limitation, all immunities and presumptions of validity necessary to satisfy its affordable housing obligations voluntarily without having to endure the expense and burdens of unnecessary third party litigation.

### **COUNT I**

#### **ESTABLISHMENT OF JURISDICTION UNDER P.L.2024, C. 2**

4. The City of Northfield repeats and realleges each and every allegation as set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

5. The Act represents a major revision of the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et. seq.

6. Among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program. Among other things, the Act authorized the Director of the AOC (hereinafter, “Director”) to create a framework to process applications for a compliance certification.

7. On or about December 19, 2024, the Director issued Directive #14-24, which among other things, required municipalities seeking compliance certification to file an action in the form of a Declaratory Judgment Complaint and Civil Case Information Statement in the County in which the municipality is located within 48 hours after the municipality’s adoption of a binding resolution as authorized under the Act and attach a copy of said binding resolution to the DJ Action.

8. The City adopted a binding resolution establishing its present and prospective affordable housing obligations within the statutory window of time set forth in the Act and in accordance with the methodology and formula set forth in the Act, a certified copy of which resolution is attached to this DJ Action as **Exhibit 1**.

9. Based on the foregoing, the City has established the jurisdiction of the Program and the Court in regard to this DJ Action for a Compliance Certification as set forth hereinafter.

**WHEREFORE**, the City of Northfield seeks a declaratory judgment for the following relief:

- a. Declaring that the City has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set

forth in the binding resolution attached as **Exhibit 1** to this DJ Action or to adjust such determination consistent with the Act;

- b.** Declaring the present and prospective affordable housing obligations of the City under the Act;
- c.** Declaring the approval of the City's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a windshield survey or similar survey which accounts for a more accurate estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;
- d.** Declaring that the City continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e.** Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive #

14-24 to the City of Northfield for the period beginning July 1, 2025 and ending June 30, 2035; and

- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

## **COUNT II**

### **DETERMINATION OF THE PRESENT AND PROSPECTIVE NEED OF THE CITY OF NORTHFIELD**

**10.** Northfield repeats and realleges each and every allegation set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

**11.** The Act adopted the methodology to calculate every municipality's present and prospective need affordable housing obligation for the Fourth Round (2025-2035) and beyond.

**12.** The Act directed the Department of Community Affairs ("DCA") to apply the methodology and to render a non-binding calculation of each municipality's present and prospective affordable housing obligations to be contained in a report to be issued no later than October 20, 2024.

**13.** The DCA issued its report on October 18, 2024.

**14.** Pursuant to the October 18, 2024 report, the DCA calculated Northfield's present and prospective affordable housing obligations as follows:

<b>FOURTH ROUND PRESENT NEED (REHABILITATION) OBLIGATION</b>	<b>FOURTH ROUND PROSPECTIVE NEED OBLIGATION (2025-2035)</b>
10	24

15. Pursuant to the Act, a municipality desiring to participate in the Program is obligated to adopt a “binding resolution” determining its present and prospective affordable housing obligations to which it will commit based upon the methodology set forth in the Act.

16. Northfield adopted a binding resolution, a copy of which resolution is attached hereto and made a part hereof as **Exhibit 1** to this DJ Action.

17. The binding resolution maintains that Northfield’s Round 4 (2025-2035) Present Need (Rehabilitation) Obligation is 10 and its Prospective Need (“New Construction”) Obligation is 24.

18. Northfield seeks the approval of, and confirmation by, the Program and the Court of the Round 4 (2025-2035) Present and Prospective affordable housing obligations as set forth in the binding resolution attached hereto and made a part hereof as **Exhibit 1**, or the adjustment of those obligations consistent with the Act and all applicable regulations.

19. Pursuant to the binding resolution, the City of Northfield reserves all rights to amend its affordable housing obligations in the event of a successful legal challenge, or legislative change, to the Act.

20. Pursuant to the binding resolution, Northfield specifically reserves the right to seek and obtain 1) a windshield survey or similar survey which accounts for a more accurate estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack

of water); 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 5) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 6) an adjustment based upon any ruling in litigation involving affordable housing obligations; and 7) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations.

**WHEREFORE**, the City of Northfield seeks a declaratory judgment for the following relief:

- a. Declaring that the City has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this DJ Action or to adjust such determination consistent with the Act;
- b. Declaring the present and prospective affordable housing obligations of the City under the Act;
- c. Declaring the approval of the City's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a windshield survey or similar survey which accounts for a more accurate estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation

involving affordable housing obligations; and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or all applicable regulations;

- d. Declaring that the City continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e. Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the City of Northfield for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

### **COUNT III**

#### **APPROVAL OF CITY’S HOUSING ELEMENT AND FAIR SHARE PLAN**

**21.** The City of Northfield repeats and realleges each and every allegation set forth in the previous paragraphs of this DJ Action as if set forth herein in full.

**22.** Pursuant to the Act, a Housing Element and Fair Share Plan (hereinafter, “HEFSP”) must be prepared, adopted by the Planning Board and endorsed by the municipality by June 30, 2025.

**23.** Northfield hereby commits for its professionals to prepare the appropriate HEFSP to address its affordable housing obligations, as determined by the Program and the Court which HEFSP shall apply as appropriate, any applicable adjustments, including, without limitation, 1) a

windshield survey or similar survey which accounts for a more accurate estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 5) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 6) an adjustment based upon any ruling in litigation involving affordable housing obligations; and 7) any other applicable adjustment permitted in accordance with the Act and/or applicable regulations.

**WHEREFORE**, the City of Northfield seeks a declaratory judgment for the following relief:

- a. Declaring that the City has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this DJ Action or to adjust such determination consistent with the Act;
- b. Declaring the present and prospective affordable housing obligations of the City under the Act;
- c. Declaring the approval of the City's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a windshield survey or similar survey which accounts for a more accurate estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas,

inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or all applicable regulations;

- d. Declaring that the City continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established under the Program;
- e. Declaring and issuing a Compliance Certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the City of Northfield for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

#### **COUNT IV**

#### **CONFIRMATION OF IMMUNITY**

**24.** The City of Northfield repeats and realleges each and every allegation set forth in the previous paragraphs of this declaratory judgment complaint as if set forth herein in full.

**25.** Pursuant to the Act, a municipality that complies with the deadlines in the Act for both determining present and prospective affordable housing obligations and for adopting an appropriate HEFSP shall have immunity from exclusionary zoning litigation.

**26.** The City of Northfield has met the deadline for the adoption and filing of its binding resolution not later than January 31, 2025, and the filing of this DJ Action in accordance with AOC Directive #14-24 not later than February 3, 2025, by adopting the binding resolution attached to this DJ Action as **Exhibit 1**, and has also committed to the adoption of its HEFSP by June 30, 2025.

**WHEREFORE**, the City of Northfield seeks a declaratory judgment for the following relief:

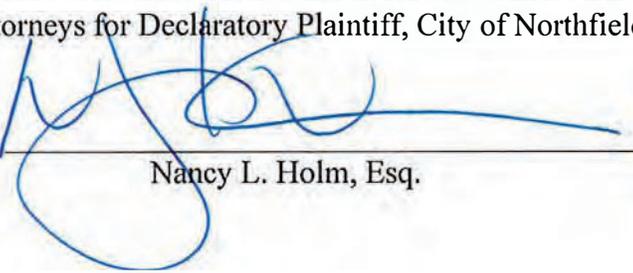
- a.** Declaring that the City has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this DJ Action or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of the City under the Act;
- c.** Declaring the approval of the City's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Council, including, as appropriate and applicable, (i) a windshield survey or similar survey which accounts for a more accurate estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation

involving affordable housing obligations; and (vii) any other applicable adjustment permitted in accordance with the Act and/or all applicable regulations;

- d. Declaring that the City continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e. Declaring and issuing a Compliance Certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the City of Northfield for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, City of Northfield

By



Nancy L. Holm, Esq.

Dated: January 22, 2025

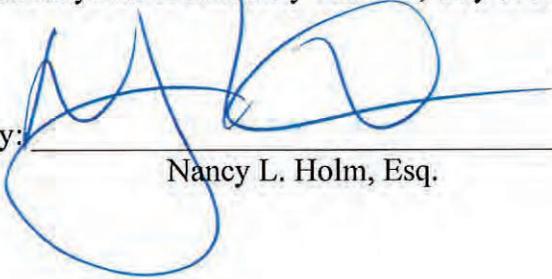
**CERTIFICATION PURSUANT TO R. 4:5-1**

Nancy L. Holm, Esq., of full age, hereby certifies as follows:

1. I am an associate of the Firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for declaratory plaintiff, City of Northfield.
2. To the best of my knowledge, there is no other action pending in any court or any pending arbitration proceeding of which the matter in controversy herein is the subject and no such other action or arbitration proceeding is contemplated. To the best of my knowledge, there are no other parties who should be joined in this action.
3. The within Complaint was filed and served within the time prescribed by the Rules of Court.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, City of Northfield

By: 

\_\_\_\_\_  
Nancy L. Holm, Esq.

Dated: January 22, 2025

**CERTIFICATION PURSUANT TO R. 1:38-7(b)**

Nancy L. Holm, Esq., of full age, hereby certifies as follows:

1. I am an associate of the firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for Declaratory Plaintiff, City of Northfield.
2. I certify that confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(b).

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, City of Northfield

By: \_\_\_\_\_

Nancy L. Holm, Esq.

Dated: January 22, 2025

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, notice is hereby given that Nancy L. Holm, Esq., attorney for the Declaratory Plaintiff, City of Northfield is designated as trial counsel in the above captioned matter.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, City of Northfield

By: \_\_\_\_\_

Nancy L. Holm, Esq.

Dated: January 22, 2025

## EXHIBIT 1

CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 53-2025RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF  
NORTHFIELD COMMITTING TO FOURTH ROUND PRESENT AND  
PROSPECTIVE NEED AFFORDABLE HOUSING OBLIGATIONS

**WHEREAS**, the City of Northfield (hereinafter the “City” or “Northfield”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 2, 2015, the City of Northfield filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine;” and

**WHEREAS**, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and an Amended Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 1, 2025; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

**WHEREAS**, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and

**WHEREAS**, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, the DCA Report calculates the City’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of 10 and a Prospective Need (New Construction) Obligation of 24; and

**WHEREAS**, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”, a deadline which was later

extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 19, 2024; and

**WHEREAS**, this Resolution satisfies the requirements of the Amended FHA by accepting the DCA’s estimate of the City’s Present and Prospective Need for Round 4 (2025-2035), as described in the DCA Report; and

**WHEREAS**, Section 3 of the Amended FHA provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of the Amended FHA; and

**WHEREAS**, the City’s acceptance of the Fourth Round obligations calculated by the DCA are entitled to a “presumption of validity” because it complies with Sections 6 and 7 of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the City specifically reserves the right to adjust its fair share obligations in accordance with applicable Council on Affordable Housing (“COAH”) regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning documents; and

**WHEREAS**, in addition to the foregoing, the City specifically reserves all rights to revoke or amend this Resolution and commitment, as may be necessary, in the event of a successful challenge to the Amended FHA in the context of the case The Borough of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the City reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

**WHEREAS**, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the City’s Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

**WHEREAS**, in addition to the foregoing, the Acting Administrative Director of the AOC issued Directive #14-24 (hereinafter “AOC Directive”) on December 19, 2024; and

**WHEREAS**, pursuant to AOC Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter “the Program”), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and

**WHEREAS**, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of the AOC Directive and the Borough reserves any and all rights and remedies in relation to the AOC Directive; and

**WHEREAS**, the City seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and

**WHEREAS**, in light of the above, the Mayor and City Council finds that it is in the best interest of the City to declare its obligations in accordance with this binding Resolution and in accordance with the Amended FHA; and

**NOW, THEREFORE, BE IT RESOLVED** on this 21<sup>st</sup> day of January 2025, by the Common Council of the City of Northfield, Atlantic County, State of New Jersey, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full.
2. For the reasons set forth in this Resolution, the Mayor and City Council hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 10 and the DCA Fourth Round Prospective Need (New Construction) Obligation of 24 as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:
  - a. The right to adjust the City’s fair share obligations based on a windshield survey or similar survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and

- b. As described in the WHEREAS section, all rights to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and
  - c. The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the City's fair share obligations.
3. Pursuant to the requirements of the FHA as amended, and the Administrator of the Court's AOC Directive #14-24 issued on December 19, 2024, the City hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint, along with this Resolution and a Case Information Statement (Civil CIS), in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution, so that the City's Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.
4. This Resolution shall take effect immediately, according to law.

#### CERTIFICATION

I, MARY CANESI, Municipal Clerk of the City of Northfield, do hereby certify that the foregoing Resolution was duly adopted at a Regular meeting of the Common Council of the City of Northfield, held on this 21<sup>st</sup> day of January 2025.

  
\_\_\_\_\_  
Mary Canesi, RMC, Municipal Clerk

**Roll Call:**  
**Aye:** Carfagno, Dewees, Kern, Notaro, Polistina, Smith, Buccì  
**Nay:**  
**Abstain:**  
**Absent:**

**CITY OF NORTHFIELD, NJ  
RESOLUTION NO. 53-2025**

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF  
NORTHFIELD COMMITTING TO FOURTH ROUND PRESENT AND  
PROSPECTIVE NEED AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the City of Northfield (hereinafter the “City” or “Northfield”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 2, 2015, the City of Northfield filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine;” and

**WHEREAS**, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and an Amended Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 1, 2025; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

**WHEREAS**, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and

**WHEREAS**, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, the DCA Report calculates the City’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of 10 and a Prospective Need (New Construction) Obligation of 24; and

**WHEREAS**, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”, a deadline which was later

extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 19, 2024; and

**WHEREAS**, this Resolution satisfies the requirements of the Amended FHA by accepting the DCA’s estimate of the City’s Present and Prospective Need for Round 4 (2025-2035), as described in the DCA Report; and

**WHEREAS**, Section 3 of the Amended FHA provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of the Amended FHA; and

**WHEREAS**, the City’s acceptance of the Fourth Round obligations calculated by the DCA are entitled to a “presumption of validity” because it complies with Sections 6 and 7 of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the City specifically reserves the right to adjust its fair share obligations in accordance with applicable Council on Affordable Housing (“COAH”) regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning documents; and

**WHEREAS**, in addition to the foregoing, the City specifically reserves all rights to revoke or amend this Resolution and commitment, as may be necessary, in the event of a successful challenge to the Amended FHA in the context of the case The Borough of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the City reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

**WHEREAS**, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the City’s Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

**WHEREAS**, in addition to the foregoing, the Acting Administrative Director of the AOC issued Directive #14-24 (hereinafter “AOC Directive”) on December 19, 2024; and

**WHEREAS**, pursuant to AOC Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter “the Program”), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and

**WHEREAS**, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of the AOC Directive and the Borough reserves any and all rights and remedies in relation to the AOC Directive; and

**WHEREAS**, the City seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and

**WHEREAS**, in light of the above, the Mayor and City Council finds that it is in the best interest of the City to declare its obligations in accordance with this binding Resolution and in accordance with the Amended FHA; and

**NOW, THEREFORE, BE IT RESOLVED** on this 21<sup>st</sup> day of January 2025, by the Common Council of the City of Northfield, Atlantic County, State of New Jersey, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full.
2. For the reasons set forth in this Resolution, the Mayor and City Council hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 10 and the DCA Fourth Round Prospective Need (New Construction) Obligation of 24 as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:
  - a. The right to adjust the City’s fair share obligations based on a windshield survey or similar survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and

- b. As described in the WHEREAS section, all rights to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and
    - c. The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the City's fair share obligations.
  3. Pursuant to the requirements of the FHA as amended, and the Administrator of the Court's AOC Directive #14-24 issued on December 19, 2024, the City hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint, along with this Resolution and a Case Information Statement (Civil CIS), in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution, so that the City's Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.
  4. This Resolution shall take effect immediately, according to law.

### CERTIFICATION

I, MARY CANESI, Municipal Clerk of the City of Northfield, do hereby certify that the foregoing Resolution was duly adopted at a Regular meeting of the Common Council of the City of Northfield, held on this 21<sup>st</sup> day of January 2025.

  
\_\_\_\_\_  
Mary Canesi, RMC, Municipal Clerk

**Roll Call:**  
**Aye:** Carfagno, Dewees, Kern, Notaro, Polistina, Smith, Bucci  
**Nay:**  
**Abstain:**  
**Absent:**

# Civil Case Information Statement

**Case Details: ATLANTIC | Civil Part Docket# L-000136-25**

<b>Case Caption:</b> IN THE MATTER OF NORTHFIELD CITY	<b>Case Type:</b> AFFORDABLE HOUSING
<b>Case Initiation Date:</b> 01/22/2025	<b>Document Type:</b> Complaint
<b>Attorney Name:</b> NANCY L HOLM	<b>Jury Demand:</b> NONE
<b>Firm Name:</b> SURENIAN, EDWARDS, BUZAK & NOLAN LLC	<b>Is this a professional malpractice case?</b> NO
<b>Address:</b> 311 BROADWAY STE A	<b>Related cases pending:</b> NO
POINT PLEASANT BEACH NJ 08742	<b>If yes, list docket numbers:</b>
<b>Phone:</b> 7326123100	<b>Do you anticipate adding any parties (arising out of same transaction or occurrence)?</b> NO
<b>Name of Party:</b> PLAINTIFF : City of Northfield	<b>Does this case involve claims related to COVID-19?</b> NO
<b>Name of Defendant's Primary Insurance Company</b> (if known): None	<b>Are sexual abuse claims alleged by:</b> City of Northfield? NO

**THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE**  
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category:** Putative Class Action? NO Title 59? NO Consumer Fraud? NO Medical Debt Claim? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

01/22/2025

Dated

/s/ NANCY L HOLM

Signed



## Appendix B - 2025 Northfield HEFSP

PREPARED BY THE COURT:

**IN THE MATTER OF THE  
DECLARATORY JUDGMENT  
ACTION OF THE CITY OF  
NORTHFIELD, ATLANTIC  
COUNTY PURSUANT TO P.L.  
2024, CHAPTER 2**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – CIVIL PART  
ATLANTIC COUNTY  
DOCKET NO. ATL-L-136-25

Civil Action

**ORDER FIXING MUNICIPAL  
OBLIGATIONS FOR “PRESENT NEED”  
AND “PROSPECTIVE NEED” FOR THE  
FOURTH ROUND HOUSING CYCLE**

**THIS MATTER**, having come before the Court on its own motion, *sua sponte*, on the Complaint for Declaratory Judgment filed on January 22, 2025 (“DJ Complaint”) by the Petitioner, **CITY OF NORTHFIELD** (“Petitioner” or “Municipality”), pursuant to N.J.S.A. 52:27D-304.2, -304.3, and -304.1(f)(1)(c) of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, *et seq.* (collectively, the “FHA”), and in accordance with Section II.A of Administrative Directive #14-24 (“Directive #14-24”) of the Affordable Housing Dispute Resolution Program (the “Program”), seeking a certification of compliance with the FHA;

**AND IT APPEARING**, that on October 18, 2024, pursuant to the FHA (as amended), the New Jersey Department of Community Affairs (“DCA”) issued its report entitled *Affordable Housing Obligations for 2025-2035 (Fourth Round)*,<sup>1</sup> therein setting forth the present need and prospective need obligations of all New Jersey municipalities for the Fourth Round housing cycle (the “DCA’s Fourth Round Report”);

---

<sup>1</sup> See [https://nj.gov/dca/dlps/pdf/FourthRoundCalculation\\_Methodology.pdf](https://nj.gov/dca/dlps/pdf/FourthRoundCalculation_Methodology.pdf)

**AND IT APPEARING** that, pursuant to the DCA's Fourth Round Report, the **present need** obligation of the Petitioner has been calculated and reported as **10** affordable units, and its **prospective need** obligation of the Petitioner has been calculated and reported as **24** affordable units, and which calculations have been deemed presumptively valid for purposes of the FHA;

**AND THE COURT**, having determined that no interested party has filed a challenge to the Petitioner's DJ Complaint by way of an Answer thereto as provided for and in accordance with Section II.B of Directive #14-24 of the Program;

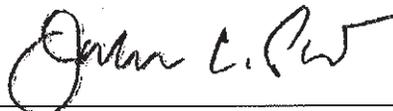
**AND THE COURT**, having found and determined, therefore, that the present need and prospective need affordable housing obligations of the Petitioner for the Fourth Round housing cycle as calculated and reported in the DCA's Fourth Round Report have been committed to by the Petitioner and are uncontested, and for good cause having otherwise been shown:

**IT IS, THEREFORE**, on this 27<sup>th</sup> day of **MARCH 2025 ORDERED AND ADJUDGED** as follows:

1. That the present need obligation of the Municipality, be, and hereby is fixed as **10** affordable units for the Fourth Round housing cycle.
2. That the prospective need obligation of the Municipality, be, and hereby is fixed as **24** affordable units for the Fourth Round Housing cycle; and
3. That the Petitioner is hereby authorized to proceed with preparation and adoption of its proposed Housing Element and Fair Share Plan for the Fourth Round, incorporating therein the present need and prospective need allocations aforesaid (and which plan shall include the elements set forth in the "Addendum" attached to Directive #14-24), by or before June 30, 2025, as provided for and in accordance with Section III.A of Directive #14-24, and without further delay.

**IT IS FURTHER ORDERED**, that a copy of this Order shall be deemed served on the Petitioner and Petitioner's counsel.

SO ORDERED:

A handwritten signature in black ink, appearing to read "John C. Porto", written over a horizontal line.

**Hon. John C. Porto, P.J.Cv.**

Uncontested.

HOUSING UNITS REHABILITATED IN NORTHFIELD FROM 04/01/2010 - 12/31/2024					
BLOCK	LOT	ADDRESS	COST	SYSTEMS REPAIRED	DATE
68	11	511 Walnut Avenue	\$25,324	Home Rehab	1/12/16
46	20	504 Roosevelt Avenue	\$7,000	Home Rehab	9/8/13
59	27	503 Pincus Avenue	\$25,859	Home Rehab	12/7/16
74	28	207 W. Revere Avenue	\$17,748	Home Rehab/Lead	4/1/20
33	47	2502 Helen Drive	\$11,486	Roof	11/22/17
157	72	125 E Revere Avenue	\$9,250	Roof	11/17/20

### Appendix C - 2025 Northfield HEFSP

Appendix D - 2025 Northfield HEFSP



SHEET 5

**Block 16.01  
Lots 52, 56 & 57  
Tilton Road Mixed Use  
Affordable Housing Zone**

# APPENDIX E

## CITY OF NORTHFIELD, NEW JERSEY

### ORDINANCE \_\_ - 2025

#### AN ORDINANCE AMENDING THE ZONING MAP AND SECTION 215-158 OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF NORTHFIELD

##### Amend Chapter 215. Land Use and Development as Follows:

##### Section 215-158 R-C Regional Commercial District

- F. An affordable housing mixed use development is permitted on Block 16.01, Lots 52, 56 and 57, subject to the following:
- (1) Where first-floor commercial is proposed in accordance with the permitted uses in the RC District, a development may provide second- and third-story multifamily residential units.
  - (2) The maximum density for the residential units shall not exceed 2.6 units per acre.
  - (3) At least 20% of the residential dwelling units shall be for low and moderate affordable housing.

REPEALER - All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SEVERABILITY - If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

EFFECTIVE DATE - This ordinance shall take effect upon final passage and publication in accordance with law.

---

Mary Canesi, RMC  
Municipal Clerk

---

Erland Chau  
Mayor

The above Ordinance was passed on first reading at a regular meeting of the Council of the City of Northfield, New Jersey on the 9<sup>th</sup> day of April, 2024, and will be taken up for a second reading, public hearing and final passage at a meeting of said council held on the 23<sup>rd</sup> day of April, 2024, in Council Chambers, City Hall, Northfield, New Jersey.

First Reading:  
Publication:  
Final Reading:

**Surenian, Edwards, Buzak & Nolan LLC**

311 Broadway, Suite A  
Point Pleasant Beach, NJ 08742  
(732) 612-3100

Attorneys for Declaratory Plaintiff, City of Northfield

By: Nancy L. Holm (Attorney ID:013442006)

**In the Matter of the Application  
of the City of Northfield,  
County of Atlantic**

SUPERIOR COURT OF NEW JERSEY  
Law Division, Atlantic County  
Docket No. ATL-L-136-25

**CIVIL ACTION  
(Mount Laurel)**

**Consent Order for Conditional  
Compliance Certification  
(N.J.S.A. 52:27D-304(q))**

**THIS MATTER** having come before the Court via the joint request of the City of Northfield, via counsel Nancy L. Holm, Esq. (of Surenian, Edwards, Buzak & Nolan LLC), as well as Fair Share Housing Center, via counsel Ashley J. Lee, Esq. (on behalf of Fair Share Housing Center), and Homes for All, Inc., via counsel CherylLynn Walters, Esq.; and

**WHEREAS**, the City of Northfield (the "City" or "Northfield") having filed a binding resolution and declaratory judgment action, pursuant to N.J.S.A. 52:27D-301 et seq. and Administrative Office of the Courts Directive #14-24 ("AOC Directive") with the Affordable Housing Dispute Resolution Program (the "Program") on January 22, 2025; and

**WHEREAS**, having received no objections to the City's binding

resolution accepting the DCA's calculation of its fair share obligations by the February 28, 2025 deadline, the Court entered an Order on March 27, 2025, setting the City's Fourth Round fair share obligations as a Present Need of 10 units and a Prospective Need of 24 units, and ordering the City to file a Housing Element and Fair Share Plan ("HEFSP") by the June 30, 2025 statutory deadline; and

**WHEREAS**, the City having filed its HEFSP with the Program on June 6, 2025; and

**WHEREAS**, FSHC having filed a letter pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the City's HEFSP on August 29, 2025 seeking additional information and documentation before the HEFSP may be approved by the Program and trial court; and

**WHEREAS**, Homes For All, Inc. ("HFA") having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the City's HEFSP on August 29, 2025, related to scope of contemplated development for its property that is already included in the City's HEFSP as a compliance mechanism; and

**WHEREAS**, the City and HFA having resolved their issues related to HFA's property; and

**WHEREAS**, the City and FSHC have conferred and agreed that the City shall provide the following information and/or make the following changes to its HEFSP; and

**WHEREAS**, the Court having reviewed the City's HEFSP,

attachments, and proposed implementing ordinances and resolutions and determined that they meet the "objective standard" and are in compliance with the Fair Housing Act and the Mount Laurel doctrine so long as the conditions set forth in this order are met; and

**WHEREAS**, the Court incorporates the Court's prior Order and for good cause shown:

**IT IS** on this \_\_\_\_\_ day of \_\_\_\_\_, 2025, **ORDERED** as follows:

1. Subject to the satisfaction of the Conditions in Paragraph 9 of this Order and the deadlines established therein, the City of Northfield's Fourth Round Fair Share Plan (Exhibit P-1) is hereby approved and deemed to meet the "objective standard" pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) of complying with the Fair Housing Act and the Mount Laurel doctrine and the City is granted a Compliance Certification as to its Rehabilitation Obligation ("Present Need"), its Prior Round Obligation (1987-1999), its Third Round Obligation (consisting of both its Gap Obligation for 1999-2015 and its Prospective Need Obligation for 2015-2025), and its Fourth Round obligation pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, et seq.) ("UHAC"), applicable Council on Affordable Housing (hereinafter "COAH") substantive rules, and Mount Laurel case

law, including the New Jersey Supreme Court's Mount Laurel IV decision.

2. The City's Compliance Certification shall remain in effect for ten (10) years beginning on July 1, 2025 and ending on June 30, 2035, and during this ten (10) year period the City shall have repose from exclusionary zoning litigation, including, but not limited to, Builder's Remedy lawsuits, as provided for in the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.
3. As per the City's HEFSP and earlier Court Order, the City's Present Need or Rehabilitation Obligation is 10, the City's Prior Round Obligation (1987-1999) is 190, the City's Third Round Obligation (1999-2025) is 89, the City's Fourth Round Prospective Need (2025-2035) is 24.
4. In 2018, the City prepared a Vacant Land Adjustment ("VLA") which showed the City had a Realistic Development Potential ("RDP") of 18 in the Third Round, which was approved by the Court in Docket No. ATL-L-2050-14. This resulted in an unmet need of 71. Due to a changed circumstance, the RDP increased to 29 and was approved by the Court in an Amended Judgment of Compliance and Repose. For the Fourth Round, the City evaluated its VLA and found there were no changed

circumstances. Therefore, this resulted in a Fourth Round RDP of 0 with an unmet need of 24.

5. The City will address its Present Need via continued participation in the Atlantic County Improvement Authority's Housing Rehabilitation Program.

6. The City's Prior Round obligation is 190 and was fully satisfied with the following:

- 28 units from the MGS Development on Cresson Avenue
- 47 units from the AC Country Club
- 4 special needs credits from the Career Opportunity Development located at 322 Shore Road
- 3 special needs credits from the Butterfly Properties at 116 Oakcrest
- 3 special needs credits from the Community Quest located at 2026 Cedarbridge Road
- 6 special needs credits from the Caring Inc on 103 E Mill Road
- 5 special needs credits from the Caring Inc on 120 E Mill Road
- 47 credits from the Camden Diocese one hundred percent (100%) affordable housing project
- 47 bonus credits

7. The City shall satisfy its Third Round Prospective Need of 89 units through its vacant land adjustment, which resulted in a Third Round RDP of 29 and an unmet need of 60, as follows:

- MGS Development on Cresson Avenue for 12 units
- 7 units form the Camden Diocese one hundred percent (100%) affordable housing project
- Habitat for Humanity on Dolphin Avenue for 3 units
- 7 bonus credits
- Homes for All, Inc. (formerly Mason Properties and to be assigned to Tunnel to Towers, Inc.) on Wabash Avenue for 12 supportive housing units
- AC Country Club for 15 units
- Tilton Road Mixed Use for 9 units
- St Gianna Parish Overlay for 20 units
- Mandatory Set-Aside Ordinance
- Camden Diocese one hundred percent (100%) affordable housing project for 11 units

8. The City shall satisfy its Fourth Round Prospective Need of 24 through its vacant land adjustment, which resulted in an Fourth Round RDP of 0 and unmet need of 24, as follows:

- Atlantic Sober Living on 311 New Road for 3 units
- Habitat for Humanity on Dolphin Ave for 9 units

- Camden Diocese one hundred percent (100%) affordable housing project for 7 units
- Homes for All, Inc. (to become Tunnel to Towers, Inc.) on Wabash Avenue for approximately 121 supportive housing units
- AC Country Club for 10 units
- 6 bonus credits

9. The City's Compliance Certification is deemed conditional until the following conditions are met:

- The City will enter into a developer's agreement with Tunnel to Towers, Inc. and Homes for All, Inc. reflecting the agreement in principle reached by the respective parties relating to the Wabash Avenue site, to be completed by December 31, 2025. The developer's agreement will include, but not necessarily be limited to, a mutually agreeable timeline for the adoption of an amended HEFSP and an amended zoning ordinance sufficient and appropriate to enable the by-right approval and development of the Wabash Avenue site with approximately 121 units of supportive housing, consistent with the concept plan provided to the parties on behalf of Tunnel to Towers. Should the parties need additional time to

execute said agreement, the parties may agree to extend the deadline to January 31, 2026.

- The City shall provide the deed restriction and certificate of occupancy as well as identify the affordable housing administrator for the Habitat for Humanity project as soon as these items are available to the City. The parties understand that Habitat recently applied for funding, and that the items listed in this paragraph, particularly the certificate of occupancy, will likely not be available by the March 15, 2026 deadline. Failure to provide a certificate of occupancy for the Habitat project by the March 15, 2026 deadline will not be considered fatal to the City's award of a Final Certificate of Compliance. The City will provide as much documentation as possible by the March 15, 2026 deadline and will also provide an update on the project's status.
- The City shall provide the developer agreement, construction schedule, pro forma, bedroom distribution, income breakdown, and deed restrictions for the Camden Diocese redevelopment as soon as these items are available to the City.
- The City shall provide the affordability assistance program manual as soon as available.