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2025 HOUSING ELEMENT AND FAIR SHARE PLAN

TOWNSHIP OF FAIRFIELD
ESSEX COUNTY, NEW JERSEY

PREPARED FOR:

TOWNSHIP OF FAIRFIELD PLANNING BOARD
BA# 4139.10

The original document was appropriately signed and sealed on May 27, 2025 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.



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May 27, 2025
ADOPTED: June 10, 2025

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EXECUTIVE SUMMARY

The following **2025 Housing Element and Fair Share Plan (HE&FSP)** of the **Master Plan** has been prepared for the Township of Fairfield, Essex County, New Jersey.

This plan is designed to outline the manner in which the Township will address its affordable housing obligations. As discussed in greater detail herein, these obligations were derived from a variety of different sources including the Council on Affordable Housing (COAH), prior Court-approved Judgments of Compliance and Repose and settlement agreements with Fair Share Housing Center (FSHC), and most recently from Fourth Round obligation calculations provided by the Department of Community Affairs (DCA).

These obligations are summarized as follows:

TABLE 1: AFFORDABLE HOUSING OBLIGATIONS SUMMARY

Category	Obligation
Present Need (Rehabilitation) Obligation	0
First & Second Round Obligation (1987-1999)	318
Third Round Obligation (1999-2025)	529
Fourth Round Obligation (2025-2035)	447

First & Second Round Obligation

The Township of Fairfield has demonstrated a long-standing commitment to comply voluntarily with its Mount Laurel obligations. The Township was assigned a First and Second Round obligation of 318 units and subsequently received a Judgment of Compliance and Repose (Prior Round JOR) for its First and Second Round HE&FSP on October 24, 2003. The Prior Round JOR established a Realistic Development Potential (RDP) of 91 and an Unmet Need of 227. The Township addressed this First and Second Round RDP obligation through the components identified in Table 2 below, all of which have been completed.

TABLE 2: PLAN COMPONENTS SATISFYING FIRST & SECOND ROUND RDP

Plan Component	# of Units	Rental Bonus Credits	Total Credits	Status
<i>Regional Contribution Agreements:</i>				
Sent to City of Elizabeth	45	-	45	Completed
<i>Inclusionary Developments:</i>				
AMCHU/Woodcrest (family rentals)	10	10	20	Completed
AMCHU/Woodcrest (senior rentals)	12	4	16	Completed
Tuscany Village (family for-sale)	4	-	4	Completed
<i>Accessory Apartments:</i>				
Various Block and Lots	6	-	6	Completed
Total	77	14	91	

Third Round Obligation

On November 26, 2018, the Township and FSHC entered into a Settlement Agreement, which established a Third Round Obligation of 529 affordable units, inclusive of a 50-unit Third Round RDP and 479-unit Third Round Unmet Need. The Township subsequently adopted a Third Round HE&FSP on July 9, 2019 and was granted a Final Judgment of Compliance (Third Round JOR) on February 20, 2020.

The 2018 Settlement Agreement with FSHC noted, however, that in the event that the Green Brook Golf Course ceases to remain a golf course and development of the property is initiated in accordance with the Inclusionary Residential Overlay (IRO) Zone created as part of the Third Round JOR, the Township would be required to revisit its Third Round RDP obligation, accept an RDP on the golf course property, and satisfy the increased Third Round RDP with units from the golf course development and/or other appropriate mechanisms.

A development application was filed with the Fairfield Planning Board on March 14, 2025 to develop the Green Brook Golf Course in accordance with the IRO Zone. Specifically, the applicant proposes to develop the golf course with 150 market-rate single-family dwelling units and 35 affordable apartment units, inclusive of 18 affordable family rental units and 17 affordable senior rental units. As such, pursuant to the 2018 Settlement Agreement with FSHC, the Township has increased the Third Round RDP obligation by 35 additional units, from 50 to 85.

The mechanisms proposed to address this increased Third Round RDP obligation consist of a combination of inclusionary developments, an existing assisted living facility, a portion of the proposed golf course redevelopment, and rental bonus credits permitted in accordance with COAH's Prior Round regulations. These components are identified in Table 3 below.

TABLE 3: PLAN COMPONENTS SATISFYING REVISED THIRD ROUND RDP

Plan Component	# of Units	Rental Bonus Credits	Total Credits	Status
<i>Inclusionary Developments:</i>				
AMCHU/Woodcrest (senior rentals)	4	1	5	Completed
Landmark/Stonybrook (family for-sale)	3	-	3	Completed
60 Passaic Avenue (family rentals)	4	4	8	Completed
161 Fairfield Road (family for-sale)	3	-	3	Completed
74 Passaic Avenue (family for-sale)	4	-	4	Completed
10 Kingsbridge Road (family rentals)	10	10	20	Completed
Deans Court (family for-sale)	3	-	3	Completed
404 Fairfield Road (family rentals)	4	4	8	Under Construction
Whistling Estates/Golf Course (family rentals)	18	3	21	Pending Approval
<i>Assisted Living:</i>				
Sunrise at West Essex – Senior Medicaid	10	-	10	Completed
Total	63	22	85	

The plan components proposed to address Fairfield's combined Prior and Third Round Unmet Need of 671 units are summarized in Table 4 below.

TABLE 4: PRIOR & THIRD ROUND UNMET NEED COMPONENTS

Plan Component	# of Units
Excess Accessory Apartment Units	4 completed to date
Passaic Avenue, Two Bridges Road, Kingsbridge Road & Fairfield Road Overlay Zones	22 completed to date
Whistling Estates/ Golf Course (senior rentals)	17 pending approval
Mandatory Set-Aside Ordinance	Ongoing
Development Fee Ordinance	Ongoing

Fourth Round Obligation

Governor Murphy signed the A-40/S-50 Bill into law on March 20, 2024 after the Senate and Assembly adopted it. This legislation (FHA-2) amended the Fair Housing Act (FHA or the Act) by abolishing COAH and created a new process that involved the creation of an entity known as the Affordable Housing Dispute Resolution Program (the Program), which is overseen by seven retired Mount Laurel judges. The Program has taken the place of the trial courts and COAH regarding the approval process involving municipal HE&FSPs. The DCA and the Administrative Office of the Courts (AOC) are both also involved in assisting the Program with this process.

FHA-2 directed the DCA to calculate the Present Need (also referred to as the Rehabilitation obligation) and the Prospective Need (also known as the new construction obligation) for Round Four based upon the standards set forth in the Act. The DCA issued its report on October 18, 2024, and, in accordance with the Act, made clear that the obligations generated by the report were advisory only and were non-binding. For Fairfield, the DCA Report identified a Present Need of zero (0) and a Prospective Round Four Need of 447.

Since the DCA report is non-binding, each municipality had the opportunity to study and define why its obligations should be different based on the standards in the Act. However, the Township ultimately adopted a binding resolution on January 27, 2025 which committed to the present and prospective need obligations identified by DCA. The court issued an order on March 24, 2025 that officially set the Township's Round Four Present Need at zero (0) and Round Four Prospective Need at 447.

The January 27, 2025 resolution also noted that the Township reserved the right to seek an adjustment of its Fourth Round Prospective Need number based upon a lack of vacant, developable and suitable land. Accordingly, the Township undertook a detailed Vacant Land Analysis to determine if there were any changed circumstances since the 2019 HE&FSP that would warrant a recalibration of Fairfield's RDP. At this time, the Township concludes that no properties represent a changed circumstance requiring a 4th Round RDP obligation. As such, Fairfield has a 4th Round RDP obligation of zero (0) units.

Nevertheless, Fairfield continues to remain diligent in planning for and approving affordable units throughout the Township in appropriate locations as opportunities become available, whether as part of the Township's various inclusionary overlay zones or through implementation of the Mandatory Set-Aside Ordinance and Accessory Apartment Program.

Accordingly, the remainder of this 2025 HE&FSP is divided into the following sections:

❖ Section 1: Introduction

The first section of the 2025 HE&FSP provides an introduction to affordable housing. It summarizes what affordable housing is, offers an overview of the history of affordable housing in the state, and explains the role of a housing element and fair share plan.

❖ Section 2: Housing Element

Section 2 contains the Housing Element for the Township of Fairfield. It offers a community overview of the Township, as well as background information regarding its population, housing, and employment characteristics. It also provides projections of the Township's housing stock and employment.

❖ Section 3: Fair Share Obligation

Next, Section 3 provides an overview of the Township's fair share obligation. It includes a brief history of the methodologies utilized to calculate affordable housing obligations throughout the state.

❖ Section 4: Fair Share Plan

Finally, Section 4 details the manner in which the Township has addressed its prior First, Second and Third Round obligations, how it will address its Fourth Round Prospective Need Obligation, and how same is consistent with the FHA, applicable COAH and UHAC regulations, and state planning initiatives.

SECTION I: INTRODUCTION

The following section provides an introduction to affordable housing. It summarizes what affordable housing is, offers an overview of the history of affordable housing in the state, and explains the role of a housing element and fair share plan.

A. WHAT IS AFFORDABLE HOUSING?

Affordable housing is income-restricted housing that is available for sale or for rent. Typically, affordable housing is restricted to very-low, low-, and moderate-income households. These categories are derived from median regional income limits established for the state. New Jersey is delineated into six different affordable housing regions. Fairfield is located in Region 2, which includes Essex, Morris, Union and Warren counties.



Regional income limitations are updated every year, with different categories established for varying household sizes. Table 5 identifies the 2024 regional income limits by household size for Region 2. As shown, a three-person family with a total household income of no greater than \$93,180 could qualify for affordable housing in the Township's region.

TABLE 5: 2024 AFFORDABLE HOUSING REGION 2 INCOME LIMITS BY HOUSEHOLD SIZE

Income Level	2 Person	3 Person	4 Person	5 Person
Median	\$103,533	\$116,475	\$129,416	\$139,769
Moderate	\$82,826	\$93,180	\$103,533	\$111,816
Low	\$51,766	\$58,237	\$64,708	\$69,885
Very-Low	\$31,060	\$34,942	\$38,825	\$41,931

One of the most common forms of affordable housing is inclusionary development, in which a certain percentage of units within a multifamily development are reserved for affordable housing. Affordable housing can be found in a variety of other forms, including but not limited to: 100% affordable housing developments, deed-restricted accessory apartments, alternative living arrangements such as special need/supportive housing or group homes, assisted living facilities, and age-restricted housing.

B. WHAT IS THE HISTORY OF AFFORDABLE HOUSING IN NEW JERSEY?



The history of affordable housing in New Jersey can be traced back to 1975, when the Supreme Court first decided in *So. Burlington Cty. NAACP v. Township of Mount Laurel* (known as Mount Laurel I) that every developing municipality throughout New Jersey had an affirmative obligation to provide for its fair share of affordable housing. In a subsequent Supreme Court decision in 1983 (known as Mount Laurel II), the Court acknowledged that the vast majority of municipalities had not addressed their constitutional obligation to provide affordable housing.

As such, the Court refined this obligation to establish that every municipality had an obligation, although those within the growth area of the State Development and Redevelopment Plan (SDRP) had a greater obligation. The Court also called for the state legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. The result of this decision was the adoption of the Fair Housing Act in 1985, as well as the creation of the New Jersey Council on Affordable Housing (COAH), which became the state agency responsible for overseeing the manner in which New Jersey's municipalities address their low- and moderate-income housing needs.

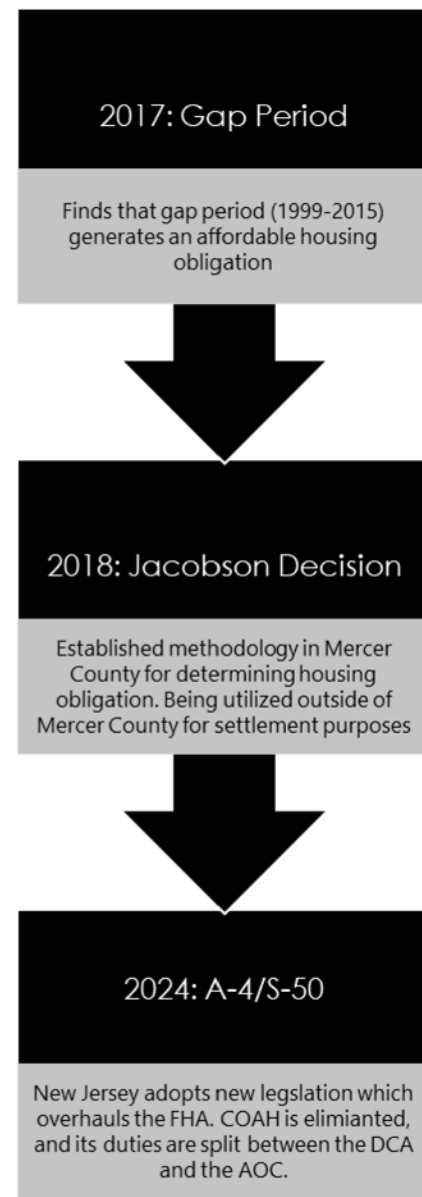
COAH proceeded to adopt regulations for the First Round obligation, which covered the years 1987 to 1993. It also established the Second Round housing-need numbers that cumulatively covered the years 1987 through 1999. Under both the First and Second Rounds, COAH utilized what is commonly referred to as the "fair share" methodology. COAH utilized a different methodology, known as "growth share," beginning with its efforts to prepare Third Round housing-need numbers. The Third Round substantive and procedural rules were first adopted in 2004.

These regulations were challenged and in January 2007, the Appellate Division invalidated various aspects of these rules and remanded considerable portions of the rules to COAH with the directive to adopt revised regulations.

In May 2008, COAH adopted revised Third Round regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendments to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged, and in an October 2010 decision, the Appellate Division invalidated the Growth Share methodology, and also indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in Rounds One and Two. The Supreme Court affirmed this decision in September 2013, which invalidated much of the third iteration of the Third Round regulations and sustained the invalidation of growth share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in Rounds One and Two.

Deadlocked with a 3-3 vote, COAH failed to adopt newly revised Third Round regulations in October 2014. Fair Share Housing Center, who was a party in both the 2010 and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015 and issued its ruling on March 20, 2015. The Court ruled that COAH was effectively dysfunctional and, consequently, returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985.

This 2015 Court decision created a process in which municipalities may file a declaratory judgment action seeking a declaration that their HE&FSP is constitutionally compliant and receive temporary immunity from affordable housing builders' remedy lawsuits while preparing a new or revised HE&FSP to ensure their plan continues to affirmatively address their local housing need as may be adjusted by new housing-need numbers promulgated by the court or COAH.



Subsequently, the Supreme Court ruled on January 18, 2017 that municipalities are also responsible for obligations accruing during the so-called “gap period,” the period of time between 1999 and 2015. However, the Court stated that the gap obligation should be calculated as a never-before calculated component of Present Need, which would serve to capture Gap Period households that were presently in need of affordable housing as of the date of the Present Need calculation (i.e. that were still income eligible, were not captured as part of traditional present need, were still living in New Jersey and otherwise represented a Present affordable housing need).

On March 20, 2024, Governor Murphy signed the A4/S50 Bill into law, which amended the FHA for the Fourth Round and beyond. The amendments to the FHA eliminated COAH, moved away from just allowing trial courts to approve municipal HE&FSPs, and created a new entity to approve the plans known as The Program, which consists of seven retired Mount Laurel Judges. FHA-2 also involved the DCA and the AOC in the process.

The DCA was designated by the amended FHA as the entity responsible for calculating the state’s regional needs as well as each municipality’s present and prospective fair share obligations pursuant to the Jacobson Decision. However, the Amended FHA makes clear that these numbers are advisory and non-binding, and that each municipality must set its own obligation number utilizing the same methodology. The Program was tasked to handle any disputes regarding affordable housing obligations and plans, and to ultimately issue a Compliance Certification to approve a municipality’s HE&FSP, which would continue immunity from all exclusionary zoning lawsuits until July 30, 2035.

B. WHAT IS A HOUSING ELEMENT AND FAIR SHARE PLAN?

A HE&FSP serves as the blueprint for how a municipality will address its fair share of affordable housing. It is designed to help a community broaden the accessibility of affordable housing.

While technically a discretionary component of a municipal master plan, a HE&FSP is nevertheless an effectively obligatory plan element. As established by N.J.S.A. 40:55D-62.a of the Municipal Land Use Law (MLUL), a municipality must have an adopted HE&FSP in order to enact its zoning ordinance. Thus, from a public policy perspective, a HE&FSP is an essential community document. Moreover, without an approved HE&FSP, a municipality may be susceptible to a builder’s remedy lawsuit in which a developer could file suit to have a specific piece of property rezoned to permit housing at higher densities than a municipality would otherwise allow, provided a certain percentage of units are reserved as affordable.

The **Municipal Land Use Law (MLUL)** is the enabling legislation for municipal land use and development, planning, and zoning for the State of New Jersey.

The Fair Housing Act, as most recently amended pursuant to FHA-2, establishes the required components of a HE&FSP. These are summarized as follows:

1. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
2. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing;
6. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
7. 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;
8. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands conforming municipalities; and
9. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

SECTION 2: HOUSING ELEMENT

The following section provides the housing element for the Township of Fairfield. It offers a community overview of the Township, as well as background information regarding its population, housing, and employment characteristics. It also provides projections of the Township's housing stock and its employment.

A. COMMUNITY OVERVIEW

The Township of Fairfield is located in the northwestern corner of Essex County, adjacent to five other municipalities. These include the Township of Montville and the Township of Lincoln Park in Morris County; the Township of Wayne, located in Passaic County; and the Townships of West Caldwell and North Caldwell, both in Essex County. Fairfield occupies an area of approximately 6,600 acres, equivalent to 10.6 square miles. In terms of land area, it is a large community as compared to other municipalities in Essex County.

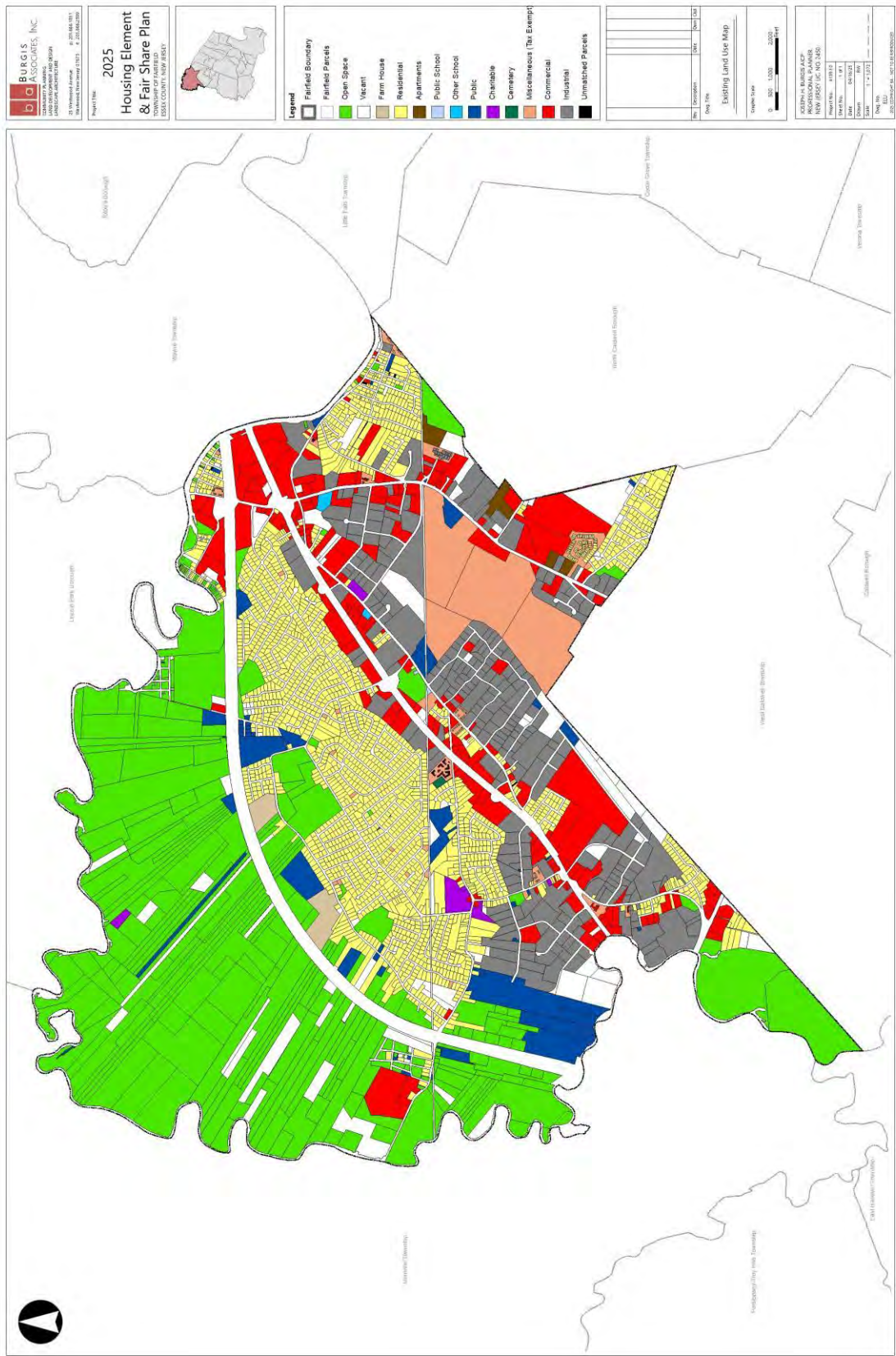
Fairfield is essentially a fully developed community. Land use data reveals that the Township is characterized by several distinct land use patterns. The Township's residential areas are typified by a detached single-family development pattern. These residential areas are distributed throughout the community. Most commercial and business uses, with a few exceptions, are located along the Route 80 and Route 46 corridors. Most industrial and office development is located to the southeast of Route 46. North of Route 80 is a large swath of almost entirely undeveloped vacant land, characterized as Conservation/Agricultural due to its susceptibility to flooding.

The Township's existing land uses are illustrated on the accompanying Existing Land Use Map.

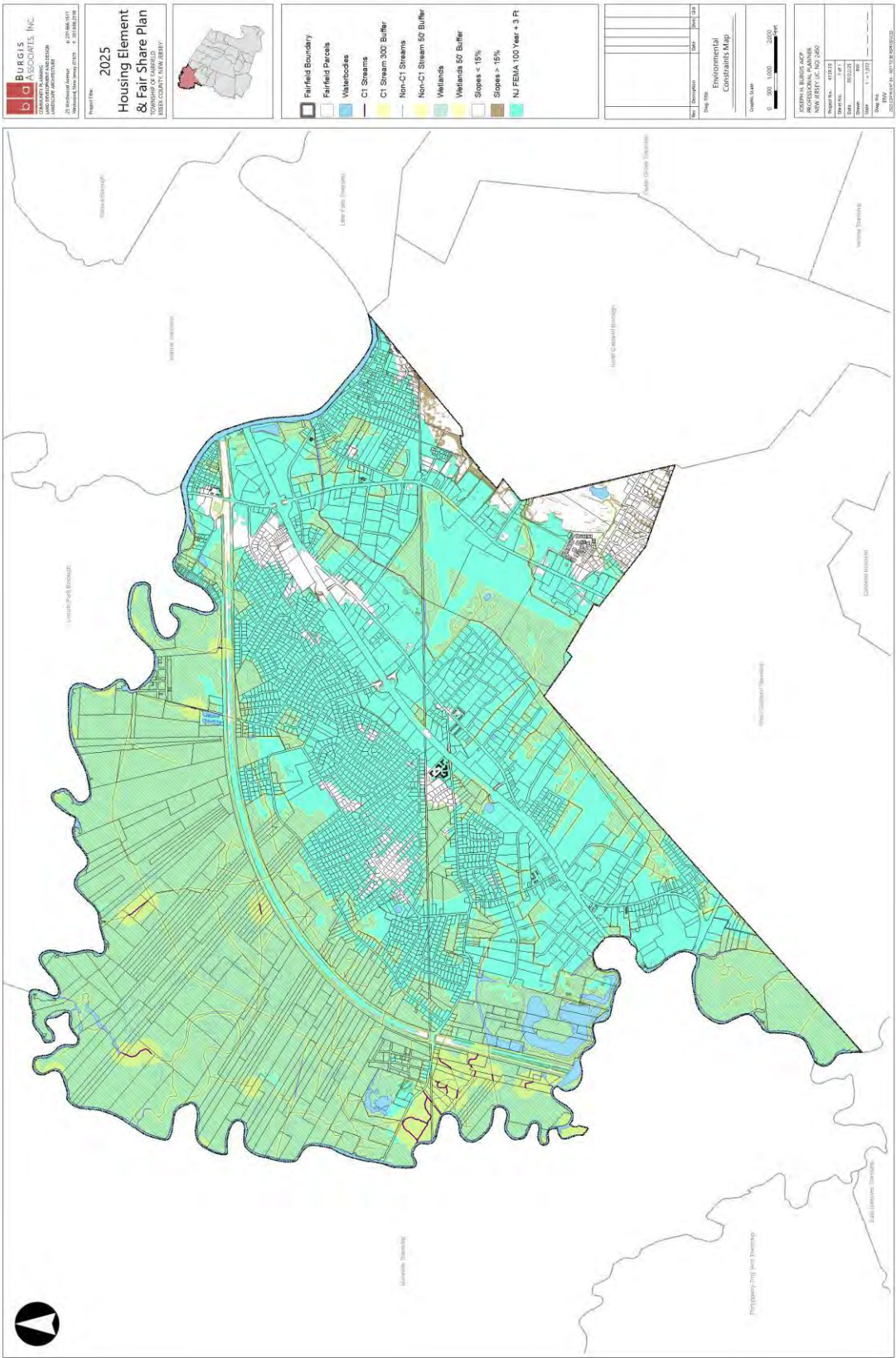
Environmentally constrained areas within the Township are identified on the accompanying Environmental Constraints Map. As shown, Fairfield has extensive areas of wetlands, floodplains and flood hazard areas, Category One and non-Category One streams, as well as steep slopes (defined as slopes greater than 15 percent).

The accompanying Sewer Service Area Map illustrates the areas within Fairfield Township that are within the Sewer Service Area.

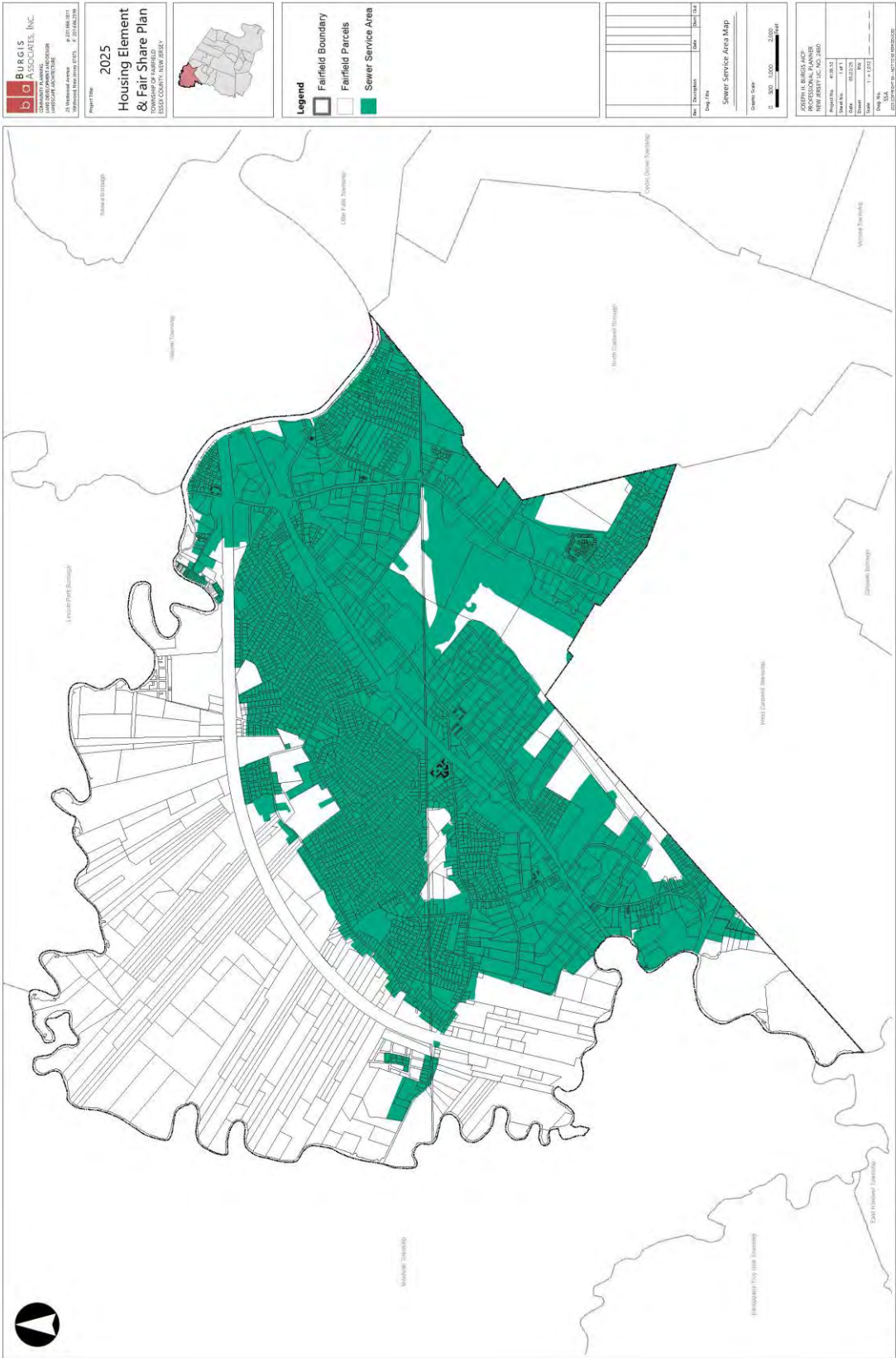
MAP 1: EXISTING LAND USE



MAP 2: ENVIRONMENTAL CONSTRAINTS



MAP 3: SEWER SERVICE AREA



B. INFORMATION REGARDING DATA SOURCES

The background information contained in Section 2.C entitled “Inventory of Municipal Housing Stock,” Section 2.D entitled “Projection of Municipal Housing Stock,” Section 2.E entitled “Demographic and Population Data,” and Section 2.F entitled “Employment Characteristics and Projections” was obtained from a variety of publicly available data sources. These are summarized below:

<p>1. United States Decennial Census</p> <p>The US Census is described in Article I, Section 2 of the Constitution of the United States, which calls for an enumeration of the people every ten years for the apportionment of seats in the House of Representatives. Since the time of the first Census conducted in 1790, it has become the leading source of data about the nation’s people and economy. Please note that all incomes reported in the Census are adjusted for inflation.</p>	<p>4. New Jersey Department of Community Affairs (DCA)</p> <p>The New Jersey Department of Community Affairs is a governmental agency of the State of New Jersey. Its function is to provide administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses, and individuals to improve the quality of life in New Jersey.</p>
<p>2. American Community Survey (ACS)</p> <p>The American Community Survey is a nationwide ongoing survey conducted by the US Census Bureau. The ACS gathers information previously contained only in the long form version of the decennial census, such as age, ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. It relies upon random sampling to provide ongoing, monthly data collection. Please note that all incomes reported in the ACS are adjusted for inflation.</p>	<p>5. New Jersey Department of Labor and Workforce Development</p> <p>The New Jersey Department of Labor and Workforce Development is a governmental agency of the State of New Jersey. One of its roles is to collect labor market information regarding employment and wages throughout the state.</p>
<p>3. New Jersey Department of Health</p> <p>The New Jersey Department of Health is a governmental agency of the State of New Jersey. The department contains the Office of Vital Statistics and Registry, which gathers data regarding births, deaths, marriages, domestic partnerships, and civil unions.</p>	

C. INVENTORY OF MUNICIPAL HOUSING STOCK

This section of the Housing Element provides an inventory of the Township's housing stock, as required by the MLUL. The inventory details housing characteristics such as age, condition, purchase/rental value, and occupancy. It also details the number of affordable units available to low- and moderate-income households and the number of substandard housing units capable of being rehabilitated.

1. Number of Dwelling Units. As shown in the table below, the rate of growth of Fairfield's housing stock has been fluctuating for several decades. The housing stock grew by almost one quarter in the 1970s but grew by less than 5 percent the following decade. In the 1990s, the housing stock actually shrank by approximately 1 percent, but then grew by 8 percent in the 2000s. Since 2010, the Township's housing stock has grown by approximately 22 percent to a high of 3,054 dwelling units.

TABLE 6: DWELLING UNITS (1970-2023)

Year	Dwelling Units	Change (#)	Change (%)
1970	1,813	-	-
1980	2,244	431	24%
1990	2,351	107	5%
2000	2,326	-25	-1%
2010*	2,509	183	8%
2023*	3,054	545	22%

Sources: U.S. Census, *American Community Survey 5-Year Estimates

The following table provides details regarding the tenure and occupancy of the Township's housing stock. As shown below, since 2010, there has been an increase in both rental occupancy and number of vacant units. The number of renter-occupied units has more than doubled since 2010, while the number of vacant housing units has increased five-fold since 2010.

TABLE 7: HOUSING UNITS BY TENURE AND OCCUPANCY STATUS (2010 AND 2023)

Characteristics	2010		2023	
	Number	Percent	Number	Percent
Owner-occupied	2,219	88.4%	2,382	78.0%
Renter-occupied	290	11.6%	621	20.3%
Vacant units	0	0.0%	51	1.7%
Total	2,509	100.0%	3,054	100.0%

Source: American Community Survey 5-Year Estimates

2. Housing Characteristics. This section provides additional information on the characteristics of the Township's housing stock, including the number of units in structure (Table 8) and the number of bedrooms per dwelling unit (Table 9). Single family detached units account for approximately 76 percent of the Township's housing stock, down from 89 percent in 2010. The majority (66.5 percent) of dwellings in the Township have three or four bedrooms, down from 74.5 percent in 2010.

TABLE 8: UNITS IN STRUCTURE (2010 AND 2023)

Units in Structure	2010		2023	
	Number	Percent	Number	Percent
Single Family, detached	2,229	88.8%	2,327	76.2%
Single Family, attached	61	2.4%	141	4.6%
2	17	0.7%	51	1.7%
3 or 4	26	1.0%	-	0.0%
5 to 9	19	0.8%	95	3.1%
10 to 19	-	0.0%	16	0.5%
20 or more	157	6.3%	424	13.9%
Mobile home	0	0.0%	0	0.0%
Other	0	0.0%	0	0.0%
Total	2,509	100.0	3,054	100.0

Source: American Community Survey 5-Year Estimates

TABLE 9: NUMBER OF BEDROOMS IN HOUSING UNITS (2010 AND 2023)

Bedrooms	2010		2023	
	Number	Percent	Number	Percent
None	23	0.9%	-	0.0%
One	131	5.2%	213	7.0%
Two	222	8.8%	493	16.1%
Three	1,038	41.4%	1,026	33.6%
Four	831	33.1%	1,004	32.9%
Five or more	264	10.5%	318	10.4%
Total	2,509	100.0	3,054	100.0

Source: American Community Survey 5-Year Estimates

3. Housing Age. Table 10 shows that nearly one-half of the Township's housing units were built prior to 1970 and two-thirds were built prior to 1990. Since 2010, only 94 units (3.1 percent of all housing units) have been built.

TABLE 10: YEAR STRUCTURE BUILT (2023)

Year Units Built	Number	Percent
2020 or later	31	1.0%
2010 to 2019	63	2.1%
2000 to 2009	763	25.0%
1990 to 1999	113	3.7%
1980 to 1989	191	6.3%
1970 to 1979	441	14.4%
1960 to 1969	1030	33.7%
1950 to 1959	272	8.9%
1940 to 1949	62	2.0%
1939 or earlier	88	2.9%
Total	3,054	100.0%

Source: American Community Survey 5-Year Estimates

4. Housing Conditions. Table 11 provides an indication of overcrowded housing units, represented by units containing more than one occupant per room. The data indicates that, in both 2010 and 2023, none of the Township's dwelling units can be considered overcrowded.

TABLE 11: OCCUPANTS PER ROOM (2010 AND 2023)

Occupants Per Room	2010		2023	
	Number	Percent	Number	Percent
1.00 or less	2,509	100.0%	3,003	100.0%
1.01 to 1.50	0	0.0%	0	0.0%
1.51 or more	0	0.0%	0	0.0%
Total Occupied Units	2,509	100%	3,003	100.0%

Source: American Community Survey 5-Year Estimates

Table 12 presents additional detail regarding housing conditions, including the presence of complete plumbing and kitchen facilities and the type of heating equipment used. As shown below, no units lacked complete plumbing or kitchen facilities in 2023. Although a majority of units use standard means of heating, a small percentage use no fuel for heat.

TABLE 12: EQUIPMENT AND PLUMBING FACILITIES (2010 AND 2023)

Facilities	2010		2023	
	Number	Percent	Number	Percent
<u>Kitchen:</u>				
With Complete Facilities	2,486	99.1%	3,003	100.0%
Lacking Complete Facilities	23	0.9%	0	0.0%
<u>Plumbing:</u>				
With Complete Facilities	2,509	100.0%	3,003	100.0%
Lacking Complete Facilities	0	0.0%	0	0.0%
<u>Heating Equipment:</u>				
Standard Heating Facilities	2,509	100.0%	2,953	98.3%
Other Fuel	0	0.0%	0	0.0%
No Fuel Used	0	0.0%	50	1.7%
Total Occupied Units	2,509	100%	3,003	100.0%

Source: American Community Survey 5-Year Estimates

5. Purchase and Rental Values. The Township experienced a rise in housing rental and purchase prices between 2010 and 2023, as shown in the following tables. As shown below, the median gross rent for the Township's rental housing stock increased 76 percent between 2010 and 2023, from \$1,463 in 2010 to \$2,576 in 2023.

TABLE 13: GROSS RENT OF SPECIFIED RENTER-OCCUPIED UNITS (2010 AND 2023)

Rent	2010		2023	
	Number	Percent	Number	Percent
Less than \$500	0	0.0%	0	0.0%
\$500 to \$999	0	0.0%	0	0.0%
\$1,000 to \$1,499	17	6.0%	143	23.8%
\$1,500 to \$1,999	133	47.2%	63	10.5%
\$2,000 to \$2,499			24	4.0%
\$2,500 to \$2,999			270	44.9%
\$3,000 or more			72	12.0%
No cash rent	8	X	19	X
Total Occupied Units Paying Rent	282	100.0%	602	100.0%
Median Gross Rent	\$1,463		\$2,576	

Source: American Community Survey 5-Year Estimates

The median value of owner-occupied units in Fairfield also increased between 2010 and 2023, though not nearly as much as renter-occupied units. The median value of owner-occupied units in the Township increased 7.3 percent between 2010 and 2023, from \$607,200 in 2010 to \$651,800 in 2023.

TABLE 14: VALUE OF SPECIFIED OWNER-OCCUPIED HOUSING UNITS (2010 AND 2023)

Value	2010		2023	
	Number	Percent	Number	Percent
Less than \$50,000	-	0.0%	50	2.1%
\$50,000 to \$99,999	35	1.6%	-	0.0%
\$100,000 to \$149,999	13	0.6%	-	0.0%
\$150,000 to \$199,999	12	0.5%	-	0.0%
\$200,000 to \$299,999	106	4.8%	-	0.0%
\$300,000 to \$499,999	455	20.5%	342	14.4%
\$500,000 to \$999,999	1,434	64.6%	1,823	76.5%
\$1,000,000 or more	164	7.4%	167	7.0%
Total	2,219	100.0%	2,382	100.0%
Median Value	\$607,200		\$651,800	

Source: American Community Survey 5-Year Estimates

6. Number of Units Affordable to Low- and Moderate-Income Households. Based on the Affordable Housing Professionals of New Jersey (AHPNJ) 2024 regional income limits, the median household income for a three-person household in COAH Region 2, Fairfield's housing region comprised of Essex, Morris, Union and Warren counties, is \$116,475. A three-person moderate-income household, established at no more than 80 percent of the median income, would have an income not exceeding \$93,180. A three-person low-income household, established at no more than 50 percent of the median income, would have an income not exceeding \$58,237.

An affordable sales price for a three-person moderate-income household earning 80 percent of the median income is estimated at approximately \$255,000. An affordable sales price for a three-person low-income household earning 50 percent of the median income is estimated at approximately \$155,000. These estimates are based on the UHAC affordability controls outlined in N.J.A.C. 5:80-26.1 et seq. Approximately 2 percent of Fairfield's owner-occupied housing units are valued at less than \$300,000, according to the 2023 American Community Survey.

For renter-occupied housing, an affordable monthly rent for a three-person moderate-income household is estimated at approximately \$2,300. An affordable monthly rent for a three-person low-income household is estimated at approximately \$1,500. According to the 2023 American Community Survey, approximately 38 percent of Fairfield's rental units have a gross rent less than \$2,500, 34 percent have a gross rent less than \$2,000, and 24 percent have a gross rent less than \$1,500.

7. Substandard Housing Capable of Being Rehabilitated. The DCA utilized a formula for calculating the number of units in a community that are in need of rehabilitation and are not likely to experience "spontaneous rehabilitation." Fairfield's rehabilitation share has been determined by the DCA to be zero (0) units.

D. PROJECTION OF MUNICIPAL HOUSING STOCK

Applicable COAH regulations require a projection of the community's housing stock, including the probable future construction of low- and moderate-income housing, for the ten years subsequent to the adoption of the Housing Element. This projection shall be based upon an assessment of data which minimally must include the number of residential construction permits issued, approvals of applications for residential development, and probable residential development of lands. Each of these items are identified and outlined below.

1. Housing Units Constructed During the Last Ten Years. The table below provides data concerning residential building permits issued for new construction during the past ten years. During this period, a total of 118 residential building permits were issued for new construction, all of which were issued for multi-family units in 2019, 2020 and 2022. A total of 11 residential demolition permits were issued, all of which were for one- and two-family units in 2016 and 2017. The Township of Fairfield therefore experienced a net growth of 107 new units over the last ten years.

TABLE 15: NUMBER OF RESIDENTIAL BUILDING PERMITS ISSUED FOR NEW CONSTRUCTION (2014-2023)

Year Issued	Permits				Demos	Net Growth
	1 & 2 Family	Multi-Family	Mixed-Use	Total		
2014	0	0	0	0	0	0
2015	0	0	0	0	0	0
2016	0	0	0	0	5	-5
2017	0	9	0	9	6	3
2018	0	0	0	0	0	0
2019	0	34	0	34	0	34
2020	0	36	0	36	0	36
2021	0	0	0	0	0	0
2022	0	39	0	39	0	39
2023	0	0	0	0	0	0
Total	0	118	0	118	11	107

Source: New Jersey Department of Community Affairs (DCA) Construction Reporter

2. Probable Residential Development of Lands. Considering that there are few developable parcels remaining in the Township, it is anticipated that Fairfield's residential growth over the next decade will primarily be in the form of redevelopment. As discussed in Sections 3 and 4 of this plan, the proposed redevelopment of the Green Brook Country Club property alone is anticipated to add 150 new single-family units and 35 new multi-family units over the next decade. As such, the Township is anticipated to experience a somewhat higher rate of residential growth over the next 10 years than it experienced in the last 10 years.

E. DEMOGRAPHIC AND POPULATION DATA

The MLUL requires that the Housing Element of this plan provide data on the municipality's population, including population size, age and income characteristics.

1. Population Size. As seen in the table below, the Township's population saw tremendous growth between 1940 and 1980, particularly during the 1960s. After reaching its census peak of 7,987 persons in 1980, the population decreased during the 1980s and 1990s. However, since 2000, Fairfield has experienced steady growth again, with the population increasing by approximately 3 to 4 percent each decade since 2000.

TABLE 16: POPULATION GROWTH (1940-2023)

Year	Population	Change (#)	Change (%)
1940	1,392	-	-
1950	1,906	514	37%
1960	3,310	1404	74%
1970	6,884	3574	108%
1980	7,987	1103	16%
1990	7,615	-372	-5%
2000	7,063	-552	-7%
2010*	7,369	306	4%
2020*	7,563	194	3%
2023*	7,712	149	2%

Sources: U.S. Census, *American Community Survey 5-Year Estimates

2. Age Characteristics. The Township's age characteristics are represented in Table 17 below. The largest population decline between 2010 and 2023 occurred in the age cohort from 15 to 19 years, during which time said age cohort experienced a 46 percent decrease. The Township's largest increases occurred in the 65 and over age cohort, which increased by over 71 percent between 2010 and 2023. The median age of Township residents increased from 42.6 years in 2010 to 49.8 years in 2023.

TABLE 17: AGE CHARACTERISTICS (2010 AND 2023)

	2010		2023	
Age Group	Total	% Total	Total	% Total
Under 5	396	5.4%	467	6.1%
5-9	503	6.8%	475	6.2%
10-14	474	6.4%	452	5.9%
15-19	546	7.4%	297	3.9%
20-24	278	3.8%	197	2.6%
25-34	567	7.7%	561	7.3%
35-44	1,209	16.4%	923	12.0%
45-54	954	12.9%	1,102	14.3%
55-59	608	8.3%	557	7.2%
60-64	434	5.9%	284	3.7%
65-74	824	11.2%	1,141	14.8%
75-84	393	5.3%	874	11.3%
85 and over	183	2.5%	382	5.0%
Total	7,369	100.0%	7,712	100%
Median Age	42.6		49.8	

Source: American Community Survey 5-Year Estimates

3. Average Household Size. The average size of Fairfield households has decreased each decade since 1980, as indicated in the table below. The average household size in 2023 is down to a historic low of 2.57 persons per household.

TABLE 18: AVERAGE HOUSEHOLD SIZE (1980-2023)

Year	Average Household Size
1980	3.60
1990	3.29
2000	3.08
2010*	2.94
2020*	2.63
2023*	2.57

Sources: U.S. Census, *American Community Survey 5-Year Estimates

4. Household Income. The median household income for Fairfield households increased by approximately 17 percent between 2010 and 2023, rising from \$97,361 to \$113,750. Detailed household income figures are shown in the table below.

TABLE 19: HOUSEHOLD INCOME DISTRIBUTION (2010 AND 2023)

Income Category	2010		2023	
	Number	Percent	Number	Percent
Less than \$10,000	51	2.0%	210	7.0%
\$10,000 to \$14,999	89	3.5%	0	0.0%
\$15,000 to \$24,999	52	2.1%	97	3.2%
\$25,000 to \$34,999	95	3.8%	239	8.0%
\$35,000 to \$49,999	346	13.8%	104	3.5%
\$50,000 to \$74,999	346	13.8%	145	4.8%
\$75,000 to \$99,999	318	12.7%	445	14.8%
\$100,000 to \$149,999	478	19.1%	581	19.3%
\$150,000 to \$199,999	403	16.1%	397	13.2%
\$200,000 or more	331	13.2%	785	26.1%
Total Households	2,509	100.0%	3,003	100.0%
Median Household Income	\$97,361		\$113,750	

Source: American Community Survey 5-Year Estimates

F. EMPLOYMENT CHARACTERISTICS AND PROJECTIONS

The MLUL requires that a Housing Element include data on employment levels in the community. The following tables present information on the Township's employment characteristics.

1. Employment Status. Table 20 provides information on Fairfield's employment status for the segment of the population 16 and over. Approximately 63 percent of the Township's population 16 and over was in the labor force in 2023, down from 67 percent in 2010. Between 2010 and 2023, the percentage of the Township's labor force that is unemployed increased significantly, from 5.8 percent in 2010 to 12.4 percent in 2023.

TABLE 20: EMPLOYMENT STATUS - POPULATION 16 & OVER (2010 AND 2023)

Employment Status	2010		2023	
	Number	Percent	Number	Percent
In labor force	3,967	66.6%	3,877	62.9%
Civilian labor force	3,967	66.6%	3,877	62.9%
Employed	3,736	62.7%	3,395	55.1%
Unemployed	231	3.9%	482	7.8%
Armed Forces	0	0.0%	0	0.0%
Not in labor force	1,988	33.4%	2,284	37.1%
Total Population 16 and Over	5,955	100.0%	6,161	100.0%

Source: American Community Survey 5-Year Estimates

2. Employment Characteristics of Employed Residents. The following two tables detail information on the employment characteristics of Fairfield residents. Table 21 details employment by occupation and Table 22 details employment by industry. While the majority of residents in the Township are employed in management, professional and related occupations, the largest changes between 2010 and 2023 were in natural resource, construction and maintenance occupations, which shrank by 55 percent, as well as in sales and office occupations, which shrank by 33 percent. Also, while the largest percentage of residents are employed in the education, health and social services industry, the largest increases by industry between 2010 and 2023 were in manufacturing, which grew by 66 percent, and finance, insurance and real estate, which grew by 54 percent. The largest decreases by industry were in construction, which shrank by 79 percent, and public administration, which shrank by 71 percent.

TABLE 21: EMPLOYED RESIDENTS AGE 16 AND OVER, BY OCCUPATION (2010 AND 2023)

Occupation	2010		2023	
	Number	Percent	Number	Percent
Management, professional, and related	1,554	41.6%	1836	54.1%
Service	391	10.5%	361	10.6%
Sales and office	1,230	32.9%	819	24.1%
Natural resources, construction, and maintenance	315	8.4%	143	4.2%
Production, transportation, and material moving	246	6.6%	236	7.0%
Total	3,736	100.0%	3,395	100.0%

Source: American Community Survey 5-Year Estimates

TABLE 22: EMPLOYED RESIDENTS AGE 16 AND OVER, BY INDUSTRY (2010 AND 2023)

Industry	2010		2023	
	Number	Percent	Number	Percent
Agriculture, Forestry, Fisheries & Mining	0	0.0%	0	0.0%
Construction	403	10.8%	84	2.5%
Manufacturing	248	6.6%	411	12.1%
Wholesale Trade	223	6.0%	156	4.6%
Retail Trade	449	12.0%	298	8.8%
Transportation, Warehousing, and Utilities	112	3.0%	32	0.9%
Information	151	4.0%	37	1.1%
Finance, Insurance & Real Estate	421	11.3%	650	19.1%
Professional & Related Services	372	10.0%	439	12.9%
Education, Health and Social Services	755	20.2%	874	25.7%
Arts, Entertainment & Recreational Services	157	4.2%	173	5.1%
Public Administration	331	8.9%	96	2.8%
Other Services	114	3.1%	145	4.3%
Total	3,736	100.0%	3,395	100.0%

Source: American Community Survey 5-Year Estimates

3. Employment Projections. A projection of the Township's probable future employment characteristics is based on an assessment of historic employment trends, the number of non-residential construction permits issued, and probable non-residential development of lands. Each of these items are identified and outlined below.
- a. Historic Employment Trends. As shown in the table below, employment in Fairfield has risen steadily – albeit modestly – almost every year since 2014. The two exceptions are in 2018, when the Township experienced a 2 percent decrease in employment, and unsurprisingly in 2020-21, when the Township lost over 9 percent of its jobs due to the global pandemic. Since 2021, however, Fairfield has added 1,230 jobs, representing a more than 6 percent increase.

TABLE 23: AVERAGE COVERED EMPLOYMENT TRENDS (2014-2023)

Year	Number of Jobs	Change in Number of Jobs	Percent Change
2014	21,120	-	-
2015	21,220	100	0.5%
2016	21,285	65	0.3%
2017	21,739	454	2.1%
2018	21,319	-420	-2.0%
2019	21,599	280	1.3%
2020	19,782	-1,817	-9.2%
2021	19,764	-18	-0.1%
2022	20,419	655	3.2%
2023	20,994	575	2.7%

Sources: New Jersey Department of Labor and Workforce Development

- b. Non-Residential Square Footage Constructed During the Last Ten Years. The table below provides data concerning the amount of non-residential square footage authorized by building permits in Fairfield between 2014 and 2023. During this period, building permits were issued for over 700,000 square feet of non-residential space, the majority of which (approximately 60 percent or 422,304 square feet) were for office space, followed by storage space at approximately 38 percent or 265,499 square feet. On average, the Township issued building permits for approximately 70,384 square feet of non-residential space per year over the past decade.

TABLE 24: NON-RESIDENTIAL SPACE AUTHORIZED BY BUILDING PERMITS (2014-2023)

Year Issued	Office (sq.ft.)	Retail (sq.ft.)	A-2 (sq.ft.)	Hazardous (sq.ft.)	Storage (sq.ft.)	Total (sq.ft.)
2014	44,924	0	0	0	0	44,924
2015	40,436	0	9,620	1,830	0	51,886
2016	23,517	0	0	0	0	23,517
2017	5,280	0	0	0	80,000	85,280
2018	37,097	4,582	0	0	0	41,679
2019	63,750	0	0	0	0	63,750
2020	101,372	0	0	0	0	101,372
2021	12,788	0	0	0	103,020	115,808
2022	78,367	0	0	0	82,479	160,846
2023	8,021	0	0	0	0	8,021
Total (sq.ft.)	422,304	4,582	9,620	1,830	265,499	703,835

Source: New Jersey Department of Community Affairs (DCA) Construction Reporter

- c. Probable Non-Residential Development of Lands. The Township experienced an average of 70,384 square feet of new non-residential space per year over the past decade. The Township anticipates a similar pace of non-residential growth to occur over the next ten-year period.
- d. Probable Future Employment Characteristics. As detailed in Table 23 above, employment in Fairfield has been steadily rising since 2021, but only at modest levels and not yet reaching the number of jobs that were in the Township pre-pandemic. This trend, coupled with the trend toward construction of new warehouse space in the Township, which employs fewer people per square feet of building compared to other non-residential uses, suggests that while future employment within the Township may continue to rise over the next ten years, such employment will likely not increase appreciably over this period.

SECTION 3: FAIR SHARE OBLIGATION

The following section provides an overview of the Township's fair share obligation. It includes a brief overview of the methodology utilized to calculate affordable housing obligations throughout the state.

A. SUMMARY OF FAIR SHARE OBLIGATION

On March 20, 2024, Governor Murphy signed the A4/S50 Bill into law, which amended the FHA for the Fourth Round and beyond. The amendments to the FHA eliminated COAH, moved away from just allowing trial courts to approve municipal HE&FSPs, and created a new entity to approve the plans known as The Program, which consists of seven retired Mount Laurel Judges. FHA-2 also involved the DCA and the AOC in the process.

The Amended FHA now designates the DCA as the entity responsible for calculating the state's regional needs. Specifically, N.J.S.A. 52:27D-304.2 establishes the methodology to be utilized by the DCA to determine the state's regional prospective needs of low- and moderate-income housing for the ten-year period spanning from July 1, 2025 to June 30, 2035. In summary, the projected household change for this period is estimated by establishing the household change experienced in each region between the most recent federal decennial census and the second-most recent decennial census. This household change, if positive, is then to be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region for the next ten years. This methodology resulted in a statewide prospective need of 84,698 low- and moderate-income units.

Furthermore, the DCA is also the entity responsible for calculating each municipality's present and prospective fair share obligations. However, FHA-2 makes clear that these calculations are advisory and non-binding, and that each municipality may set its own obligation number utilizing the same methodology.

On January 27, 2025, the Township of Fairfield adopted Resolution # 2025-70, which established its affordable housing obligations for the Fourth Round. A copy of this resolution is located in Appendix A of this plan. As noted in that resolution, the Township accepted DCA's Present Need calculation of zero (0) units and its Prospective Need calculation of 447 units. However, that same resolution also noted that the Township reserves the right to conduct a Vacant Land Adjustment (VLA) to determine its realistic development potential (RDP). This is discussed in greater detail herein below.

TABLE 25: SUMMARY OF FAIR SHARE OBLIGATION

Affordable Obligation	Units
Present Need (Rehabilitation)	0
Prospective Need	447

B. REALISTIC DEVELOPMENT POTENTIAL

The Township of Fairfield is a fully developed community and is therefore entitled to adjust its Prospective Need obligation in accordance with a procedure set forth in the FHA. Specifically, N.J.S.A. 52:27D-310.1 permits the Township to perform a VLA to determine its Realistic Development Potential (RDP).

A VLA requires an identification of vacant sites and underutilized sites in a municipality. Municipalities are required to consider all privately- and municipally-owned vacant parcels, as well as underutilized sites such as driving ranges, farms in SDRP Planning Areas 1 and 2, nurseries, golf courses not owned by their members, and non-conforming uses.

However, municipalities are also permitted to eliminate a site or a portion of a site based on a variety of factors, including: lands dedicated for public uses other than housing since 1997; park lands or open space; vacant contiguous parcels in private ownership of a size which would accommodate fewer than five housing units; historic and architecturally important sites listed on the State Register of Historic Places or the National Register of Historic Places; preserved architectural lands; sites designated for active recreation; and environmentally sensitive lands.

1. First and Second Round RDP

The Township's First and Second Round (1987-1999) affordable housing obligation was adjusted by a VLA, which determined the Township's RDP. In 2002, as part of its First and Second Round HE&FSP, the Township conducted a VLA and the Court determined that it had sufficient vacant land to address an RDP of 91 units. The Township's RDP of 91 for Rounds 1 and 2 was ultimately approved by a court as part of Fairfield's Prior Round JOR. A copy of this VLA is included in Appendix B of this plan.

2. Third Round RDP

The Township's Third Round (1999-2025) affordable housing obligation was also adjusted by a VLA. Specifically, as part of its 2018 Settlement Agreement with FSHC and its Third Round HE&FSP, the Township determined that emerging housing opportunities over the years had increased Fairfield's RDP by an additional 50 units. Accordingly, the Court approved a Round 3 RDP of 50 as part of Fairfield's Third Round JOR. A copy of this VLA is included in Appendix C of this plan.

The 2018 Settlement Agreement with FSHC noted, however, that in the event that the Green Brook Golf Course (Block 2003, Lot 1 and Block 2101, Lot 8.03) ceases to remain a golf course and Green Brook Realty Associates, LLC, initiates development of the property in accordance with the Inclusionary Residential Overlay (IRO) Zone created as part of the Third Round JOR, the Township would be required to revisit its Third Round RDP

obligation, accept an RDP on the golf course property, and satisfy the increased Third Round RDP with units from the golf course development and/or other appropriate mechanisms.

On March 14, 2025, development of the golf course was initiated by Toll NJ I, LLC, the contact purchaser of the property, who filed a development application with the Fairfield Planning Board for subdivision and site plan approval to develop the golf course with 150 market-rate single-family dwelling units and 35 affordable apartment units, inclusive of 18 affordable family rental units and 17 affordable senior rental units, in accordance with the IRO Zone. This application was deemed complete on April 25, 2025. As such, pursuant to the 2018 Settlement Agreement with FSHC, the Township now accepts an RDP of 35 on this property. This increases the Township's Third Round RDP obligation from 50 to 85. The mechanisms proposed to address this increased Third Round RDP obligation are discussed in Section 4 of this plan.

3. Fourth Round RDP

Fairfield continues to lack vacant, developable land and is entitled to rely on its previous VLA which established its RDP. This is informed by COAH regulations regarding same at N.J.A.C. 5:97-5.1(c) and (d), as well as the Township's 2018 Settlement Agreement with FSHC.

Specifically, N.J.A.C. 5:97-5.1(c) and (d) state that:

A vacant land adjustment that was granted as part of a (previous) round certification or judgment of compliance shall continue to be valid provided the municipality has implemented all of the terms of the substantive certification or judgment of compliance. If the municipality failed to implement the terms of the substantive certification or judgment of compliance, the Council may reevaluate the vacant land adjustment.

Further, the Township's 2018 Settlement Agreement with FSHC states that "Other than the possible future development of the Green Brook Country Club (Block 2003, Lot 1 and Block 2101, Lot 8.03) for which the RDP would be revised as described...herein, the Township's RDP shall not be revisited by FSHC or any other interested party absent a substantial changed circumstance." FSHC vs Twp. of Cherry Hill, 173 NJ 303 (2002) is the leading case that required a possible recalibration of an RDP based upon "changed circumstances".

As such, we undertook a detailed analysis of potential changed circumstances in the Township in order to evaluate whether any such changed circumstance would warrant a recalibration of the RDP. This analysis included a review of all development applications in Fairfield since 2018 and a review of all vacant lots in private and public ownership (Class 1

and Class 15), as well as all farm qualified (Class 3B) properties in the Township.

At this time, we have determined that no properties represent a changed circumstance requiring a 4th Round RDP obligation. This is largely to the fact that all of the multi-family developments being built in Fairfield either have already generated an RDP obligation in the Third Round or were built to address Unmet Need (as discussed in Section 4 of this plan) and therefore do not generate an RDP obligation. Lack of changed circumstances is also due to the fact that the vast majority of the Township's land area is environmentally constrained, not only by wetlands and wetland buffer areas, but also by areas impacted by the new flood hazard rules adopted by the New Jersey Department of Environmental Protection (NJDEP) in 2023, which calculate flood hazard areas based on the FEMA 100-year floodplain plus an additional three feet. These constraints are illustrated in Map 2: Environmental Constraints in Section 2 of this plan.

As such, we find that Fairfield has a 4th Round RDP obligation of zero (0) units.

SECTION 4: FAIR SHARE PLAN

The following Fair Share Plan outlines the components and mechanisms the Township will utilize to address its affordable housing obligations.

A. PLAN SUMMARY

The Fair Share Plan identifies the manner in which the Township's fair share affordable housing obligations – inclusive of a Present Need (Rehabilitation) obligation of 0, a First and Second Round obligation of 318, a Third Round obligation of 529, and a Fourth Round obligation of 447 – are to be addressed. These obligations are summarized as follows:

TABLE 26: AFFORDABLE HOUSING OBLIGATIONS SUMMARY

Category	Obligation	RDP	Unmet Need
Present Need (Rehabilitation) Obligation	0	--	--
First & Second Round Obligation (1987-1999)	318	91	227
Third Round Obligation (1999-2025)	529	85	444
Fourth Round Obligation (2025-2035)	447	0	447
Total	1,294	176	1,118

As detailed herein, the Housing Element and Fair Share Plan can accommodate the entirety of the community's affordable housing obligation through 2035 in a manner that affirmatively addresses affordable housing need, while at the same time addressing planning concerns and maintaining the overall character of the community.

B. PLAN COMPONENTS

This section of the plan details the projects, mechanisms and funding sources which will be used to meet the Township's affordable housing obligations, as discussed above. The Plan Components Map included at the end of Section 4.C. of this plan illustrates the location of all developments identified herein.

1. Present Need (Rehabilitation) Obligation

Fairfield has a Present Need obligation of zero (0) units and, as such, has no current need for rehabilitation.

2. First and Second Round RDP

As discussed in Section 3 of this plan, Fairfield's First and Second Round RDP obligation is 91 units. The Township has addressed the entirety of this obligation with a combination of RCAs completed under the Prior Round JOR, 26 units from two existing inclusionary developments, 6 completed accessory apartments, and 14 rental bonus credits permitted in accordance with COAH's Prior Round regulations. These components are identified in the table below, with more detail on each development provided in Section 4.C.

TABLE 27: PLAN COMPONENTS SATISFYING FIRST & SECOND ROUND RDP

Plan Component	# of Units	Rental Bonus Credits	Total Credits	Status
<i>Regional Contribution Agreements:</i>				
Sent to City of Elizabeth	45	-	45	Completed
<i>Inclusionary Developments:</i>				
AMCHU/Woodcrest (family rentals)	10	10	20	Completed
AMCHU/Woodcrest (senior rentals)	12	4	16	Completed
Tuscany Village (family for-sale)	4	-	4	Completed
<i>Accessory Apartments:</i>				
Various Block and Lots	6	-	6	Completed
Total	77	14	91	

3. Third Round RDP

As discussed in Section 3 of this plan, Fairfield's Third Round RPD obligation has been increased from 50 to 85 units due to the initiation of development of the Green Brook Golf Course in accordance with the IRO Zone. The Township proposes to satisfy the entirety of its increased Third Round RDP obligation with a combination of 67 units from completed inclusionary developments, 10 units from an existing assisted living facility, 4 units currently under construction, 18 units from the proposed redevelopment of the golf course, and 22 rental bonus credits permitted in accordance with COAH's Prior Round regulations. These components are identified in the table below, with more detail on each development provided in Section 4.C.

TABLE 28: PLAN COMPONENTS SATISFYING REVISED THIRD ROUND RDP

Plan Component	# of Units	Rental Bonus Credits	Total Credits	Status
<i>Inclusionary Developments:</i>				
AMCHU/Woodcrest (senior rentals)	4	1	5	Completed
Landmark/Stonybrook (family for-sale)	3	-	3	Completed
60 Passaic Avenue (family rentals)	4	4	8	Completed
161 Fairfield Road (family for-sale)	3	-	3	Completed
74 Passaic Avenue (family for-sale)	4	-	4	Completed
10 Kingsbridge Road (family rentals)	10	10	20	Completed
Deans Court (family for-sale)	3	-	3	Completed
404 Fairfield Road (family rentals)	4	4	8	Under Construction
Whistling Estates/Golf Course (family rentals)	18	3	21	Pending Approval
<i>Assisted Living:</i>				
Sunrise at West Essex – Senior Medicaid	10	-	10	Completed
Total	63	22	85	

It is noted with regard to Table 28 above that, aside from the addition of the proposed golf course redevelopment, the proposed sites mirror those set forth in the Township's 2019 HE&FSP to address Third Round RDP except for one project that has been excluded: The 202 Fairfield development consisting of 3 affordable family rental units. Despite having been granted site plan approval in 2018, building permits were never submitted and the applicant subsequently applied for site plan approval for a non-residential use. As such, the Township now proposes to replace the 202 Fairfield project with 3 affordable family for-sale units from the Deans Court (170 Fairfield Avenue) inclusionary development, which was completed in 2022 pursuant to overlay zoning designed to address Unmet Need. Making this substitution will not generate any additional RDP obligation¹.

In addition, the proposed plan components, as revised, will continue to meet the requirements set forth in the 2018 FSHC Settlement Agreement and COAH's Round 2 rules related to minimum rental units, maximum age-restricted units and maximum bonus credits, as demonstrated in the table below.

TABLE 29: SATISFACTION OF THIRD ROUND MINIMUMS AND MAXIMUMS

Requirement	Required	Proposed
Max. Age-Restricted Units	21	14
Min. Rental Units	22	50
Max. Rental Bonus Credits (Total, Including Age-Restricted)	22	22
Max. Rental Bonus Credits (Age-Restricted)	3	1

4. Fourth Round RDP

As established in Section 3 of this plan, Fairfield has a Fourth Round RDP obligation of zero (0) units. Therefore, the entirety of the Township's 4th Round Prospective Need obligation (447 units) is considered Unmet Need. This is discussed in Section 4.B.5. below.

We note that FHA-2 includes language which requires VLA municipalities to satisfy at least 25 percent of their Fourth Round RDP obligation through redevelopment. Specifically, amended Section 1 of P.L.1995, c.231 (C.52:27D-310.1) of FHA-2 states:

¹Replacing 202 Fairfield with Dean Court actually reduces the Third Round RDP calculation slightly; whereas the 202 Fairfield project was anticipated to produce 29 total units, which, at a 20% set-aside, contributed 5.8 units to the Third Round RDP calculation, the Deans Court project only produced 28 total units, which, at a 20% set-aside, contributes only 5.6 units to the Third Round RDP calculation.

Any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on a lack of vacant land shall as part of the process of adopting and implementing its housing element and fair share plan identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted, and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so.

For the Fourth Round, Fairfield's "prospective need obligation that has been adjusted" (i.e., its RDP obligation) is zero (0) units. As such, the Township has no redevelopment obligation to address, as 25 percent of zero (0) is zero (0).

5. Unmet Need

The difference between the Township's combined need numbers for Rounds 1, 2, 3 and 4 and its combined RDP obligations for Rounds 1, 2, 3 and 4 is what is known as Unmet Need. Whereas the RDP obligations must be affirmatively addressed by the Township (as outlined above), addressing Unmet Need involves a lower standard, as the entire Unmet Need obligation does not have to be fully satisfied by 2035. As set forth in Table 26 above, Fairfield has a combined Unmet Need for Rounds 1, 2, 3 and 4 of 1,118 units. The Township will address its Unmet Need as follows:

- a. *Accessory Apartment Units.* Fairfield's Accessory Apartment Program, which was created as part of the Prior Round JOR, has successfully produced 10 accessory apartments since its creation. As noted in Section 4.B.2. above, 6 of these accessory apartments are credited toward Fairfield's 91-unit First and Second Round RDP obligation. The remaining 4 accessory apartments (which were speculative at the time of the 2019 HE&FSP but have since been completed and occupied) are credited toward the Township's Unmet Need. These accessory apartments are discussed in more detail in Section 4.C.

Although the Township has fulfilled this obligation, given the success of the program, the Township proposes to continue implementing its Accessory Apartment Program through the Fourth Round. It is anticipated that at least 10 additional apartments will be produced by 2035, the credits for which will be assigned to Fairfield's Unmet Need.

- b. *Passaic Avenue, Two Bridges Road, Kingsbridge Road, and Fairfield Road Overlay Zones.* As part of the 2019 HE&FSP and Third Round JOR, the Township amended the overlay zoning already in place over four distinct areas of the Township in order to capture more affordable housing units in future developments to address Unmet Need. These four distinct areas, which are illustrated in the maps included at Appendix D of this plan, are identified as follows:

- ❖ Passaic Avenue (Block 2101, Lots 5, 6 and 7),
- ❖ Two Bridges Road (Block 3002, Lots 1 and 2),
- ❖ Kingsbridge Road (Block 2301, Lots 2.01, 2.02 and 2.03 and Block 2302, Lots 4, 5 and 6), and
- ❖ Fairfield Road (Block 1001, Lots 8, 9 and 10, Block 1102, Lots 1.01, 10, 11 and 12, Block 1107, Lots 12-16, Block 1202, Lots 7-20, Block 2703, Lots 5-28, Block 3302, Lots 1-10, and a portion of Block 7001 Lot 1).

The above areas are all located within three overlay zones: the MDO Multifamily Dwelling Overlay Zone, the MUO-1 Mixed Use Overlay 1 Zone, and the RZO-1 Residential Overlay 1 Zone, which allow for densities of 13 dwelling units per acre. Whereas the ordinance previously imposed minimum affordable housing set-asides of between zero (0) to 10 percent in these zones, the Township amended the zoning to require minimum affordable housing set-asides of 15 percent (where units will be for rent) or 20 percent (where units will be for sale).

Since the zoning was amended in 2019, a number of inclusionary developments have been approved and/or constructed. In addition to the 3 affordable family for-sale units created at Deans Court (which, as discussed in Section 4.B.3. above, are proposed to be credited toward Fairfield's Third Round RDP), these overlay zones have produced 22 affordable units towards Unmet Need, as follows:

- ❖ 12 affordable family rentals at The View and The View 6A (Block 2301 Lot 2 – completed),
- ❖ 6 affordable senior rental units at 10A Kingsbridge (Block 2301 Lot 2 – under construction), and
- ❖ 4 affordable family rental units at the FOH Fairfield Limited, LLC, site (Block 1202 Lot 15 – under construction).

In addition, an application is also currently pending for an inclusionary development to include 13 units at 390-400 Fairfield (Block 2703 Lot 5). Any additional affordable units to be created from these overlay zones during the Fourth Round will continue to be applied toward the Township's Unmet Need.

- c. *Whistling Estates (Green Brook Golf Course)*. On November 26, 2018, the Township entered into a Settlement Agreement with Green Brook Realty Associates, LLC to allow an inclusionary development consisting of 150 market-rate single-family dwelling units and 35 affordable apartment units, inclusive of 18 affordable family rental units and 17 affordable senior rental units, to be developed as of right on Green Brook's property. The 70-acre property in question is the Green Brook Country Club located at West Greenbrook Road along the municipal border with the Borough of North

Caldwell. This is identified by Township tax records as Block 2003 Lot 1, Block 2101 Lot 8.03, and Block 1902 Lot 13. Pursuant to the Settlement Agreement, as well as the 2019 HE&FSP and Third Round JOR, the Township created a new Overlay Zone on the property known as the Inclusionary Residential Overlay (IRO) Zone, which allows for said inclusionary development.

As discussed in Section 3 of this plan, on March 14, 2025, development of the golf course was initiated by Toll NJ I, LLC, the contact purchaser of the property, who filed a development application with the Fairfield Planning Board for subdivision and site plan approval to develop the golf course with 150 market-rate single-family dwelling units and 35 affordable apartment units, inclusive of 18 affordable family rental units and 17 affordable senior rental units, in accordance with the IRO Zone. This application was deemed complete on April 25, 2025. Whereas the Township assigns the 18 affordable family rental units to be generated from this development toward the Third Round RDP obligation, as set forth in Table 28 above, the Township assigns the 17 affordable senior rental units to be generated from this development toward Fairfield's Unmet Need.

- d. *Mandatory Set-Aside Ordinance.* In addition, Fairfield created a Township-wide Mandatory Set-Aside Ordinance as part of its 2019 HE&FSP and Third Round JOR in order to ensure that any new multi-family residential development in Fairfield will provide its fair share of affordable units and assist with the Township's continuous efforts to address its affordable housing obligation. The ordinance requires that any site that benefits from a rezoning, variance, or redevelopment plan approved by the Township which results in multi-family residential development containing five or more new dwelling units shall provide an affordable housing set-aside at a rate of 15 percent, where affordable units will be for rent, or 20 percent, where affordable units will be for sale.

Although the Township will continue to implement its Mandatory Set-Aside Ordinance through the Fourth Round and credit any new affordable units created thereunder toward Fairfield's Unmet Need, it proposes to amend said ordinance to require that any site that is developed with five or more new multi-family or single-family attached dwelling units shall provide an affordable housing set-aside at a rate of 20 percent, regardless of tenure. These proposed ordinance amendments, which are intended to capture additional affordable housing opportunities to help address Fairfield's Unmet Need, are included in Appendix E of this plan.

- e. *Development Fee Ordinance:* Lastly, the Township shall continue to impose development fees on new development, as set forth in the Township's adopted development fee ordinance. As stated therein, residential development fees of 1.5 percent of the equalized assessed value shall be collected on all residential

development involving new buildings or when an existing building undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. In addition, non-residential development fees of 2.5 percent of the equalized assessed value shall be collected on all non-residential development, with the exception of those types of developments specifically exempted pursuant to the Statewide Non-Residential Development Fee Act. The funds generated by the collection of development fees will be applied directly toward implementation of this plan. A copy of the Township's Fourth Round Spending Plan is included in Appendix F of this plan.

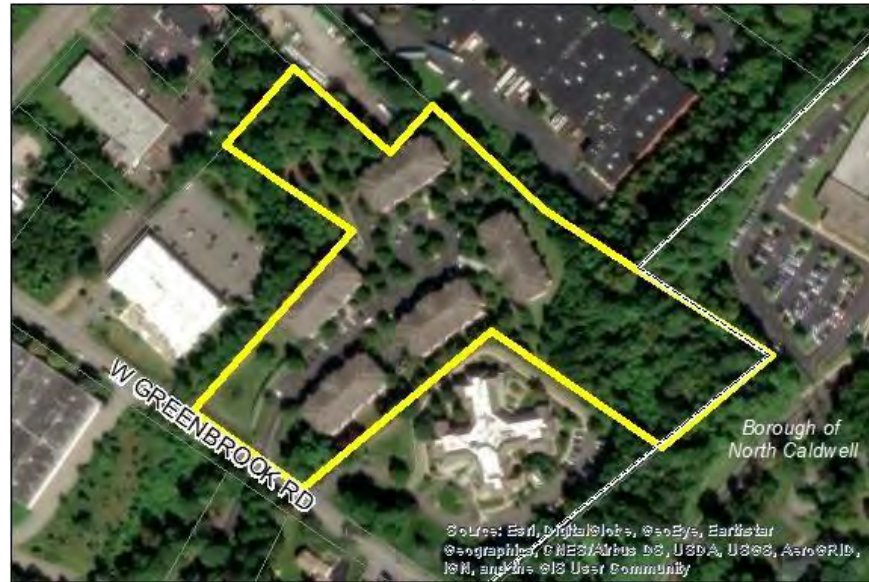
C. DEVELOPMENT SITES

Each of the Township's existing and planned affordable housing sites identified in Section B. is discussed in more detail below. The Plan Components Map included at the end of this subsection illustrates the location of all developments identified herein.

1. AMCHU ("Woodcrest"). The AMCHU (now known as Woodcrest at Fairfield) inclusionary development was created as part of Fairfield's first and second round plan for affordable housing compliance. It is located at 29 Greenbrook Road, along the municipal border with the Borough of North Caldwell. The 9.18-acre property is identified by municipal tax records as Block 2201 Lot 2. The development, which was completed between 2005-2007, contains a total of 122 one-, two- and three-bedroom apartment units, including 10 affordable family rental units and 16 affordable senior rental units.

As detailed in Section B. above, the Township assigns credit for the 10 affordable family rentals and 12 of the affordable senior rentals to Fairfield's First and Second Round RDP obligation, while the Township assigns credit for the 4 remaining affordable senior rentals to Fairfield's Third Round RDP obligation. In addition, the family units are eligible for 2:1 rental bonus credits and the age-restricted units are eligible for 1.33:1 rental bonus credits, pursuant to COAH's Round 2 rules. As such, the Township also assigns 14 rental bonus credits toward the First and Second Round RDP obligation (10 for family units plus 4 for age-restricted units), and 1 rental bonus credit toward the Third Round RDP obligation (for age-restricted units).

Aerial 1: AMCHU ("Woodcrest")



2. Tuscany Village. The Tuscany Village inclusionary development is located along the east side of Plymouth Street, approximately 500 feet north of Route 46. The 2.75-acre property is identified by municipal tax records as Block 4801 Lot 15.01. The development, which was completed between 2010-2015, contains a total of 19 townhouse units, including 4 affordable for-sale family units. As detailed in Section B. above, the Township assigns credit for all 4 affordable for-sale family units to Fairfield's First and Second Round RDP obligation.

Aerial 2: Tuscany Village



3. Landmark/Stonybrook. The Landmark/Stonybrook project (also known as The Stonybrook Brownstones at Fairfield) is an inclusionary development along the east side of Two

Bridges Road, immediately north of Interstate 80. The 2.0-acre property is identified by municipal tax records as Block 3002 Lot 1.01. The development, which was completed between 2019-2020, contains a total of 25 townhouse units, including 3 affordable for-sale family units. As detailed in Section B. above, the Township assigns credit for all 3 affordable for-sale family units to Fairfield's Third Round RDP obligation.

Aerial 3: Landmark/Stonybrook



4. 60 Passaic Avenue. The 60 Passaic Avenue project (also known as Magnolia Lane) is an inclusionary development along the east side of Passaic Avenue, immediately north of Schindler Way. The 2.66-acre property is identified by municipal tax records as Block 2101 Lot 5. The development, which was completed in 2020, contains a total of 34 townhouse units and apartment units, including 4 affordable family rental units. As detailed in Section B. above, the Township assigns credit for all 4 affordable family rental units to Fairfield's Third Round RDP obligation. In addition, the units are eligible for 2:1 rental bonus credits, pursuant to COAH's Round 2 rules. As such, the Township also assigns 4 rental bonus credits toward the Third Round RDP obligation.

Aerial 4: 60 Passaic Avenue



5. 161 Fairfield Road. The 161 Fairfield Road project (also known as One61 at Fairfield) is an inclusionary development along Fairfield Road, near its intersection with Horseneck Road. The 1.82-acre property is identified by municipal tax records as Block 1202 Lot 8. The development, which was completed in 2019, contains a total of 24 residential townhouse units, including 3 affordable for-sale family units. As detailed in Section B. above, the Township assigns credit for all 3 affordable for-sale family units to Fairfield's Third Round RDP obligation.

Aerial 5: 161 Fairfield Road



6. 74 Passaic Avenue. The 74 Passaic Avenue project (also known as Brookplace) is an inclusionary development along the east side of Passaic Avenue, approximately 920 feet north of Beverly Road. The 2.75-acre property is identified by municipal tax records as Block 2101 Lot 7. The development, which was completed in 2021, contains a total of 36 multifamily residential apartment units, including 4 affordable for-sale family units. As detailed in Section B. above, the Township assigns credit for all 4 affordable for-sale family units to Fairfield's Third Round RDP obligation.

Aerial 6: 74 Passaic Avenue



7. 10 Kingsbridge Road. The 10 Kingsbridge Road project (also known as The Kingsley) is an inclusionary development at the premises now identified as 12 Kingsbridge Road. The 7.6-acre property is identified by municipal tax records as Block 2302 Lot 4.01. The development, which was completed in 2022, contains a total of 99 family rental apartment units, including 10 affordable family rental units. As detailed in Section B. above, the Township assigns credit for all 10 affordable family rental units to Fairfield's Third Round RDP obligation. In addition, the units are eligible for 2:1 rental bonus credits, pursuant to COAH's Round 2 rules. As such, the Township also assigns 10 rental bonus credits toward the Third Round RDP obligation.

Aerial 7: 10 Kingsbridge Road



8. Deans Court. The Deans Court project is an inclusionary development at 170 Fairfield Avenue. The 2.15-acre property is identified by municipal tax records as Block 1107 Lot 13. The development, which was completed in 2022, contains a total of 28 townhouse and condominium units, including 3 affordable for-sale family units. As detailed in Section B. above, the Township assigns credit for all 3 affordable for-sale family units to Fairfield's Third Round RDP obligation.

Aerial 8: Deans Court



9. 404 Fairfield Road. The 404 Fairfield Road project is an inclusionary development currently under construction at 404 Fairfield Road, between Daniel Road and Fairfield Court and opposite the on-/off-ramps for Route 46. The property consists of four

contiguous parcels occupying an area of 4.407 acres and identified by municipal tax records as Block 2703, Lots 6, 7, 8 and 9. The development, once complete, will contain a total of 35 multifamily residential units, including 4 affordable family rental units, which are assigned to Fairfield's Third Round RDP obligation as detailed in Section B. above. In addition, the units are eligible for 2:1 rental bonus credits, pursuant to COAH's Round 2 rules. As such, the Township also assigns 4 rental bonus credits toward the Third Round RDP obligation.

Aerial 9: 404 Fairfield Road



10. Sunrise at West Essex. The Sunrise at West Essex is an existing and occupied assisted living facility located at 47 Greenbrook Road, along the municipal border with the Borough of North Caldwell and immediately adjacent to the AMCHU development. The 4.2-acre property is identified by municipal tax records as Block 2201 Lot 1. The assisted living facility, which was constructed in 1998, is licensed by the New Jersey Department of Health and contains a total of 98 beds. Pursuant to State regulations, 10 percent of the beds in the facility, totaling 10 beds, are set aside as Medicaid waiver beds. As detailed in Section B. above, the Township assigns credit for all 10 of the Medicaid waiver beds to Fairfield's Third Round RDP obligation.

Aerial 10: Sunrise at West Essex



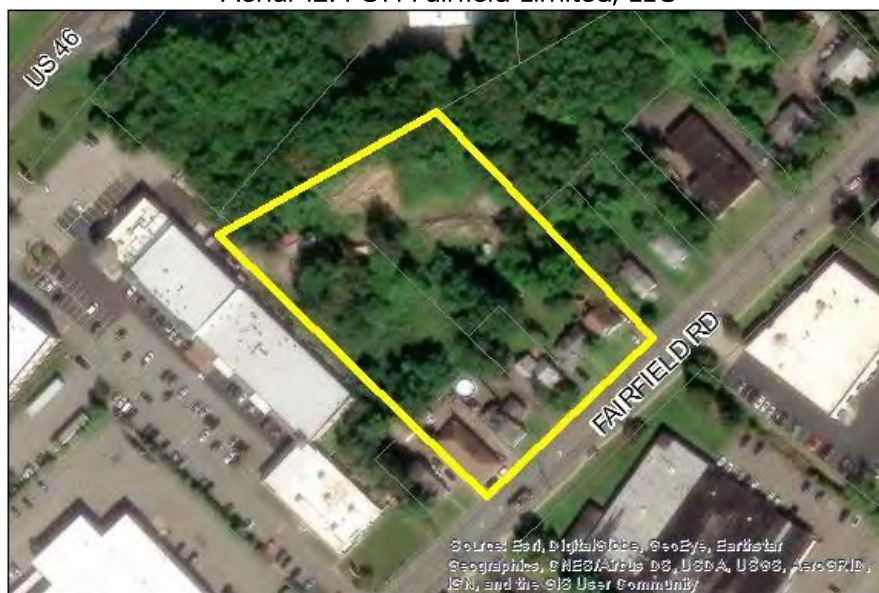
11. The View, The View 6A and 10A Kingsbridge. The View and The View 6A projects are completed inclusionary developments at 264 Passaic Avenue and 8 Kingsbridge Road, respectively. 10A Kingsbridge is an inclusionary senior development currently under construction at 10A Kingsbridge Road. All three projects are located on the 10.77-acre property identified by municipal tax records as Block 2301 Lot 2. The View was completed in 2021 and contains a total of 36 units, including 6 affordable family rental units. The View 6A was completed between 2023-2024 and contains a total of 39 units, including 6 affordable family rental units. 10A Kingsbridge, once complete, will contain 39 age-restricted units, including 6 affordable senior rental units. As detailed in Section B. above, the Township assigns credit for all 18 affordable units to Fairfield's Unmet Need.

Aerial 11: The View, The View 6A and 10A Kingsbridge



12. FOH Fairfield Limited, LLC. The FOH Fairfield Limited, LLC, project is an inclusionary development currently under construction at 135-137 Fairfield Road. The 3-acre property is identified by municipal tax records as Block 1202 Lot 15. The development, once complete, will contain a total of 25 multifamily residential units, including 4 affordable family rental units, which are assigned to Fairfield's Unmet Need as detailed in Section B. above.

Aerial 12: FOH Fairfield Limited, LLC



13. Accessory Apartments. As detailed in Section B. above, the Township established an Accessory Apartment Program under the Prior Round JOR which has resulted in the successful completion of 10 accessory apartments in Fairfield. Each of the accessory apartment units are identified in the table below. The Township assigns credit for 6 of these accessory apartments toward Fairfield's First and Second Round RDP obligation and assigns credit for the remaining 4 accessory apartments toward Fairfield's Unmet Need.

TABLE 30: ACCESSORY APARTMENTS ADDRESSING FIRST & SECOND ROUND RDP

Block	Lot	Address	Unit	Status
1901	2	83 Beverly Road	1 bedroom, low income	No longer accessory apt (reverted to single-family dwelling after expiration of controls)
5404	18	284 Horseneck Road	1 bedroom, low income	Constructed and Occupied
3604	11	33 Glenroy Road	1 bedroom, low income	Constructed and Occupied
5003	14	190 Horseneck Road	2 bedroom, low income	Constructed and Occupied
5003	14	190 Horseneck Road	2 bedroom, mod income	Constructed and Occupied
4801	13	93 Route 46-West	2 bedroom, low income	Constructed and Occupied

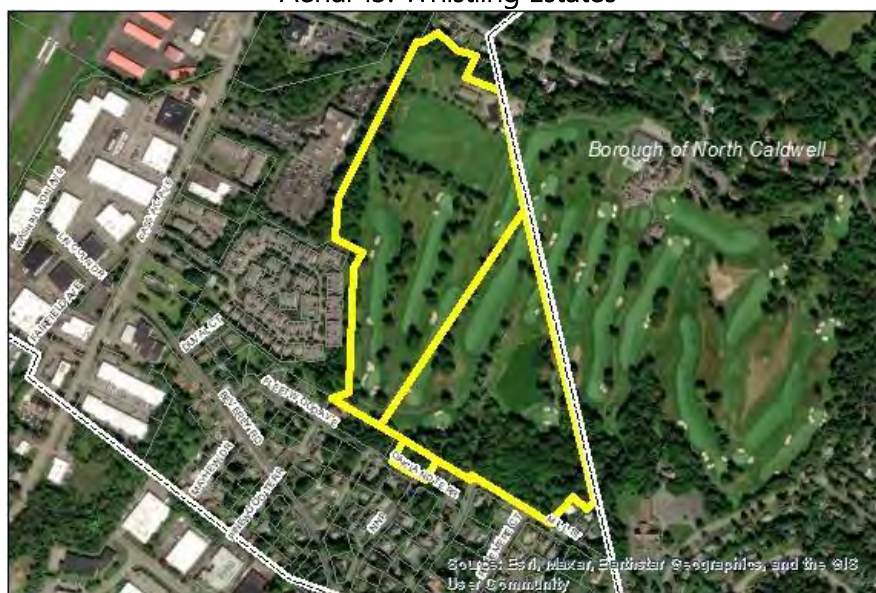
TABLE 31: ACCESSORY APARTMENTS ADDRESSING UNMET NEED

Block	Lot	Address	Unit	Status
401	13	3 Ray Place	2 bedroom, mod income	Constructed and Occupied
1107	15	182 Fairfield Road	2 bedroom, mod income	Constructed and Occupied
1107	15	182 Fairfield Road	2 bedroom, mod income	Constructed and Occupied
5003	13	186 Horseneck Road	2 bedroom, mod income	Constructed and Occupied

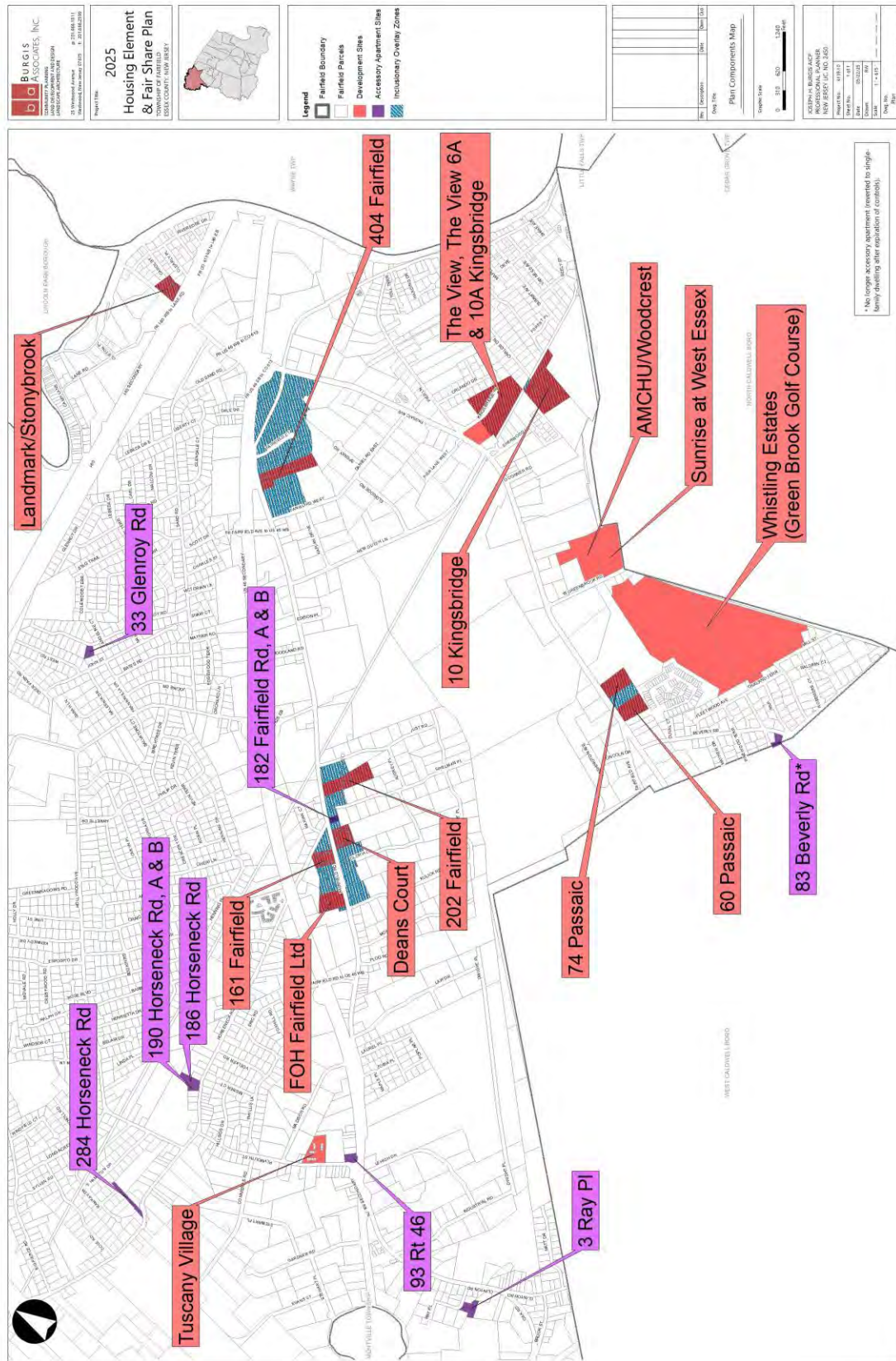
Due to the success of the Township's Accessory Apartment Program, the Township is confident it will produce 10 additional accessory apartment units by 2035, which the Township will apply toward Fairfield's Unmet Need. The Township will maintain its existing program and continue to make it available to new participants.

14. Whistling Estates (Green Brook Golf Course). The Whistling Estates project is an inclusionary development currently pending site plan and subdivision approval before the Fairfield Planning Board. The 70-acre property in question is the Green Brook Country Club located at West Greenbrook Road along the municipal border with the Borough of North Caldwell and is identified by Township tax records as Block 2003 Lot 1, Block 2101 Lot 8.03, and Block 1902 Lot 13. The development, once complete, will contain 150 market-rate single-family dwelling units and 35 affordable apartment units, inclusive of 18 affordable family rental units and 17 affordable senior rental units. As detailed in Section B. above, the Township assigns credit for all 18 affordable family rental units to Fairfield's Third Round RDP obligation and assigns credit for all 17 affordable senior rental units to Fairfield's Unmet Need.

Aerial 13: Whistling Estates



MAP 4: PLAN COMPONENTS MAP



D. SITES NOT INCLUDED IN THIS PLAN

On May 9, 2025, the Township received a letter from an attorney representing B & A Realty Management LLC ("B & A") regarding their interest in redeveloping the premises located at 376 Hollywood Avenue. This 2.4-acre property, which is identified by Township tax records as Block 3909 Lot 33.01, is developed with a two-story office and retail building. B & A, however, proposes to convert the existing structure into a four-story, inclusionary multi-family apartment building over ground-floor retail space. Said building is proposed to contain a total of 36 units, including 8 affordable units.

Township representatives met with representatives of B & A on May 22, 2025. The Township has concerns regarding the viability of the development, given that the property is entirely within the new flood hazard area adopted by NJDEP in 2023, which is based on the FEMA 100-year floodplain plus an additional three feet. Given the possible impacts of the flood hazard area on the project's viability, which still needs to be reviewed by the NJDEP, along with the lack of time for the Township to properly vet this project before this plan is put on file for adoption by the Township's Planning Board, the Township has determined that it is premature to consider B & A's proposal for inclusion in the plan at this time.

E. OTHER PROVISIONS

The following additional requirements are noted:

1. Fourth Round Bonuses. Fourth Round bonuses will be applied in accordance with N.J.A.C. 52:27d-311.k.
2. Very-Low Income and Low-Income Units. At least 50 percent of the units addressing the Fourth Round Prospective Need obligation shall be affordable to very low-income and low-income households with the remainder affordable to moderate-income households. A minimum of 13 percent of the affordable units will be made available to very low-income households, defined as households earning 30 percent or less of the regional median income by household size.
3. Rental Component. At least 25 percent of the Fourth Round Prospective Need obligation shall be met through rental units, including at least half in rental units available to families.
4. Families. At least half of the actual units created to address the Fourth Round Prospective Need obligation must be available to families.
5. Age-Restricted Cap. No more than 30 percent of all units developed or planned to meet the Fourth Round Prospective Need obligation shall be met with age-restricted units.

F. CONSISTENCY WITH STATE PLANNING INITIATIVES

As noted in Section 1 of this plan, a HE&FSP must also include:

- ❖ 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; and
- ❖ An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

Accordingly, the following subsection analyzes the consistency of this HE&FSP to the above referenced state planning initiatives.

1. Multigenerational Family Housing Continuity Commission

The Multigenerational Family Housing Continuity Commission was established by the State of New Jersey in 2021. As noted in N.J.S.A. 52:27D-329.20, one of the primary duties of the Commission is to “prepare and adopt recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas.”

As of the date of this HE&FSP, the Multigenerational Family Housing Continuity Commission has not yet adopted any recommendations.

2. State Development and Redevelopment Plan

As established by N.J.S.A. 52:18A-200(f), the purpose of the State Development and Redevelopment Plan (SDRP) is to “coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.”

As such, the SDRP establishes a number of goals and strategies related to a number of different topics, including economic redevelopment. One such goal is to revitalize existing urban centers by directing growth and development to those areas. Specifically, the SDRP

seeks to revitalize the State's cities and towns by protecting, preserving, and developing the valuable human and economic assets in cities, town, and other urban areas.

As indicated by the SDRP's Policy Map, the majority of Fairfield Township is located in the PA-1 Metropolitan Planning Area, wherein development and redevelopment is intended to be directed. The intent of this Planning Area is to:

- ❖ Provide for much of the state's future redevelopment;
- ❖ Revitalize cities and towns;
- ❖ Promote growth in compact forms;
- ❖ Stabilize older suburbs;
- ❖ Redesign areas of sprawl; and;
- ❖ Protect the character of existing stable communities.

Accordingly, this HE&FSP is consistent with the intents of the PA-1. Specifically, it is designed to encourage redevelopment and growth in a compact form within the portion of the municipality designated as PA-1, while also protecting the character of the existing community.

G. CREDITING DOCUMENTATION AND ONGOING COMPLIANCE

The Township of Fairfield is following the applicable requirements regarding unit monitoring and reporting. Specifically, the Township completed the statutorily required updates to its housing project status report by the DCA deadline of February 15, 2025. These updates are included in the State's new Affordable Housing Monitoring System and should be considered to fulfill the Township's obligation to specify the creditworthiness of all existing affordable units. Further, all crediting documentation submitted to and approved by the Court as part of the Township's Third Round Housing Element and Fair Share Plan remains on file with and accessible from the Court. All other crediting documentation, for plan components that were not part of the Township's Third Round HE&FSP, is included in the appendices of this plan.