

TOWNSHIP OF WATERFORD

Camden County, New Jersey



FOURTH ROUND

HOUSING ELEMENT AND FAIR SHARE PLAN

June 2025

ADOPTED BY THE Township of Waterford Combined Planning and Zoning Board

On 6/25/2025 (Resolution #2025-07)

ENDORSED BY THE MAYOR & TOWNSHIP COMMITTEE ON JUNE 26, 2025

A handwritten signature in black ink, appearing to read "Robert Scott Smith", written over a horizontal line.

Robert Scott Smith, PLS, PP

Waterford Township Land Use Board Planner

A handwritten signature in black ink, appearing to read "Michael J. Ward", written over a horizontal line.

Michael J. Ward, Esq.

Waterford Township Director of Community Development

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INTRODUCTION

Under the 1975 New Jersey Supreme Court's opinions in Southern Burlington County NAACP v. Mount Laurel, 67 N.J. 151 (1975) and Southern Burlington County v. Mount Laurel, 92 N.J. 158 (1983), every New Jersey municipality in a growth area has a constitutional obligation to provide realistic opportunities for the creation of low- and moderate-income housing units within that municipality. The Court's decision led to a body of case law, legislative changes and rulemaking by a state agency that, collectively, is now referred to as the "Mount Laurel Doctrine". New Jersey municipalities have been assigned a specific number of affordable housing units that must be created or planned for within their geographic region, in order to have "satisfied" their constitutional obligation, commonly referred to as their "affordable housing obligation". The purpose of this Waterford Township Fourth Round Housing Element and Fair Share Plan (hereinafter the "Plan") is to present how Waterford Township intends to satisfy its constitutional obligation during the period from June 30, 2025 through July 1, 2035.

"Affordable housing" in New Jersey is defined as housing units which are available for households with incomes that do not exceed 80% of the regional median income in which the municipality is located. Each newly created affordable unit, with certain exceptions, must remain reserved for low- and moderate-income households for not less than 30 years (40 years for rental units) and the reservation is typically enforced by a deed restriction. Each affordable unit is eligible for one "credit" against the municipality's obligation and certain units are eligible for "bonus credits", which provide more than one credit per unit. In addition to providing for the minimum number of units, municipalities must ensure diversity in the levels of affordability — meaning that a municipality must provide for the creation of very low, low- and moderate-income units — and diversity in the size of affordable units — meaning that it must provide for one, two- and three-bedroom units.

Participation in this clearly creative process, and, therefore, the satisfaction of the municipality's affordable housing obligation, can be achieved voluntarily or involuntarily. However, voluntary compliance is heavily incentivized. Municipalities that do not successfully participate may be vulnerable to "builder's remedy" litigation. A builder's remedy is a litigation remedy that provides a developer with the right to develop what is typically a multi-family project on land that was not zoned to permit that use, based upon a residential density that is desired by that developer, so long as a "substantial" percentage of the housing units are reserved for low- and moderate income households. Waterford Township now seeks to avoid this possibility through the adoption of this Plan which includes development projects that require that future affordable housing units be created and deed restricted for very-low, low- and moderate- income households.

This Plan will serve as the foundation for Waterford Township's application to the Affordable Housing Dispute Resolution Program ("Program") (which is the mediation arm of the New Jersey Supreme Court to resolve disputes related to a municipality's obligation and/or its Housing

Element and Fair Share Plan) and to the New Jersey Superior Court for judicial approval of the Plan, through what is referred to as a Judgment of Compliance and Order of Repose.

EXECUTIVE SUMMARY

The Fair Housing Act Amendments

The 2024 Fair Housing Act ("FHA") was signed into law by Governor Murphy in March 2024. It establishes how municipal fair share affordable housing obligations are to be calculated and satisfied. A few of the noteworthy provisions of the FHA include the following:

- Each municipality in New Jersey was required to adopt a binding resolution committing to a present need, also known as the rehabilitation obligation, and to adopt its "Fourth Round" prospective need, also known as the new housing obligation, by January 31, 2025.
- The New Jersey Department of Community Affairs ("DCA"), employing the FHA methodology, computed an advisory Fourth Round "present need" (i.e. rehabilitation) and a "prospective need" obligation.
- The Affordable Housing Dispute Resolution Program (the "Program") was established to administer the review, dispute resolution and approval of submitted Housing Element and Fair Share Plans.
- A June 30, 2025 deadline was established for the submission by every municipality of a draft "Fourth Round" Housing Element and Fair Share Plan ("HEFSP") to the Program. If a municipality does not meet this deadline, the municipality may be open to a builder's remedy lawsuit. The "Fourth Round" is the ten year period that will run from July 1, 2025, to June 30, 2035.
- An overview of the general requirements of the law are as follows:
 - Third Round Assessment: A municipality shall undertake an assessment of its efforts to achieve the Third Round obligation (pertaining to the period from July 1, 2015 to June 30, 2025) and determine whether there is a deficit or surplus that must be addressed.
 - Unused/Underutilized Property: A municipality shall consider converting zoning requirements or the redevelopment of unused or underutilized properties when planning for location of affordable housing.
 - At least 25% of affordable units in the "Fourth Round" must be rental housing units, and half of those must be available to families with children.
 - At least 50% of the municipality's prospective need at the "Fourth Round" (exclusive of any bonus credits) must be available to families with children.
 - Transitional Housing: Municipalities can now count affordable housing credits from transitional housing; however the credits cannot exceed 10 percent of the municipality's calculated fair share obligation.
 - Age-Restricted Units: 30% of a municipality's prospective need (exclusive of any bonus credits) can be obtained for age-restricted housing.

- Adaptability Requirements/Possible Loss of Immunity: Municipalities must be mindful of barrier free access. If affordable housing units do not properly comply with adaptability and barrier free requirements, the municipality “shall lose its immunity to builder's remedy lawsuits.”
- Loss of Immunity and Trust Fund: If a municipality loses immunity for litigation, the municipality is prohibited from expending its Affordable Housing Trust Funds.
- Affordability controls for rental units shall be a minimum of 40 years and for-sale units shall be a minimum of 30 years.
- “Bonus credits” for certain types of affordable housing in the Fourth Round have been updated, as follows:
 - Bonus credits are limited:
 - No more than one type of credit may be claimed for any affordable unit
 - No more than 25% of the municipal obligation shall be bonus credits
 - One “Full Bonus Credit” is available for each of the affordable unit types that qualify:
 - Those with Supportive and Special Needs Bedrooms
 - 100% Affordable Projects: Units within 100% affordable housing projects provided the municipality donates either the land on which the project is located or a minimum of 3% of the project costs
 - “Market to Affordable Units” which require municipal site control of the property or an agreement between the municipality and the landowner
 - A “Half Bonus Credit” is available for each affordable unit that results from, or qualifies within, the following categories:
 - A partnership with a non-profit developer
 - The affordable housing units are within 1/2 mile of transit (rail, bus)
 - Age restricted units are limited to 10% of the age-restricted units provided the age-restricted unit total is capped at 30% of the obligation
 - Additional three-bedroom units which exceed the required three-bedroom distribution
 - Units constructed on land that is (or was) previously developed and previously utilized for retail, office, or commercial space
 - Redevelopment for units on land that is within a redevelopment zone
 - Very Low-income units above the 13% requirement
- The Program published new administrative rules that require Waterford Township to file a Declaratory Judgment action in the New Jersey Superior Court once Waterford Township adopts its Fourth Round affordable housing obligation. The process for review, dispute resolution and approval now moves through a judicial process with a mediation process occurring at the Program level.

Pursuant to the requirements of the Program, Waterford Township filed a complaint for Declaratory Judgment in the New Jersey Superior Court on January 30, 2025, and sought a declaration confirming the Township's compliance with the Mount Laurel Doctrine, and with the Fair Share Housing Act Amendments of 2024.

The Housing Element and Fair Share Plan ("HEFSP")

In accordance with the FHA, this HEFSP includes the following:

- a. An inventory of Waterford'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;
- b. A projection of Waterford's housing stock, including the probable future construction of low- and moderate-income housing over the next ten (10) years, taking into account, but not necessarily limited to, construction permits previously issued, approvals of applications for development, and probable residential development of lands;
- c. An analysis of Waterford's demographic characteristics, including, but not necessarily limited to, household size, income level, and age; and
- d. An analysis of the existing and probable future employment characteristics within Waterford Township;
- e. A determination of Waterford'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; and
- f. A consideration of the lands within Waterford Township most appropriate for construction of low- and moderate-income housing, and whether there are existing structures 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 providing low- and moderate-income housing;
- g. An analysis of the extent to which Waterford's ordinances and other local factors, including the regulations of the New Jersey Pinelands Commission and the provisions of the Pinelands Compliance Plan, advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20).

Waterford Township Land Area and Population Characteristics

The land area of Waterford Township is 36.22 square miles and is located in eastern Camden County. The Township is bordered by Evesham Township and Medford Township in Burlington County to the north; by Shamong Township (Burlington County) and Hammonton (Atlantic County) to the east; Chesilhurst and Winslow Township in Camden County to the south; and Berlin Borough and Berlin Township in Camden County to the west. The entirety of the

Township is located in the New Jersey Pinelands Protection Area, and is therefore entirely subject to the terms of the Pinelands Comprehensive Master Plan.

The 2020 population for Waterford Township based on the 2020 U.S. Census Bureau decennial population data is **10,421 persons**. There are a total of **3,820 households** in the Township according to the 2023 American Community Survey 5-Year Estimate.

The following table sets forth household composition within Waterford Township. As of 2023, there were 3,820 households and 3,562 families in Waterford with an average of 2.66 persons per household and an average of 3.01 persons per family. As a percentage of households, Waterford is comprised of a majority of married/couple family households (61.4%) with the second largest household type being female householders with no spouse (16.0%).

Table 1: Waterford Township Household Composition		
	Number of Households	Percent
Family Households	2,896	75.8
Married Couple Family	2,346	61.4
Male householder, no spouse/partner	253	6.6
Female householder, no spouse/partner	297	7.8
Non Family Households	924	24.2
Total Households	3,820	100
Source: U.S. Census Bureau, 2023 ACS		

PRESENT AFFORDABILITY REQUIREMENTS

Affordable housing is defined under New Jersey's FHA as a dwelling, either for sale or rent, which is within the financial means of households of very-low-, low-, or moderate-income, as those income levels are determined within each designated housing region. Waterford Township is in "Region 5", which includes Burlington, Camden and Gloucester counties. Moderate-income households are those within the Region with annual incomes greater than 50%, but less than 80% of the Region 5 median income. Low-income households are those with annual incomes that are 50% or less than the Region 5 median income. Very-low-income households are a subset of "low-income" households and are defined as those with incomes which are 30% or less than the Region 5 median income.

The New Jersey Uniform Housing Affordability Controls ("UHAC"), which are found at N.J.A.C. 5:80-26.3, et seq., require that the maximum charged rent for a qualified rental unit must be affordable to households with incomes that are 60% or less than the median income for the Region. The average charged rent must be affordable to households with incomes no greater than 52% of the median income in the Region. The maximum sale prices for affordable units must be affordable to households with incomes that are 70% or less than the median income in the Region. The

average sale price must be affordable to a household with an income of 55% or less than the median income in the Region.

The determination of “regional median income” uses the federal income limits established by the United States Department of Housing and Urban Development (“HUD”) on an annual basis. In the spring of each year, HUD releases updated regional income limits. It is from these income limits that the maximum rents and maximum sale prices for affordable units are determined.

For 2025, New Jersey Housing and Mortgage Finance Agency (NJHMFA) has updated income limits for all housing regions in New Jersey. These income limits for Region 5 will be utilized for Waterford Township. See Table 2 for 2025 income limits for Region 5. Unquestionably, a substantial number of existing households in Waterford Township have incomes which presently qualify as moderate or low income households.

Table 2: Income Limits for Region 5					
Household Income Levels	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5-Person Household
Median	\$83,600	\$95,600	\$107,500	\$119,400	\$129,000
Moderate	\$66,880	\$76,480	\$86,000	\$95,520	\$103,200
Low	\$41,800	\$47,800	\$53,750	\$59,700	\$64,500
Very Low	\$25,080	\$28,680	\$32,250	\$35,820	\$38,700
Source: 2025 Income Limits prepared by NJHMFA					

PRESENT AND PROSPECTIVE NEED OBLIGATION

A fair share affordable housing obligation consists of a “rehabilitation” component (to address Waterford Township’s present need) and a “new housing” component (to address Waterford Township’s prospective need). Pursuant to the FHA amendments, the DCA was required to calculate the rehabilitation and prospective need obligations for municipalities within the State during the 2024 calendar year. The FHA entitled municipalities to adjust the obligation if the information used in the DCA calculation was outdated or in error. After reviewing the DCA methodology for the present and prospective need obligations, Waterford Township determined that the DCA methodology for calculation of Township prospective need (52 units) appeared to be accurate and the Township Committee adopted Resolution #2025-86 on January 29, 2025, to memorialize its determination. Waterford Township Resolution #2025-86 was duly filed with the New Jersey Superior Court on January 30, 2025.

Each component of the Waterford Township obligation is identified below.

▪ Present Need (Rehabilitation) Obligation: 10 units

The rehabilitation obligation can be defined as an estimate of the number of housing units in need of rehabilitation within Waterford Township that are occupied by low- and moderate-income households.

▪ Prospective Need (New Construction) Obligation: 52 units

The prospective need obligation can be defined as the cumulative number of new affordable housing units (whether by construction or by conversion) that Waterford Township believes should reasonably be created during the Fourth Round period between 2025 and 2035.

HOUSING ELEMENT ANALYSIS

Existing Housing Stock

In creating the Fourth Round HEFSP, the Township has attempted to create an inventory of the municipality's 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. If required, in conducting this inventory the municipality may access, on a confidential basis for the sole purpose of conducting the inventory, all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards.

According to American Census data, in 2023 there were 3,891 year-round housing units in Waterford, of which 3,820 were occupied and 71 were vacant.

Ownership and Rental Characteristics

According to the 2020 Census, a majority, 71.5 percent, of Waterford Township's population live in owner occupied housing units, while 28.5 percent of the population lived in rented housing units.

Year-Round Housing Units			Owner-occupied		Rental	
Occupied	Vacant	Total	No.	%	No.	%
3,796	141	3,937	2,712	71.5	1,084	38.5

Occupancy Characteristics and Housing Type

The vacancy rate for year round units is relatively low in the Township. Data suggests that the vacancy rate for owner-occupied units was close to zero percent (0%) as of 2023, and 5.3% vacancy for rental units.

The number of bedrooms in a home is often reflective of the size of a home. Municipalities with a newer housing stock generally have a larger percentage of units with more bedrooms. This is reflective of the trend toward larger, more sprawling homes in America over the last several decades. Waterford Township has an older stock of homes and therefore lends itself to a larger percentage of homes with two to three bedrooms.

Age of Housing Stock [By Decade]

The relatively older assortment of housing stock in Waterford Township as compared to Camden County is depicted in Figure H-1. Approximately 71.4 percent of the Township's housing was constructed before 1990 as opposed to 56.7 percent for Camden County during the same period. Only 18.7 percent of the Township's housing was constructed since 1990 as opposed to 42.2 percent for the entirety of Camden County. Housing construction activity reached its peak in the Township during 1970-1979 with a decrease each decade since that period. The period of 1970 to 1989 accounted for 47.4 percent of the Township's housing stock. The Township's location within the Pinelands Protection Area (with regulations that limit residential development) and the economic challenges imposed on developers engaged in the Pinelands Commission review process (for both residential and commercial development) have impeded housing construction in Waterford Township over the last 30 years.

Figure H-1: Age of Housing Stock [By Decade]				
Decade	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Pre-1939	335	8.6	37,448	17.6
1940-1949	191	4.9	14,558	6.8
1950-1959	366	9.4	34,007	16.0
1960-1969	423	10.9	32,493	15.2
1970-1979	1,132	29.1	34,268	16.1
1980-1989	716	18.4	23,059	10.8
1990-1999	474	12.2	16,633	7.8
2000-2009	198	5.1	12,814	6.0
2010-2019	56	1.4	6,811	3.2
2020 or later	N/A	N/A	1,097	0.5
Total	3891	100	213,188	100
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

Owner Occupied Housing Values

The median housing value for the Township was \$268,600.00 in 2023. This is slightly more than the median Camden County value of \$262,200. The predominant housing value in the Township is in the \$200,000 to \$299,999 range, with 47.9 percent of the owner occupied units being in this category as shown in Figure H-2. Another 8.5 percent of the homes are valued between \$150,000 and \$199,999 and 30.9 percent are valued from \$300,000 to \$499,999. Only 1.2 percent of the

units are valued at less than \$99,999 and 3.7 percent are valued above \$500,000. In Camden County, the majority of units are likewise within the \$200,000 to \$299,999 value range. Comparing the Township and Camden County, the County has 70.7 percent of the units valued at \$200,000 and over, similar to 82.5 percent in this value range for the Township.

Figure H-2: Owner Occupied Housing Values				
Value	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Less than \$50,000	40	1.2	3,374	2.6
\$50,000 to \$99,999	28	0.9	6,490	2.6
\$100,000 to \$149,999	226	6.9	9,850	7.6
\$150,000 to \$199,999	279	8.5	18,491	14.2
\$200,000 to \$299,999	1,571	47.9	42,247	32.4
\$300,000 to \$499,999	1,013	30.9	36,951	28.3
\$500,000 to \$999,999	96	2.9	11,384	8.7
\$1,000,000 or more	25	0.8	1,643	1.3
Total	3,820		130,430	
Median (Dollars)	\$268,600		\$262,200	
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

Mortgage Status and Selected Monthly Owner Costs

Figure H-3 indicates mortgage status and selected monthly owner costs with or without a monthly mortgage payment. In the Township, the median monthly mortgage owner costs is \$2,173.00, which is slightly lower than the monthly median cost of \$2,202.00 in Camden County. 78.5% of Waterford Township owners with a mortgage have monthly costs between \$1500 and \$3000. In Camden County only 64.1% of owners bear the same costs.

Figure H-3: Mortgage Status and Selected Monthly Owner Costs				
	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Owners With a Mortgage Payment	2299		84,561	
Less than \$500	9	10.4	332	0.4
\$500 to \$999	41	1.8	2,201	2.6
\$1000 to \$1499	225	9.8	10,751	12.7
\$1500 to \$1999	635	27.6	20,678	24.5
\$2000 to \$2499	693	30.1	20,517	24.3
\$2500 to \$2999	479	20.8	12,902	15.3
\$3000 or more	217	9.4	17,180	20.3
Median (Dollars)	2,173		2,203	

Figure H-3 (continued): Mortgage Status and Selected Monthly Owner Costs				
	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Owners Without a Mortgage Payment	979		45,869	
Less than \$250	0	0.0	548	1.2
\$250 to \$399	9	0.9	1,725	3.8
\$400 to \$599	5	0.5	2,854	6.2
\$600 to \$799	120	12.3	4,952	10.8
\$800 to \$999	186	19.0	7,967	17.4
\$1000 or more	659	67.3	27,823	60.7
Median (Dollars)	\$1,069		\$1,102	
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

Monthly Owner Costs

Figure H-4 indicates Selected Monthly Owner Costs as a percentage of Household Income in 2023. In the Township, the greatest percentage of households (52.2 percent) spends less than 20 percent of their income on owner costs. The second and third largest percentage of household costs for the Township are in the greater than 35 percent of household income and the 20.0 to 24.9 percent of household income categories. For the County, likewise, the second largest percentage of costs is in the less than 20.0 percent category and third largest is in the 20.0 to 24.9 percent category. The figures indicate that generally, Township residents spend approximately the same percentage of household income on owner costs as County residents spend.

Figure H-4: Selected Monthly Owner Costs As a Percentage of Household Income (SMOCAPI)				
Housing Units With a Mortgage				
	Township of Waterford		Camden County	
Percentage	Number of Renters	Percent	Number of Renters	Percent
Less than 20.0 Percent	1,168	52.2	36,769	43.6
20.0 to 24.9 Percent	366	16.3	14,007	16.7
25.0 to 29.9 Percent	148	6.6	9,118	10.8
30.0 to 34.9 Percent	60	2.7	6,209	7.4
35.0 Percent or More	497	22.2	18,146	21.5
Not Computed	60		312	
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

Gross Rent and Household Income

Figure H-5 shows Gross Monthly Rent for the Township of Waterford and Camden County residents.

Figure H-5: Gross Monthly Rent				
Gross Rent Payments	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Less than \$500	36	7.4	5,179	7.6
\$500 to \$999	230	47.0	10,664	15.6
\$1,000 to \$1,499	10	2.0	25,940	38.0
\$1,500 to \$1,999	192	39.3	16,814	24.6
\$2,000 to \$2,499	0	0.0	6,656	9.7
\$2,500 to \$2,999	0	0.0	1,667	2.4
\$3,000 or More	21	4.3	1,367	2.0
Median (Dollars)	-	-	1,346	-
No rent paid	53	-	1,852	-
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

Figure H-6 compares Gross Rent as a percentage of household income for the Township of Waterford and Camden County residents. In the Township, 67.9 percent of renters spend 35 percent or more of their household income on rent, compared to 43.5 percent of Camden County renters spending the same amount. Generally, rental housing in Waterford Township is much more expensive than elsewhere in Camden County.

Figure H-6: Gross Rent As a Percentage of Household Income (GRAPI)				
Value	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Less than 15.0 Percent	32	6.5	6,337	9.5
15.0 to 19.9 Percent	0	0.0	7,843	11.8
20.0 to 24.9 Percent	62	12.7	8,266	12.4
25.0 to 29.9 Percent	27	5.5	7,859	11.8
30.0 to 34.9 Percent	36	7.4	7,332	11.0
35.0 Percent or More	332	67.9	28,960	43.5
Not Computed	53	-	3,542	-
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

Housing Occupancy Tenure

Housing occupancy tenure is shown in Figure H-7. The figures indicate there are substantially more renters in the County (36.6%) than in the Township (12.5%) and conversely, there are more owners in the Township (87.5%) than in the county (63.4%). Members of the Township Committee have expressed an interest in promoting the development of new rental housing opportunities, both market rate and affordable, within the Township.

Figure H-7: Occupied Units Housing Tenure				
Unit type	Township of Waterford		Camden County	
	Number of Units	Percent	Number of Units	Percent
Owner Occupied	3,323	87.5	126,445	63.4
Renter Occupied	473	12.5	72,928	36.6
Total Units	3,796	100.0	199,373	100.0
Source: US Bureau of the Census, Profile of General Population and Housing Characteristics, 2020 DEC Demographic Profile, Table DP1, Township of Waterford and Camden County, NJ				

Housing Units within Structure Types

The current number of housing units according to the structure in which they are located is shown in Figure H-8. The data indicates that the 1-unit detached dwelling category has the largest percentage of housing units for both Waterford (84.8%) and the County (54.6%), however, the percentage is much larger for the Township. The 1-unit attached category is the second largest for both Waterford (7.3%) and the County (17.0%). The Township has significantly fewer housing units in the 3 or more housing unit categories than Camden County. The Township Committee is exploring ways to create more multi-family housing opportunities.

Figure H-8: Units within Structure Types				
Unit type	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
1-Unit, Detached	3,301	84.8	116,355	54.6
1-Unit, Attached	284	7.3	36,299	17.0
2 Units	67	1.7	9,157	4.3
3 or 4 Units	236	6.1	7,820	3.7
5 to 9 Units	3	0.1	8,349	3.9
10 to 19 Units	0	0.0	10,079	4.7
20 or More Units	0	0.0	23,841	11.2
Mobile Home	0	0.0	1,260	0.6
Boat, RV, Van, Etc.	0	0.0	28	0.0
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

Occupants Per Room

Figure H-9 reflects that in both the Township (100 percent) and County (97.4 percent) the majority of the occupied units contain 1.0 person or less per room.

Figure H-9 Occupants Per Room				
Occupants Per Room	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
1.00 or Less	3,820	100	195,255	97.4
1.01 to 1.50	0	0.0	3,601	1.8
1.51 or More	0	0.0	1,713	0.9
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

Number of Rooms

The median number of rooms in Waterford Township housing units is approximately 7.2, which is slightly larger than the median number of 6.0 rooms in Camden County (Figure H-10). Figure H-10 indicates that in Camden County, over half (58.5 percent) of the housing units contain 6 or more rooms, and in Waterford Township, 80 percent of housing units contain 6 or more rooms. The larger number of rooms per housing unit is consistent with a lower number of rental units.

Figure H-10: Number of Rooms				
Number of Rooms	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
1	0	0.0	5,044	2.4
2	28	0.7	6,229	2.9
3	44	1.1	19,658	9.2
4	234	6.0	26,980	12.7
5	476	12.2	30,626	14.4
6	660	17.0	38,106	17.9
7	762	19.6	28,809	13.5
8	615	15.8	24,728	11.6
9 or More	1,072	27.6	33,008	15.5
Median (rooms)	7.2		6.0	
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates. Table DP04. Township of Waterford and Camden County, NJ				

Home Heating Sources

Information contained in Figure H-11 indicates that in both the Township and the County, utility natural gas is the fuel of choice, with over half of the housing units heated by that source. However, in the Township, only 66.3 percent are heated with this source as opposed to 74.5 percent for the County. Fuel Oil or Kerosene is the next preferred source of fuel in the Township (17.9) followed by Electricity (12.9). Electricity is the next preferred source of fuel in the County (18.0) followed by Fuel Oil or Kerosene (4.6). The percentage of dwelling units which use Bottled, Tank or LP Gas for heating fuel in the Township is lower than in Camden County.

Figure H-11: Home Heating Fuel				
Fuel Type	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Utility gas	2,533	66.3	148,491	74.5
Bottled, tank, or LP gas	41	1.1	2,934	1.5
Electricity	492	12.9	36,013	18.0
Fuel oil, kerosene, etc.	685	17.9	9,285	4.6
Coal or coke	0	0.0	98	0.0
Wood	9	0.2	258	0.1
Solar energy	47	1.2	420	0.2
Other fuel	13	0.3	762	0.4
No fuel used	0	0.0	1,308	0.7
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

Selected Characteristics

Figure H-12 shows selected housing characteristics that can indicate substandard conditions. These include lack of plumbing, lack of kitchen facilities, or no telephone service. In Waterford Township, 5 housing units have been identified as lacking complete plumbing facilities and 9 units have been identified as lacking complete kitchen facilities. This is lower than the County where 0.3% of the units lack complete plumbing facilities and 0.8% lack complete kitchen facilities. The percentage of housing units without “landline” telephone service is lower in Waterford Township (0.2%) than Camden County (0.8%).

Figure H-12: Selected Characteristics				
Selected Characteristics	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Lacking complete plumbing facilities	5	0.1	586	0.3
Lacking complete kitchen facilities	9	0.2	1,122	0.6
No telephone service	9	0.2	1,665	0.8
Source: US Bureau of the Census, Selected Housing Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP04, Township of Waterford and Camden County, NJ				

PROJECTED MUNICIPAL HOUSING STOCK

Construction Permits Issued

Figure H-13 identifies the number of construction permits issued for new residential construction as reported by the New Jersey Department of Community Affairs for the period 2013 through 2023. H-13 confirms that very few residential construction permits and certificates of occupancy have been issued during the cited time period. Waterford Township’s Third Round Housing Element related that in 1996 and 1997, over 100 housing permits were issued each year. In 1999, permits for 49 residential units were issued. Construction officials issue certificates of occupancy

at the end of the construction process when buildings are complete and ready for occupancy. Therefore new, “market rate” residential construction has been abysmal.

Figure H-13: Housing Units Authorized by Building Permits for New Residential Construction and Certificates of Occupancy Issued for Housing Units, 2013-2023

Year	Housing Units Authorized by Building Permits	Certificates of Occupancy Issued
2013	25	29
2014	3	4
2015	4	3
2016	1 (plus 1 mixed use)	2
2017	0	3 (plus 1 mixed use)
2018	0	0
2019	1	0
2020	2	0
2021	0	1
2022	1	0
2023	0	0

Source: New Jersey Department of Community Affairs

Projected Housing and Development

The Township of Waterford is located in the Pinelands Protection Area and approximately 70% of the Township is within the Wharton State Forest, where no residential or commercial development will occur. Constraints on residential development include the Pinelands Commission’s regulations, wetlands restrictions and extensive buffers and flood hazard areas. It is not anticipated that any significant amount of market rate housing construction will occur in the Township within the near future, and the number of declining issued building permits is an indication of that.

Anticipated development for the Township includes primarily commercial uses along the White Horse Pike and Jackson Road. Very limited undeveloped portions of the Township suitable for residential development exist in the Sewer Service Area (within the Township’s Regional Growth Area). Many vacant parcels are located in areas not currently served by public sewer, where new sewer lines would need to be extended to enable any significant residential development.

DEMOGRAPHIC CHARACTERISTICS

Household Income

Household size, income level, age, and type are principal characteristics of the population that relate to housing. Figure H-14 depicts household income for Township and County residents as reported in the 2023 American Survey 5-Year Estimates.

Figure H-14: Income and Benefits by Households (in 2023 Inflation Adjusted Dollars)				
	Township of Waterford		Camden County	
Income	Number of Households	Percent	Number of Households	Percent
Less than \$10,000	140	3.7	10,795	5.4
\$10,000-\$14,999	40	1.0	6,674	3.3
\$15,000-\$24,999	168	4.4	11,653	5.8
\$25,000-\$34,999	415	10.9	14,146	7.0
\$35,000-\$49,999	126	3.3	19,355	9.6
\$50,000-\$74,999	266	7.0	27,353	13.6
\$75,000-\$99,999	518	13.6	26,667	13.2
\$100,000-\$149,999	887	23.2	37,505	18.6
\$150,000-\$199,999	584	15.3	21,268	10.5
\$200,000 or More	676	17.7	26,254	13.0
Median Household Income	\$107,862		\$83,763	
Mean Household Income	\$125,905		\$110,860	
Total Households	3,820	100.0	201,670	100.0
Source: US Bureau of the Census, Selected Economic Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP03, Township of Waterford and Camden County, NJ				

Persons by Age

A review of the age distribution of the population can give insight into future demands on services, schools, and housing trends. In the Township, the median age is 45.6 years, compared to the median age for the County of 39.0 years. 18.9 percent of the Township population is in the category of 19 years of age and under, much lower than 24.6 percent for that age group in Camden County. The largest group of Township residents is within the 50 to 54 years of age category. Approximately 14.2 percent of Township residents fall within this category. In the "retirement age" group of 60 years and older, 27 percent of Township residents and 23.2 percent of County residents are within these population age groups.

Figure H-15: Persons by Age

Age Group	Township of Waterford		Camden County	
	Number of Persons	Percent	Number of Persons	Percent
Less than 5	315	3.0	31,350	5.9
5 to 9	430	4.1	33,270	6.3
10 to 14	668	6.4	33,601	6.4
15 to 19	563	5.4	31,511	6.0
20 to 24	762	7.3	31,581	6.0
25 to 34	1,079	10.4	71,922	13.6
35 to 44	1,285	12.3	72,362	13.7
45 to 54	1,474	14.2	65,025	12.3
55 to 59	1,028	9.9	34,295	6.5
60 to 64	985	9.5	32,943	6.2
65 to 74	1,271	12.2	52,516	10.0
75 to 84	452	4.3	28,271	5.4
85+	103	1.0	8,539	1.6
Median Age	45.6	-	39.0	-
Male	5,530	53.1	255,410	48.4
Female	4,886	46.9	271,786	51.6
Total	10,416	100.0	527,196	100.0

Source: US Bureau of the Census, Demographics and Housing Estimates, 2023 American Community Survey 5-Year Estimates, Table DP05, Township of Waterford and Camden County, NJ

Population Trends

Figure H-16 shows population trends for the Township from 1940 to 2020 with projections to year 2040. The period from 1960 through 1990 saw almost a tripling of the population. Over the past thirty-four years, the Township's population has experienced a decline, and its population is expected to remain fairly constant over the next 20 years.

Figure H-16: Population Trends, Waterford Township, New Jersey		
Year	Population	Change
1940	2,750	-
1950	2,997	247
1960	3,809	812
1970	4,073	264
1980	8,126	4053
1990	10,940	2814
2000	10,494	-446
2010	10,649	155
2020	10,421	-228
2030*	10,740	319
2035*	10,736	-4
2040*	10,733	-3
2045*	10,747	14
Sources: DVRPC County- and Municipal-Level Population Forecasts, 2015-2045, and US Census Bureau Waterford Township QuickFacts https://www.census.gov/quickfacts/fact/table/waterfordtownshipcamdencountynewjersey/ * DVRPC 2015-2045 Population Forecasts		

Households by Type

Household by type information is useful in understanding the family and non-family composition of the Township and relative household size. In the Township, family households comprise 75.8 percent of all households and non-family households comprise 24.2 percent of the total. The percent of family households in the Township is somewhat higher than that of the County. Average household size in the Township is 2.66 persons and average family size is 3.01 persons. Approximately 28.7 percent of Township households contain individuals under 18 years of age and 30.9 percent of Township households contain individuals over 65 years and over.

Figure H-17: Households by Type

Status	Township of Waterford		Camden County	
	Number	Percent (of total households)	Number	Percent (of total households)
Family Households	2,896	75.8	131,150	65.4
With own children under 18 years	955	25.0	53,871	26.9
Married couple family	2,346	61.4	88,422	44.1
With own children under 18 years	790	20.7	34,036	17.0
Male householder, no spouse present	253	6.6	11,678	5.8
With own children under 18 years	81	2.1	5,070	2.5
Female householder, no spouse present	297	7.8	31,050	15.5
With own children under 18 years	84	2.2	14,765	7.4
Nonfamily households	924	24.2	69,419	34.6
Householder living alone	592	15.5	56,730	28.3
65 years and over	196	5.1	23,620	11.8
Households with individuals under 18 years	1,096	28.7	61,975	30.9
Households with individuals 65 years and over	1,180	30.9	62,176	31.0
Average household size	2.66	-	2.58	-
Average family size	3.01	-	3.21	-
Total households	3,820	100.0	200,569	100.0

Source: US Bureau of the Census, 2023 American Community Survey 5-Year Estimates, Township of Waterford and Camden County, NJ, Table S1101 Households and Families and Table S2501 Occupancy Characteristics

EMPLOYMENT CHARACTERISTICS

Employment Characteristics

Figure H-18 is a summary of Employment Characteristics by Industry for Waterford Township and Camden County residents based upon 2023 data. In the Township, the top three industries providing employment are educational, health, social services; construction; and manufacturing. The top three industries providing employment for Camden County are educational, health, social services; professional scientific, management, administrative, waste management services; and retail trade.

Figure H-18: Employment Characteristics by Industry				
Industry	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Agriculture, forestry, fishing, hunting, mining	82	1.4	1,411	0.5
Construction	727	12.8	17,918	6.7
Manufacturing	621	10.9	19,012	7.1
Wholesale trade	58	1.0	5,077	1.9
Retail trade	545	9.6	32,375	12.1
Transportation and warehousing, utilities	326	5.7	16,339	6.1
Information	46	0.8	5,136	1.9
Finance, insurance, real estate, rental, leasing	444	7.8	21,137	7.9
Professional, scientific, management, administrative, waste management services	557	9.8	33,274	12.4
Educational, health, social services	1,464	25.8	71,949	26.9
Arts, entertainment, recreation, accommodation, food services	277	4.9	19,623	7.3
Other services (except public administration)	297	5.2	11,410	4.3
Public administration	240	4.1	13,033	4.9
Source: US Bureau of the Census, Selected Economic Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP03, Township of Waterford and Camden County, NJ				

Figure H-19 shows Employment Characteristics by Occupation. “Management, business, science and arts” are the predominant occupations in both the Township and County with “Sales and office” occupations being the second most predominant occupation category for Waterford Township and Camden County.

Figure H-19: Employment Characteristics by Occupation				
Occupation (for people 16 years and over)	Township of Waterford		Camden County	
	Number	Percent	Number	Percent
Management, business, science and arts occupations	2,145	37.7	113,385	42.4
Service occupations	790	13.9	46,097	17.2
Sales and office occupations	996	17.5	55,594	20.8
Natural resources, construction and maintenance occupations	869	15.3	19,470	7.3
Production, transportation, and material moving occupations	884	15.6	33,148	12.4
Source: US Bureau of the Census, Selected Economic Characteristics, 2023 American Community Survey 5-Year Estimates, Table DP03, Township of Waterford and Camden County, NJ:				

Labor Force Estimates

The New Jersey Department of Labor reports annual average labor force estimates for Waterford Township in Figure H-20. The data indicates that in the 1990 to 2000 period, the annual unemployment rate for Township residents reached a high of 5.4 percent in 1992 after which

there was a steady decline to 2.6 percent in 1998. Unemployment increased annually from 1999 to 2003. In 2006 the unemployment rate began increasing to a high of 11.9 in 2012. From 2012 through 2019, the unemployment rate declined gradually to a rate of 4.1 in 2019. Between 2020 and 2022, the unemployment rate increased as a result of the pandemic. However, the rate declined to 4.6 in 2023.

Year	Labor Force	Employed	Unemployed	Unemployment Rate
1990	5,888	5,688	200	3.4
1991	5,985	5,718	267	4.5
1992	5,890	5,572	318	5.4
1993	5,788	5,542	246	4.3
1994	5,838	5,610	228	3.9
1995	5,908	5,689	219	3.7
1996	5,987	5,779	208	3.5
1997	6,111	5,940	171	2.8
1998	6,076	5,920	156	2.6
1999	6,112	5,948	164	2.7
2000	5,986	5,795	191	3.2
2001	5,934	5,723	211	3.6
2002	6,037	5,746	291	4.8
2003	6,025	5,726	299	5.0
2004	6,095	5,837	258	4.2
2005	6,166	5,869	297	4.8
2006	6,207	5,881	326	5.3
2007	6,112	5,830	282	4.6
2008	6,215	5,868	347	5.6
2009	6,323	5,718	605	9.6
2010	6,131	5,430	701	11.4
2011	6,018	5,388	630	10.5
2012	5,841	5,144	697	11.9
2013	5,780	5,186	594	10.3
2014	5,716	5,221	495	8.7
2015	5,670	5,277	393	6.9
2016	5,666	5,336	330	5.8
2017	5,695	5,386	309	5.4
2018	5,528	5,269	259	4.7
2019	5,603	5,372	231	4.1
2020	5,674	5,089	585	10.3
2021	-	-	-	-
2022	-	-	-	-
2023	6,070	5,791	279	4.6

Source: New Jersey Department of Labor, Annual Average Labor Force Estimates, 1990-2020, and 2023

Due to uncertainty in the prospects for local job creation, Waterford Township has not undertaken a projection of job growth within the Township.

FAIR SHARE PLAN

Third Round Compliance Status

Pursuant to the FHA, the Fourth Round Fair Share Plan is required to provide an assessment of the degree to which the Township's Third Round fair share obligation has been met, as established in an April 2017 Judgment Approving Final Settlement Agreement with Fair Share Housing Center. Because its Third Round obligation remains unfulfilled, Waterford Township shall address the Third Round unfulfilled obligation in this Fourth Round Fair Share Plan. Units included as part of the municipality's unfulfilled prior round obligation shall not count towards the cap on units in the municipality's Fourth Round prospective need obligation. In addressing the status of any Third Round projects, Waterford Township must demonstrate how any sites that were not built in the prior rounds continue to present a realistic opportunity for affordable housing.

Waterford Township's Third Round obligation was established in 2017 at 205 units, 16 of which were satisfied at the time the Township's Third Round Housing Element and Fair Share Plan was approved. As a result, the Township had a "net" Third Round obligation of 189 housing units. As confirmed by the New Jersey Superior Court, under the 2017 Judgment of Compliance, the Township "carried over" a 16 unit surplus from its Prior Round Obligation, and had amended its Haines Boulevard Redevelopment Plan in 2016 to provide for the creation of up to 240 affordable housing units within the Redevelopment Area.

In 2001, the Waterford Township Committee had declared that an approximately 150 acre tract of land now encompassed by the Haines Boulevard Redevelopment Plan qualified as an "Area in Need of Redevelopment", as defined in the New Jersey Local Redevelopment And Housing Law, NJSA 40A:12A-1, et seq. The Township Committee adopted an initial Redevelopment Plan in 2001 which was eventually replaced by a new Redevelopment Plan in November 2016.

Under the terms of the 2016 Redevelopment Plan, as many as 240 affordable housing units could be constructed within the Redevelopment Area for very low, low-, and moderate-income households. All new residential development or mixed commercial/residential development producing five (5) or more residential units within the Area were required to designate and "set aside" a minimum of 20% of all units as affordable for low and moderate income households. In addition, projects where 100% of the residential units were made affordable for low- and moderate-income households would be credited towards the Township's obligation, provided that the total number of units did not exceed 240.

Any affordable housing created within the Haines Boulevard Redevelopment Area was intended to meet the requirements of the FHA (including but not limited to the number of family units and very low income units); comply with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et. seq.; identify the percentage of units that would be age-restricted; and establish the minimum number of rental units.

The Court approved settlement agreement confirmed that up to 52 rental bonus credits would be available to Waterford Township based upon a Third Round prospective need of 205 rental units.

The 2016 Agreement between the Waterford Township and Fair Share Housing Center expressly declared that with a 16-unit carried over surplus and a Plan for up to 240 units in the Redevelopment Area plus 52 rental bonuses, for a total of 308 credits, the Township could meet its Third Round obligation of 205 units. Therefore, a possible surplus of 103 units could be carried over to the Fourth Round, based upon then-applicable law.

In August 2021, an application was submitted to the Waterford Township Planning Board by Conifer Realty, LLC to construct ninety-five (95) affordable rental apartment units. All of the rental units, when occupied, would be available to families. None of the Conifer units were age restricted. On August 19, 2021, the application was granted for Major Subdivision, Preliminary and Final Major Site Plan approvals with certain variances. This project, now known as "Woodland View" marked the first major residential development approval in the Haines Boulevard Redevelopment Area since it was established. It is also the first large-scale affordable housing project in the Township's history. Occupancy was projected to occur by early- to mid-2025.

On July 17, 2023, Conifer Realty, LLC appeared in front of the Planning Board to request an administrative amendment to their original Site Plan approval. The plan amendments were proposed solely to establish a phasing line for the project that would create two (2) planned construction phases. The phasing line amendment was subsequently approved by the Planning Board.

In May 2025, representatives of Park Grove Realty LLC, a developer specializing in the provision of affordable housing, met with Township officials and discussed the prospect of constructing a three or four story designated age restricted affordable housing apartment building for up to 60 "senior housing" rental apartments within the Haines Boulevard Redevelopment Area. The proposed apartments will satisfy all applicable requirements of the FHA. If built, the Township will be entitled to apply 51 of the age-restricted rental units (i.e., 25% of its 205 affordable unit requirements) towards its Third Round compliance obligation, and 9 of the units towards its Fourth Round obligation. Moreover the creation of a total of 155 rental units within the Haines Boulevard Redevelopment Area would entitle Waterford Township to claim the 52 total rental bonus credits

towards its original 204 unit calculated obligation, resulting in a net “carry over” of an additional three (3) credits towards the Township’s Fourth Round obligation.

If the construction of the Park Grove Realty project occurs, the Township will have satisfied its Third Round Affordable Housing Obligation.

SATISFACTION OF THE FOURTH ROUND AFFORDABLE HOUSING OBLIGATION

The Township is addressing its Fourth Round affordable housing obligation through a variety of mechanisms that include the re-establishment of a housing rehabilitation program, the promotion of 100% family and age-restricted rental projects, and the designation of locations for possible inclusionary housing projects.

Present Need (Rehabilitation) Obligation: 10 Units

Waterford Township's rehabilitation obligation for the Fourth Round is 10 units. The Township intends to address that obligation through a Township run rehabilitation program, and participation in the Camden County Homeowner Housing Rehabilitation Program, which provides funding to income-eligible homeowners to repair major systems in their home. This County program is currently funded by the federal Community Development Block Grant (“CDBG”) program.

All qualified rehabilitated units will initially meet the definition of a “substandard unit” in N.J.A.C. 5:93-5.2(b), which defines “substandard” as “a unit with health and safety code violations that require the repair or replacement of a major system.” “Major systems” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems. All rehabilitated units shall meet all applicable New Jersey construction code provisions. Additionally, all qualified rehabilitated units shall be occupied by low- or moderate- income households and be subject to 10-year affordability controls, which shall be placed on the property in the form of a lien or deed restriction. The average hard cost, expended for each rehabilitation effort, is anticipated to be at least \$10,000.

Prospective Need (Newly Created Housing) Obligation: 52 Units

Waterford Township’s prospective need obligation for the Fourth Round is 52 units. The affordable housing rules require municipalities to designate sites that are “suitable, approvable, available and developable”, as defined in N.J.A.C. 5:93-1. These terms are defined as follows:

- *“Suitable site” means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environments/ policies delineated in N.J.A.C. 5:93-4.*
- *“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 it is not currently zoned for low- and moderate- income housing.*
- *“Available site” means a site with clear title, free of encumbrances which preclude development for low- and moderate-income housing.*
- *“Developable site” means a site that has access to appropriate water and sewer infrastructure and is consistent with the applicable areawide water quality management plan (including the waste management plan) or is included in an amendment to the areawide water quality management plan submitted to and under review by the NJ Department of Environmental Protection.*

Fourth Round Project Locations/Descriptions

INCLUSIONARY DEVELOPMENT SITES

Waterford Township reviewed the DCA’s Land Capacity Analysis for the Township, and has determined that three (3) locations in addition to the Haines Boulevard Redevelopment Area may be suitable for the creation of inclusionary affordable housing developments. An inclusionary development means a residential development that contains both affordable units and market rate units. It can include, but is not limited to, new construction, the conversion of non-residential structures to residential use, and the creation of new affordable units through the rehabilitation or reconstruction of vacant residential structures.

- **Haines Boulevard Redevelopment Area:** Unquestionably, due to its proximity to public transportation (i.e., New Jersey transit train lines and bus lines) the Township believes that the Haines Boulevard Redevelopment Area (“HBRA”) continues to be the most appropriate location for the creation of affordable units. Indeed, as planned, the Area has a permissible residential density, for the entire Redevelopment Area, which shall not exceed 8 residential units per acre; moreover, the Township has recently ordained that at least twenty percent (20%) of any residential development within the HBRA must be set aside for affordable housing units.

Nevertheless, the Township believes that three other tracts within the Township’s Regional Growth Area are suitable and appropriate, due to their proximity to available public sewer, for inclusionary developments. They are as follows:

- **Lot 45 in Block 60** is a vacant, unimproved 17 acre parcel located off Cooper Road, and is accessed from Lelache Avenue. The parcel is located within the

Township's R-4 Residential Zone, which permits townhouses and duplexes at a density of 5.25 dwelling units per acre. The lot appears to be free of any environmental constraints or limitations. Sanitary sewer service is available on Cooper Road. Assuming that the Township's zoning code is revised to provide for a 20% affordable housing requirement, Lot 45 can be developed for inclusionary residential housing, it appears that approximately 70 townhomes can be constructed "by right"; a 20 percent minimum affordable housing requirement would result in fourteen (14) affordable units.

- A partially completed single family residential development consisting of eleven (11) approved building lots is presently designated as **Lots 11 through 21 in Block 802** on the Waterford Tax Map. The property is about 6.3 acres in area, and is currently zoned as R-1 Residential Zone. The R-1 Residential Zone permits a dwelling unit density of 2.25 units per acre. Discussions with representatives of the current property owner have disclosed that the owner would be agreeable to having the entire tract rezoned to R-4 Residential Zone to enable the construction of approximately thirty (30) 100% affordable, rental multi-family units. Sewer service is available on Dayton Avenue, and the rezoning of the property would likely facilitate the eventual construction of income restricted townhomes.
- **Lot 1 in Block 1505** is a vacant 9.54 acre parcel that is located at the intersection of Bellevue Avenue and Fifth Street. The parcel is presently located in the R-1 Residential Zone which permits 2.25 dwelling units per acre. The property is presently "farm qualified" for Farmland Assessment purposes, and appears to be free of environmental restraints or constrictions. By right, the R-1 Residential Zone would allow approximately 20 dwelling units. If the tract is rezoned to R-4 Residential Zone, the new zoning would allow approximately 40 residential townhouses, of which 20% (at least 8 units) could be credited to the Township's affordable housing obligation if a 20% set aside is enacted in the R-4 Residential Zone. Under the current R-1 Residential Zone, 30% of the total units must be built with purchased Pinelands Development quarter credits. That would require any developer to purchase at least 6 Pinelands Development quarter credits.

By maintaining the zoning, or otherwise rezoning all three of the above tracts to be within R-4 Residential Zones, Waterford Township could provide a reasonable prospect for the creation of up to 55 affordable residential units, of which at least 30 units would likely be all rental units.

To further encourage developers to construct both affordable and market-rate housing in the Regional Growth Area, it is recommended that the Township initiate discussions with the Pinelands Commission and suggest rescinding or amending Chapter 176-119.

The standards outlined in Chapter 176-119 regarding the required redemption of Pinelands Development Credits (PDC) were adopted as an amendment to the Land Use Code in 2017. The amendment was required by the Pinelands Commission as a result of the Township shifting its desired area for affordable housing development to the Haines Boulevard Redevelopment Area (HBRA). Concessions were made to permit up to 240 Units of affordable housing to be constructed in the HBRA without the need to redeem PDC's. However, housing units to be constructed elsewhere in the Township's Regional Growth Area, in the R-1, R-2, R-3 and R-4 Zoning Districts, required that 30% of all units constructed to be constructed with PDC's. PDC values for a quarter-credit at the date of writing is around \$25,000.

This onerous requirement has been proven to be a very strong disincentive for developers to even consider housing of any type in Waterford Township, as reflected in the current building data provided in this Housing Element and Fair Share Plan. It is important that addressing this obstacle to home construction receive serious consideration by the Township and Pinelands Commission.

SUPPORTIVE AND SPECIAL NEEDS HOUSING - EXISTING

Various Locations (7 total credits)

Waterford Township has several group homes that were not credited during the Third Round. The Township is presently completing an inventory, by occupants and locations of all group homes. When the inventory is complete, Waterford Township will provide the required information per N.J.A.C. 5:97-6.10 in order to claim credit for these existing special needs units.

Consideration of Other Affordable Housing Locations

As part of this Plan, Waterford Township has considered land that is appropriate for the construction of low- and moderate-income housing. To date, the Township has not received any development proposals outside the Haines Boulevard Redevelopment Area that include affordable housing units.

Waterford Township submits that the projects, programs and mechanisms proposed in this Plan represent the best options to enable Waterford Township to satisfy its affordable housing obligation. While Waterford Township recognizes that developers may, in the future, present sites that possess characteristics that could lend themselves to affordable housing development, additional sites are not needed to satisfy the obligation at this time.

PRESERVATION OF MULTIGENERATIONAL FAMILY CONTINUITY

The FHA requires 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 ("Commission"), adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20). As of the date of this Housing Plan, there have been no recommendations by the Commission in which to provide an analysis.

However, it is understood that the Commission has the primary goal of enabling senior citizens to reside at the homes of their extended families or in close proximity to their families, thereby preserving and enhancing multigenerational family continuity. A review of Waterford Township's municipal code confirms that there are none which prevent the Township from meeting the Commission's goal of enabling senior citizens to remain in the Waterford Township community. Waterford Township defines a family that is permitted to live in a single family dwelling in such a way that a senior citizen may live in that single family dwelling unit with their extended family, as a permitted use in the Township's residential zoning districts. To the extent necessary, Waterford Township intends to enact or revise its Ordinances to better facilitate enabling the provision or construction of "age restricted" or "senior citizen housing" so as to encourage and enable our senior residents (when desired) to "downsize" and yet to continue to reside in the Township. Waterford Township's policy should advance the multigenerational family continuity goal.

AFFORDABLE HOUSING ADMINISTRATION & AFFIRMATIVE MARKETING

Waterford Township adopted an Affordable Housing Ordinance in accordance with the Department of Community Affairs' substantive rules and current UHAC regulations. The Affordable Housing Ordinance governs the establishment of affordable units in Waterford Township as well as regulating the occupancy of such units. The Township's ' Affordable Housing Ordinance covers the phasing of affordable units, the low/moderate income split, bedroom distribution, occupancy standards, affordability controls, rents and prices, affirmative marketing, income qualification, etc.

Waterford Township has established the position of the Municipal Housing Liaison and has initially appointed the Director of Community Development to that position. The Township has also designated Conifer Realty as the Affordable Housing Administrator to conduct the administration and affirmative marketing of its "Woodland View" project. Similarly, the Township

will permit other developers who demonstrate the appropriate experience and expertise to administer their own projects.

The Waterford Township Affirmative Marketing Plan [see attached Exhibit "C"] 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 Township. Additionally, the Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units and who reside in the Township's housing region, Region 5.

The Ordinance and Marketing Plan include regulations for qualification of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in pursuant to N.J.A.C. 5:80-26.1 et seq. All newly created affordable units will comply with the 30-year affordability controls required by N.J.A.C. 5:80-26.5 and 5:80-26.11. This Plan must be adhered to by all private, non-profit, and municipal developers of affordable housing units and must cover the period of mandatory deed restriction or affordability controls for each affordable unit.

AFFORDABLE HOUSING TRUST FUND

Waterford Township has also recently enacted a revised Development Fee Ordinance and corresponding Affordable Housing Spending Plan to assure compliance with the Townships' Fourth Round obligation to provide a dedicated revenue source for affordable housing. [The Spending Plan is attached hereto as Exhibit "B".]

The Spending Plan discusses anticipated revenues, collection of revenues, and the use of revenues, and was prepared in accordance with DCA's applicable substantive rules. All collected revenues will be placed in the Township's Affordable Housing Trust Fund and may be spent for the use of eligible affordable housing activities, including, but not limited to:

- Waterford Township's residential rehabilitation program;
- New construction of affordable housing units and related development costs;
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites;
- Acquisition and/or improvement of land to be used for affordable housing;
- Possible purchase of affordable housing units for the purpose of maintaining or implementing affordability controls,
- Maintenance and repair of affordable housing units;
- Repayment of any municipal bonds that may be issued to finance low- and moderate-income housing activity; and
- Any other activity as specified in the approved Spending Plan.

Waterford Township expressly recognizes that it is required to fund eligible programs and provide affordability funding assistance only in accordance with a Court-approved Housing Element and Fair Share Plan.

By law, at least 30% of all collected development fees, excluding expenditures made since July 17, 2008, when affordability assistance became a statutory requirement, shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the Waterford Township Fair Share Plan. At least one-third (1/3) of the affordability assistance must be expended on very-low income units. Additionally, no more than 20% of the revenues collected from development fees each year, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to prepare or implement a rehabilitation program, a new construction program, preparation and implementation of a housing element and fair share plan, and/or an affirmative marketing program, and defending any challenges to same.

MONITORING

Waterford Township will comply with monitoring provisions consistent with those required by the FHA. The monitoring requires regular tracking of progress toward meeting the Township's affordable housing obligation, and ensuring that the existing affordable housing units and the Waterford Township Affordable Housing Trust Fund are administered properly as follows:

- On or before February 1st of each year, the Township will provide annual reporting of the status of all affordable housing activity within Waterford Township, and will supply the Affordable Housing Trust Fund accounting, through posting on the municipal website and on the DCA website.
- Midpoint Review. The Township will post on its municipal website and submit to the DCA website, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity. Such posting shall invite any interested party to submit comments to the Program and Superior Court, regarding whether any sites no longer present a realistic opportunity and should be replaced. Any interested party may by motion request a hearing before the Court regarding these issues.

MUNICIPAL COST ASSISTANCE

To accommodate the Conifer Realty Project, Waterford Township expedited the scheduling of pre-application conferences, held special public hearings, and devoted the services of the Board and Township Engineer and other departments of municipal government to Conifer's development efforts. In the future, Waterford Township intends that development applications containing affordable housing shall be promptly reviewed for consistency with the Township Land Development Ordinances, Residential Site Improvement Standards (N.J.A.C. 5:21-1 et

seq.), the Pinelands Comprehensive Management Plan, and the mandate of the FHA regarding the elimination of unnecessary cost generating features. Waterford Township will continue to comply with published requirements for eliminating unnecessary cost generating requirements (see N.J.A.C. 5:93-10.1), procedures for development applications containing affordable housing (see N.J.A.C. 5:93-10.4), and requirements for special studies and escrow accounts where an application contains affordable housing.

CONCLUSION

The Township of Waterford is a rural community and its ability to realistically anticipate and provide for new residential housing stock has been significantly affected by its location within the New Jersey Pinelands Protection Area. Nevertheless, the Township recognizes its obligation to be inclusionary in its housing policies, and fully intends to comply with the requirements of the Fair Housing Act during the Fourth Round period from 2025 to 2035.

EXHIBIT A

**TOWNSHIP OF WATERFORD
COUNTY OF CAMDEN
STATE OF NEW JERSEY**

ORDINANCE # 2025- 9

**ORDINANCE OF THE TOWNSHIP OF WATERFORD REPEALING CHAPTER 79 OF
THE CODE OF THE TOWNSHIP OF WATERFORD CAPTIONED "AFFORDABLE
HOUSING" AND REPLACING IT WITH A NEW CHAPTER 79 OF THE CODE OF
THE TOWNSHIP OF WATERFORD CAPTIONED "AFFORDABLE HOUSING" TO
ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE
UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING
COMPLIANCE WITH THE TOWNSHIP OF WATERFORD'S
AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, the Township of Waterford wishes to establish its compliance with the current rules and regulations on Affordable Housing by repealing Chapter 79 of the Code of the Township of Waterford captioned "Affordable Housing" and replacing it with a new Chapter 79 of the Code of the Township of Waterford captioned "Affordable Housing".

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee of the Township of Waterford County of Camden, State of New Jersey that it hereby repeals Chapter 79 of the Code of the Township of Waterford captioned "Affordable Housing" and replaces it with a new Chapter 79 of the Code of the Township of Waterford captioned "Affordable Housing" as follows:

Section 1. AFFORDABLE HOUSING REGULATIONS

A. Monitoring and Reporting Requirements

The Township of Waterford shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its Housing Element and Fair Share Plan:

1. On each anniversary of a final judgment of repose, and on every anniversary of that date, the Township shall provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, Committee on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center (FSHC) and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs (NJDCA), or Local Government Services (NJLGS). The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.

2. On each anniversary of a final judgment of repose, and on every anniversary of that date, the Township of Waterford shall provide annual reporting of the status of all affordable housing activity within the Township through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, using forms previously developed for this purpose.
3. As required pursuant to N.J.S.A. 52:27D-313, the Township will post on its municipal website, with a copy provided to FSHC, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the Township, with a copy to FSHC, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the Court regarding these issues.
4. Every third year thereafter, as required by N.J.S.A. 52:27D-329.1, the Township will post on its municipal website, with a copy provided to FSHC, a status report as to its satisfaction of its very low-income requirements, including its family very low-income requirements. Such posting shall invite any interested party to submit comments to the Township and FSHC on the issue of whether the Township has complied with its very low-income and family very low-income housing obligations.

B. Definitions

The following terms when used in this Ordinance shall have the meanings given in this Section:

“Act” means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

“Administrative agent” means the entity designated by the Township to administer affordable units in accordance with this Ordinance, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be

amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

"Affordable housing development" means a development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Township's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development.

"Affordable housing program(s)" means any mechanism in a municipal Fair Share Plan prepared or implemented to address a Township's fair share obligation.

"Affordable unit" means a housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

"Age-restricted unit" means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are 62 years of age or older; or 2) at least 80 percent of the units are occupied by one person who is 55 years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Alternative living arrangement" means a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

"Assisted living residence" means a facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

"Certified household" means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

"DCA" means the State of New Jersey Department of Community Affairs.

"Deficient housing unit" means a housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing,

plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1, et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the regional median household income by household size.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the Court.

“Municipal Housing Liaison” means the employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for the Township of Waterford.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the regional median household income by household size.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by duly adopted Regional Income Limits published annually by COAH or a successor entity.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHOP or MONI.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26, et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the regional median household income by household size.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

C. Applicability

1. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Township of Waterford pursuant to the Township’s most recently adopted Housing Element and Fair Share Plan.

2. Moreover, this Ordinance shall apply to all developments that contain low-and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units, and also including projects funded with Low-income Housing Tax Credits.

D. Alternative Living Arrangements

1. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
 - a. Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;
 - b. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
2. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30 year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.
3. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

E. Phasing Schedule for Inclusionary Zoning

To ensure the efficient use of land through compact forms of development and to create realistic opportunities for the construction of affordable housing within the Township inclusionary zoning shall permit minimum presumptive densities and presumptive maximum affordable housing set-asides as follows:

1. The Township of Waterford established the Haines Boulevard Redevelopment Area, which is located on 146 acres in the northwest corner of the Township. The area is adjacent to the Atco Train Station and has potential to create a transit-oriented development and bring residents closer to the station, as well as bring in commercial uses that will serve both the community and the commuters.

In 2001, the Township Committee declared the area an "Area In Need of Redevelopment," as defined in the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. In 2002, the Township Committee adopted a Redevelopment Plan which was replaced by a Redevelopment Plan adopted in April 2016 and amended in September 2016.

The amended Redevelopment Plan provides for up to 240 affordable housing units to be developed and made available to very-low, low- and moderate-income households within the Redevelopment Area. All new residential development or mixed commercial/residential

development producing five or more residential units shall be required to be set aside a minimum of 20% of all units as affordable for low- and moderate-income households. In addition projects where 100% of the residential units are made affordable for low- and moderate-income households shall be credited toward that obligation.

2. Thirteen percent of all constructed restricted nits shall be very-low-income units, with half of the very-low-income units available to families.

3. Additional incentives to subsidize the creation of affordable housing available to very-low-income households may be included in the zoning section of this chapter or specified in a Developer's or Redeveloper's Agreement.

4. Phasing. In inclusionary developments the following schedule shall be followed:

Maximum % of Market-Rate Units Completed in Any Development	Minimum % of Total Planned Units Which Must Be Completed and Available as Very-Low, Low- and Moderate-Income Units
10	3
20	5
30	8
40	10
50	13
60	15
70	18
80	20
90	23

5. Design. In inclusionary developments, to the extent possible, very-low, low-, and moderate-income units shall be integrated with the market units.

6. Utilities. Affordable units shall utilize the same type of heating source as market units within the affordable development.

F. New Construction

1. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:

- a. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit. At least 13 percent of all restricted rental units shall be very low-income units (affordable to a household earning 30 percent or less of regional median income by household size). The very low-income units shall be counted as part of the required number of low-income units within the development.

- b. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be very low or very low-income units and low income households with the remainder to affordable moderate-income households. At least 25% shall be rental units with half of those units available to families.
- c. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - 1) The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
 - 2) At least 30 percent of all low- and moderate-income units shall be two bedroom units;
 - 3) At least 20 percent of all low- and moderate-income units shall be three bedroom units; and
 - 4) The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
- d. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

2. Accessibility Requirements:

- a. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7 and the following:
- b. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - 1) An adaptable toilet and bathing facility on the first floor; and
 - 2) An adaptable kitchen on the first floor; and
 - 3) An interior accessible route of travel on the first floor; and
 - 4) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and

- 5) If not all of the foregoing requirements in b.1) through b.4) can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of paragraphs b.1) through b.4) above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and
- 6) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7, or evidence that Waterford has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
 - a) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - b) To this end, the builder of restricted units shall deposit funds within the Township of Waterford's Affordable Housing Trust Fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
 - c) The funds deposited under paragraph 6)b) above shall be used by the Township of Waterford for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
 - d) The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Township of Waterford for the conversion of adaptable to accessible entrances.
 - e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free SubCode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township's Affordable Housing Trust Fund in care of the Township Treasurer who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.
- 7) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7.

3. Design:

- a. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
- b. In inclusionary developments, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.

4. Maximum Rents and Sales Prices:

- a. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the most recently published regional weighted average of the uncapped Section 8 income limits published by HUD and using calculation procedures approved by the Court. Income limits for all units that are part of the Township's Housing Element and Fair Share Plan and for which income limits are not already established through a federal program exempted from the UHAC pursuant to N.J.A.C. 5:80-26.1, shall be updated by the Township annually within 30 days of the publication of determinations of median income by the Department of Housing and Urban Development ("HUD") as follows:

- 1) Regional income limits shall be established for the region that the Township is located within based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in the Township's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low-income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.
- 2) The income limits are the result of applying the percentages set forth in paragraph (a) above to HUD's determination of median income for the fiscal year 2025, and shall be utilized until the Township updates the income

limits after HUD has published revised determinations of median income for the next fiscal year.

- 3) The Regional Asset Limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)(3) shall be calculated by the Township annually by taking the percentage increase of the income limits calculated pursuant to paragraph (a) above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.
- b. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted rental units shall be affordable to households earning no more than 52 percent of median income.
- c. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13 percent of all low- and moderate-income rental units shall be affordable to very low-income households, which very low-income units shall be part of the low-income requirement.
- d. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.
- e. In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
 - 1) A studio shall be affordable to a one-person household;
 - 2) A one-bedroom unit shall be affordable to a one and one-half person household;
 - 3) A two-bedroom unit shall be affordable to a three-person household;
 - 4) A three-bedroom unit shall be affordable to a four and one-half person household; and
 - 5) A four-bedroom unit shall be affordable to a six-person household.

- f. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
 - 1) A studio shall be affordable to a one-person household;
 - 2) A one-bedroom unit shall be affordable to a one and one-half person household; and
 - 3) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
- g. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- h. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- i. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Administrative Agent be lower than the last recorded purchase price.
- j. The rents of very low-, low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the Northeast Urban Area. This increase shall not exceed nine percent in any one year. Rent increases for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low-income housing tax credits.

G. Utilities

- 1. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.

2. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by HUD for the Section 8 program.

H. Occupancy Standards

In referring certified households to specific restricted units, the Administrative Agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:

1. Provide an occupant for each bedroom;
2. Provide children of different sexes with separate bedrooms;
3. Provide separate bedrooms for parents and children; and
4. Prevent more than two persons from occupying a single bedroom.

I. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

1. Control periods for newly constructed restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, except as may be modified by the terms of the settlement agreement between the Township of Waterford and Fair Share Housing Center (FSHC), as said settlement agreement may be further amended and supplemented, and each newly constructed restricted ownership unit shall remain subject to the requirements of this Ordinance for a period of at least fifty (50) years, until Waterford takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, except as modified by the terms of the settlement agreement between the Township of Waterford and Fair Share Housing Center (FSHC), as said settlement agreement may be further amended and supplemented.
2. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
3. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
4. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

5. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
6. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

J. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

1. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
2. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
3. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.
4. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of approved capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

K. Buyer Income Eligibility

1. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
2. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the Township Committee, and subject to the Court's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit.

3. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
4. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's eligible monthly income.

L. Limitations on Indebtedness Secured by Ownership Unit; Subordination

1. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
2. With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of the unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C.5:80-26.6(b).

M. Capital Improvements To Ownership Units

1. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
2. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the

purpose of selling and receiving property has taken place at the time of or as a condition of resale.

N. Control Periods for Restricted Rental Units

1. Control periods for newly constructed restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, except as may be modified by the terms of a settlement agreement between the Township of Waterford and Fair Share Housing Center (FSHC), as such settlement agreement may be further amended and supplemented, and each newly constructed restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until the Township takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, except as may be modified by the terms of a settlement agreement between the Township of Waterford and Fair Share Housing Center (FSHC), as such settlement agreement may be further amended and supplemented.
2. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Camden. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
3. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
 - a. Sublease or assignment of the lease of the unit;
 - b. Sale or other voluntary transfer of the ownership of the unit; or
 - c. The entry and enforcement of any judgment of foreclosure on the property containing the unit.

O. Rent Restrictions for Rental Units; Leases

1. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
2. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
3. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the

Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

4. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least 15% of the total number of dwelling units are restricted rental units in compliance with this Ordinance.

P. 100% Affordable Projects

1. All 100% affordable projects, including projects funded through Low-income Housing Tax Credits, shall comply with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et. seq., except as may be modified by the terms of a settlement agreement executed between the Township of Waterford and Fair Share Housing Center (FSHC), as such settlement agreement may be further amended and supplemented. All such projects shall be required to have an initial thirty (30) year affordability control period plus a fifteen (15) year extended use period.

Q. Tenant Income Eligibility

1. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
 - a. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of the regional median household income by household size.
 - b. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of the regional median household income by household size.
 - c. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of the regional median household income by household size.
2. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - a. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;

- b. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - c. The household is currently in substandard or overcrowded living conditions;
 - d. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - e. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
3. The applicant shall file documentation sufficient to establish the existence of the circumstances in 1.a. through 2.e. above with the Administrative Agent, who shall counsel the household on budgeting.

R. Establishment of Municipal Housing Liaison position and compensation; powers and duties.

- 1. Establishment of position of Municipal Housing Liaison Officer. There is hereby established the position of Municipal Housing Liaison Officer for the Township of Waterford.
- 2. Subject to the approval of the Court, the Municipal Housing Liaison Officer shall be appointed by the governing body and may be a full- or part-time municipal employee.
- 3. The Municipal Housing Liaison Officer shall be responsible for oversight and administration of the affordable housing program for the Township of Waterford, including the following responsibilities which may not be contracted out, exclusive of Subsection 3.f below, which may be contracted out:
 - a. Serving as the Township of Waterford's primary point of contact for all inquiries from the state, affordable housing providers, administrative agents, and interested households;
 - b. Monitoring the status of all restricted units in the Township of Waterford's Fair Share Plan;
 - c. Compiling, verifying, and submitting annual reports as required by Court;
 - d. Coordinating meetings with affordable housing providers and administrative agents, as applicable;
 - e. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved;

- f. If applicable, serving as the administrative agent for some or all of the restricted units in the Township of Waterford as described in Subsection 6 below.
4. Subject to approval by Court, the Township of Waterford may contract with or authorize a consultant, authority, government or any agency charged by the governing body, which entity shall have the responsibility of administering the affordable housing program of the Township of Waterford, except for those responsibilities which may not be contracted out pursuant to Subsection C above. If the Township of Waterford contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and affirmative marketing plan, the Municipal Housing Liaison Officer shall supervise the contracting administrative agent.
 5. Compensation. Compensation shall be fixed by the governing body at the time of the appointment of the Municipal Housing Liaison Officer.
 6. Administrative powers and duties assigned to the Municipal Housing Liaison Officer:
 - a. Affirmative marketing.
 - 1) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the affirmative marketing plan of the Township of Waterford and the provisions of N.J.A.C. 5:80-26.15; and
 - 2) Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
 - b. Household certification.
 - 1) Soliciting, scheduling, conducting and following up on interviews with interested households;
 - 2) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - 3) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
 - 4) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendixes J and K of N.J.A.C. 5:80-26.1 et seq.;

- 5) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
- 6) Employing the random selection process as provided in the affirmative marketing plan of the Township of Waterford when referring households for certification to affordable units.

c. Affordability controls.

- 1) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- 2) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- 3) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
- 4) Communicating with lenders regarding foreclosures; and
- 5) Ensuring the issuance of continuing certificates of occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

d. Resale and rental.

- 1) Instituting and maintaining an effective means of communicating information between owners and the administrative agent regarding the availability of restricted units for resale or rental upon availability of the information to the Municipal Housing Liaison Officer; and
- 2) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental upon availability of the information to the Municipal Housing Liaison Officer.

e. Processing request from unit owners.

- 1) Reviewing and approving, in conjunction with the Township Attorney, requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;

- 2) Reviewing and approving, in conjunction with the Township Attorney, requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air-conditioning systems; and
 - 3) Processing requests and making determinations, in conjunction with the Township Attorney, on requests by owners of restricted units for hardship waivers.
- f. Enforcement.
- 1) The posting annually in all rental properties when the information becomes available to the Municipal Housing Liaison, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent can be made;
 - 2) Creating and publishing a written operating manual, as approved by Court, setting forth procedures for administering such affordability controls; and
 - 3) Providing annual reports to Court as required.
- g. The administrative agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

S. Administrative Agent

An Administrative Agent shall be an independent entity serving under contract to and reporting to the Township. The fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required. The Administrative Agent shall perform the duties and responsibilities of an Administrative Agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

1. Affirmative Marketing:
 - a. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Waterford and the provisions of N.J.A.C. 5:80-26.15; and
 - b. Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
2. Household Certification:

- a. Soliciting, scheduling, conducting and following up on interviews with interested households;
 - b. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - c. Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
 - d. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
 - e. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;
 - f. Employing a random selection process as provided in the Affirmative Marketing Plan of the Township of Waterford when referring households for certification to affordable units; and
 - g. Notifying the following entities of the availability of affordable housing units in the Township of Waterford: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Camden County and Southern Burlington County Branches of the NAACP, the Supportive Housing Association of New Jersey, and the New Jersey Housing Resource Center.
3. Affordability Controls:
- a. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
 - b. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
 - c. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Camden County Clerk and Register of Deeds office after the termination of the affordability controls for each restricted unit;
 - d. Communicating with lenders regarding foreclosures; and
 - e. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
4. Resales and Re-rentals:

- a. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental; and
- b. Instituting and maintaining an effective means of communicating information to low- (or very low-) and moderate-income households regarding the availability of restricted units for resale or re-rental.

5. Processing Requests from Unit Owners:

- a. Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;
- b. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;
- c. Notifying the Township of an owner's intent to sell a restricted unit; and
- d. Making determinations on requests by owners of restricted units for hardship waivers.

6. Enforcement:

- a. Securing annually from the Township a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
- b. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
- c. Posting annually, in all rental properties (including two-family homes), a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;

- d. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - e. Establishing a program for diverting unlawful rent payments to the Township 's Affordable Housing Trust Fund; and
 - f. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Township Committee and the Court, setting forth procedures for administering the affordability controls.
7. Additional Responsibilities:
- a. The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
 - b. The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet the Court-approved monitoring and reporting requirements in accordance with the deadlines set forth in this Ordinance.
 - c. The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

T. Affirmative Marketing Requirements

- 1. The Township of Waterford shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- 2. The Affirmative Marketing Plan is a regional marketing strategy 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 housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs marketing activities toward Housing Region and is required to be followed throughout the period of restriction.
- 3. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 5, comprised of Burlington, Camden and Gloucester Counties.
- 4. The Township has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the

Township of Waterford shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.

5. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
6. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.
7. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
8. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and, if one, the municipal library in the Township in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.
9. In addition to other affirmative marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units in the Township, and copies of the application forms, to the following entities: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Camden County Branch of the NAACP, the Supportive Housing Association of New Jersey, STEPS, Senior Citizens United Community Services, and the New Jersey Housing Resource Center.
10. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

U. Enforcement of Affordable Housing Regulations

1. Upon the occurrence of a breach of any of the regulations governing an affordable unit by an Owner, Developer or Tenant, the Township shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
2. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the Township may take the following action(s) against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

- a. The Township may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - 1) A fine of not more than \$500.00 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - 2) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Township of Waterford Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - 3) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
- b. The Township may file a court action in the Superior Court seeking a judgment that would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- or moderate-income unit.
 - 1) The judgment shall be enforceable, at the option of the Township, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the Township, including attorney's fees. The violating Owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.
 - 2) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the Township for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the Township in full as aforesaid, the violating Owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the Township in connection with collecting

such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the Township for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the Township for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the Township. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the Township, whether such balance shall be paid to the Owner or forfeited to the Township.

- 3) Foreclosure by the Township due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- 4) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the Township may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- 5) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the Township shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the Township, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- 6) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

V. Appeals

Appeals from all decisions of an Administrative Agent appointed pursuant to this Ordinance shall be filed in writing with the Court.

Section 2. Development Fees

In *Holmdel Builder's Association v. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27d-301, et seq., and the State Constitution, subject to the adoption of Rules by the Committee on Affordable Housing (COAH).

Pursuant to P.L. 2008, c. 46, Section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH was authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that were under the jurisdiction of COAH and that are now before a court of competent jurisdiction and have a Court-approved Spending Plan may retain and spend non-residential development fees collected in accordance with the approved Spending Plan.

A. Mandatory Development Fees

Purpose. This Ordinance establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with current regulations developed in response to P.L. 2008, c. 46, Sections 8 and 32-38 (N.J.S.A. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low, low- and moderate-income housing in accordance with a Court-approved Spending Plan.

B. Basic requirements. The Township of Waterford shall not spend development fees until the Court has approved a plan for spending such fees.

C. Definitions

The following terms, as used in this ordinance, shall have the following meanings:

1. "Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
2. "Construction" means new construction and additions, but does not include alterations, reconstruction, renovations, and repairs as those terms are defined under the State Uniform Construction Code promulgated pursuant to the "State Uniform Construction Code Act,"

P.L.1975, c.217 (C.52:27D-119 et seq.).

3. "Department of Community Affairs"
4. "Developer" means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
5. "Development fee" means funds paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted in COAH's rules.
6. "Equalized assessed value" means the value of a property determined by the municipal tax assessor through a process designed to ensure that all property in the municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of issuance of a building permit may be obtained utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the municipal tax assessor.
7. "Mixed use development" means any development which includes both a non-- residential development component and a residential development component, and shall include developments for which (1) there is a common developer for both the residential development component and the non-residential development component, provided that for purposes of this definition, multiple persons and entities may be considered a common developer if there is a contractual relationship among them obligating each entity to develop at least a portion of the residential or non-residential development, or both, or otherwise to contribute resources to the development; and (2) the residential and non-residential developments are located on the same lot or adjoining lots, including but not limited to lots separated by a street, a river, or another geographical feature.
8. "Non-residential development" means: (1) any building or structure, or portion thereof, including but not limited to any appurtenant improvements, which is designated to a use group other than a residential use group according to the State Uniform Construction Code promulgated to effectuate the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), including any subsequent amendments or revisions thereto; (2) hotels, motels, vacation timeshares, and child-care facilities; and (3) the entirety of all continuing care facilities within a continuing care retirement community which is subject to the "Continuing Care Retirement Community Regulation and Financial Disclosure Act," P.L.1986, c.1 03 (C.52:27D-330 et seq.).
9. "Non-residential development fee" means the fee authorized to be imposed pursuant to sections 32 through 38 of P.L.2008, c.46 (C.40:55D-8. 1 through C.40:55D-8.7).
10. "Relating to the provision of housing" shall be liberally construed to include the construction, maintenance, or operation of housing, including but not limited to the provision of services to such housing and the funding of any of the above.

11. "Spending plan" means a method of allocating funds collected and to be collected pursuant to an approved municipal development fee ordinance, or pursuant to P.L.2008, c.46 (C.52:27D-329.1 et al.) for the purpose of meeting the housing needs of low and moderate income individuals.

D. Residential Development fees

1. Where residential development occurs within the Township of Waterford, residential developers shall pay a fee of 1.5% of the equalized assessed value for residential development provided no increased density is permitted.
2. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers shall be required to pay a development fee of 6% of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.
3. The 1.5% of the equalized assessed value fee may be imposed on the construction of new residential development and additions and alterations to existing development. New construction fees shall be based on the equalized assessed value of land and improvements. Fees that result from additions and alterations shall be based on the increase in equalized assessed value that results from the addition or alteration.

D. Non-residential Development fees

1. Where residential development occurs within the Township of Waterford, non- residential developers shall pay a mandatory fee of 2.5% of the equalized assessed value for non-residential development pursuant to P.L.2008, c.46.
2. If an increase in floor area ratio is approved pursuant to N.J.S.A. 40:55D-70d(4), then the additional floor area realized (above what is permitted by right under the existing zoning) shall incur a bonus development fee of 6% of the equalized assessed value for non-residential development. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base floor area for the purposes of calculating the bonus development fee shall be the highest floor area permitted by right during the two-year period preceding the filing of the variance application.
3. The 2.5% of the equalized assessed value fee may be imposed on the construction of new non-residential development and additions and alterations to existing development. Ordinances governing the imposition of development fees shall clearly indicate which types of development shall be subject to the imposition of development fees. New construction fees shall be based on the equalized assessed value of land and improvements. Fees that result from additions and alterations shall be based on the increase in equalized assessed value that results from the addition or alteration.

E. Eligible exactions, ineligible exactions and exemptions

1. Affordable housing developments and developments where the developer has made a payment in lieu of constructing affordable units shall be exempt from development fees.
2. Development fees may be imposed and collected when an existing structure is expanded, undergoes a change to a more intense use, or is demolished and replaced. The development fee that may be imposed and collected shall be calculated on the increase in the equalized assessed value.
3. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees unless the developer seeks substantial change in an approval. Where a site plan approval does not apply, a zoning and/or construction permit shall be synonymous with preliminary or final site plan approval for this purpose.
4. Development fees shall be imposed and collected when an existing structure is expanded or undergoes a change to a more intense use. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
5. All non-residential construction of buildings or structures on property used by churches, synagogues, mosques, and other houses of worship, and property used for educational purposes, which is tax-exempt pursuant to R.S.54:4-3.6, shall be exempt from the imposition of a non-residential development fee, provided that the property continues to maintain its tax exempt status under that statute for a period of at least three years from the date of issuance of the certificate of occupancy. In addition, the following shall be exempt from the imposition of a non-residential development fee:
 - (a) parking lots and parking structures, regardless of whether the parking lot or parking structure is constructed in conjunction with a non-residential development, such as an office building, or whether the parking lot is developed as an independent non-residential development;
 - (b) any non-residential development which is an amenity to be made available to the public, including, but not limited to, recreational facilities, community centers, and senior centers, which are developed in conjunction with or funded by a non-residential developer;
 - (c) non-residential construction resulting from a relocation of or an on-site improvement to a nonprofit hospital or a nursing home facility;
 - (d) projects that are located within a specifically delineated urban transit hub, as defined pursuant to section 2 of P.L.2007, c.346 (C.34:1B-208);

F. Collection of fees

1. Fifty percent of the development fee will be collected at the time of issuance of the building

permit. The remaining portion will be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

G. Appeal of Development fees

1. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, the collected fee shall be placed in an interest-bearing escrow account by the Township. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq. within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
2. A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Township. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

H. Affordable Housing trust fund

1. There is hereby created a separate, interest-bearing housing trust fund to be established in a Barile approved by the Township under authority and regulations promulgated by the State of New Jersey for selecting banks in which to place municipal funds for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls. All development fees paid by developers pursuant to this ordinance shall be deposited into this account.
2. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - (a) Payments in lieu of on-site construction of a fraction of an affordable unit, where permitted by Ordinance or by Agreement;
 - (b) Funds contributed by developers to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - (c) Rental income from municipally operated units;
 - (d) Repayments from affordable housing program loans;
 - (e) Recapture funds;
 - (f) Proceeds from the sale of affordable units; and
 - (g) Any other payments or funds collected in accordance with the Township of Waterford's Affordable Housing Program;

3. In the event of a failure by the Township of Waterford to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved Spending Plan and to expend funds within the applicable required time period as set forth in *In re Tp. of Monroe*, 442 N.J.Super. 565 (Law Div. 2015) (aff'd 442 N.J.Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs, Division of Local Government Services (LGS), to direct the manner in which the funds in the Affordable Housing Trust Fund, shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Township, or, if not practicable, then within the County or the Housing Region.

I. Use of funds

1. Funds deposited in the housing trust fund may be used for any activity approved by the Court to address the municipal fair share. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market to affordable program; Regional Housing Partnership programs; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost saving and in accordance with accepted national or State standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by the Court and specified in the approved Spending Plan.
2. At least 30% of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households, at least half of which shall be available to low and moderate income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to very low income households.
 - (a) Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, and rental assistance.
 - (b) Affordability assistance to very low income households may include offering a subsidy to developers of inclusionary or 100% affordable developments or buying down the cost of low or moderate income units in the municipal fair share plan.
 - (c) Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement

3. The Township may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance.
4. No more than 20 percent of all development fee revenue shall be expended on administration. This includes but is not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program.
5. In the case of a Rehabilitation Program, no more than thirty (30%) percent of the revenues collected from Development fees shall be used for administrative expenses for such a Program. The Township may contract with a private or public entity to administer any part of its Rehabilitation Program.

Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with the DCA's monitoring requirements. Development fee administrative costs are calculated and may be expended at the end of each year or upon receipt of the fees.

J. Monitoring.

The Township of Waterford shall complete and return to the Court or DCA all monitoring forms included in the annual monitoring report related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, and funds from the sale of units with extinguished controls, and the expenditure of revenues and implementation of the plan approved by the Court of DCA. All monitoring shall be completed on forms designed by the Court or DCA.

K. Ongoing collection of fees

1. The ability for the Township of Waterford to impose, collect and expend development fees shall expire with the expiration of the repose period covered by its Judgment of Compliance unless the Township has first filed an adopted Housing Element and Fair Share Plan with the Court or with a designated State administrative agency, has petitioned for a Judgment of Compliance from the Court or for Substantive Certification or its equivalent from a State administrative agency authorized to approve and administer municipal affordable housing compliance and has received approval of its Development Fee Ordinance from the entity that will be reviewing and approving the Housing Element and Fair Share Plan.
2. If the Township of Waterford fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to Section 20 of P.L. 1985, c. 222 (C. 52:27D-320).

3. The Township of Waterford shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its Judgment of Compliance, nor shall the Township retroactively impose a development fee on such a development. The Township also shall not expend any of its collected development fees after the expiration of its Judgment of Compliance.

Section 3.

All ordinances, policies and or procedures or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency.

Section 4.

Pursuant to the Municipal Land Use Law, the Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the County Planning Board pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this ordinance after public hearing thereon, the Municipal Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance with the County Planning Board as required by N.J.S.A. 40:55D-16.

Section 5.

Severability

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction or invalid by an administrative agency, such decision shall not affect the legality and enforceability of the remaining portions of this Ordinance.

Section 6.

Repealer

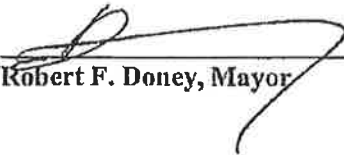
All prior Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 7.

When effective.

This Ordinance shall take effect upon final passage and publication as provided by law; however, subsequent to first reading, this ordinance must be referred to the Township Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Master Plan. The Planning Board has a period of thirty-five (35) days after referral to report on the proposed ordinance.


Dawn Liedtka, RMC / CMR Clerk


Robert F. Doney, Mayor

Introduced: May 14, 2025
Public Hearing: June 11, 2025
Adopted: June 11, 2025

UPON INTRODUCTION ON May 14, 2025					
	Giangiulio	Jones-Freitag	Thompson	Wade	Doney
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					
UPON ADOPTION ON June 11, 2025					
	Giangiulio	Jones-Freitag	Thompson	Wade	Doney
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					

CERTIFICATION

I, Dawn Liedtka, Clerk of the Township of Waterford, Camden County, New Jersey, do hereby certify the foregoing to be true and exact copy of the Ordinance which was finally adopted by the Mayor and Township Committee of the Township of Waterford at a Meeting held on the 11th day of June, 2025.


Dawn Liedtka, RMC / CMR Clerk

EXHIBIT B

**TOWNSHIP OF WATERFORD
COUNTY OF CAMDEN
STATE OF NEW JERSEY**

RESOLUTION #2025-187

**RESOLUTION OF THE TOWNSHIP OF WATERFORD
ADOPTING A SPENDING PLAN IN ACCORDANCE WITH THE TOWNSHIP'S
FOURTH ROUND AFFORDABLE HOUSING OBLIGATION**

WHEREAS, as part of the Township of Waterford's Fourth Round Affordable Housing obligation it is necessary to update and adopt an Affordable Housing Spending Plan in accordance with the applicable affordable housing administrative regulations; and

WHEREAS, these regulations require Spending Plan to include, but not be limited to the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, payments from Affordable Housing Program loans, and interest accrued;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing Trust Funds;
5. A plan to spend the Trust Fund balances in accordance with any implementation schedule within the Spending Plan and any approved settlement agreement;
6. The manner through which the municipality will address any expected or unexpected short fall if the anticipated revenues are not sufficient to implement the plan, and
7. The anticipated use of excess affordable housing Trust Funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

WHEREAS, the Township has prepared an Affordable Housing Spending Plan consistent with the Township's Fourth Round Affordable Housing obligation which is attached hereto and incorporated by reference herein as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Waterford, County of Camden, and State of New Jersey that for the reasons set forth in the Preamble hereinabove, it hereby approves the Township's Affordable Housing Spending Plan attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED that this Affordable Housing Spending Plan shall not take effect until approved by the Court and/or the Court's approved Program's Adjudicator and, if required, the Fair Shar Housing Center.

BE IT FURTHER RESOLVED this Resolution shall take effect immediately upon adoption.

Adopted: June 11, 2025


Dawn Liedtka, RMC / CMR Clerk


Robert F. Doney, Mayor

	DONEY	WADE	JONES-FREITAG	THOMPSON	GIANGIULIO
YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ABSTAIN					
NO					
ABSENT					

**TOWNSHIP OF WATERFORD
AFFORDABLE HOUSING SPENDING PLAN**

Introduction

The Township of Waterford, County of Camden, has prepared a Housing Element and Fair Share Plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq), the Fair Housing Act (N.J.S.A. 52:27D-301) and the applicable Affordable Housing Administrative Regulations.

A Development Fee Ordinance creating a dedicated revenue source for affordable housing following State guidelines was adopted by the Township of Waterford on June 11, 2025.

The Ordinance established a 1.5% of equalized assessed value for new residential construction and 2.5% for new commercial construction.

The Ordinance established the Township of Waterford's Affordable Housing Trust Fund. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by affordable housing fees are deposited in a separate interest-bearing Affordable Trust Fund Account for the purposes of affordable housing.

The Township of Waterford has prepared this spending plan to guide the allocation of funds within the Township's Housing Trust Fund. As of May 1, 2025, the Township of Waterford had \$10,865.47 in its Affordable Housing Trust Fund. The account will continue to collect funds as new development is created. The funds shall be spent in accordance with required Administrative Regulations and as described in the sections below.

PROJECTED REVENUES – HOUSING TRUST FUND 2018-2025		
YEAR	NON-RESIDENTIAL FEES	RESIDENTIAL FEES
2018	\$0	\$0
2019	\$0	\$0
2020	\$0	\$0
2021	\$0	\$0
2022	\$10,865.47	\$0
2023	\$0	\$0
2024	\$0	\$0
2025	\$0	\$0
Projected Total	\$10,865.47	\$0

The Township of Waterford is located entirely within the Pinelands and subject to the regulations of the Pinelands Comprehensive Management Plan. There has been very limited residential development in Waterford Township since 2018 except the most recent 95 unit Affordable Housing Rental Project by Conifer with expected occupancy the summer of 2025. This historical rate of development makes it difficult to project the amount of anticipated revenues from that source at this time. However, the Township of Waterford's Mayor and Committee will continue to contact and negotiate with parties expressing interest in development projects within the Township's residential and commercial/light industrial zoning areas to encourage development activity. Whenever the opportunity arises any fees collected will be used in accordance with the provisions of this Spending Plan.

REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of Fourth Round Substantive Certification, the Township of Waterford will continue to consider the following:

a. Development Fees

1. Non-residential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. Any non-residential projects coming before the Land Use Board for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

b. Payments in lieu of Development

c. Other funding sources

- d. Projected interest** – All interest on this account shall accrue to the account to be used for the purposes of affordable housing.

The Township's Finance Office is responsible for the day-to-day management of the Affordable Housing Trust Fund. The Township's Administrator and Chief Financial Officer will review all fund requests and approve the disbursement of funds from the Fund. The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Waterford Township.

Collection of Development Fee Revenues:

1. The Planning/Zoning Board Secretary will notify the Construction Code Official when a preliminary or final approval is granted for a development application.
2. When a request is made for a building permit, the construction office determines whether the project is subject to the imposition of a mandatory development fee. If so, the construction office obtains a preliminary assessment of the project from the Township Tax Assessor who calculates the fee.
3. For any residential development fee imposed, fifty percent of the initially calculated residential development fee shall be collected at the time of issuance of the first construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. For any non-residential development fee, the entire non-residential development fee shall be collected at the time of the issuance of the certificate of occupancy. The funds are then forwarded to the Finance Office for deposit into the Affordable Housing Trust Fund.
4. The Township Administrator monitors this process and provides, as needed, an annual report to the Township Committee.

Distribution of Development Fee Revenues:

The Township Committee will review the request for expenditures from the Spending Plan and will adopt a Resolution recommending the expenditure of development fee revenues as set forth in this fee-spending plan. The use and release of funds requires the adoption of a Resolution in accordance with the Spending Plan. Once a request is approved, the Chief Financial Officer releases the

revenues from the trust fund for the specific use pursuant to the Resolution issued by the governing body.

Description of Anticipated Use of Affordable Housing Funds

- a. The Township of Waterford will dedicate 30% of its income from the Affordable Housing Trust Fund to render units more affordable, including at least one-third (1/3) of that amount to render units created in the Township more affordable to households earning thirty percent (30%) or less of median income by region. This will include rental assistance for existing affordable rental units.
- b. For any rehabilitation requirement no more than thirty (30%) percent of the revenues collected from Development fees shall be used for administrative expenses for such a Program. The Township may coordinate with the Camden County Improvement Authority (CCIA) for assistance for a local rehabilitation program. The Township will also continue to participate in the County Community Development Block Grant Program administered by the CCIA which is not part of the Trust Fund and which provides funds to income qualified property owners. The Township may contract with a private or public entity to administer any part of its Rehabilitation Program.
- c. The Township of Waterford will dedicate no more than twenty percent (20%) of revenue from the affordable housing trust fund to be used for administrative purposes.

The administrative expenses would be used as follows:

- Administration of any Affordable Housing Programs;
- Legal fees associated with affordable housing requirements;
- Planning fees for any necessary updates and/or revision to the Housing Element and Fair Share Plan; and
- Other expenses associated with the development and implementation of the Housing and Fair Share Plan and the monitoring of current and future affordable programs within Waterford Township.

AFFORDABILITY ASSISTANCE		
Actual Development Fees through 05/30/2025		\$10,865.47
Development Fees Projected 06/2025 – 06/2026		Unable to project
TOTAL	=	\$10,865.47
30 percent requirement	X0.30 =	\$3,259.50
PROJECTED MINIMUM Affordability Assistance Requirement 06/30/2025 through 06/30/2026	=	\$ 3,259.50
PROJECTED MINIMUM Very Low Assistance Requirement 06/30/25 through 06/30/26		\$978.00

REHABILITATION		
Actual Fees and Interest through 05/30/2025		\$10,865.47
Development Fees Projected 06/2025 – 06/2026		Unable to project
TOTAL		\$10,865.47
30 percent requirement	X0.30 =	\$3,259.50
PROJECTED MINIMUM Rehabilitation Assistance Requirement 06/30/2025 through 06/30/2026	=	\$3,259.50

ADMINISTRATIVE EXPENSES		
Actual Fees and Interest through 05/30/2025		\$10,865.47
Development Fees Projected 06/2025 – 06/2026		Unable to project
TOTAL	=	\$10,865.47
20% CAP for Administrative Expenses	X0.20 =	\$2,173.00
Available for Administrative Expense through 12/31/2035	=	\$2,173.00

EXCESS OR SHORTFALL OF FUNDS

The Township of Waterford will closely monitor the Housing Trust Fund balance and will only expend those funds that are available. Pursuant to the Housing Element and Fair Share Plan, the Township of Waterford has adopted a resolution of intent to bond for

unanticipated shortfall in funding should that be required for implementing the Spending Plan for a municipally sponsored Affordable Housing Project. In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used for programs as permitted under applicable administrative regulations.

SUMMARY

The Township of Waterford intends to spend Affordable Housing Trust Fund revenues pursuant to applicable administrative regulations and consistent with the housing programs outlined in the Housing Element and Fair Share Plan to be approved for its Fourth Round Obligation. The Township has a balance of \$10,865.47 as of May 30, 2025. The Township will only commit to spending this balance in accordance with the provisions included in this Spending Plan and the Fair Share Plan as the need arises in order to maintain this present limited balance.

Spending Plan Summary Affordable Housing Trust Fund

Trust Fund Balance as of 05/30/2025	\$10,865.47
Projected Revenue (2025-2026)	
Development Fees	Unable to project
Payments in lieu of construction	+ \$0
Other Funds	+ \$0
Interest	Unable to project
Total Revenue (Rounded)	= \$0
Expenditures	
Rehabilitation Program	- \$3,259.50
Administration	- \$2,173.00
Affordability Assistance	- \$3,259.50
Total Projected Expenditures	= \$8,692.00

EXHIBIT C

**TOWNSHIP OF WATERFORD
COUNTY OF CAMDEN
STATE OF NEW JERSEY**

RESOLUTION #2025-189

**RESOLUTION OF THE TOWNSHIP OF WATERFORD
ADOPTING AN AFFIRMATIVE FAIR HOUSING MARKETING PLAN
IN ACCORDANCE WITH THE TOWNSHIP'S FOURTH ROUND
AFFORDABLE HOUSING OBLIGATION**

WHEREAS, as part of the Township of Waterford's Fourth Round Affordable Housing obligation it is necessary to adopt an Affirmative Fair Housing Marketing Plan for Affordable Housing consistent with the applicable Affordable Housing administrative regulations; and

WHEREAS, Exhibit "A" attached hereto is the proposed Affirmative Fair Housing Marketing Plan for consideration and adoption by the Mayor and Township Committee; and

WHEREAS, the Mayor and Township Committee have reviewed said proposed Affirmative Fair Housing Marketing Plan and are in agreement to adopt and approve same.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Waterford, County of Camden, and State of New Jersey that for the reasons set forth in the Preamble hereinabove, it hereby approves the Township's Affirmative Fair Housing Marketing Plan attached hereto as Exhibit "A".

BE IT FURTHER RESOLVED that this Affirmative Fair Housing Marketing Plan shall not take effect until approved by the Court or the Court's approved Program's Adjudicator and, if required, the Fair Share Housing Center.

BE IT FURTHER RESOLVED this Resolution shall take effect immediately upon adoption.

Adopted: June 11, 2025


Dawn Liedtka, RMC / CMR Clerk


Robert F. Doney, Mayor

	DONEY	WADE	JONES-FREITAG	THOMPSON	GIANGIULIO
YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
ABSTAIN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CERTIFICATION

I, Dawn Liedtka, Clerk of the Township of Waterford, do hereby certify that the above is a true and correct copy of a resolution duly adopted by the Mayor and Township Committee at its Meeting held on June 11, 2025 at the Waterford Township Municipal Building, 2131 Auburn Avenue, Atco, New Jersey.

Dawn M. Liedtka
Dawn Liedtka, Township Clerk

TOWNSHIP OF WATERFORD
AFFIRMATIVE FAIR HOUSING MARKETING PLAN
 For Affordable Housing in **(REGION 5)**
Dated 2025

I. APPLICANT AND PROJECT INFORMATION

1a. Administrative Agent Name, Address, Phone Number To be determined		1b. Development or Program Name, Address Township of Waterford To Be Filled Out for Each Program/Development	
1c. Number of Affordable Units: Number of Rental Units: Number of For-Sale Units:	1d. Price or Rental Range From \$ _____ To \$ _____	1e. State and Federal Funding Sources (If any) None.	
1f. <input type="checkbox"/> Age Restricted <input type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates Advertising: To be Determined Occupancy: To be Determined		
1h. County Burlington, Camden, Gloucester		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (If any): Application fee applies. Credit and Criminal Background Check Fees may apply. Amenities are not included.			

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

II. RANDOM SELECTION

<p>2. Describe the random selection process that will be used once applications are received.</p> <p><u>Initial Randomization</u></p> <p>Applicants are selected at random before income-eligibility is determined, regardless of household size or desired number of bedrooms. The process is as follows:</p> <p>After advertising is implemented, applications are accepted for 60 days.</p> <p>At the end of the period, sealed applications are selected one-by-one through a lottery (unless fewer applications are received than the number of available units, then all eligible households will be placed in a unit).</p> <p>An applicant pool is created by listing applicants in the order selected.</p> <p>Applications are reviewed for income-eligibility. Ineligible households are informed that they are</p>
--

being removed from the applicant pool or given the opportunity to correct and/or update income and household information.

Eligible households are matched to available units based upon the number of bedrooms needed (and any other special requirements, such as the need for an accessible unit).

If there are sufficient names remaining in the pool to fill future re-rental, the applicant pool shall be closed.

When the applicant pool is close to being depleted, the Administrative Agent will re-open the pool and conduct a new random selection process after fulfilling the affirmative marketing requirements. The new applicant pool will be added to the remaining list of applicants.

III. MARKETING

3a. Direction of Marketing Activity: (Indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

☐ White (non-Hispanic) ☒ Black (non-Hispanic) ☒ Hispanic ☐ American Indian or Alaskan Native
☐ Asian or Pacific Islander ☐ Other group:

3b. HOUSING RESOURCE CENTER (www.njhrc.gov) A free, online listing of affordable housing.

3c. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS ENTIRE HOUSING REGION 5			
Daily Newspaper			
<input checked="" type="checkbox"/>	One display ad beginning at the start of the marketing process	Courier-Post	
<input checked="" type="checkbox"/>	As Needed	Craigslist/Zillow	
TARGETS PARTIAL HOUSING REGION 5			
Daily Newspaper			
<input checked="" type="checkbox"/>		Burlington County Times	Burlington
<input type="checkbox"/>		South Jersey Times	Gloucester
Weekly Newspaper			
<input type="checkbox"/>		Central Record, The	Burlington
<input type="checkbox"/>		Fort Dix Post	Burlington
<input type="checkbox"/>		Maple Shade Progress	Burlington
<input type="checkbox"/>		News Weekly	Burlington
<input type="checkbox"/>		Register-News	Burlington

<input type="checkbox"/>		Gloucester City News	Camden
<input type="checkbox"/>		Haddon Herald	Camden
<input type="checkbox"/>		Record Breeze	Camden
<input type="checkbox"/>		Retrospect	Camden
<input type="checkbox"/>		Plain Dealer	Camden, Gloucester
<input type="checkbox"/>		News Report	Gloucester
TARGETS PARTIAL HOUSING REGION 5			
X		Comcast of Camden County, Garden State, Gloucester County, South Jersey	All Burlington, Camden, Gloucester

3d. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that applies)				
DURATION & FREQUENCY OF OUTREACH	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE	
TARGETS ENTIRE HOUSING REGION 5				
Weekly				
X	Al Dia	Philadelphia Area	Spanish-Language	
<input type="checkbox"/>	Nuestra Comunidad	Central/South Jersey	Spanish-Language	
TARGETS PARTIAL HOUSING REGION 5				
Weekly				
<input type="checkbox"/>	El Hispano	Camden and Trenton areas	Spanish-Language	
<input type="checkbox"/>	Ukrainian Weekly	New Jersey	Ukrainian community	
3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)				
DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION		
Burlington County				
<input type="checkbox"/>	Burlington County College	601 Pemberton Browns Mills Rd, Pemberton		
<input type="checkbox"/>	Our Lady of Lourdes Medical Center	218 Sunset Rd, Willingboro, NJ		
<input type="checkbox"/>	Masonic Home of NJ	902 Jacksonville Rd Burlington, NJ		

<input type="checkbox"/>		Medford Leas Continuing Care	1 Medford Leas, Medford, NJ
X		Virtua Geriatric Care Management	523 Fellowship Rd, Mt Laurel, NJ
X		Virtua West Jersey Hospital	90 Brick Rd, Marlton, NJ
Camden County			
<input type="checkbox"/>		Campbell Soup Company	Campbell Place, Camden, NJ 08103-1701
X	Flyers to be mailed at beginning of Marketing	Lockheed Martin	Federal, Camden, NJ 08102
X	Flyers to be mailed at beginning of Marketing	Bancroft Neurohealth	1000 Atlantic Ave Camden, NJ 08102
X	Flyers to be mailed at beginning of Marketing	Cooper Health System	One Cooper Plaza Camden, NJ 08102
X	Flyers to be mailed at beginning of Marketing	L-3 Communications Systems	1 Federal Street, Camden, New Jersey, 08103
X	Flyers to be mailed at beginning of Marketing	Towers Perrin	101 Woodcrest Rd, Cherry Hill, NJ
X	Flyers to be mailed at beginning of Marketing	Arch Manufacturing & Sales Co.	1213 S 6th St, Camden, NJ
Gloucester County			
X	Flyers to be mailed at beginning of Marketing	Inspira Medical Center Mullica Hill	700 Mullica Hill Rd, Mullica Hill, NJ 08062
X	Flyers to be mailed at beginning of Marketing	Rowan University	201 Mullica Hill road Glassboro, NJ 08028
X	Flyers to be mailed at beginning of Marketing	Kennedy Memorial Hospital	435 Hurffville-Cross Keys Road, Turnersville NJ 08012
<input type="checkbox"/>		U.S. Food Services	2255 High Hill Rd, Swedesboro, NJ & Swedesboro
<input type="checkbox"/>		Direct Group	100 Berkeley Dr, Swedesboro, NJ and 800 Arlington Blvd, Swedesboro, NJ
<input type="checkbox"/>		CompuCom Systems Inc.	1225 Forest Pkwy # 500, Paulsboro, NJ
<input type="checkbox"/>		Missa Bay LLC	101 Arlington Blvd, Swedesboro, NJ and 2339 Center Square Rd, Swedesboro, NJ and 730 Veterans Dr, Swedesboro, NJ
X		Amazon Fulfilment Center	2277 Center Square Rd, Logan Township, NJ 08085
X	Flyers to be mailed at beginning of Marketing	Delaware Valley Wholesale Florists	520 N. Mantua Boulevard Sewell, NJ 08080
X		Chelften House Products, Inc.	607 Heron Dr, Logan Township, NJ 08085
X		Rastelli Foods	300 Heron Dr, Swedesboro, NJ 08085
X		VWR International, LLC	2039 Center Square Rd, Bridgeport, NJ 08014
X	Flyers to be mailed at	Heritage's Dairy Stores	376 Jessup Road, Thorofare,

	beginning of Marketing		NJ 08086
X	Flyers to be mailed at beginning of Marketing	Cornell & Company	224 Cornell Ln, Westville, NJ
<input type="checkbox"/>		Omega Engineering Distribution Center	1 Omega Cir, Swedesboro, NJ 08085

3f. Community Contacts (names of community groups/organizations throughout the housing region who will receive direct notification of the availability of affordable housing units and who will be asked to post advertisements and distribute flyers and application forms regarding available affordable housing to their constituencies).

Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach
1. Fair Share Housing Center 2. Camden County NAACP 3. Camden County East NAACP 4. Gloucester County NAACP 5. Salem County NAACP 6. Southern Burlington County NAACP 7. New Jersey NAACP Conference 8. Supportive Housing Association 9. Camden County Council on Economic Opportunity 10. Latino Action Network 11. Senior Citizens United Community Services (S.C.U.C.S.)	Region 5	Multi-racial/ethnic	When affordable housing units become available, notice of such availability to be provided, and application forms, flyers and advertising posters to be mailed at the initiation of Marketing

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:	
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)	
BUILDING	LOCATION
X Burlington County Library Headquarters	5 Pioneer Boulevard, Westampton, NJ 08060
X Burlington County Office Building	49 Rancocas Rd, Mount Holly NJ 08060 (609)265-5000
X Camden Court House	520 Market St, Camden NJ 08102-1375 (856)225-5000
X Camden County Library	203 Laurel Road, Voorhees, NJ 08043 (856)772-1636

X	Gloucester County Court House	1 N. Broad Street, Woodbury, NJ 08096 (856)853-3390
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)		
Township Municipal Building 45 W. 7 th Avenue, Waterford, NJ, 08021 Phone: (856)783-7400		
Township Library, 386 White Horse Pike, Atco, NJ 08004 (856)767-7727		
4c. Sales/Rental Office for units (if applicable)		

V. CERTIFICATIONS AND ENDORSEMENTS

<p>I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's substantive certification or DCA Balanced Housing Program funding or HMFA UHGRP/MONI/CHOICE funding).</p>	
<p>Administrative Agent for Township of Waterford</p>	<p>Date</p>

EXHIBIT D

**TOWNSHIP OF WATERFORD
COUNTY OF CAMDEN
STATE OF NEW JERSEY**

RESOLUTION NO. 2025- 190

**RESOLUTION OF THE TOWNSHIP OF WATERFORD APPROVING INTENT TO FUND
SHORTFALL IN COSTS OF ANY TOWNSHIP SPONSORED AFFORDABLE HOUSING
PROGRAM OR REHABILITATION PROGRAM**

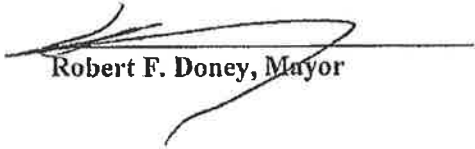
WHEREAS, as part of Waterford Township's Fourth Round Affordable Housing obligation, it is required to adopt a Resolution of Intent to Fund any Shortfall and the Cost of any Township Sponsored Affordable Housing Program or a Township Rehabilitation Program, including by bonding if necessary, if sufficient funds are not available in its Affordable Housing Trust Account.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Waterford, County of Camden, State of New Jersey that for the reasons set forth in the Preamble hereinabove it hereby acknowledges the Township's intention to fund any shortfall and the cost of any Township sponsored Affordable Housing Program or Rehabilitation Program as part of its Spending Plan, including authorizing bonding by the Township if necessary, if sufficient funds are not available in its Affordable Housing Trust Account.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption.

Adopted: June 11, 2025


Dawn Liedtka, RMC / CMR Clerk


Robert F. Doney, Mayor

	DONEY	WADE	JONES-FREITAG	THOMPSON	GIANGIULIO
YES	X	X	X	X	X
ABSTAIN					
NO					
ABSENT					

CERTIFICATION

I, Dawn Liedtka, Clerk of the Township of Waterford, do hereby certify that the above is a true and correct copy of a resolution duly adopted by the Mayor and Township Committee at its Meeting held on June 11, 2025 at the Waterford Township Municipal Building, 2131 Auburn Avenue, Atco, New Jersey.


Dawn Liedtka, Township Clerk

