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June 30, 2025

Via E-Courts

Superior Court of New Jersey
Historic Courthouse
470 Dr. Martin Luther King Blvd
Newark, New Jersey 07102

Re: In the Matter of the Application of the Township of Millburn
Docket No.: ESX-L-587-25

Dear Sir/Madam:

This firm represents the Township of Millburn (the "Township") in the above-referenced matter. In that connection, it has come to our attention that certain pages on the Township's Housing Element and Fair Share Plan, which was previously submitted, are blurry and may be difficult to read due to the font used. As such, we are resubmitting those pages for ease of readability to the Program and the Court.

Specifically, the following pages are included in this filing:

1. Page 11 (Tables 1 & 2);
2. Page 12 (Tables 3 & 4);
3. Page 13 (Tables 5 & 6);
4. Page 14 (Tables 7 & 8);
5. Page 15 (Table 10);
6. Page 18 (Table 11);
7. Page 19 (Table 12)
8. Page 20 (Table 14);
9. Page 22 (Table 21);
10. Page 27 (Table 18);
11. Page 28 (Table 18);
12. Page 29 (Table 18); and
13. Page 30 (Table 18);

Please note that there have been **no** substantive changes made to any of those pages.

Superior Court of New Jersey
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June 30, 2025
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Please charge our Superior Court Account Number 146154 for any applicable fees.

Very truly yours,



Jarrid H. Kantor

Encl.

cc: Client (via E-mail)

Table 1: Year Structure Built

	UNITS	PERCENT
Total housing units	7,276	
Built 2020 or later	116	1.6
Built 2010 to 2019	297	4.1
Built 2000 to 2009	280	3.8
Built 1990 to 1999	70	1.0
Built 1980 to 1989	135	1.9
Built 1970 to 1979	428	5.9
Built 1960 to 1969	1,250	17.2
Built 1950 to 1959	1,469	20.2
Built 1940 to 1949	732	10.1
Built 1939 or earlier	2,499	34.3
Source: American Community Survey 2023		

The table below details the condition of housing within Millburn Township based on heating fuel, plumbing facilities, kitchen facilities. These factors help determine the number of inadequate housing units within the Township. According to the current ACS estimate, 45 housing units in Millburn Township lacked either heating fuel, plumbing or kitchen facilities, which is greater than 2018.

Table 2: Housing Condition

	2023	PERCENT	2018	PERCENT	PERCENT CHANGE
Total	45	0.6	20	0.4	0.2
Lacking heating fuel	27	0.4	0	0.0	0.4
Lacking complete plumbing facilities	9	0.1	10	0.2	-0.1
Lacking complete kitchen facilities	9	0.1	10	0.2	-0.1
Source: American Community Survey 2023 and 2018					

Housing Values and Costs

Since 2018, home values in the Township have increased by \$222,600 (20.3%). This change is accompanied by an increase in homes worth more than \$1,000,000 and a decrease in homes worth between \$500,000 and \$999,999.

Table 3: Value for Owner-Occupied Housing Units

	2023	PERCENT	2018	PERCENT	PERCENT CHANGE
Total Owner-occupied units	5,664	-	5,329	-	6.3
Less than \$50,000	0	0.0	32	0.6	-0.6
\$50,000 to \$99,999	0	0.0	0	0.0	0
\$100,000 to \$149,999	28	0.5	38	0.7	-0.2
\$150,000 to \$199,999	25	0.4	22	0.4	0
\$200,000 to \$299,999	29	0.5	62	1.2	-0.7
\$300,000 to \$499,999	146	2.6	179	3.4	-0.8
\$500,000 to \$999,999	1,075	19.0	1,964	36.9	-17.9
\$1,000,000 or more	4,361	77.0	3,032	56.9	20.1
Median (dollars)	\$1,318,800	(X)	\$1,096,200	(X)	20.3
Source: American Community Survey 2023 and 2018					

The table below shows the housing expenditures for those who own and rent in Millburn. The general affordability standard is that no more than 30% of gross income should be allocated for housing costs.

A cost burden is the ratio of housing costs to household income. For renters, housing cost is the gross rent (lease rent plus utilities). For owners, housing cost is the monthly owner costs, which may include mortgage, utilities, association fees, insurance, and real estate taxes.

Table 4: Housing Cost Burden, 2023
(Monthly Costs as Percentage of Household Income)

RANGES	OWNER				RENTER	
	W/ MORTGAGE		W/O MORTGAGE		TOTAL	PERCENT
	TOTAL	PERCENT	TOTAL	PERCENT		
Less than 20%	1,949	52.3	1,333	69	436	34.5
20.0-24.9%	458	12.3	199	10.3	166	13.1
25.0-29.9%	403	10.8	85	4.4	131	10.4
30.0-34.9%	291	7.8	45	2.3	99	7.8
35.0% or more	626	16.8	268	13.9	432	34.2
Not Computed	7	(X)	0	(X)	71	(X)
Source: 5-Year American Community Survey, 2023, DP04						

Occupancy Characteristics and Type of Housing

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**Table 7: Housing Type and Size**

HOUSING UNITS	2023	PERCENT	2018	PERCENT	PERCENT CHANGE
Total housing units	7,276		6,914		
1-unit, detached	5,775	79.4	5,572	80.6	-1.2
1-unit, attached	88	1.2	109	1.6	-0.4
2 units	511	7.0	474	6.9	0.1
3 or 4 units	285	3.9	249	3.6	0.3
5 to 9 units	101	1.4	131	1.9	-0.5
10 to 19 units	115	1.6	80	1.2	0.4
20 or more units	401	5.5	291	4.2	1.3
Mobile home	0	0.0	8	0.1	-0.1
Boat, RV, van, etc.	0	0.0	0	0.0	0
Source: American Community Survey 2023 and 2018					

Since 2018, the bedroom typology of Township has increased in “family” sized 3+ bedroom type from 81.3% to 81.5% in 2023.

Table 8: Number of Bedrooms Per Unit

ROOMS	2023 TOTAL	PERCENT	2018 TOTAL	PERCENT	PERCENT CHANGE
Total	7,276		6,914		
No Bedroom	97	1.3	24	0.3	1
1 Bedroom	651	8.9	628	9.1	-0.2
2 Bedrooms	605	8.3	643	9.3	-1
3 Bedrooms	1,658	22.8	1,767	25.6	-2.8
4 Bedrooms	2,115	29.1	2,080	30.1	-1
5 or more Bedrooms	2,150	29.5	1,772	25.6	3.9
Source: American Community Survey 2023 and 2018					

Existing Low- and Moderate-Income Housing Units

Millburn reviewed all property tax assessment records and information in the assessor's office, including but not limited to the property record cards, to determine the number of existing low- and moderate-income housing units. Based on this review, there are 43 completed LMI units and 42 approved yet pending completion in the Township of Millburn. The municipality is following the applicable requirements regarding unit monitoring and reporting.



B. Housing Projections

The analysis in this section shall satisfy Part B of P.L.1985, c.222 (C.52:27D-310), which requires:

- B) *"A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands."*

Projection of Housing Stock

Below is a general prediction by NJTPA of Millburn Township's household population growth to 8,138 households in 2050. This 0.4% increase in households would require available units to accommodate and may be a prediction indicator of new projected housing stock.

Table 10: Housing Unit Projection

YEAR	POPULATION	ANNUALIZED % CHANGE
2015	6,975	
2050 (Predicted)	8,138	0.4%
Source: U.S. Census, NJTPA		

Zoning regulations and existing capital infrastructure may help determine where growth is expected and where new housing units are likely to be developed in the future.

Millburn expects new developments to bear the cost that such development puts upon the existing infrastructure, including its sewer and water systems, road infrastructure, school facilities, and emergency services. This includes the addition of capacity necessitated by the new development, as well as associated maintenance costs. New development should not be a burden on the Township's infrastructure.

YEAR	POPULATION	CHANGE	% CHANGE
1940	11,652	N/A	35.5%
1950	14,560	2,908	25.0%
1960	18,799	4,239	29.1%
1970	21,089	2,290	12.2%
1980	19,543	-1,546	-7.3%
1990	18,630	-913	-4.7%
2000	19,765	1,135	6.1%
2010	20,149	384	1.9%
2020	21,710	1,561	7.7%
2023	21,859	149	0.7%
2050 (Predicted)	23,099	1,240	5.7%

Source: [NJ State Data Center, New Jersey Population Trends 1790 to 2000](#), [US Census Bureau](#); [NJTPA, "Appendix E - 2050 Demographic Forecasts"](#)

The estimated current median age in Millburn Township is 40.3, compared to 37.7 for Essex County and 40.1 for New Jersey.

AGE RANGE	MILLBURN TOWNSHIP	PERCENT	ESSEX COUNTY	PERCENT
Under 5 years	1,231	5.6	53,778	6.3
5 to 9 years	1,687	7.7	54,763	6.4
10 to 14 years	2,439	11.2	59,811	7.0
15 to 19 years	1,927	8.8	55,697	6.5
20 to 24 years	782	3.6	54,093	6.3
25 to 34 years	1,449	6.6	115,572	13.5
35 to 44 years	3,196	14.7	120,576	14.1
45 to 54 years	4,030	18.5	115,952	13.6
55 to 59 years	1,179	5.4	54,486	6.4
60 to 64 years	1,010	4.6	50,019	5.9

AGE RANGE	MILLBURN TOWNSHIP	PERCENT	ESSEX COUNTY	PERCENT
65 to 74 years	1,833	8.4	70,370	8.2
75 to 84 years	792	3.6	33,959	4.0
85 years and over	238	1.1	15,054	1.8
Median Age	40.3	(X)	37.7	(X)
Source: American Community Survey 2023				

Households

According to the US Census Bureau's classification system, people either live in a household, housing unit, or in "group quarters." Two types of "households" exist: family and non-family. A "household" consists of one or more persons living and eating together separately from other persons who may be in the same building. A "family" is a household with two or more related persons living together in the same housing unit.

Table 13: Population by Housing Type

	MILLBURN TOWNSHIP			ESSEX COUNTY		
	2015-2019	2019-2023	% CHANGE	2015-2019	2019-2023	% CHANGE
Total Households	6,577	6,999	6.4%	289,921	322,456	11.2%
Total Families	5,613	5,382	-4.1%	189,597	207,415	9.4%
Average Household Size	3.06	3.11	1.6%	2.68	2.58	-3.7%
Average Family Size	3.38	3.31	-2.0%	3.37	3.19	5.3%
Households with 1 person	904	669	-26%	85,638	95,830	11.9%
Source: 5-Year American Community Survey, 2018 & 2023, DP02						

Immigration

Foreign born residents make up 33% percent of Millburn's population, which is higher than County (29.3%) and State (23.5%) levels. Half of Millburn's foreign-born residents are not U.S. citizens, comprising 48.8% of the overall Township foreign born population, a similar share as that of Essex County (48.9%) and the State (43.1%).

Table 14: Residents Place of Birth

	MILLBURN TOWNSHIP		ESSEX COUNTY		NEW JERSEY	
	COUNT	PERCENT	COUNT	PERCENT	COUNT	PERCENT
Total	21,793		854,130		9,267,014	
Born in United States	14,043	64.4	575,941	67.4	6,849,548	73.9
Foreign Born	7,186	33.0	250,406	29.3	2,181,755	23.5
Naturalized Citizen	3,679	51.2	127,877	51.1	1,241,100	56.9
Not a Citizen	3,507	48.8	122,529	48.9	940,655	43.1

Source: American Community Survey [2023](#)

Income and Poverty Status

Income data is respective to each year's dollar valuation per Census statistics. The median household income for Millburn Township grew dramatically from 2018 to 2023, growing 16.6%, which is lesser than the County (27%) and the State (22.1%).

Table 15: Household Median Income

	2023	2018	CHANGE	% CHANGE
Millburn Township	250,000+	214,449	35,551	16.6
Essex County	80,463	63,368	17,095	27.0
New Jersey	99,781	81,740	18,041	22.1

Source: American Community Survey [2023](#) and [2018](#)

In Millburn Township, 767 residents (3.5%) live below the poverty line, an increase from 2.9% in 2018. In this regard, the Township had a different trajectory than Essex County, which experienced a decrease from 15.2% to 14.2% over the same period.

Table 16: Poverty Status

MILLBURN TOWNSHIP	2023	PERCENT	2018	PERCENT	CHANGE
Total Persons	21,783		20,165		1,618
Total Below Poverty	767	3.5	579	2.9	0.6
ESSEX COUNTY	2023	PERCENT	2018	PERCENT	CHANGE
Total Persons	833,508		779,167		54,341
Total Below Poverty	118,250	14.2	118,156	15.2	-1

Source: American Community Survey [2023](#) and [2018](#); [ACS Essex County](#)

Table 21: Employment Projection

YEAR	LABOR FORCE	CHANGE	ANNUALIZED % CHANGE
2015	16,762		
2050 (Predicted)	18,370	1,608	0.3
Source: <u>NJTPA</u>			

In accordance with the bonus credit opportunities described in Section A above, these permanent supportive housing units are permitted one bonus credit per unit or bed, in this case, yielding a total of 8 credits towards the Township's RDP obligation.

Prospective Need Projects Description and Suitability Analysis

Municipalities shall designate sites that are available, suitable, developable and approvable, as defined in N.J.A.C. 5:93-1. As such, the criteria for crediting units must meet the following:

1. "Available site" – a site with clear title, free of encumbrances which preclude development for low- and moderate-income housing.
2. "Suitable site" – a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.
3. "Developable site" – a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area wide water quality management plan (including the wastewater management plan) or is included in an amendment to the area wide water quality management plan submitted to and under review by DEP.
4. "Approvable site" – a site that may be developed for low- and moderate-income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low- and moderate-income housing.

Table 18: Projects Description and Suitability Analysis

PROJECT	DESCRIPTION
356-358 Millburn Avenue (Block 801, Lots 3 & 4)	<p>Total Units: 17 Units <u>Round Four LMI Units: 4 Units, plus 2 Bonus Credits (TOD)</u></p> <p>This site proposed for inclusionary redevelopment is located on the southern side of Millburn Avenue, between Main Street to the west and Spring Street to the west. The site is within ½ mile of the Millburn Train Station. The site has a total area of 0.52 acres and is presently developed with a two-story commercial building on Lot 4 and a one-story commercial building on Lot 3. There are no environmental constraints associated with the site. The site is identified in the Historic Preservation Element of the Master Plan but has not yet been identified as a local landmark.</p>
	<p><i>Description of Availability</i></p> <p>The Township assumes the site has a clear title and is free of encumbrance, to the best of their knowledge, which precludes the development of affordable housing.</p>
	<p><i>Description of Suitable</i></p> <p>The site is adjacent to compatible land uses and has access to appropriate streets. The site has about 145 feet of frontage along Millburn Avenue. The site is adjacent to existing commercial and multifamily residential uses in the Downtown.</p>
	<p><i>Description of Developable</i></p> <p>Adequate sewer and water capacity and infrastructure is available from the Joint Meeting of Essex and Union and the New Jersey American Water.</p>

PROJECT	DESCRIPTION
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to accommodate multifamily residential development at a maximum density of 35 units per acre, consistent with the density of other new multifamily developments in the Downtown. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.
55-59 Main Street (Block 801, Lot 15 & 16)	<p>Total Units: 13 Units <u>Round Four LMI Units: 3 Units, plus 1.5 Bonus Credits (TOD)</u></p> <p>This site proposed for inclusionary redevelopment is located on the western side of Main Street, between Millburn Avenue to the north and Taylor Street to the south. The site is within ½ mile of the Millburn Train Station and just a few feet from NJ Transit Bus Stop #33107. The site has a total area of 0.39 acres and is presently developed with a two-story commercial building on Lot 16 and a one-story commercial building on Lot 15. There are no environmental constraints associated with the site.</p>
<i>Description of Availability</i>	The Township assumes the site has a clear title and is free of encumbrance, to the best of their knowledge, which precludes the development of affordable housing.
<i>Description of Suitable</i>	The site is adjacent to compatible land uses and has access to appropriate streets. The site has about 145 feet of frontage along Main Street. The site is adjacent to existing commercial and multifamily residential uses in the Downtown.
<i>Description of Developable</i>	Adequate sewer and water capacity and infrastructure is available from the Joint Meeting of Essex and Union and the New Jersey American Water.
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to accommodate multifamily residential development at a maximum density of 35 units per acre, consistent with the density of other new multifamily developments in the Downtown. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.
150 JFK Parkway (Block 5303, Lot 4)	<p>Total Units: 115 Units <u>Round Four LMI Units: 23 Units, plus 11.5 Bonus Credits (TOD)</u></p> <p>This site proposed for inclusionary development is located on the southern side of JFK Parkway, adjacent to The Upton inclusionary development completed as part of prior round compliance. The developer seeks to replace the previously proposed hotel with a new 115-unit inclusionary development. The site is within ½ mile of the Short Hills Mall (Canoe Brook Rd) NJ Transit Bus Stop #18094, with service on Route 70 and 873. The portion of the site to contain the proposed multifamily building is improved with a parking structure at this time that was to be part of the hotel and will now be part of the inclusionary development. There are no environmental constraints associated with the site.</p>
<i>Description of Availability</i>	The Township assumes the site has a clear title and is free of encumbrance, to the best of their knowledge, which precludes the development of affordable housing.

PROJECT	DESCRIPTION
<i>Description of Suitable</i>	The site is adjacent to compatible land uses and has access to appropriate streets. The site has about 200 feet of frontage along JFK Parkway. The site is adjacent to the existing Upton multifamily residential development.
<i>Description of Developable</i>	Adequate sewer and water capacity and infrastructure is available from the Joint Meeting of Essex and Union and the New Jersey American Water.
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to permit the proposed multifamily residential development with an additional 115 residential dwelling units. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.
51-55 JFK Parkway (Block 5302, Lot 1)	<p style="text-align: center;">Total Units: 330 Units <u>Round Four LMI Units: 66 Units, plus 33 Bonus Credits (TOD)</u></p> <p>This site proposed for inclusionary redevelopment is located on the northern side of the road across from the Short Hills Mall. A NJ Transit Bus Stop is located on site, Bus Stop #18117 with service on Route 70. The site has a total area of 22.04 acres and is presently developed with an 8-story office building and a 6-story hotel. There are no environmental constraints associated with the site.</p>
<i>Description of Availability</i>	The Township assumes the site has a clear title and is free of encumbrance, to the best of their knowledge, which precludes the development of affordable housing.
<i>Description of Suitable</i>	The site is adjacent to compatible land uses and has access to appropriate streets. The site has extensive frontage along JFK Parkway. The site is adjacent to existing commercial and multifamily residential uses in immediate area, including the Short Hills Mall, the Upton residential development and the proposed new multifamily development at 150 JFK Parkway.
<i>Description of Developable</i>	Adequate sewer and water capacity and infrastructure is available from the Joint Meeting of Essex and Union and the New Jersey American Water.
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to accommodate an additional 330 multifamily residential units. The site was previously identified in the Third Round Plan to accommodate 200 units, and the proposal here in the Fourth Round is to add an additional 330 units to previously proposed units. The final proposed density will be 24 du/acre. The Woodmont multi-family development in the city was evaluated as it is planned at 24 to 39 du/acre. The site can be developed in accordance with R.S.I.S. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.

PROJECT	DESCRIPTION
16 Bleeker Street (Block 1005, Lot 3)	<p style="text-align: center;">Total Units: 137 Units</p> <p><u>Round Four LMI Units: 28 Units, plus 14 Bonus Credits (Non-Residential Conversion)</u></p> <p>This site proposed for inclusionary development is located on the southern side of Bleeker Street, to the east of Main Street. The developer proposes that the site can be developed with an inclusionary development. The site is within ½ mile of the Main St/Mechanic St NJ Transit Bus Stop #18097, with service on Route 70. The site is presently developed with warehouse use. There are no environmental constraints associated with the site.</p>
<i>Description of Availability</i>	The Township assumes the site has a clear title and is free of encumbrance, to the best of their knowledge, which precludes the development of affordable housing.
<i>Description of Suitable</i>	The site is in the vicinity of compatible land uses and has access to appropriate streets. The site is bounded by residential uses along Main Street. The site has about 544 feet of frontage along Bleeker Street.
<i>Description of Developable</i>	Adequate sewer and water capacity and infrastructure is available from the Joint Meeting of Essex and Union and the New Jersey American Water.
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to permit a residential density of 25 dwelling units per acre. The site can be developed in accordance with R.S.I.S. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.