

**HOUSING ELEMENT AND FAIR SHARE PLAN
FOR THE FOURTH ROUND: 2025-2035**

PREPARED FOR

**TOWNSHIP OF WEST DEPTFORD
COUNTY OF GLOUCESTER
STATE OF NEW JERSEY**

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N.B. The original of this document was signed and sealed as per N.J.A.C. 13:41-1.3.b

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1.0 INTRODUCTION

1.1 Background

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

Displeased with progress under its earlier decision, in 1983, the Supreme Court decided So. Burlington Ct. N.A.A.C.P. v. Mount Laurel Tp., 92 N.J. 158 (1983) or "Mount Laurel II". Because the Legislature had not yet acted to implement the holding in Mount Laurel I, the Court in Mount Laurel II fashioned a judicial remedy, now commonly referred to as a "Builder's Remedy". That remedy created a special process by which builders could file suit against a municipality for the opportunity to construct housing at much higher densities than a municipality otherwise would allow, creating affordable housing in the process. In essence, Builder's Remedy lawsuits seek to force municipalities to meet their affordable housing obligations.

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

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

On March 20, 2024, this all changed once again when Governor Murphy signed into law, P.L. 2024, C.2, which substantially amended the FHA and created an entirely new affordable

housing plan approval process. The amended FHA introduced a comprehensive structure for municipalities to meet their obligations, with key provisions including, but not limited to, the following:

- The abolishment of COAH and reassigning affordable housing oversight to a new entity known as the Affordable Housing Dispute Resolution Program (hereinafter the “Program”), which consists of retired Mount Laurel judges and their Special Adjudicators, once known as Court Masters. The Program was created to approve Fourth Round Housing Elements and Fair Share Plans, along with the underlying local trial Court, and help municipalities mediate with objectors regarding their Fourth Round affordable housing obligations and the approval of the plans. The amended FHA also required the Department of Community Affairs (DCA) to take over the monitoring of affordable units in every municipality in the state, and to draft and release a report calculating non-binding Fourth Round municipal Present and Prospective Need obligation for every municipality in the state. The DCA released its Fourth Round numbers report in October of 2024. The amended FHA also ordered the New Jersey Housing and Mortgage Finance Agency (NJHMFA) to adopt new UHAC regulations.
- 13% of the Fourth Round affordable units must be designated as very low-income units (30% of median income), half of which must be available to families with children.
- 25% of affordable units must be rental housing units, half of which must be available to families with children.
- 50% of the municipality’s prospective need (exclusive of any bonus credits) must be available to families with children.
- No more than 10% of the municipality’s fair share obligation may be counted towards transitional housing.
- No more than 30% of affordable housing units can be age-restricted (excluding bonus credits).
- 40-year deed restrictions for new rental units, 30-year deed restrictions for for-sale units.
- Any municipality that gets a Vacant Land Adjustment (VLA) has to identify sufficient parcels likely to redevelop during the current round 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.

The law also includes significant changes in the use of bonus credits. Credits are now allocated based on the following:

- Special Needs/Permanent Supportive Housing: 1 bonus credit per 1 credit.
- Housing created in partnership with a non-profit housing developer: ½ bonus credit per 1 credit.
- Housing located within half a mile radius of public transit stations (or one mile in Garden State Growth Zones): ½ bonus credit per 1 credit.
- Age-restricted housing: ½ bonus credit per 1 credit.
- Family housing with at least 3 bedrooms, above the minimum number required by the bedroom distribution requirement determined pursuant to the Uniform Housing Affordability Controls: ½ bonus credit per 1 credit.

- Redevelopment of sites previously used for retail, office, or commercial space: ½ bonus credit per 1 credit.
- Extending affordability controls on existing low- or moderate-income rental units, with municipal financial support: ½ bonus credit per 1 credit
- For 100% affordable projects, municipalities that contribute land or at least 3% of the project's cost to a fully affordable development: 1 bonus credit per 1 credit.
- Very low-income housing for families beyond the required 13%: ½ bonus credit per 1 credit.
- Converting market-rate housing to affordable units, provided the municipality secures an agreement with the property owner or owns the property: 1 bonus credit per 1 credit.

Limitation to the bonus credits:

- Municipalities are prohibited from using more than one type of Bonus Credit for any unit.
- No more than 25% of a Municipality's Prospective Need obligation can be satisfied through bonus credits.
- Bonus credit for age-restricted is limited only to a maximum of 10% of the total age-restricted units.

On December 13, 2024, the Courts issued Administrative Directive 14-24 (the Directive) which promulgated procedures and guidelines implementing the Program.

1.2 Municipal Overview

West Deptford Township is located in Gloucester County, New Jersey and covers an area just under 18 square miles. The Township surrounds the Borough of National Park and is bounded to the south by the Borough of Paulsboro, East Greenwich Township, and Mantua Township and to the east by Deptford and Westville Townships, the Borough of Woodbury Heights, and the City of Woodbury.

1.3 Required Contents of Housing Element

The Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq.) provides that a municipal Master Plan can include a housing element as the foundation for the municipal zoning ordinance. While the Housing Element is not identified under the Municipal Land Use Law as a required element of the master plan, it is nonetheless a required element of Woolwich Township's Master Plan inasmuch as the Township has an adopted zoning ordinance. Pursuant to N.J.S.A. 40:55D-62(a), a governing body may not adopt or amend a zoning ordinance, until and unless, the planning board would have adopted a land use plan element and housing plan element of the master plan.

FHA II provides that a housing element must be designed to provide access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing. As per the FHA at N.J.S.A. 52:27D-310, the housing element must contain as follows:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;
- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1); and
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing.
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L. 2021, c. 273 (C.52:27D-329.20);
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L. 2004, c. 120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and
- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

1.4 Consistency with the State Development and Redevelopment Plan

With respect to the State Development and Redevelopment Plan (SDRP) (the “State Plan”), lands within the Township are assigned to one of the following planning area classifications: Suburban Planning Area (PA2), the Fringe Planning Area (PA3) and the Environmentally Sensitive Area (PA5). PA2 comprises of newer, lower-density suburban areas that are experiencing ongoing growth. These areas tend to be more auto oriented and have newer infrastructure, but face pressure to grow sustainably. Policy objectives in PA2 emphasize managing growth, preserving open space, encouraging compact and mixed-use development, and aligning land use with transportation and environmental goals. PA3 on the other hand serves as a transitional zone between more developed and less developed areas. Development is more limited here, with a focus on balancing growth and conservation. The objectives of this area is to encourage development in designated centers to prevent scattered sprawl, protect natural resources and open spaces, and maintain the rural character of the area. In PA5, the primary goal is to protect environmental resources by limiting development. This area also encourages any necessary development to occur within designated centers and promotes conservation and stewardship of natural resources. The Township demonstrates consistency with the State Plan by directing new housing development toward areas that already possess existing infrastructure and public services. This approach promotes efficient land use, reduces development pressure on undeveloped land, and supports compact, mixed-use housing that aligns with the area's suburban character and preserves undeveloped, sensitive areas.

2.0 HOUSING PLAN ELEMENT

2.1 Housing Stock: Occupancy and Physical Characteristics

2.1.1 OCCUPANCY AND HOUSING UNIT TYPE

The 2020 US Census reported that West Deptford Township had a total of 9,623 dwelling units, about 96% of which are occupied and 4% are vacant. Of the occupied units, about 68% are owner-occupied housing units and 32% are renter-occupied.

Table 1. Occupancy Status ¹

| Status | # of Units | Percentage |
|----------------------------|--------------|-------------|
| Occupied Total | 9,199 | 95.6% |
| Owner Occupied | 6,279 | 68.3% |
| Renter Occupied | 2,920 | 31.7% |
| Vacant Total | 424 | 4.4% |
| Total Housing Units | 9,623 | 100% |

As shown on Table 2 below, a majority (about 56%) of West Deptford's housing stock consists of single-family detached dwellings and about 13% for attached single-family. About 25% are comprised of multifamily units (3 units and above) and about 4% are mobile homes.

Table 2. Units in Structure ²

| Unit Type | # of Units | Percentage |
|--------------------|--------------|-------------|
| 1, Detached | 5,429 | 56.2% |
| 1, Attached | 1,291 | 13.4% |
| 2 | 116 | 1.2% |
| 3 or 4 | 323 | 3.3% |
| 5 to 9 | 533 | 5.5% |
| 10 to 19 | 539 | 5.6% |
| 20 or more | 1,078 | 11.2% |
| Mobile Home | 356 | 3.7% |
| Total Units | 9,665 | 100% |

2.1.2 HOUSING UNITS BY AGE

The age of a municipality's housing stock is a factor in determining the condition or the need for rehabilitation, particularly for units built 50 or more years ago. About 58% of the Township's housing inventory was built in 1970 or earlier, signifying that many of the homes in the Township are at least 46 years old. Between 1980 and 1999, about 22% of the housing

¹ U.S. Census Bureau, 2020 Census Demographic and Housing Characteristics File (DHC), Table DP1, Profile of General Population and Housing Characteristics

² U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table DP04, Profile of General Population and Housing Characteristics

inventory were built. About 20% of the housing inventory was built between now and 2000, majority of which were built between 2000 and 2009. Following a spike during the first decade of this century, housing construction slowed dramatically, presumably as a result of the economic recession in the late 2000's.

Table 3. Year Structure Built ²

| Year Built | # of Units | Percentage |
|-------------------|-------------------|-------------------|
| 1939 or earlier | 423 | 4.4% |
| 1940 to 1949 | 351 | 3.6% |
| 1950 to 1959 | 1,668 | 17.3% |
| 1960 to 1969 | 1,129 | 11.7% |
| 1970 to 1979 | 2,026 | 21.0% |
| 1980 to 1989 | 1,308 | 13.5% |
| 1990 to 1999 | 815 | 8.4% |
| 2000 to 2009 | 1,770 | 18.3% |
| 2010 to 2019 | 175 | 1.8% |
| 2020 and later | 0 | 0.0% |
| Total | 9,665 | 100% |

2.1.3 SUBSTANDARD HOUSING CONDITIONS

Indicators of housing deficiency include lack of plumbing or kitchen facilities, overcrowding (defined as having more than 1.5 per room), and housing built more than 50 years ago. When combined, these metrics can be used by municipalities to determine the amount of housing that could qualify for rehabilitation and support efforts to provide affordable housing through renovations of existing housing units. Although a significant portion of West Deptford's housing stock is at least 50 years old, housing deficiency is not an issue. As indicated in Table 4 below, an estimate of 0.1% of the Township's dwelling units lack complete plumbing and 0.1% lacks complete kitchen. When the age (built 1950 or earlier), number of occupancy, and units with lack of complete plumbing facility metrics are combined, 0 units were found to be under these conditions. As a result, none of the housing units in the Township are considered substandard and unsafe. Therefore, housing deficiency is not a factor in the Township.

Table 4. Indicators of Housing Deficiency ³

| Indicator | Incomplete Plumbing | Incomplete Kitchen | Overcrowded (pre-1950 w/ incomplete plumbing) ⁴ |
|------------------|----------------------------|---------------------------|---|
| No. Units | 10 (0.1%) | 10 (0.1%) | 0 |

³ U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table DP04, Profile of General Population and Housing Characteristics

⁴ U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table B25050, Plumbing Facilities by Occupants per Room by Year Structure Built.

2.2 Housing Stock: Value and Affordability

2.2.1 OWNER-OCCUPIED UNITS

As shown in Table 5 below, the estimated median value of owner-occupied housing is \$257,600. About 67% of the homes in the Township are with the value \$200,000 to \$499,999. Homes below \$199,999 makes up about 29% of the housing inventory; and less than 5% makes up for homes between \$500,000 and \$999,999.

Table 5: Value of Owner-Occupied Units⁵

| Housing Unit Value | # of Units | Percentage |
|------------------------|------------------|-------------|
| Less than \$50,000 | 368 | 5.4% |
| \$50,000 to \$99,999 | 286 | 4.2% |
| \$100,000 to \$149,999 | 438 | 6.5% |
| \$150,000 to \$199,999 | 843 | 12.5% |
| \$200,000 to \$299,999 | 2,364 | 34.9% |
| \$300,000 to \$499,999 | 2,143 | 31.7% |
| \$500,000 to \$999,999 | 322 | 4.8% |
| \$1,000,000 or more | 0 | 0.0% |
| Total | 6,764 | 100% |
| Median Value | \$257,600 | |

2.2.2 RENTAL UNITS

The median rent of rental units is about \$1,500 in 2023. Much of the rental units (about 39%) have a monthly rental value of \$1,000 to \$1,499 and about 33% have a rental value of \$1,500 to \$1,999. Approximately 17% of rental units in the Township are \$2,000 or more in monthly rental value.

Table 6. Gross Rent ⁶

| Rent | # of Units | Percentage |
|--------------------|----------------|-------------|
| Less than \$999 | 274 | 11.5% |
| \$1,000 to \$1,499 | 913 | 38.5% |
| \$1,500 to \$1,999 | 776 | 32.7% |
| \$2,000 to \$2,499 | 226 | 9.5% |
| \$2,500 to \$2,999 | 53 | 2.2% |
| \$3,000 or more | 131 | 5.5% |
| Total | 2,373 | 100% |
| Median Rent | \$1,500 | |

⁵ U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table DP04, Profile of General Population and Housing Characteristics

⁶ U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table DP04, Profile of General Population and Housing Characteristics

2.2.3 HOUSING COSTS AS PERCENTAGE OF HOUSEHOLD INCOME

The percentage of monthly household income dedicated to housing costs is a measure of affordability is reinforced by the policy of the U.S. Department of Housing and Urban Development, i.e., households should not spend more than 30% of their income on housing. This metric, however, applies to affordable rental units only. In the case of mortgaged property, an affordable unit is one in which monthly housing expenses (principal and interest) do not exceed 28% of monthly household income.

In West Deptford, renters bore a higher burden of housing costs than homeowners with about 48% of rental units are costing renters at least 30% of their income. On average between owner-occupied units with and without mortgage, about 24% spends more than 30% of their income in their home.

Table 7. Selected Monthly Owner Costs as a Percentage of Household Income ⁷

| % of Income | With Mortgage | Without Mortgage | Rental Units |
|--------------------|----------------------|-------------------------|---------------------|
| Less than 20% | 44.5% | 15.4% | 24.0% |
| 20% - 24.9% | 22.3% | 10.6% | 14.8% |
| 25% - 29.9% | 9.3% | 9.0% | 13.1% |
| 30% - 34.9% | 4.2 | 7.0% | 13.6% |
| 35% or more | 19.7% | 16.4% | 34.5% |
| Total | 100% | 100% | 100% |

2.3 Demographics

2.3.1 POPULATION AND AGE

As Table 9 below shows, West Deptford experienced significant population growth from 1940 to 1980. Since 1980, however, population growth has slowed considerably, including a slight decline in the population between 1990 and 2000. While the population increase approximately 12% between 2000 and 2010, between 2010 and 202, the increase was only 2.4%.

⁷ U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table DP04, Profile of General Population and Housing Characteristics

Table 8: Population Changes ⁸

| Year | Population | % Change |
|--------------------|-------------------|-----------------|
| 1940 | 4,336 | - |
| 1950 | 5,446 | 20.4% |
| 1960 | 11,152 | 51.2% |
| 1970 | 13,928 | 19.9% |
| 1980 | 18,002 | 22.6% |
| 1990 | 19,380 | 7.1% |
| 2000 | 19,368 | -0.1% |
| 2010 ⁹ | 21,677 | 11.9% |
| 2020 ¹⁰ | 22,197 | 2.4% |

According to the 2020 US Census Bureau, the median age in the Township is 42.9. Comparatively, the median age in 2010 was 40.7¹¹ and 37.5¹² in 2000. This pattern indicates an aging population, a trend mirrored in municipalities across the state and nation.¹³ According to the U.S. Census Bureau, the rise in the median age was mainly due to an aging baby boomer population (born between 1946 and 1964).¹⁴

⁸ For Year 1940 to 2000, NJSDC 2000 Census Publication, New Jersey Population Trends: 1790 to 2000, Table 6. New Jersey Resident Population by Municipality: 1940 - 2000, page 36, <https://www.nj.gov/labor/labormarketinformation/assets/PDFs/census/2kpub/njsdcp3.pdf>

⁹ U.S. Census Bureau, 2010 Census, Table P1, Race.

¹⁰ U.S. Census Bureau, 2020 Census Demographic and Housing Characteristics File (DHC), Table DP1, Profile of General Population and Housing Characteristics

¹¹ U.S. Census Bureau, 2010 Census, Table P13, Median Age by Sex.

¹² U.S. Census Bureau, 2000 Census, Table P013, Median Age by Sex.

¹³ America Is Getting Older, June 22, 2023, U.S. Census Bureau, <https://www.census.gov/newsroom/press-releases/2023/population-estimates-characteristics.html>

¹⁴ U.S. Older Population Grew From 2010 to 2020 at Fastest Rate Since 1880 to 1890, May 25, 2023, Zoe Caplan, U.S. Census Bureau, <https://www.census.gov/library/stories/2023/05/2020-census-united-states-older-population-grew.html>

Table 9: Population by Age ¹⁵

| Age in Years | Population | Percentage |
|---------------------|-------------------|-------------------|
| Under 5 years | 1,071 | 4.8% |
| 5 to 9 years | 1,137 | 5.1% |
| 10 to 14 years | 1,244 | 5.6% |
| 15 to 19 years | 1,256 | 5.7% |
| 20 to 24 years | 1,326 | 6.0% |
| 25 to 29 years | 1,500 | 6.8% |
| 30 to 34 years | 1,447 | 6.5% |
| 35 to 39 years | 1,405 | 6.3% |
| 40 to 44 years | 1,249 | 5.6% |
| 45 to 49 years | 1,363 | 6.1% |
| 50 to 54 years | 1,550 | 7.0% |
| 55 to 59 years | 1,685 | 7.6% |
| 60 to 64 years | 1,705 | 7.7% |
| 65 to 69 years | 1,344 | 6.1% |
| 70 to 74 years | 1,142 | 5.1% |
| 75 to 79 years | 750 | 3.4% |
| 80 to 84 years | 499 | 2.2% |
| 85 years and over | 524 | 2.4% |
| Total | 22,197 | 100% |
| Median Age | 42.9 years | |

2.3.2 HOUSEHOLD SIZE

Understanding household size can help determine demand for different types of housing units and provide insight into demographic shifts over time.

In 2010, the American Community Survey (ACS) estimated that the average household size was 2.44.¹⁶ By 2023, this estimate indicated a slight decline to 2.40. While a 2-person household represents the plurality (32%), and it is estimated that the second largest group is a 1-person housekeeping unit (30%), these numbers further highlight that less children will ultimately lead to an aging population.

¹⁵ U.S. Census Bureau, 2020 Census Demographic and Housing Characteristics File (DHC), Table DP1, Profile of General Population and Housing Characteristics

¹⁶ U.S. Census Bureau, 2006-2010 American Community Survey, Table S1101, Households and Families.

Table 10. Household Size ¹⁷

| | Estimate | Percentage |
|---|-----------------|-------------------|
| Total Occupied Units | 9,199 | 100% |
| 1-person household | 2761 | 30% |
| 2-person household | 2956 | 32% |
| 3-person household | 1511 | 16% |
| 4-person household | 1210 | 13% |
| 5-person household | 511 | 6% |
| 6-person household | 186 | 2% |
| 7-or-more-person household | 64 | 1% |
| Average household size ¹⁸ | 2.40 | ---- |
| Average family size ¹⁸ | 2.94 | ---- |

2.3.3 HOUSEHOLD AND FAMILY INCOME

In 2023, it was estimated that the Township's median income for households was \$89,283 and \$115,813 for families.

According to the 2024 Affordable Housing Regional Income Limits by Household Size, which was prepared by Affordable Housing Professionals of New Jersey (AHPNJ), the median income level for Region 5 (Burlington, Camden, Gloucester Counties) is \$80,290. This income level is set on a regional scale and is used to determine moderate, low, and very low-income levels. In Region 5 of New Jersey, which includes West Deptford Township, the moderate household income limit for one person is \$64,232, the low-income is \$40,145, and the very low-income is \$24,087.¹⁹

Table 11. Household & Family Income ²⁰

| Income Range | Household | Family |
|------------------------|------------------|---------------|
| Less than \$10,000 | 2.4% | 1.3% |
| \$10,000 to \$14,999 | 1.4% | 0.0% |
| \$15,000 to \$24,999 | 4.0% | 1.5% |
| \$25,000 to \$34,999 | 7.0% | 4.7% |
| \$35,000 to \$49,999 | 10.7% | 9.0% |
| \$50,000 to \$74,999 | 17.1% | 13.4% |
| \$75,000 to \$99,999 | 12.7% | 12.3% |
| \$100,000 to \$149,999 | 15.1% | 20.9% |

¹⁷ U.S. Census Bureau, 2020 Census Demographic and Housing Characteristics File (DHC), Table H9, Household Size.

¹⁸ U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table S1101, Households and Families.

¹⁹ Affordable Housing Professionals of New Jersey (AHPNJ), 2024 Affordable Housing Regional Income Limits by Household Size, April 12 2024, https://ahpnj.org/member_docs/Income_Limits_2024_FINAL.pdf

²⁰ U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table S1901, Household Income in the Past 12 Months (in 2023 Inflation-Adjusted Dollars).

| Income Range | Household | Family |
|------------------------|------------------|------------------|
| \$150,000 to \$199,999 | 16.5% | 18.7% |
| \$200,000 or more | 13.1% | 18.3% |
| Total | 100% | 100% |
| Median Income | \$89,283 | \$115,813 |

2.4 Existing and Probable Future Employment and Population Projection

2.4.1 EMPLOYMENT STATUS

About 70% of the Township's population over 16 years old are in the labor force, with only a 3.3% being unemployed. While labor force participation has remained relatively constant since 2010 we note that in 2010, 9% were unemployed.²¹

Table 12: Employment Status ²²

| | Population | Percentage |
|---------------------------|-------------------|-------------------|
| In labor force | 12,893 | 69.2% |
| Civilian labor force | 12,889 | 99.9% |
| Employed | 12,470 | 96.7% |
| Unemployed | 419 | 3.3% |
| Armed Forces | 4 | 0.03% |
| Not in labor force | 5,746 | 30.8% |
| Population 16+ yrs | 18,639 | 100% |

2.4.2 EMPLOYMENT BY INDUSTRY

About 23% of the employed civilian labor force work in the in the Educational Services, Health Care and Social Assistance Services industry, representing by far the largest employment category within the Township. The second and third largest employment sectors within the Township are retail trade; and professional, scientific, and management, and administrative and waste management services; employing about 16% and 12%, respectively. In 2010, employment under these two industries were 2% to 3% lower.

Table 13. Employment by Industry Sector ²³

| Industry | Population | Percentage |
|--|-------------------|-------------------|
| Agriculture, forestry, fishing and hunting, and mining | 27 | 0.2% |

²¹ U.S. Census Bureau, 2006-2010 American Community Survey, Table DP03, Selected Economic Characteristics.

²² U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table B23025, Employment Status for the Population 16 years and Over.

²³ U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates, Table DP03, Selected Economic Characteristics

| Industry | Population | Percentage |
|--|-------------------|-------------------|
| Construction | 633 | 5.1% |
| Manufacturing | 1,032 | 8.3% |
| Wholesale trade | 557 | 4.5% |
| Retail trade | 1,969 | 15.8% |
| Transportation and warehousing, and utilities | 1,227 | 9.8% |
| Information | 191 | 1.5% |
| Finance and insurance, and real estate and rental and leasing | 796 | 6.4% |
| Professional, scientific, and management, and administrative and waste management services | 1,487 | 11.9% |
| Educational services, and health care and social assistance | 2,899 | 23.2% |
| Arts, entertainment, and recreation, and accommodation and food services | 752 | 6.0% |
| Other services, except public administration | 392 | 3.1% |
| Public administration | 508 | 4.1% |
| Civilian employed population 16 years and over | 12,470 | 100% |

2.4.3 POPULATION AND EMPLOYMENT PROJECTIONS

The Delaware Valley Regional Planning Commission (DVRPC) is the federally funded Metropolitan Planning Organization (MPO) for the Greater Philadelphia Region, which includes Gloucester County. The organization projects that between 2015 to 2050, the Region

will gain over 466,795 jobs, that largest share of which will occur in Gloucester County, NJ (29.9%) and Chester County, PA (23.5%).²⁴

Within the nine-county region DVRPC projects an increase of 500,537 residents by 2050. Like the employment projections indicated above, the largest increases are expected in Gloucester County, NJ and Chester County, PA at 12.5% and 25.4%, respectively. As a municipality located within Gloucester County, West Deptford Township should expect an increase in both employment and population over the next twenty-five (25) years.

It is reasonable to assume that within West Deptford Township, future employment growth will emanate from redevelopment activity and construction in new industrial and warehousing facilities off Route I-295. The recent construction of both the Amazon fulfillment center on Mantua Grove Road and the Novaya Foxfield facility in the Mid-Atlantic Corporate Center lend support to this assumption.

As Table 15 below indicates, DVRPC projects that between 2025 and 2050, the Township will experience a population increase of approximately 11% and an employment increase of approximately 10%.

Table 14. Population and Employment Projections

| Year | Population²⁵ | Percent Change | Employment²⁶ | Percent Change |
|-------------|--------------------------------|-----------------------|--------------------------------|-----------------------|
| 2025 | 21,025 | - | 13,743 | - |
| 2030 | 21,063 | 0.18% | 14,190 | 3.25% |
| 2035 | 22,140 | 5.11% | 14,370 | 1.26% |
| 2040 | 23,019 | 3.97% | 14,608 | 1.66% |
| 2045 | 23,251 | 1.00% | 14,916 | 2.11% |
| 2050 | 23,404 | 0.65% | 15,167 | 1.68% |

²⁴ Delaware Valley Regional Planning Commission (DVRPC), Analytical Report: Population and Employment Forecasts 2015-2050, November 2022, p. 37., Table 7, <https://www.dvrpc.org/products/adr21014>

²⁵ Delaware Valley Regional Planning Commission (DVRPC), Analytical Report: Population and Employment Forecasts 2015-2050, November 2022, p. A-5., Table A-3, <https://www.dvrpc.org/products/adr21014>

²⁶ Delaware Valley Regional Planning Commission (DVRPC), Analytical Report: Population and Employment Forecasts 2015-2050, November 2022, p. B-5., Table B-3, <https://www.dvrpc.org/products/adr21014>

2.5 Housing Stock Projection

2.5.1 RESIDENTIAL BUILDING AND DEMOLITION PERMITS BY YEAR

The Fair Housing Act requires that Housing Plans include a projection of new housing units based on the number of building permits, development applications approved, and probable developments, as well as other indicators deemed appropriate. As Table 16 below shows, annual building permit issuance in West Deptford Township from 2013 and 2023 averaged to 9 units, while annual demolition permit issuance averaged 3 units. Assuming these rates remain relatively constant, the Township may see net increase of 45 new dwellings by the year 2028 and 90 units by 2033. However, with a demolition rate of about 3 existing homes on average per year, resulting in 17 demolitions in the next 5 years and 35 homes in the next 10 years. Factors such as the business cycle and physical constraints to development may result in a lower or higher number.

Table 15. Housing Unit Building and Demolition Permits by Year

| Year | Building Permits Issued for New Construction ²⁷ | Housing Demolition Permits Issued ²⁸ |
|------------------------|---|--|
| 2013 | 5 | 6 |
| 2014 | 13 | 8 |
| 2015 | 6 | 1 |
| 2016 | 3 | 0 |
| 2017 | 1 | 0 |
| 2018 | 18 | 8 |
| 2019 | 8 | 6 |
| 2020 | 17 | 2 |
| 2021 | 4 | 0 |
| 2022 | 4 | 3 |
| 2023 | 20 | 4 |
| Average | 9 | 3 |
| 2030 Projection | 63 | 21 |
| 2040 Projection | 153 | 51 |

²⁷ New Jersey Department of Community Affairs (NJDCa), Building Permits: Yearly Summary Data

²⁸ New Jersey Department of Community Affairs (NJDCa), Demolition Permits Yearly Summary Data

3.0 FAIR SHARE PLAN

This Fair Share Plan sets forth West Deptford Township's affordable housing obligations and explains how the Township is satisfying its obligation.

The Township's fair share is 1,142, consisting of Present Need (Rehabilitation Obligation) of 42, a Prior Round Obligation (1987-1999) of 368, a Third Round Obligation (1999-2024) of 472 and Fourth Round Obligation (2025-2035) of 260.

Another way to construe this 1,142 obligation is that the new construction obligation can be broken down into 840 for Rounds 1 through 3 and 260 for Round 4. The Township has applied the standards set forth in N.J.A.C. 5:93-4.2 to determine its entitlement to a vacant land adjustment to the cumulative 1,100 prospective need obligation (see Appendix). As a result of that analysis, the Township has determined that it is entitled to adjust its cumulative 1,100 prospective need to 597, leaving the Township with a realistic development potential (RDP) of 597 and an unmet need of 503. This plan will demonstrate how the Township is creating a realistic opportunity for satisfaction of its realistic development potential and how it is addressing its unmet need.

To elaborate on the vacant land adjustment analysis, in accordance with N.J.A.C. 5:93-4.2, we first created an inventory of vacant or underutilized parcels. Initially, an exhaustive analysis of all vacant properties was conducted utilizing 2024 MOD-IV tax data from the New Jersey Geographic Information Network. These data were reviewed for completeness and accuracy with respect to property class codes and, where necessary, updated based on local information and/or current aerial images.

Next, all privately owned vacant contiguous parcels under 0.83 acres were eliminated from the analysis (could not accommodate a density of 6 dwelling units per acre and would therefore generate zero affordable units). The Township utilized a density of 6 units per acre, as per COAH regulation N.J.A.C. 5:93-4.2.

Next, the Township removed agricultural lands which have been preserved; environmentally sensitive lands including wetlands, flood hazard areas, active recreation; and conservation, parklands and open space lands.

Furthermore, the Township removed parcels which were deemed to have special circumstances which might otherwise preclude the sites' inclusion, including vacant lands surrounded by industrial uses, areas without access, areas with access only through wetlands, areas with known contamination, sites containing utilities (i.e., pump stations, etc.), common areas within developed sites (i.e. parking areas, open space areas), areas with stormwater management facilities, etc. In other words, all sites that did not qualify as available, approvable, developable and suitable under COAH regulations were removed because a municipality can only comply with sites that meet these criteria

3.1 Present Need (Rehabilitation Obligation)

3.1.1. AS DETERMINED AND ADDRESSED

The Township accepts as its Rehabilitation Obligation of 42 units promulgated by the Department of Community Affairs (DCA) as the present need.

For the satisfaction of Rehabilitation Obligation, West Deptford Township is able to claim future credits resulting from participation in the Gloucester County Owner Occupied Rehabilitation Program and will operate a rehabilitation program.

The Gloucester County Owner Occupied Rehabilitation Program is administered by the Gloucester County Planning Division and is funded by the United States Department of Housing and Urban Development (HUD). For income eligible households, the program provides 0% per annum, simple interest deferred loans up to \$25,000 for the repair of major housing systems. As defined at N.J.A.C. 5:93-5.2(b), major systems include: “weatherization, a roof, plumbing, (including wells), heating, electricity, sanitary plumbing (including septic systems) and/or a load bearing structural system.”

As has been historically true, West Deptford Township will continue to participate in the Gloucester County Rehabilitation Program.

The second prong of the Township’s rehabilitation program relates to the establishment of a local program for the rehabilitation of rental units, inasmuch as the County program does not provide for the rehabilitation of rental units, which type units are to be addressed, pursuant to N.J.A.C. 5:93-5.2(h). Affordable Housing Trust Fund monies set-aside for this program will be reflected in the Township’s Fourth Round Spending Plan..

3.2 Municipal Obligation

3.2.1 NUMERIC OBLIGATION AS RECOGNIZED

As referenced above, the Township has a Prior Round Obligation of 368 units, a Third Round Obligation of 472, and a Fourth Round Obligation of 260 units, resulting in a total obligation of **1,100 units**.

3.2.2 FORMULAS HAVING APPLICABILITY FOR BONUS CREDITS

Bonus Credit and Limitation (P.L. 2024, C. 2):

- **Special Needs/Permanent Supportive Housing:** A municipality may receive one bonus credit for each unit of low- or moderate-income housing for individuals with special needs or permanent supportive housing.

There are 24 Group Home affordable bedroom units, in which the Township claims **24 bonus credits**.

- **Age-restricted housing:** A municipality may receive half ($\frac{1}{2}$) bonus credit for each unit of age-restricted housing, provided that a bonus credit for age-restricted housing shall not be applied to more than 10% of units of the maximum age-restricted housing.

As noted above, the Township is providing a total of 159 age-restricted units between Shepard's Farm and Winn-grove Road Senior Housing. That said, the Township is capped at 150.6 (round down) credits per P.L. 2024, C. 2 (30% of units, exclusive of bonus credits = 502 actual creditworthy units). While the 9 unit surplus of age restricted units that are being provided will be applied towards unmet need, the Township is eligible to take bonus credits for 10% of 150.6 (15.06 units). As such, the township is claiming **seven (7) bonus credits** under this category.

- **Municipal Contribution:** A municipality may receive one (1) bonus credit for each unit of low- or moderate-income housing in a 100% affordable housing project for which the municipality contributes land or at least 3% of the project's total cost.

The Township is contributing at least 3% to the project cost of the Winn-Grove Road Senior Housing development, which provides 84 affordable housing units. Thus, the Township claims **84 bonus credits**.

- **Bonus Credit Cap:** No more than 25% of a Municipality's Prospective Need obligation can be satisfied through bonus credits.

Thus, the Township may satisfy its obligation up to 150 units through bonus credits. The Township will satisfy **115 units** of its obligation through bonus credits. The Township does not have additional bonus credits at this time, but reserves the right to claim additional Fourth Round bonus credits should they become available at a later date in the Fourth Round.

3.2.3 SATISFACTION OF THE RDP

The Township is addressing its RDP obligation of 597 units with a mix of unit types and projects throughout the Township. There is a total of 608 credits contributing toward the 597-unit RDP, creating a surplus of 11 units ($608-597=11$). The Township intends to utilize this surplus to address at least a portion of its unmet need. The Township will comply with all UHAC, COAH, or other requirements in place at the time of project approval.

Table 16. RDP Compliance Mechanisms Summary

| | Credits | Bonus Credits | Total |
|--|----------------|----------------------|--------------|
| <i>Alternate Living Arrangements – Existing</i> | | | |
| Group Homes (various block & lots) | 24 | 24 | 48 |
| <i>100% Affordable Development - Existing</i> | | | |
| Shepard's Farm (Age Restricted) (Block 351.14, Lot 1) | 66 | 7 | 73 |

| | Credits | Bonus Credits | Total |
|---|----------------|----------------------|--------------|
| Gloucester County Housing Authority | 25 | 0 | 25 |
| <i>100% Affordable Development –Approved</i> | | | |
| Winn - Grove Road Senior Housing (Age Restricted) (Block 328, Lot 3.01) | 84 | 84 | 168 |
| <i>Inclusionary Development – Existing</i> | | | |
| White Swan (Block 349, Lot 3) | 24 | 0 | 24 |
| Victoria Walk (Block 132, Lot 7) | 2 | 0 | 2 |
| Hampton Crescent (Block 351.99, Lot 1) | 26 | 0 | 26 |
| <i>Inclusionary Development –Approved</i> | | | |
| Park West (Enclave) (Block 374, Lots 2.08, 3.02, 3.21, 3.22) | 92 | 0 | 92 |
| <i>Inclusionary Development – Proposed</i> | | | |
| K. Hovnanian Project at Riverwinds (Block 328 Lot 7.01) | 7 | 0 | 7 |
| Alterra Project at Riverwinds (Block 328 Lot 7.04) | 13 | 0 | 13 |
| <i>Inclusionary Development – Rezoned & Proposed</i> | | | |
| Westwood Golf Course Property (Block 433, Lot 1, Block 355, Lot 1, and Block 363, Lots 2, 2.03, 3.03, and 4.01) | 130 | 0 | 130 |
| Total | 493 | 115 | 608 |
| | | Surplus | 11 |

Alternate Living Arrangements – Existing

Group Homes

The Group Homes are comprised of 24 affordable bedroom units located in various locations. The Township claims 24 credits and 24 bonus credits, pursuant to the provision of one bonus credit for each unit of low- or moderate-income housing for individuals with special needs or permanent supportive housing.

| Administration | Address | Block, Lot | # of Beds | |
|-------------------------|------------------|---------------------|------------------|--|
| The Arc (Heather Ridge) | 454 Heather Dr N | Block 376, Lot 3.01 | 4 | |
| The Arc | 40 Hessian Ave | Block 168, Lot 11 | 5 | |
| H2H LLC | 99 Lionheart Ln | Block 351.23, Lot 1 | 3 | |
| H2H LLC | 104 Lionheart Ln | Block 351.23, Lot 1 | 3 | |
| H2H LLC | 76 Highbridge Ln | Block 351.23, Lot 1 | 3 | |

| | | | | |
|---------|------------------|---------------------|---|--|
| H2H LLC | 77 Highbridge Ln | Block 351.23, Lot 1 | 3 | |
| H2H LLC | 90 Highbridge Ln | Block 351.23, Lot 1 | 3 | |

Credits: 24

Bonus Credits: 24**Total Credits: 48****100% Affordable Development - Existing**Shepherd's Farm (Block 351.14, Lot 1)

The Shepherd's Farm development, is comprised of 75 constructed and occupied age restricted rental units, is situated at 981 Grove Road and was issued a Certificate of Occupancy in 2005. The project is owned by the Archdiocese of Camden and operated by the Housing Authority of Camden County. Due to the age restricted cap, 9 of the 75 units will be applied towards unmet need. Additionally, as indicated above the Township is limited to the number of bonus credits the Township can take related to age restricted units. The Township is claiming 7 bonus credits as related to the 66 age restricted units.

Total Credits: 66

Bonus Credits: 7**Total Credits: 73**Gloucester County Housing Authority Units

The Gloucester County Housing Authority operates 15 public housing family rental units within the Township. Per certification provided by the Authority, these units have been continuously occupied by low- and moderate-income households for at least a 20-year period. The table below lists for each the street address, block and lot number, and the date of the Authority's acquisition. Of these, 13 of the units were occupied subsequent to April 1, 1980; 1 unit of credit of claimed for each of these 13 units.

| Property | Block | Lot | Settlement Date |
|--------------------------|--------|-------------------------|-----------------|
| 416 Audubon Avenue | 291 | 14 | 09-28-79 |
| 94 Princeton Avenue | 358 | 10 | 06-09-80 |
| 1174 Red Bank Avenue | 122 | 19 (add'l lot: 20.01) | 06-03-80 |
| 104 Princeton Avenue | 358 | 12 | 04-06-81 |
| 209 Audubon Avenue | 307 | 2.05 | 11-25-80 |
| 425 Grove Avenue | 284 | 6 (add'l lots: 7, 7.01) | |
| 401 Audubon Avenue | 290 | 6 | 05-28-81 |
| 1169 Mantua Pike, Mantua | 426 | 5 | 07-09-81 |
| 225 Woodbury Terrace | 308 | 13 | 08-29-80 |
| 1122 Vivian Terrace | 132.02 | 12 | 12-05-80 |
| 124 Holly Drive | 356.14 | 15 | 09-28-79 |
| 1185 Lewis Terrace | 132.05 | 27 | 03-03-80 |

| Property | Block | Lot | Settlement Date |
|---------------------|--------------|------------|------------------------|
| 1118 Harker Avenue | 179.06 | 6 | 11-07-80 |
| 73 Lee Avenue | 426 | 4 | |
| 150 Dubois Avenue | 189.01 | 21 | 05-26-81 |
| 6 West First Avenue | 426 | 4 | 03-18-89 |
| 425 Grove Road | 284 | 6 | 03-06-81 |

Credits: 13

Up until 2019, the Authority also operated 12 single-family detached rental units through the Expanded Housing Opportunity (EHO) Program, a program which provides affordable housing to households which do not qualify for public housing. The table below lists the street address, block and lot number, and the date of the Housing Authority's acquisition. Through the duration of the Prior Round, these units were, pursuant to an Affordable Housing Agreement to which the Authority and the Township of West Deptford were party, restricted to occupancy by households having an income less than 80% of medium income.

| Property | Block | Lot | Settlement Date |
|--------------------------|--------------|------------|------------------------|
| 1417 Spiegle Avenue | 147 | 7D & 6A | 09-18-91 |
| 1353 Georgia Avenue | 135 | 5 & 6 | 10-30-91 |
| 1470 Crown Point Road | 152 | 7 | 12-06-91 |
| 81 Church Street | 339 | 4 | 12-18-91 |
| 213 Mansion Avenue | 300 | 4 | 05-28-92 |
| 414 West Red Bank Avenue | 198 | 15 | 05-28-92 |
| 34 "G" Street | 130A | 12 | 06-24-92 |
| 1119 Garrett Street | 179D | 7 | 06-29-92 |
| 1128 Ford Avenue | 132D | 11 | 06-15-92 |
| 505 West Red Bank Avenue | 130 | 6A | 07-31-92 |
| 309 Woodbury Terrace | 300 | 7 | 07-31-92 |
| 201 West Red Bank Avenue | 130.C | 52 | 09-25-92 |

The Township seeks to count for credit these units towards the portion of its RDP that is generated from the Prior Round.

Credits: 12

Total Credits: 25

Bonus Credits: 0

Total Credits: 25

100% Affordable Development – Approved

Winn – Grove Avenue Senior Apartments (Block 328, Lot 3.01)

After the Township zoned this site, the Township Planning Board granted approval via Resolution 2019-07 memorializing amended preliminary site plan approval to Grove Land Urban Renewal, LLC to construct 84 age-restricted senior apartments. In addition, the Township and the Developer entered into a Developer's Agreement and a PILOT Agreement, and the Township will be providing the developer with a payment of \$1,000,000 from its Affordable Housing Trust Fund. As such, this project is credit worthy for a 1 for 1 bonus credit for each affordable in a 100 percent affordable housing project for which the municipality contributes at least 3% toward the cost of the project. Winn is partnering with Soldier On to provide veterans housing and services in the project and the project was awarded tax credits under the Aspire tax credit program.

| | |
|-----------------------|------------|
| Credits: | 84 |
| <u>Bonus Credits:</u> | <u>84</u> |
| Total Credits: | 168 |

Inclusionary Development – Existing

Hampton Crescent Condominiums (Block 351.99, Lot 1)

The constructed and occupied Hampton Crescent Condominiums, located on Highbridge Lane, is one neighborhood of a larger single-family detached development known as The Grande at Kings Woods. Six (6) buildings comprise this constructed and occupied condominium complex, of which one (Building "B") houses 26 affordable rental units (Units 25-50). The building is owned by Hampton Crescent, L.L.C., 201 Crosswicks Street, Bordentown, New Jersey 08505. Per tax assessment information, the certificate of occupancy for Building "B" was issued on November 9, 2005.

| | |
|-----------------------|-----------|
| Credits: | 26 |
| <u>Bonus Credits:</u> | <u>0</u> |
| Total Credits: | 26 |

White Swan Development (Block 349, Lot 3)

This constructed and occupied development consists of 120 constructed and occupied pre-manufactured home sites and is situated on south side of Crown Point Road, east of the intersection with Paradise Road. Approval for the development was granted by the planning board at the November 26, 1991 meeting as memorialized by Resolution No. 91-24, adopted December 19, 1991. The development is situated within the R-5 Residence Mobile Home Development District, which is an inclusionary zone pursuant to Section 166-50.A of the township's zoning ordinance. Of the 120 sites, 24 are family units restricted for occupancy by low- and moderate-income households. The administrative agent for the site is Triad Associates of Vineland, New Jersey.

| | |
|-----------------------|----------|
| Credits: | 24 |
| <u>Bonus Credits:</u> | <u>0</u> |

Total Credits: 24Victoria Walk (Block 132, Lot 7)

Victoria Walk is a 21-unit inclusionary development located on Red Bank Avenue which is currently under construction. While originally approved for four (4) “For Sale” units be set aside as affordable pursuant to a condition of planning board approval and as pursuant to the Order Granting Plaintiff’s Motion for Summary Judgment of January 28, 2004, In the matter of Elite Construction Corp v. West Deptford Township and West Deptford Township Planning Board, the developer went bankrupt and did not complete the project. A new developer has agreed to complete one additional affordable unit for a total of two. Presently, one (1) of the units has been completed and one (1) unit is not yet constructed. The site upon which the project is being constructed is available, approvable, developable and suitable as per applicable COAH regulations. The administrative agent for the development is Triad Associates of Vineland, New Jersey.

| | |
|-----------------------|----------|
| Credits: | 2 |
| Bonus Credits: | 0 |
| Total Credits: | 2 |

Inclusionary Development – ApprovedPark West (Enclave) (Block 374, Lots 2.08, 3.02, 3.21, 3.22)

Per Planning Board Resolution 2023-21, the 93.3-acre site will provide for 336 apartments and 202 single family townhomes, for a total of 538 units. Of these units, 92 will be affordable family rental units. None of the project will be fee simple with the Townhomes being owned as a condominium product.

| | |
|-----------------------|-----------|
| Credits: | 92 |
| Bonus Credits: | 0 |
| Total Credits: | 92 |

Inclusionary Development – ProposedRiverwinds (Hovnanian) (Block 328 Lots 7.01, and 7.10)

Part of the River Center Redevelopment Plan (Riverwinds), J.S. Hovnanian & Sones, LLC Project site is located on Block 328, Lot 7.01 and 7.10. Per Resolution 2023-385, Hovnanian proposes 68 rental units, 7 of which will be affordable to low- and moderate-income households.

- Site Control: The site is owned by West Deptford Township.
- Approvable Site: Pursuant to N.J.A.C. 5:93-1.3, the site will 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.

- Developable Site: Pursuant to N.J.A.C. 5:93-1.3, the site has access to appropriate sewer and water infrastructure and is consistent with the areawide water quality management plan.
- Site Suitability Analysis: The site is suitable as defined in N.J.A.C. 5:93-1.3, which indicates that a suitable site is adjacent to compatible land uses, has access to appropriate streets and is consistent with environmental policies in N.J.A.C. 5:93-4.0
 - ✓ The site is available, approvable, developable and suitable for residential development.
 - ✓ The site is compatible and well connected to the surrounding area, including the RiverWinds Community Center and recreational uses such as the RiverWinds Golf & Tennis Club and the West Deptford Nature Trail.
 - ✓ The site will comply with all applicable environmental regulations. Per the wetlands layer of the NJ-GeoWeb managed by the New Jersey Department of Environmental Protection's (DEP) Bureau of GIS, approximately less than an acre of wetlands may potentially be present on site, providing approximately ten acres of developable area.
 - ✓ Per the Flood Insurance Rate Map (FIRM) of the Federal Emergency Management Agency (FEMA), the site is not located within any flood hazard areas.
 - ✓ The site contains no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact the development of the affordable housing.
 - ✓ The site is located in the Metropolitan Planning Area (PA1) per the New Jersey State Development and Redevelopment Plan, where future growth, revitalization, and compact mixed use development is intended to occur.
 - ✓ The site has direct frontage and access on Rivewinds Drive and Eagle Point Road.
 - ✓ 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
- Administrative Entity: An experienced affordable housing administrative entity acceptable to the Township that will administer the affordability controls and affirmative marketing. The administrative entity will qualify applicants and will provide long-term administration of the units in accordance with N.J.A.C. 5:80-26.1. et seq.
- Controls on Affordability: As the developer agreement was signed prior to the enactment of P.L. 2024, C. 2, the project will only have 30-year affordability controls and deed restriction.
- Bedroom Distribution: As the developer agreement was signed prior to the enactment of P.L. 2024, C. 2, the project will comply with old UHAC regulations
 - ✓ At least twenty percent (20%) of the affordable units shall be three-bedroom units.
 - ✓ Not more than twenty percent (20%) of the affordable units shall be efficiency and one bedroom
 - ✓ At least thirty percent (30%) of the affordable units shall be two bedroom units.
 - ✓ The balance may be two or three-bedroom units, at the discretion of the Redeveloper.
- Very Low/ Low/ Moderate Income Split: As the developer agreement was signed prior to the enactment of P.L. 2024, C. 2, the project will comply with old UHAC regulations
 - ✓ The Affordable Units shall be split between low income and moderate-income units. Fifty percent (50%) of the Affordable Units shall be available as low-income housing

units and fifty percent (50%) of the Affordable Units shall be available as moderate-income housing units, as such terms are defined in N.J.S.A. 52:27D-304 and the UHAC.

- Rental Bonus: This project not eligible for any bonus credits.

| | |
|-----------------------|----------|
| Credits: | 7 |
| <u>Bonus Credits:</u> | <u>0</u> |
| Total Credits: | 7 |

Alterra Project at Riverwinds (Block 328 Lot 7.04)

Part of the River Center Redevelopment Plan (Riverwinds), the Alterra Project site is located on Block 328, Lot 7.04. Per Resolution 2024-239, the First Amendment to Redevelopment Agreement, the project will provide 260 units, 13 of which will be affordable and deed restricted.

- Site Control: The site is owned by West Deptford Township.
 - Approvable Site: Pursuant to N.J.A.C. 5:93-1.3, the site will 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.
 - Developable Site: Pursuant to N.J.A.C. 5:93-1.3, the site has access to appropriate sewer and water infrastructure and is consistent with the areawide water quality management plan.
 - Site Suitability Analysis: The site is suitable as defined in N.J.A.C. 5:93-1.3, which indicates that a suitable site is adjacent to compatible land uses, has access to appropriate streets and is consistent with environmental policies in N.J.A.C. 5:93-4.
- ✓ The site is available, approvable, developable and suitable for residential development.
 - ✓ The site is approximately 15 acres and is compatible and well connected to the surrounding area, including the RiverWinds Community Center and recreational uses such as the RiverWinds Golf & Tennis Club and the West Deptford Nature Trail.
 - ✓ Per the wetlands layer of the NJ-GeoWeb managed by the New Jersey Department of Environmental Protection's (DEP) Bureau of GIS, approximately one acre of wetlands may potentially be present on site, providing approximately 14 acres of developable area.
 - ✓ Per the Flood Insurance Rate Map (FIRM) of the Federal Emergency Management Agency (FEMA), the site is not located within any flood hazard areas.
 - ✓ The site contains no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact the development of the affordable housing.
 - ✓ The site is located in the Metropolitan Planning Area (PA1) per the New Jersey State Development and Redevelopment Plan, where future growth, revitalization, and compact mixed use development is intended to occur.
 - ✓ 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
 - ✓ The site has direct frontage on Eagle Point Road and access to Township water and sewer service.

- Administrative Entity: An experienced affordable housing administrative entity acceptable to the Township that will administer the affordability controls and affirmative marketing. The administrative entity will income qualify applicants and will provide long-term administration of the units in accordance with N.J.A.C. 5:80-26.1. et seq.
- Controls on Affordability: As the developer agreement was signed prior to the enactment of P.L. 2024, C. 2, the project will only have 30-year affordability controls and deed restriction.
- Bedroom Distribution: As the developer agreement was signed prior to the enactment of P.L. 2024, C. 2, the project will comply with old UHAC regulations
 - ✓ At least twenty percent (20%) of the affordable units shall be three-bedroom units.
 - ✓ Not more than twenty percent (20%) of the affordable units shall be efficiency and one bedroom
 - ✓ At least thirty percent (30%) of the affordable units shall be two bedroom units.
 - ✓ The balance may be two or three-bedroom units, at the discretion of the Redeveloper.
- Very Low/ Low/ Moderate Income Split: As the developer agreement was signed prior to the enactment of P.L. 2024, C. 2, the project will comply with old UHAC regulations
 - ✓ The Affordable Units shall be split between low income and moderate-income units. Fifty percent (50%) of the Affordable Units shall be available as low-income housing units and fifty percent (50%) of the Affordable Units shall be available as moderate-income housing units, as such terms are defined in N.J.S.A. 52:27D-304 and the UHAC. The thirteen (13) affordable units in the Project will consist of seven (7) low-income units and six (6) moderate-income units. Since there is not an even number of affordable units to split, the Redeveloper will provide one more low income unit than moderate-income unit.
- Rental Bonus: This project not eligible for any bonus credits.

| | |
|-----------------------|-----------|
| Credits: | 13 |
| <u>Bonus Credits:</u> | <u>0</u> |
| Total Credits: | 13 |

Westwood Golf Course Property

The Westwood Golf Course Property is an approximately 118-acre site located on Kings Highway that encompasses Block 433, Lot 1, Block 355, Lot 1, and Block 363, Lots 2, 2.03, 3.03, and 4.01, and is currently the site of the Westwood Golf Club. The Township has adopted Ordinance 2024-10 rezoning the area to a mixed-use zone allowing affordable housing to be constructed on the site, and has also entered into a Developer's Agreement for the project with Kingswood Investment Group, LLC.

The proposed project will consist of 650 total units, which will deliver a 20% affordable housing set-aside of 130 affordable units.

- Site Control: The site has been rezoned to allow for the construction of affordable housing. A developer's agreement has also been executed between the Township and Kingswood Investment Group, LLC, who own the property.
- Approvable Site: Pursuant to N.J.A.C. 5:93-1.3, the site will 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.
- Developable Site: Pursuant to N.J.A.C. 5:93-1.3, the site has access to appropriate sewer and water infrastructure and is consistent with the areawide water quality management plan.
- Site Suitability Analysis: The site is suitable as defined in N.J.A.C. 5:93-1.3, which indicates that a suitable site is adjacent to compatible land uses, has access to appropriate streets and is consistent with environmental policies in N.J.A.C. 5:93-4.
 - ✓ The site is available, approvable, developable and suitable for residential development.
 - ✓ The site is approximately 118 acres and is well connected to the surrounding area,.
 - ✓ Per the wetlands layer of the NJ-GeoWeb managed by the New Jersey Department of Environmental Protection's (DEP) Bureau of GIS, wetlands and floodplain are present. The project will comply with regulations and environmental areas will be avoided.
 - ✓ The site is located in the Metropolitan Planning Area (PA1) per the New Jersey State Development and Redevelopment Plan, where future growth, revitalization, and compact mixed use development is intended to occur.
- Administrative Entity: An experienced affordable housing administrative entity acceptable to the Township that will administer the affordability controls and affirmative marketing. The administrative entity will income qualify applicants and will provide long-term administration of the units in accordance with N.J.A.C. 5:80-26.1. et seq.
- Controls on Affordability: As the developer agreement was signed prior to the enactment of P.L. 2024, C. 2, the project will only have 30-year affordability controls and deed restriction.
- Bedroom Distribution: As the developer agreement was signed prior to the enactment of P.L. 2024, C. 2, the project will comply with old UHAC regulations as per the terms of the entered into Developer's Agreement:
 - ✓ At least twenty percent (20%) of the affordable units shall be three-bedroom units.
 - ✓ Not more than twenty percent (20%) of the affordable units shall be efficiency and one bedroom
 - ✓ At least thirty percent (30%) of the affordable units shall be two bedroom units.
 - ✓ The balance may be two or three-bedroom units, at the discretion of the Redeveloper.
- Very Low/ Low/ Moderate Income Split: As the developer agreement was signed prior to the enactment of P.L. 2024, C. 2, the project will comply with old UHAC regulations as per the terms of the entered into Developer's Agreement:
 - ✓ The Affordable Units shall be split between low income and moderate-income units. Fifty percent (50%) of the Affordable Units shall be available as low-income housing units and fifty percent (50%) of the Affordable Units shall be available as moderate-income housing units, as such terms are defined in N.J.S.A. 52:27D-304 and the UHAC. The 130 affordable units in the Project will consist of seventeen (17) very low-income units and 65 moderate-income units.

- Rental Bonus: This project not eligible for any bonus credits.

| | |
|-----------------------|------------|
| Credits: | 130 |
| <u>Bonus Credits:</u> | <u>0</u> |
| Total Credits: | 130 |

3.3 Considered and Excluded Projects

A developer (South Shore Properties, LLC) sent a letter on March 12, 2025 requesting to develop an inclusionary project on a site known as the Farm Property (Block 326, Lots 3, 5, and 6 and Block 251, Lots 5.01 and 25) and a second inclusionary project on a site known as the Terminal Property (Block 350, Lots 1, 2, 5, 6, 6.01, 7, 7.02, 22, 22.02, 25, 25.01 and 26). The developer later proposed a project on the Farm Site consisting of 178 total for-sale townhomes, with a 20% affordable housing set-aside of 36 affordable rental townhomes. The developer has not as of the date of the filing of this plan offered a concrete proposal on the Terminal Property. Township representatives and the developer held a meeting to discuss both projects, and the projects were discussed before the Township's Mount Laurel Subcommittee and in executive session before the Township Committee.

As to the Farm Property, the developer admits in its March 12, 2025 letter that there are "obvious environmentally regulated areas on the Property". In addition, the only access to the site is via an old earthen berm/bridge that crosses over Bell Lake/Mathews Branch. Considering this earthen berm is the site's only access and there are concerns (1) regarding future access during emergencies, (2) with flooding, and (3) the continuing maintenance of the proposed upgraded bridge on the parcel, the Township is not including the Farm Property in its Fourth Round Housing Element and Fair Share Plan at this time..

However, the Township is including the Terminal Property as part of the way it intends to address its Fourth Round Unmet Need.

3.4 Unmet Need – 503 Units

As referenced above, the Township has an RDP of 597. Unmet need is the difference between the affordable housing obligation (1,100 units) and the obligation as indicated through the RDP (597). As such, the Township has an Unmet Need of 503 units. In addition to the previously indicated 11-unit surplus, and those creditable age restricted units above the age restricted cap, the Township presents the following mechanisms towards addressing the Unmet Need:

Mandatory Set-Aside Ordinance

The Township will adopt a Mandatory Set-Aside Ordinance ("MSO") that requires all residential development (containing five or more units), including approvals of use or density variances, site plans or subdivisions; redevelopment projects subject to a redevelopment plan adopted by the Township Committee that governs the development and redevelopment of designated areas in need of rehabilitation or areas in need of redevelopment in the Township; and, substantial revisions to previously approved developments, to have a 20% set-aside for

affordable units, regardless of whether they are for-sale or rental. All affordable units shall be restricted, regulated, and administered consistent with the Township's affordable housing regulations, the Uniform Housing Affordability Controls and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

Overlay Zone – Proposed

The Township had a preliminary meeting with a developer interested in developing Block 357, Lot 3.01 with a 144-unit rental project. The project would be inclusionary and would provide 29 affordable units. Considering that the site has not yet been designed and is still in preliminary concept, the Township will create an overlay zone that would require a 20% set aside.

Redevelopment Overlay – Proposed

The Township has identified numerous parcels that have the possibility of developing in the future. While the Township wishes to maintain its tax base and does not want to remove commercial property from tax rolls, the Township understands the need to provide additional opportunities for the construction of affordable housing. The Township proposes to permit residential, with a 20% set aside, both above and as a standalone structure, when accompanying commercial uses permitted in the underlying zone. It is envisioned that as sites redevelop in the future, the addition of housing will help spur future commercial activity. This redevelopment overlay will be applied to the following Block and Lots, totaling 337 acres:

- Crown Point Rd/Paradise Rd: Block 344.01; Block 344, Lot 2; Block 350, Lots 1, 2, 5, 6, 6.01, 7, 7.01, 7.02, 8, 8.01, 9, 22, 25, 25.01, and 26
- ✓ A portion of this proposed redevelopment area includes the Terminal Property, which is also known as the Dana Transport site. As discussed above, the Township had preliminary discussions with a developer regarding this site. While exact details were not indicated at the time, the Township is open to future discussions and feels the site is appropriate for future mixed-use development.
- Red Bank/ Hessian: Block 120, Lot 1; Block 122, Lots 1, 2, 3, 3.01, 4, 5, 6, 6.01 and 7
- Crown Point Rd/ Delaware St: Block 332, Lots 8.11 and 9; Block 268, Lots 4, 13 and 14; Block 276, Lot 1; Block 246.01, Lot 34; Block 257, Lots 1, 2, 3, 4, 5 and 6
- Cornell Ln/ Route 45: Block 161, Lots 6, 8 and 8.01
- Parkville/ Kings Highway: Block 369, Lot 1; Block 357, Lot 3; Block 353, Lot 1.06; Block 351.14, Lots 15 and 29
- Mantua Pk/Budd Blvd): Block 364, Lots 1, 1.01, 4, 4.01 and 13; Block 366, Lot 19; Block 368, Lot 19, 23 and 26; Block 356.01, Lot 9, 12, 12.01 and 14
- Crown Point Rd/Grove Ave: Block 338, Lot 1; Block 341; Lots 1 and 1.01; Block 252, Lots 14, 14.01, 15 and 16
- Crown Point Rd/ Mid Atlantic Pk: Block 345, Lots 1, 1.01, 1.02, 2 and 3; Block 344, Lot 2.01; Block 347.12, Lot 1; Block 347, Lots 2 and 2.01; Block 346.03, Lots 3 and 4

4.0 APPENDIX

1. Affordable Housing Site Map
2. Vacant Land Adjustment
3. Alterra Developer Agreement and Site Map
4. Hovanian Developer Agreement and Site Map
5. Westwood Golf Course Developer Agreement, Site Map and Adopted Zoning Ordinance.
6. Gemcraft Developer Agreement
7. Group Home Surveys/Licenses
8. Enclave Planning Approval

1. Affordable Housing Site Map

2. Vacant Land Adjustment

| BLOCK | LOT | ADDITIONAL LOT(S) | LOCATION | PROJECT NAME | AFFORDABLE HOUSING UNITS |
|--------|------|-------------------|-------------------|--|--------------------------|
| 328 | 7.04 | | EAGLE POINT RD | <i>Alterra at Riverwinds</i> | 13 |
| 374 | 2.02 | 2.06 | | <i>Approved Inclusionary Development (Park West/Hunting Green)</i> | 92 |
| 374 | 2.08 | | OGDEN STATION | <i>Approved Inclusionary Development (Park West/Hunting Green)</i> | |
| 374 | 3.02 | (Old Lot: 2.04) | PARKVILLE STATION | <i>Approved Inclusionary Development (Park West/Hunting Green)</i> | |
| 374 | 3.21 | | OGDEN STATION | <i>Approved Inclusionary Development (Park West/Hunting Green)</i> | |
| 374 | 3.22 | | OGDEN STATION | <i>Approved Inclusionary Development (Park West/Hunting Green)</i> | |
| 132 | 7 | | 4 VICTORIAN WALK | <i>Approved Inclusionary Development (Victoria Walk)</i> | 2 |
| 132 | 7 | | 2 VICTORIAN WALK | <i>Approved Inclusionary Development (Victoria Walk)</i> | |
| 132 | 7 | | 20 VICTORIAN WALK | <i>Approved Inclusionary Development (Victoria Walk)</i> | |
| 132 | 7 | | 17 VICTORIAN WALK | <i>Approved Inclusionary Development (Victoria Walk)</i> | |
| 328 | 3.01 | | 420 GROVE AVE | <i>Approved/Proposed 100% Affordable Development (Winn - Grove Ave Senior Apt)</i> | 84 |
| 351.23 | 1 | | 99 LIONHEART LA | <i>Existing Group Home (H2H LLC)</i> | 3 |
| 351.23 | 1 | | 104 LIONHEART LA | <i>Existing Group Home (H2H LLC)</i> | 3 |
| 351.23 | 1 | | 76 HIGHBRIDGE LA | <i>Existing Group Home (H2H LLC)</i> | 3 |
| 351.23 | 1 | | 77 HIGHBRIDGE LA | <i>Existing Group Home (H2H LLC)</i> | 3 |
| 351.23 | 1 | | 99 HIGHBRIDGE LA | <i>Existing Group Home (H2H LLC)</i> | 3 |
| 376 | 3.01 | | 145 PARKVILLE ST | <i>Existing Group Home (Heather Ridge LLC)</i> | 9 |
| 351.99 | 1 | | 25-50 HIGHBRIDGE | <i>Existing Inclusionary Development</i> | 26 |

| | | | | | |
|--------|-------------|------------------|-----------------|--|----|
| 179.04 | 7 | Old Block: 179D, | 1119 GARRETT ST | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | 25 |
| 300 | 4 | | 213 MANSION AV | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 130.01 | 6 | Old Block: 130A, | 505 WEST RED BA | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 135 | 5, 6 | | 1353 GEORGIA AV | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 147 | 7.04, 6A(?) | Old Lot: 7D | 1417 SPIEGLE AV | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 152 | 7 | | 1470 CROWN PO | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 198 | 15 | | 414 WEST RED BA | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 300 | 7 | | 309 WOODBURY | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 339 | 4 | | 81 CHURCH STRE | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 130.01 | 12 | Old Block: 130A, | 34 "G" STREET | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |

| | | | | | |
|--------|------|--------------------|-----------------|--|------------|
| 130.03 | 52 | Old Block: 130C, (| 201 WEST RED BA | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 132.04 | 11 | Old Block: 132D, (| 1128 FORD AVEN | Gloucester County Housing Authority (Expanded Housing Opportunity (EHO) Program) | |
| 433 | 1 | | | Inclusionary Development (850 Kings Highway - Westwood Golf) | 130 |
| 355 | 1 | | | Inclusionary Development (850 Kings Highway - Westwood Golf) | |
| 363 | 2 | | | Inclusionary Development (850 Kings Highway - Westwood Golf) | |
| 363 | 2.03 | | | Inclusionary Development (850 Kings Highway - Westwood Golf) | |
| 363 | 3.02 | | | Inclusionary Development (850 Kings Highway - Westwood Golf) | |
| 363 | 4.01 | | | Inclusionary Development (850 Kings Highway - Westwood Golf) | |
| 328 | 7.01 | | EAGLE POINT RD | K Hovanian at Riverwinds | 7 |
| 351.14 | 1 | | | Shepherd's Farm | 75 |
| 349 | 3 | | | White Swan Development | 24 |
| | | | | | 502 |

[illegible]

| | | | | | | | | | | | | | | | |
|-----|------|-----|----|---|------|-----|----|---|---------|--------|--------|----------------------|--|--------|-------------------|
| 446 | 0020 | 352 | 2 | 1 | 0020 | 352 | 2 | 1 | 0 | 0.993 | | 0.993 | No Access | | |
| 447 | 0020 | 352 | 1 | 0 | 0020 | 352 | 1 | 0 | 24.533 | 0.0225 | 0.3403 | 21.450 | Constrained Frontage/Access due to FR&D existing easement | | |
| 448 | 0020 | 352 | 4 | 0 | 0020 | 352 | 4 | 0 | 19.384 | 0.0315 | 0.3489 | 19.384 | Developed | | |
| 449 | 0020 | 352 | 10 | 0 | 0020 | 352 | 10 | 0 | 0.352 | | | 0.352 | Unconstrained Average Insufficient to Support Housing | | |
| 450 | 0020 | 352 | 14 | 0 | 0020 | 352 | 14 | 0 | 0.4178 | | | 0.4178 | HSA Open Space | | |
| 451 | 0020 | 352 | 15 | 0 | 0020 | 352 | 15 | 0 | 0.3403 | | | 0.3403 | Unconstrained Average Insufficient to Support Housing | | |
| 452 | 0020 | 352 | 15 | 0 | 0020 | 352 | 15 | 0 | 0.4309 | | | 0.4309 | HSA Open Space | | |
| 453 | 0020 | 352 | 15 | 0 | 0020 | 352 | 15 | 0 | 0.0817 | | | 0.0817 | Pump Station | | |
| 454 | 0020 | 352 | 1 | 0 | 0020 | 352 | 1 | 0 | 10.1774 | | 0.1380 | 0.0803 | County Open Space | | |
| 455 | 0020 | 352 | 2 | 0 | 0020 | 352 | 2 | 0 | 11.2870 | | 0.0305 | 12.3557 | | 14 | |
| 456 | 0020 | 352 | 2 | 0 | 0020 | 352 | 2 | 0 | 0.0305 | | 0.0265 | 0.4672 | | 14 | |
| 457 | 0020 | 352 | 4 | 0 | 0020 | 352 | 4 | 0 | 10.0000 | | 0.5577 | Approved Development | | | |
| 458 | 0020 | 352 | 7 | 0 | 0020 | 352 | 7 | 0 | 1.5035 | | | 1.5035 | | 1 | |
| 459 | 0020 | 352 | 10 | 0 | 0020 | 352 | 10 | 0 | 0.2100 | | | 0.2100 | | 2 | |
| 460 | 0020 | 352 | 9 | 0 | 0020 | 352 | 9 | 0 | 1.0901 | | 1.8797 | 0.0204 | Developed Residential Common Area | | |
| 461 | 0020 | 354 | 2 | 0 | 0020 | 354 | 2 | 0 | 1.6447 | | | 1.6447 | HSA Near Lot | | |
| 462 | 0020 | 354 | 2 | 0 | 0020 | 354 | 2 | 0 | 1.6447 | | | 1.6447 | | 4.0000 | |
| 463 | 0020 | 354 | 2 | 0 | 0020 | 354 | 2 | 0 | 1.5220 | | | 1.5220 | | 1.5220 | |
| 464 | 0020 | 354 | 5 | 0 | 0020 | 354 | 5 | 0 | 0.2664 | | | 0.2664 | Unconstrained Average Insufficient to Support Housing | | |
| 465 | 0020 | 356 | 0 | 0 | 0020 | 356 | 0 | 0 | 2.4241 | | 1.1782 | 2.4241 | Unconstrained Average Insufficient to Support Housing | | |
| 466 | 0020 | 356 | 0 | 0 | 0020 | 356 | 0 | 0 | 0.0963 | | 0.8760 | 0.831 | Access through wetlands | | |
| 467 | 0020 | 356 | 0 | 0 | 0020 | 356 | 0 | 0 | 0.1170 | | 0.0043 | 0.1113 | Unconstrained Average Insufficient to Support Housing | | |
| 468 | 0020 | 356 | 0 | 0 | 0020 | 356 | 0 | 0 | 0.0957 | | | 0.0964 | 1.118 | 11.8 | County Open Space |
| 469 | 0020 | 356 | 0 | 0 | 0020 | 356 | 0 | 0 | 12.0000 | | | 1.1371 | County Open Space | | |
| 470 | 0020 | 357 | 4 | 0 | 0020 | 357 | 4 | 0 | 8.8727 | | 1.3320 | 1.741 | Developed | | |
| 471 | 0020 | 357 | 0 | 0 | 0020 | 357 | 0 | 0 | 0.0251 | | | 0.0251 | Pump Station | | |
| 472 | 0020 | 357 | 0 | 0 | 0020 | 357 | 0 | 0 | 0.7607 | | 0.1889 | 0.5990 | Unconstrained Average Insufficient to Support Housing, Open Space | | |
| 473 | 0020 | 358 | 12 | 0 | 0020 | 358 | 12 | 0 | 0.0048 | | 0.2757 | 0.627 | Feasible only for single-family development | | |
| 474 | 0020 | 365 | 1 | 0 | 0020 | 365 | 1 | 0 | 0.2280 | | | 0.2280 | Unconstrained Average Insufficient to Support Housing | | |
| 475 | 0020 | 365 | 2 | 0 | 0020 | 365 | 2 | 0 | 0.1693 | | | 0.1693 | Unconstrained Average Insufficient to Support Housing | | |
| 476 | 0020 | 365 | 1 | 0 | 0020 | 365 | 1 | 0 | 0.1157 | | | 0.1157 | Unconstrained Average Insufficient to Support Housing | | |
| 477 | 0020 | 365 | 4 | 0 | 0020 | 365 | 4 | 0 | 0.3124 | | 0.0388 | 0.3036 | Unconstrained Average Insufficient to Support Housing | | |
| 478 | 0020 | 365 | 5 | 0 | 0020 | 365 | 5 | 0 | 0.1568 | | | 0.1568 | Unconstrained Average Insufficient to Support Housing | | |
| 479 | 0020 | 365 | 8 | 0 | 0020 | 365 | 8 | 0 | 0.1343 | | | 0.1343 | Unconstrained Average Insufficient to Support Housing | | |
| 480 | 0020 | 365 | 8 | 0 | 0020 | 365 | 8 | 0 | 0.1346 | | | 0.1346 | Unconstrained Average Insufficient to Support Housing | | |
| 481 | 0020 | 365 | 8 | 0 | 0020 | 365 | 8 | 0 | 0.1346 | | | 0.1346 | Unconstrained Average Insufficient to Support Housing | | |
| 482 | 0020 | 365 | 8 | 0 | 0020 | 365 | 8 | 0 | 0.1350 | | | 0.1350 | Unconstrained Average Insufficient to Support Housing | | |
| 483 | 0020 | 367 | 1 | 0 | 0020 | 367 | 1 | 0 | 0.2377 | | 0.0220 | 0.2157 | Unconstrained Average Insufficient to Support Housing | | |
| 484 | 0020 | 367 | 2 | 0 | 0020 | 367 | 2 | 0 | 0.1620 | | 0.0020 | 0.0705 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |
| 485 | 0020 | 367 | 3 | 0 | 0020 | 367 | 3 | 0 | 0.1296 | | 0.1296 | 0.0000 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |
| 486 | 0020 | 367 | 4 | 0 | 0020 | 367 | 4 | 0 | 0.1318 | | 0.1247 | 0.0071 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |
| 487 | 0020 | 367 | 5 | 0 | 0020 | 367 | 5 | 0 | 0.1318 | | 0.0844 | 0.0504 | Unconstrained Average Insufficient to Support Housing | | |
| 488 | 0020 | 367 | 6 | 0 | 0020 | 367 | 6 | 0 | 0.1318 | | 0.0756 | 0.0555 | Unconstrained Average Insufficient to Support Housing | | |
| 489 | 0020 | 367 | 7 | 0 | 0020 | 367 | 7 | 0 | 0.1318 | | 0.0950 | 0.0368 | Unconstrained Average Insufficient to Support Housing | | |
| 490 | 0020 | 367 | 8 | 0 | 0020 | 367 | 8 | 0 | 0.0609 | | 0.0791 | 0.0608 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |
| 491 | 0020 | 367 | 9 | 0 | 0020 | 367 | 9 | 0 | 0.1318 | | 0.1084 | 0.0234 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |
| 492 | 0020 | 367 | 10 | 0 | 0020 | 367 | 10 | 0 | 0.1322 | | 0.1322 | 0.028 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |
| 493 | 0020 | 367 | 11 | 0 | 0020 | 367 | 11 | 0 | 0.1311 | | | 0.1311 | Unconstrained Average Insufficient to Support Housing | | |
| 494 | 0020 | 367 | 12 | 0 | 0020 | 367 | 12 | 0 | 0.1446 | | | 0.1446 | Unconstrained Average Insufficient to Support Housing | | |
| 495 | 0020 | 367 | 13 | 0 | 0020 | 367 | 13 | 0 | 0.1311 | | 0.0423 | 0.0960 | Unconstrained Average Insufficient to Support Housing | | |
| 496 | 0020 | 367 | 14 | 0 | 0020 | 367 | 14 | 0 | 0.1313 | | | 0.0847 | Unconstrained Average Insufficient to Support Housing | | |
| 497 | 0020 | 367 | 15 | 0 | 0020 | 367 | 15 | 0 | 0.1321 | | | 0.1481 | Unconstrained Average Insufficient to Support Housing | | |
| 498 | 0020 | 367 | 16 | 0 | 0020 | 367 | 16 | 0 | 0.1300 | | 0.0802 | 0.0500 | Unconstrained Average Insufficient to Support Housing | | |
| 499 | 0020 | 367 | 17 | 0 | 0020 | 367 | 17 | 0 | 0.1315 | | | 0.0508 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |
| 500 | 0020 | 367 | 18 | 0 | 0020 | 367 | 18 | 0 | 0.1315 | | | 0.0605 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |
| 501 | 0020 | 367 | 19 | 0 | 0020 | 367 | 19 | 0 | 0.1316 | | 0.0546 | 0.0670 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |
| 502 | 0020 | 367 | 20 | 0 | 0020 | 367 | 20 | 0 | 0.1316 | | 0.0500 | 0.0700 | Unconstrained Average Insufficient to Support Housing, Constrained by HSA/Wetlands | | |

| | | | | | | | | | | | | | | | | | | | | |
|-----|------|-----|----|-----|----|------|-----|----|---|--|---------------|--|--|--------|---------|--------|--------|--|--|--|
| 503 | 0020 | 367 | 21 | 367 | 25 | 0020 | 367 | 21 | | | | | | 0.1317 | | 0.0758 | 0.0599 | Unconstrained Acreage insufficient to Support Housing. Constrained by FWA/Wetlands | | |
| 504 | 0020 | 367 | 23 | 367 | 25 | 0020 | 367 | 23 | | | | | | 0.1317 | | 0.0758 | 0.0599 | Unconstrained Acreage insufficient to Support Housing | | |
| 505 | 0020 | 367 | 23 | 367 | 25 | 0020 | 367 | 23 | | | | | | 0.1319 | | 0.0767 | 0.0553 | Unconstrained Acreage insufficient to Support Housing | | |
| 506 | 0020 | 370 | 1 | 370 | 1 | 0020 | 370 | 1 | 1 | | # HILLSIDE RD | | | 0.0928 | 0.13079 | | 0.5058 | Unconstrained Acreage insufficient to Support Housing. Constrained by FWA/Wetlands | | |

3. Alterra Developer Agreement and Site Map

General Notes & Data Sources:

This Geographic Information System (GIS) Map is for demonstration purposes only, any use of this product with respect to accuracy and precision shall be the sole responsibility of the end user.

The various parcels shown on this map are referenced, in part, from ground surveys, aerial surveys and recorded plans, and documents, and are to be used for approximate location purposes only.

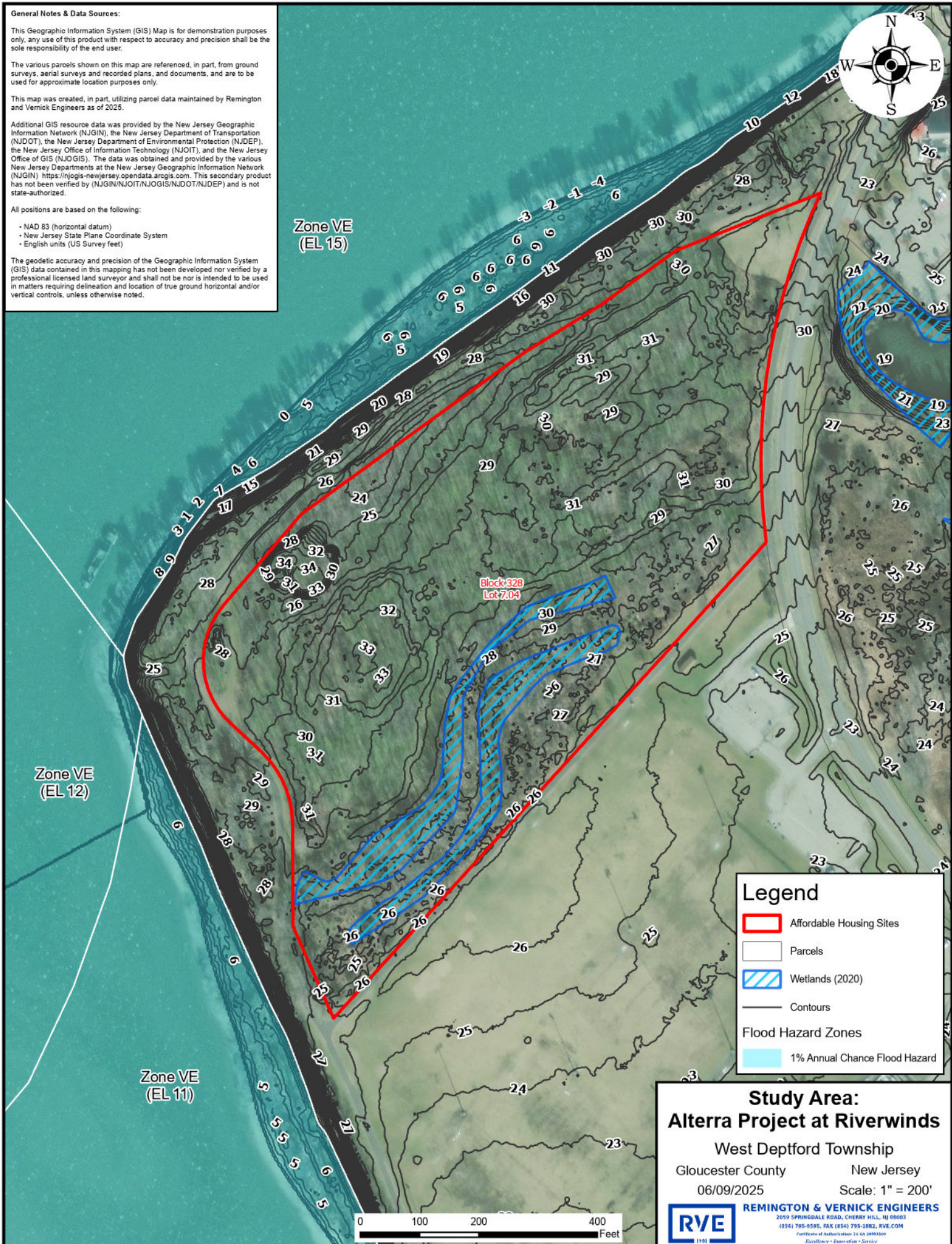
This map was created, in part, utilizing parcel data maintained by Remington and Vernick Engineers as of 2025.

Additional GIS resource data was provided by the New Jersey Geographic Information Network (NJGIN), the New Jersey Department of Transportation (NJDOT), the New Jersey Department of Environmental Protection (NJDEP), the New Jersey Office of Information Technology (NJGIT), and the New Jersey Office of GIS (NJOGIS). The data was obtained and provided by the various New Jersey Departments at the New Jersey Geographic Information Network (NJGIN) <https://njgis-newjersey.opendata.arcgis.com>. This secondary product has not been verified by (NJGIN/NJGIT/NJOGIS/NJDOT/NJDEP) and is not state-authorized.

All positions are based on the following:

- NAD 83 (horizontal datum)
- New Jersey State Plane Coordinate System
- English units (US Survey feet)

The geodetic accuracy and precision of the Geographic Information System (GIS) data contained in this mapping has not been developed nor verified by a professional licensed land surveyor and shall not be nor is intended to be used in matters requiring delineation and location of true ground horizontal and/or vertical controls, unless otherwise noted.

**Legend**

- Affordable Housing Sites
- Parcels
- Wetlands (2020)
- Contours
- Flood Hazard Zones
- 1% Annual Chance Flood Hazard

Study Area:
Alterra Project at Riverwinds

West Deptford Township
 Gloucester County New Jersey
 06/09/2025 Scale: 1" = 200'



REMINGTON & VERNICK ENGINEERS
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WEST DEPTFORD TOWNSHIP

RESOLUTION 2024- 239

**RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING
EXECUTION OF THE FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT
BETWEEN RIVERWINDS PARTNERS URBAN RENEWAL, LLC AND ALTERRA
PROPERTY GROUP, LLC AND THE TOWNSHIP OF WEST DEPTFORD**

WHEREAS, West Deptford Township ("Township") is empowered, pursuant to the provisions of the Local Redevelopment and Housing Law, as amended and supplemented, N.J.S.A. 40A:12A-1, *et seq.*, ("the Redevelopment Law"), to declare certain properties located within the Township as areas in need of redevelopment, and to adopt and implement redevelopment plans, and carry out redevelopment projects; and

WHEREAS, on May 6, 1999, the Township designated certain properties within the Township as an area in need of redevelopment and adopted a redevelopment plan for the Redevelopment Area entitled "RiverCentr at West Deptford"; and

WHEREAS, the Township is the owner of the property located at Block 328, Lot 7.04, on the Official Tax Map of the Township, and the Property is located within the Redevelopment Area and the Rehabilitation Area; and

WHEREAS, the Township and the Redeveloper have entered into that certain Redevelopment Agreement by and between Alterra Property Group and/or its affiliates and the Township of West Deptford dated April 5, 2023 ("Redevelopment Agreement"); and

WHEREAS, the Redevelopment Agreement contemplates the construction of approximately 260 low-rise rental apartment dwelling units to be completed pursuant to the provisions of the Redevelopment Plan; and

WHEREAS, the Township Committee has designated Redeveloper to undertake the necessary construction of those Project Improvements constituting the Project; and

WHEREAS, the Township and the Redeveloper have agreed that the Project should be modified to include the provision of a set aside of five percent (5%) of the units in the Project for low- and moderate- income housing; and

WHEREAS, the Township and Redeveloper desire to amend the Redevelopment Agreement to include provisions for low- and moderate- income housing and a Financial Agreement for the Project.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of West Deptford, County of Gloucester, and State of New Jersey hereby authorizes the execution of the attached First Amendment to Redevelopment Agreement between Riverwinds Partners Urban Renewal, LLC, Alterra Property Group, LLC and West Deptford Township.

ADOPTED at the meeting of the Township Committee of the Township of West Deptford held on July 17, 2024.

TOWNSHIP OF WEST DEPTFORD



JAMES P. MEHAFFEY, Mayor

ATTEST:



LEE ANN DEHART, Registered Municipal Clerk

CERTIFICATION

I, Lee Ann DeHart, Registered Municipal Clerk, of the Township of West Deptford, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Township of West Deptford held on July 17, 2024.



LEE ANN DEHART, Registered Municipal Clerk

FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT (the “First Amendment”), dated this ____ day of _____, 2023 by and between **RIVERWINDS PARTNERS URBAN RENEWAL, LLC**, a New Jersey limited liability company, an affiliate of and **ALTERRA PROPERTY GROUP, LLC**, a Pennsylvania limited liability company, having offices at 414 South 16th Street, Suite 100, Philadelphia, PA 19146, and/or its assignee, as provided herein, and the **TOWNSHIP OF WEST DEPTFORD**, a municipal corporation of the State of New Jersey, having offices at 400 Crown Point Road, West Deptford, NJ 08086.

WITNESSETH

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented, provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment or rehabilitation; and

WHEREAS, on May 6, 1999, the Township designated certain properties within the Township as an area in need of redevelopment and adopted a redevelopment plan for the Redevelopment Area entitled “RiverCentr at West Deptford”; and

WHEREAS, the Township is the owner of the property located at Block 328, Lot 7.04, on the Official Tax Map of the Township, and the Property is located within the Redevelopment Area and the Rehabilitation Area; and

WHEREAS, Section 8(f) of the Redevelopment Law authorizes the Township to arrange or contract with a redeveloper for the planning, construction, or undertaking of any project or redevelopment work in an area designated as an area in need of rehabilitation or redevelopment; and

WHEREAS, the Township and the Redeveloper have entered into that certain Redevelopment Agreement by and between Alterra Property Group and/or its affiliates and the Township of West Deptford dated April 5, 2023 (“Redevelopment Agreement”)

WHEREAS, the Redevelopment Agreement contemplates the construction of approximately 260 low-rise rental apartment dwelling units to be completed pursuant to the provisions of the Redevelopment Plan; and

WHEREAS, the Township Committee has designated Redeveloper to undertake the necessary construction of those Project Improvements constituting the Project; and

WHEREAS, the Township and the Redeveloper have agreed that the Project should be modified to include the provision of a set aside of five percent (5%) of the units in the Project for low- and moderate-income housing; and

WHEREAS, the Township has agreed, among other things, to adopt an Ordinance pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., providing for a Financial Agreement with Redeveloper for payments in lieu of real estate taxes; and.

WHEREAS, the Township and Redeveloper desire to amend the Redevelopment Agreement to include provisions for low- and moderate-income housing and a Financial Agreement for the Project.

NOW, THEREFORE, for and in consideration of the premises and of the mutual representations, covenants and agreements herein set forth and to implement the purposes of the Redevelopment Law and the Redevelopment Plan, the Parties hereto, each binding itself, its successors, and assigns do mutually promises, covenant and agree as follows:

1. Redevelopment Agreement to Remain in Effect. All terms of the Redevelopment Agreement shall remain in full force and effect, unless modified by this First Amendment. All capitalized terms in this First Amendment shall have the meaning ascribed to them in the Redevelopment Agreement unless otherwise defined herein.

2. Definitions. Section 1.2 of the Redevelopment Agreement, Definitions, is hereby amended as follows:

A new definition is hereby added to the Redevelopment Agreement as follows: “Certificate of Formation” means a Certificate of Formation for an Urban Renewal Entity approved by the New Jersey Department of Community Affairs and filed with the State of New Jersey, Department of the Treasury.”

A new definition is hereby added to the Redevelopment Agreement as follows: “Financial Agreement” means a financial agreement between Redeveloper, or its Affiliates or assigns, and the Township for a payment in lieu of taxes, pursuant to the Long Term Exemption Law, N.J.S.A. 40A:20-1 et seq. “

A new definition is hereby added to the Redevelopment Agreement as follows: “First Amendment” means the First Amendment to Redevelopment Agreement executed by the Parties, dated _____, 2023”

A new definition is hereby added to the Redevelopment Agreement as follows: “Long Term Exemption Law” means the New Jersey Long Term Tax Exemption Law, codified at N.J.S.A. 40A:20-1 et seq. ”

The definition of “Project Improvements” is deleted in its entirety and replaced with the following: “The development and construction of approximately 260 low-rise rental apartment dwelling units, with five (5%) percent of the units set aside for low- and moderate-income families.”

A new definition is hereby added to the Redevelopment Agreement as follows: “Urban Renewal Entity” means an urban renewal entity formed by the Redeveloper in accordance with the Long Term Tax Exemption Law and this Redevelopment Agreement to construct the Project.”

3. Affordable Housing Obligation . Section 8.6, of the Redevelopment Agreement, Affordable Housing Obligation is hereby deleted in its entirety and replaced with the following:

Obligation To Comply With Affordable Housing Requirements: Redeveloper shall comply with the provisions in this section regarding the Affordable Units in the Project, which provisions shall prevail in the case of conflicts with other laws. The configuration (unit size and affordability levels) of the thirteen (13) Affordable Units in the Project shall be designed and completed in accordance with the Fair Housing Act (FHA), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.) (UHAC), and Prior Round Council on Affordable Housing (COAH) regulations (N.J.A.C. 5:93-1.1, et seq.) as follows:

(a) Deed Restriction Period: The Redeveloper shall have an obligation to deed restrict the affordable units in the Project as low or moderate-income affordable units for a period of at least thirty (30) years from the date of the initial certificate of occupancy is issued for each affordable unit (the “Deed-Restriction Period”), so that the Township may count each affordable unit against its obligation to provide family rental affordable housing. The affordable units shall be subject to the Deed Restriction Period, unless and until the Township, in accordance with applicable law, extends or releases the controls on affordability. If the Township should choose not to extend the controls and takes action to release the controls, the affordability controls shall remain in effect until the date on which a rental unit shall become vacant, provided that the occupant household continues to earn a gross annual income of less than 80 percent of the applicable median income. See N.J.A.C. 5:80-26.11(b). If, at any time after the end of thirty (30) years after the date of initial occupancy, a rental household’s income is found to exceed 80 percent of the regional median income, the rental rate restriction shall expire either at the next scheduled lease renewal or sixty (60) days later, whichever is later. See Ibid. The term family rental in this Agreement means rental units that are not age restricted.

(b) Deed Restriction: The Redeveloper shall execute and record a Deed Restriction in a form not inconsistent with UHAC regulations and approved by the Township before the first Certificate of Occupancy is issued for the Inclusionary Development. The Deed Restriction will be recorded in the Gloucester County Clerk’s office.

(c) Income Distribution Requirements: The Affordable Units shall be split between low-income and moderate-income units. Fifty percent (50%) of the Affordable Units shall be available as low-income housing units and fifty percent (50%) of the Affordable Units shall be available as moderate-income housing units, as such terms are defined in N.J.S.A. 52:27D-304 and the UHAC. The thirteen (13) affordable units in the Project will consist of seven (7) low-income units and six (6) moderate-income units. Since there is not an even number of affordable units to split, the Redeveloper will provide one more low-income unit than moderate-income unit.

(d) Bedroom Mix: UHAC regulations require that at least twenty percent (20%) of the affordable units in each project shall be three-bedroom units, but not more than twenty percent (20%) of the affordable units in each project shall be efficiency and one bedroom units, and at least thirty percent (30%) of the affordable units in each project shall be two bedroom units. The balance may be two or three-bedroom units, at the discretion of the Redeveloper.

(e) Adaptability Requirements: All new construction Affordable Units shall be adaptable in conformance with N.J.S.A. 52:27D-311a-311b, and all other applicable laws.

(f) Other Affordable Housing Unit Requirements: The Redeveloper will also comply with all of the other requirements of UHAC and COAH Prior Round regulations, including, but not limited to: (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, and (3) integrating the Affordable Units amongst the market rate units.

(g) Administrative Agent: The Redeveloper shall contract with a qualified and experienced third-party Administrative Agent, which may be the Township's Administrative Agent, for the administration of the affordable units and shall have the obligation to pay all costs associated with properly deed restricting the affordable units in accordance with this Agreement for the Deed-Restriction Period. The Redeveloper and the Redeveloper's Administrative Agent, should the Administrative Agent not be the Township's Administrative Agent, shall work with the Township and the Township's Administrative Agent regarding any affordable housing monitoring requirements imposed by COAH or the Court. In that event, the Redeveloper and/or the Redeveloper's Administrative Agent, shall provide, within thirty (30) days after written notice, detailed information reasonably requested by the Township or the Township's Administrative Agent concerning the Redeveloper's compliance with UHAC, any applicable Court orders, and other applicable laws.

(h) Phasing: The affordable units and the market rate units have to be properly phased in accordance with COAH Prior Round Phasing Regulation (N.J.A.C. 5:93-5.6(d)) as follows:

| Min. % of Affordable | Maximum % of Market |
|------------------------|------------------------------|
| <u>Units Completed</u> | <u>Units to be Completed</u> |
| 0 | 25 |
| 10 | 25 +1 unit |
| 50 | 50 |
| 75 | 75 |

(i) Inclusion of Affordable Units in the Township's Housing Element and Fair Share Plan: The Redeveloper and the Township agree that all of the Affordable Units in the Project will be included in the Township's Housing Element and Fair Share Plan, which may or may not be approved by the Court at a Compliance Hearing.

4. Tax Exemption. Section 8.7 of the Redevelopment Agreement is hereby deleted in its entirety and replaced with the following. "**Application for Tax Exemption.** The Parties acknowledge that the Property cannot be redeveloped with the Project pursuant to the Redevelopment Plan by private capital investment alone, and, therefore, an exemption from *ad valorem* taxes is necessary for the success of the Project. Following the Effective Date, the Redeveloper shall submit to the Township an application for tax exemption in accordance with the Long Term Tax Exemption Law and the terms of the Financial Agreement, which shall provide, *inter alia*, that the Redeveloper shall make annual payments to the Township in lieu of taxes in an amount set forth in the Financial Agreement. The Redeveloper shall, prior to the execution of the Financial Agreement, obtain approval of its status as an Urban Renewal Entity in accordance with the Long Term Tax Exemption Law. Prior to execution of the Financial Agreement, the Redeveloper shall deliver to the Township a certified copy of the Certificate of Formation of the Redeveloper. The Township acknowledges that the financial viability of the Project is dependent on the Township agreeing to enter into financial agreement with the Redeveloper. In the event that (i) the governing body of the Township does not approve Redeveloper's application for such financial agreements (or, having approved such financial agreements, an appeal is filed challenging such approvals and is finally resolved against the Township and/or Redeveloper), or (ii) the Township fails to enter into such financial agreements, then under any of these events, Redeveloper may elect on written notice to the Township to terminate this Agreement. In the event a third-party commences legal action challenging any financial agreement(s) with the Township all dates and deadlines in this Agreement and all rights and remedies of Redeveloper shall be tolled until such time as a final, unappealable resolution of such action(s) has been reached."

5. Off-Tract Improvements. New Section 4.20 is hereby inserted into the Agreement as follows: "Section 4.20 Off-Tract Improvements. The Parties recognize that the development of the Project will have an impact on existing and planned roads within the Redevelopment Area. The construction of roadway improvements within the Redevelopment Area will be undertaken by the Township or other developers. The Parties have agreed that Redeveloper shall make a contribution of two hundred fifty thousand (\$250,000.00) dollars ("**Contribution**") toward the cost of roadway improvements to be made within the Redevelopment Area. The Parties hereby agree that such Contribution represents a fair estimate of the Redeveloper's pro rata share of the cost of roadway improvements in the Redevelopment Area, and that the Redeveloper shall not be required to contribute any additional sums, or make any off-tract roadway improvements, for the development of the Project. The Contribution shall be paid at the time all Governmental approvals have been obtained and the Site Plan is signed.

6. Transfer. The Township acknowledges that Alterra Property Group, LLC has assigned the Agreement to its affiliate Riverwinds Partners Urban Renewal LLC and such transfer is a Permitted Transfer.

7. **Governing Law.** This First Amendment shall be governed by and construed in accordance with the laws of the State of New Jersey without regard to principles of conflict of laws thereunder.

8. **Invalidity.** The invalidity of any provision of this First Amendment shall not impair or affect in any manner the validity, enforceability or effect of the Redevelopment Agreement.

9. **Conflict Between Agreements.** If there is any conflict between the terms of this First Amendment and the terms of the Redevelopment Agreement or any prior amendment, the terms of this First Amendment shall control.

10. **Counterparts.** This First Amendment may be executed in multiple original counterparts and shall constitute an agreement binding upon the Parties, notwithstanding that the Parties are not signatories to the same counterpart, provided that the Parties have executed a counterpart hereof and are furnished a copy or copies thereof reflecting the signature of the Parties. This First Amendment may be executed by facsimile or by portable document format (.pdf) signature, such that execution of this First Amendment by facsimile or by portable document format (.pdf) signature shall be deemed effective for all purposes as though this First Amendment was executed as a “blue ink” original.

Signatures on following page