



Fourth Round (2025 – 2035) HOUSING ELEMENT AND FAIR SHARE PLAN

TOWNSHIP OF EAST BRUNSWICK Middlesex County, New Jersey

Adopted: June 18, 2025

Township of East Brunswick Planning
Board

Prepared by:



**Fourth Round (2025 – 2035)
HOUSING ELEMENT AND FAIR SHARE PLAN
TOWNSHIP OF EAST BRUNSWICK
Middlesex County, New Jersey**

Prepared for:

Township of East Brunswick
Planning Board
1 Jean Walling Civic Center Drive
East Brunswick, New Jersey 08816

Prepared by:

Phillips Preiss Grygiel Leheny Keller LLC
Planning and Real Estate Consultants
70 Hudson Street, Suite 5B
Hoboken, New Jersey 07030

Adopted by the Township of East Brunswick Planning Board

June 18, 2025

A handwritten signature in cursive script, appearing to read "Kate Keller", is written over a horizontal line.

Kate Keller, PP, AICP
New Jersey Professional Planner License #6280

*The original copy of this document was signed and sealed in
accordance with N.J.S.A. 45:14 A-1 et seq.*

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ACKNOWLEDGMENTS

East Brunswick Township Mayor and Council

Mayor Brad J. Cohen

Kevin McEvoy, Council President

Dana Zimbicki, Council Vice President

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Steve Philips, Member

Muhammad Hashmi, Secretary

Adam Neary, Environmental Commission Rep.

Mary Pan, Alt Member

Rick Burghli, Alt. Member

Joseph Criscuolo

Township Administrator

Susan Fein

Housing Specialist & Executive Director, East Brunswick Community Housing Corporation

Keith T. Kipp

Director of Planning and Engineering

Introduction

This Housing Element and Fair Share Plan has been prepared on behalf of the Township of East Brunswick, Middlesex County, in accordance with the New Jersey Municipal Land Use Law per N.J.S.A. 40:55D-28b(3) and the Fair Housing Act (N.J.S.A. 52:27D-301 [2024]) as amended, applicable rules established by the Council on Affordable Housing (“COAH”), and the Administrative Office of the Courts Directive #14-24. This document addresses the Township’s plans to address its 2025-2035 obligation to provide its fair share of the regional need for affordable housing. This Fourth Round Housing Element and Fair Share Plan will be submitted to the Affordable Housing Dispute Resolution Program and subsequently to Superior Court for a determination as to its compliance with the requirements.

The Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., requires that a municipal master plan include a Housing Element in order for the municipality to exercise the power to zone and regulate land use. The Housing Element and Fair Share Plan is adopted by the Township Planning Board and endorsed by the governing body. It is intended to achieve the goal of meeting the Township’s obligation to plan and regulate land use to provide for a fair share of the regional need for affordable housing.

East Brunswick remains committed to meeting its constitutional obligation to provide, through its land use regulations, a realistic opportunity for a fair share of the region’s present and prospective needs for housing for low- and moderate-income families. This Housing Element and Fair Share Plan document outlines how the Township will address its affordable housing obligations.

I. Affordable Housing in New Jersey and East Brunswick

A. MOUNT LAUREL I & MOUNT LAUREL II

In 1975 the Supreme Court of New Jersey issued the decision South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 67 N.J. 151 (1975), commonly known as “Mount Laurel I,” which ruled that the developing municipalities in the State of New Jersey exercising their zoning power, in general, had a constitutional obligation to provide a realistic opportunity for the construction of their fair share of the region’s low- and moderate-income housing needs.

In 1983, the Supreme Court refined that constitutional obligation in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”) to apply to those municipalities having any portion of their boundaries within the growth area as shown on the State Development Guide Plan.

B. FAIR HOUSING ACT & ESTABLISHMENT OF COAH

In 1985, the New Jersey Legislature adopted, and the Governor signed, the Fair Housing Act (“FHA”) N.J.S.A. 52:2D-301 et seq. which transformed the judicial doctrine that had become known as the “Mount Laurel doctrine” into a statutory one and provided an alternative administrative process in which municipalities could elect to participate in order to establish a Housing Element and Fair Share Plan (“HEFSP”) that would satisfy its constitutional obligation by creating an administrative agency known as the Council on Affordable Housing (“COAH”) to develop regulations to define the obligation and implement it. COAH proceeded to adopt regulations for First Round obligations applicable from 1987 to 1993 and Second Round obligations that created a cumulative obligation from 1987 to 1999.

C. COAH THIRD ROUND

COAH first proposed Third Round substantive and procedural rules in 2003, but due to multiple legal challenges, these rules were not adopted until 2008. However, the Third Round rules adopted in 2008 were challenged in an appeal entitled In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 416 N.J. Super. 462 (App. Div. 2010) (the “2010 Case”). In October 2010, the Appellate Division determined, among other things, that the methodology in the rules adopted in 2008 was invalid and that COAH should adopt regulations utilizing methodologies similar to the ones utilized in the First and Second Rounds, i.e. 1987-1999.

In 2013, the Supreme Court of New Jersey affirmed the Appellate Division’s invalidation of the third iteration of the Third Round regulations, sustained their determination that the growth share methodology was invalid, and directed COAH to adopt new regulations based upon the methodology utilized in the First and Second Rounds, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 215 N.J. 578 (2013) (the “2013 Case”). COAH proceeded to propose such regulations in accordance with the schedule established by the New Jersey Supreme Court in the 2013 Case. On October 20, 2014, COAH deadlocked with a 3-3 vote and failed to adopt the revised Third Round regulations. Due to COAH’s failure to adopt the revised regulations and subsequent inaction, Fair Share Housing Center (“FSHC”), a party in the 2010 Case and the 2013 Case, filed a motion with the New Jersey Supreme Court to enforce litigant’s rights.

On March 10, 2015, the New Jersey Supreme Court issued its decision on FSHC's motion. 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. (2015) found that the COAH administrative process had become non-functioning and, as a result, returned primary jurisdiction over affordable housing matters to the trial courts. In doing so, the Supreme Court declined to adopt a specific methodology or formula to calculate the Third Round affordable housing obligations of the municipalities and instead set forth a transitional process for municipalities to file a declaratory judgment action with the trial courts seeking to declare their housing plans as constitutionally compliant to seek protection and repose from exclusionary zoning litigation.

East Brunswick's Participation in the Third Round

The 2015 Supreme Court decision recognized that a number of municipalities attempted to address their affordable housing obligations in 2008 by preparing a housing element and fair share plan and petitioning COAH for substantive certification of the plan. Through no fault of its own, East Brunswick, like a number of other municipalities, did not receive substantive certification of its 2008 plan due to inaction by COAH and subsequent legal challenges. Such towns were considered "participating municipalities" and afforded an opportunity to prepare a new housing element and fair share plan to address its affordable housing obligations. East Brunswick subsequently filed a declaratory judgment with the Superior Court in July 2015 seeking a declaration of its compliance with the Mount Laurel doctrine and FHA in accordance with the decision in the 2015 Case. The Township reached a settlement with FSHC, which was memorialized in an agreement between the two parties dated December 29, 2016. East Brunswick subsequently received a Judgment of Compliance and Repose from the Superior Court on March 21, 2017.

D. AMENDED FAIR HOUSING ACT & FOURTH ROUND

On March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or "Act"). The Amended FHA eliminated COAH, and it set forth standards by which the fair share of municipalities must be established for the Fourth Round covering the period July 1, 2025, through June 30, 2035, and for subsequent rounds. It also created the Affordable Housing Dispute Resolution Program (the "Program") to oversee disputes and provide for mediation. The Amended FHA also established a timeline by which government entities and municipalities are required to act including the following:

- **October 20, 2024:** Per the Amended FHA, the New Jersey Department of Community Affairs ("DCA") was required to determine the obligation of all municipalities based upon the standards in the Amended FHA and to issue a non-binding report no later than October 20, 2024, setting forth its estimates of each municipality's non-binding obligation based upon those standards. DCA issued their report setting forth their estimates of each municipality's non-binding obligation on October 18, 2024.
- **January 31, 2025:** The Amended FHA permits municipalities the choice to either accept the DCA determination of their obligation described above, or to provide their own determination based upon the standards in the Amended FHA. Municipalities were required to adopt a binding resolution of its Fourth Round obligation by January 31, 2025. If the municipality met this January 31 deadline, the municipality's determination of its obligation would be established by default and would bear a presumption of validity beginning on March 1, 2025, as the municipality's obligation for the fourth round, unless challenged by an interested party on or before February 28, 2025.

- **February 28, 2025:** The deadline for an interested party to file a challenge with the Program regarding a municipality's determination of its Fourth Round obligation was February 28, 2025. Any challenge was required to state with particularity how the municipal calculation failed to comply with the Amended FHA and include the challenger's own calculation of the fair share obligations.
- **March 31, 2025:** The Program was required to consider a challenge and resolve a dispute initiated by an interested party no later than March 31, 2025.
- **June 30, 2025:** A municipality is required to adopt a housing element and fair share plan and propose drafts of the appropriate zoning and other ordinances and resolutions to implement its present and prospective obligations. The plan must be filed with the Program. Any municipality that does not adopt a housing element and fair share plan by June 30, 2025, shall lose its immunity from builders' remedy lawsuits.
- **August 31, 2025:** An interested party may file a challenge with the Program on or before August 31, 2025, alleging that the municipality's fair share plan and housing element are not in compliance with the Amended FHA or the Mount Laurel doctrine. Any interested party that files a challenge shall specify with particularity which sites or elements of the municipal fair share plan do not comply with the Amended FHA or the Mount Laurel doctrine, and the basis for alleging such noncompliance. If a municipality's fair share plan and housing element is not challenged on or before August 31, 2025, then the program shall apply an objective standard to conduct a limited review of the fair share plan and housing element for consistency and to determine whether it enables the municipality to satisfy the fair share obligation, applies compliant mechanisms, meets the threshold requirements for rental and family units, does not exceed limits on other unit or category types, and is compliant with the Amended FHA and the Mount Laurel doctrine.
- **December 31, 2025:** The program shall facilitate communication between the municipality and any interested parties for a challenge and provide the municipality until December 31, 2025, to commit to revising its fair share plan and housing element in compliance with the changes requested in the challenge, or provide an explanation as to why it will not make all of the requested changes, or both. Upon resolution of a challenge, the program shall issue compliance certification, conditioned on the municipality's commitment, as necessary, to revise its fair share plan and housing element in accordance with the resolution of the challenge. The program may also terminate immunity if it finds that the municipality is not determined to come into constitutional compliance at any point in the process.
- **March 15, 2026:** The requirement to adopt all implementing ordinances to effectuate the HEFSP as set forth in and incorporating any changes from the program, shall be adopted on or before March 15, 2026. Failure to meet the March 15 deadline shall result in the municipality losing immunity from exclusionary zoning litigation.

This Housing Element and Fair Share Plan has been prepared pursuant to all applicable laws and regulations and addresses East Brunswick's affordable housing compliance.

II. Housing Element/Fair Share Plan Requirements

In accordance with the Municipal Land Use Law (N.J.S.A 40:55D-1, et seq.), a municipal Master Plan must include a housing element as the foundation for the municipal zoning ordinance. Pursuant to the Amended Fair Housing Act, a municipality's 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. The housing element must contain at least the following, as per the Amended FHA at N.J.S.A. 52:27D-310:

- 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;
- 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 of 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);
- 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, pursuant to N.J.S.A. 52:27D-329.20f.(1);
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council¹, 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; 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 As East Brunswick is not located within the jurisdiction of the Highlands Water Protection and Planning Council, this information is not required nor included herein.

III. Housing Stock and Demographic Analysis

A. HOUSING STOCK INVENTORY

In 2023, there were 17,524 housing units in the Township of East Brunswick, of which 552, or roughly 3%, were vacant. Of the 16,972 occupied units, nearly 81% were owner occupied and approximately 19% were renter occupied. Table 1, Housing Units by Occupancy Status, 2023, illustrates this occupancy status in 2023.

Table 1. Housing Units by Occupancy Status, 2023

	Housing Units	Owner Occupied	Renter Occupied
Occupied	16,972	13,716	3,256
Vacant	552	-	-
Total	17,524	-	-

Source: American Community Survey, 2019-2023 (Table DP04 Selected Housing Characteristics)

Approximately 75.5% of the Township's total housing stock consists of single-family dwellings, of which 65% are single-family detached units.⁷ Structures with two to four units comprise nearly 6% of the total housing stock, approximately 9% of which consists of housing with 20 or more units. Note that the table below does not capture many of the newer multi-family dwellings that have been constructed, or are under construction, in the Township at present. See Table 2, Housing Units by Number of Units in Structure, 2023, for a detailed explanation of the Township's housing units.

Table 2. Housing Units by Number of Units in Structure, 2023

Number of Units	Total	Percent
1, Detached	11,410	65.1%
1, Attached	1,816	10.4%
2	512	2.9%
3 or 4	496	2.8%
5 to 9	702	4.0%
10 to 19	967	5.5%
20+	1,599	9.1%
Mobile Home	22	0.1%
Other	0	0.0%
Total	17,524	100%

Source: American Community Survey, 2019-2023 (Table DP04 Selected Housing Characteristics)

Table 3, Housing Units by Age, 2023, illustrates the age of the Township's housing stock. The majority of the housing units (i.e., 21%) were built in the time period ranging from 1980 to 1989. Similarly, approximately 21% of the Township's housing units were built in the years since 1990, however, less than 0.1% was constructed following the year 2000. Again, note that the table below does not capture many of the newer multi-family dwellings that have been constructed, or are under construction, in the Township at present.

Table 3. Housing Units by Age, 2023

Year Built	Total Units	Percent
2020 or later	20	0.1%
2010 to 2019	986	5.6%
2000 to 2009	885	5.1%
1990 to 1999	1,798	10.3%
1980 to 1989	3,711	21.2%
1970 to 1979	2,471	14.1%
1960 to 1969	3,268	18.6%
1950 to 1959	3,113	17.8%
1940 to 1949	487	2.8%
Before 1940	785	4.5%
Total	17,524	100%

Source: American Community Survey, 2019-2023 (Table DP04 Selected Housing Characteristics)

*Please note that the ACS provides estimates of Census data. The ACS shows that 20 housing units were built since 2020 in East Brunswick (Table 3). However, the Department of Community Affairs' Permit Activity Data & Dashboards, which reports on municipal permits & certificates of occupancy, indicated that 275 units were built.

Table 4, Comparison of Housing Units by Number of Rooms for the Township of East Brunswick and Middlesex County, 2023, shows, with regard to housing units in East Brunswick, 17% have between one and three rooms; 32% have between four and six rooms; and 35% have seven or more rooms. The median number of rooms per unit in East Brunswick is 6.7, which is higher than that of Middlesex County at 5.6 rooms.

Table 4. Housing Units by Number of Rooms for East Brunswick and Middlesex County, 2023

Rooms	Number of Units in East Brunswick	Percent of Units in East Brunswick	Number of Units in Middlesex County	Percent of Units in Middlesex County
1	126	0.7%	6,646	2.1%
2	323	1.8%	9,417	3.0%
3	1,568	8.9%	36,289	11.5%
4	1,984	11.3%	49,664	15.7%
5	2,062	11.8%	52,928	16.7%
6	2,139	12.2%	50,553	16.0%
7	2,601	14.8%	38,455	12.1%
8	2,879	16.4%	34,057	10.8%
9+	3,842	21.9%	38,624	12.2%
Total	17,524	100%	316,633	100%

	East Brunswick	Middlesex County
Median Rooms per Unit	6.7	5.6

Source: American Community Survey, 2019-2023 (Table DP04 Selected Housing Characteristics)

Tables 5 and 6, Housing Values, Owner Occupied, 2013 and 2023, respectively, show that the median housing value of owner occupied housing units in East Brunswick increased 34% between 2013 and 2023. During this time, the median housing value in Middlesex County increased by 33%. In 2013, East Brunswick's median housing value of \$372,200 was 12% higher than that of Middlesex County (\$330,000). In 2023, East Brunswick's median housing value of \$499,300 was roughly 13% higher than that of Middlesex County (\$439,300). Therefore, housing in Middlesex County as a whole has been relatively more affordable than in East Brunswick.

Table 5. Housing Values, Owner Occupied, 2013

Housing Value	Number in East Brunswick	Percent in East Brunswick	Number in Middlesex County	Percent in Middlesex County
Less than \$50,000	238	1.7%	3,836	2.1%
\$50,000 to \$99,999	80	0.6%	3,416	1.8%
\$100,000 to \$149,999	473	3.3%	6,328	3.4%
\$150,000 to \$199,999	784	5.5%	11,017	5.9%
\$200,000 to \$299,999	2,635	18.6%	51,385	27.6%
\$300,000 to \$499,999	7,231	51.2%	83,867	45.1%
\$500,000 to \$999,999	2,596	18.4%	24,802	13.3%
\$1,000,000 or more	97	0.7%	1,228	0.7%
Total	14,134	100.0%	185,879	100.0%
2013 Median Value	\$372,200		\$330,000	

Source: American Community Survey, 2009-2013 (Table DP04 Selected Housing Characteristics)

Table 6. Housing Values, Owner Occupied, 2023

Housing Value	Number in East Brunswick	Percent in East Brunswick	Number in Middlesex County	Percent in Middlesex County
Less than \$50,000	190	1.4%	4,112	2.1%
\$50,000 to \$99,999	76	0.6%	2,241	1.2%
\$100,000 to \$149,999	120	0.9%	2,815	1.5%
\$150,000 to \$199,999	306	2.2%	4,396	2.3%
\$200,000 to \$299,999	1,542	11.2%	23,362	12.0%
\$300,000 to \$499,999	4,641	33.8%	86,661	44.7%
\$500,000 to \$999,999	6,539	47.7%	65,317	33.7%
\$1,000,000 or more	302	2.2%	5,059	2.6%
Total	13,716	100.0%	196,353	100.0%
2023 Median Value	\$499,300		\$439,300	

Source: American Community Survey, 2019-2023 (Table DP04 Selected Housing Characteristics)

Monthly rental cost in East Brunswick (\$2,080) is somewhat higher than the monthly rental cost for Middlesex County (\$1,810). In East Brunswick, approximately 78% of renters pay \$1,500 or more per month in rent, whereas almost 8% pay less than \$1000. Similarly, approximately 71% of Middlesex County renters pay \$1,500 or more per month in rent, and nearly 9% pay less than \$1,000. Notably, just over 15% of renters in

East Brunswick pay over \$3,000 a month in rent, whereas only approximately 5% of renters in Middlesex County pay the same. See Table 7, Comparison of the Township of East Brunswick and Middlesex County, Monthly Rental Cost, 2023, for additional details. Again, housing in East Brunswick has been relatively less affordable than in the county as a whole.

Table 7. Comparison of East Brunswick and Middlesex County, Monthly Rental Cost, 2023

Monthly Rent	Number in East Brunswick	Percent in East Brunswick	Number in Middlesex County	Percent in Middlesex County
No Rent Paid	112	-	3,421	-
Less than \$500	170	5.4%	4,968	4.6%
\$500 to \$999	70	2.2%	4,691	4.3%
\$1,000 to \$1,499	454	14.4%	21,863	20.2%
\$1,500 to \$1,999	766	24.4%	36,441	33.7%
\$2,000 to \$2,499	701	22.3%	26,270	24.3%
\$2,500 to \$2,999	502	16.0%	9,099	8.4%
\$3,000 or more	481	15.3%	4,894	4.5%
Total	3,144	100.0%	108,226	100.0%
Median Rent	\$2,080		\$1,810	

Source: American Community Survey, 2019-2023 (Table DP04 Selected Housing Characteristics)

In 2023, approximately 25% of East Brunswick owner occupied households contributed 30% or more of their income towards monthly housing costs, whereas 50% of East Brunswick owner occupied households put less than 20% of their income towards monthly housing costs. See Table 8, Monthly Housing Costs as percentage of Household Income in the Past 12 Months – Owner Occupied Units, 2023, for further information.

Table 8. Monthly Housing Costs as Percentage of Household Income in the Past 12 Months – Owner Occupied Housing Units, 2023

Household Income	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0.0%	0.0%	2.5%
\$20,000 - \$34,999	0.0%	0.1%	2.5%
\$35,000 - \$49,999	0.3%	0.7%	3.2%
\$50,000 - \$74,999	1.0%	2.6%	5.1%
\$75,000 or more	48.8%	21.6%	11.2%

Source: American Community Survey, 2019-2023 (Table S2503 Financial Characteristics)

In 2023, 44% of East Brunswick renter occupied households contributed 30% or more of their household income towards monthly rental costs, whereas only roughly 20% of East Brunswick renter occupied households contributed less than 20%. See Table 9, Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Units, 2023, for further information.

Table 9. Monthly Housing Costs as a Percentage of Household Income in the Past 12 Months – Renter Occupied Housing Units, 2023

	Less than 20 percent	20 to 29 percent	30 percent or more
Less than \$20,000	0.0%	2.0%	10.6%
\$20,000 - \$34,999	0.0%	0.3%	8.8%
\$35,000 - \$49,999	0.0%	0.0%	5.7%
\$50,000 - \$74,999	0.4%	0.6%	6.7%
\$75,000 or more	20.0%	23.3%	12.3%
Zero or Negative Income	5.8%		
No Cash Rent	3.4%		

Source: American Community Survey, 2019-2023 (Table S2503 Financial Characteristics)

East Brunswick has 0 housing units that lack complete plumbing facilities and 694 units that are considered overcrowded (defined as having 1.01 or more persons per room). The Township has 103 units that have no telephone service available and 10 units that lack complete kitchen facilities. See Table 10, Selected Quality Indicators, Occupied Housing Stock, 2023, for further information.

Table 10. Selected Quality Indicators, Occupied Housing Stock, 2023

	Overcrowded	No Telephone Service Available	Lacking Complete Plumbing	Lacking Complete Kitchen Facilities
Units	694	103	0	10

Source: American Community Survey, 2019-2023 (Table DP04 Selected Housing Characteristics)

B. GENERAL POPULATION CHARACTERISTICS

The population of East Brunswick has increased overall from 43,548 persons in 1990 to 49,715 persons in 2020, with the largest rate of growth (7.4%) between 1990 and 2020. Middlesex County's population has also increased at a similar rate between 1990 and 2020, most recently exhibiting a 6.6% increase between 2010 and 2020. See Table 11, Population Growth.

Table 11. Population Growth

	1990	2000	% Change (1990-2000)	2010	% Change (2000-2010)	2020	% Change (2010-2020)
East Brunswick	43,548	46,756	7.4%	47,512	1.6%	49,715	4.6%
Middlesex County	671,780	750,162	11.7%	809,858	8.0%	863,162	6.6%

Source: 1990, 2000, 2010, & 2020 U.S. Census

From 2010 through 2020, there were shifts in the age distribution of East Brunswick. The age groups which saw the largest increases in population between 2010 and 2020 were ages 65-74 (1,533 persons or a 44% increase), 55-64 (1,026 persons or a 16% increase), 25-34 (888 persons or 22%). The population group aged 45-54 decreased significantly by 1,585 persons or an 18% decrease. See Table 12, Comparison of Age Distribution, 2010-2020, for additional details.

Table 12. Comparison of Age Distribution, 2010-2020

Age Group	2010	Percent	2020	Percent	Percent Change
Under 5	2,190	4.6%	2,229	4.5%	1.8%
5-14	6,783	14.3%	6,518	13.1%	-3.9%
15-24	5,958	12.5%	6,385	12.8%	7.2%
25-34	4,131	8.7%	5,019	10.1%	21.5%
35-44	6,781	14.3%	6,431	12.9%	-5.2%
45-54	8,816	18.6%	7,231	14.5%	-18.0%
55-64	6,431	13.5%	7,457	15.0%	16.0%
65-74	3,457	7.3%	4,990	10.0%	44.3%
75+	2,965	6.2%	3,455	6.9%	16.5%
Total	47,512	100.0%	49,715	100.0%	-

Source: 2010 and 2020 U.S. Census (2020 - Table DP1 Profile Of General Population And Housing Characteristics)

C. HOUSEHOLD CHARACTERISTICS

A household is defined by the U.S. Census Bureau as those persons who occupy a single room or group of rooms constituting a housing unit; however, these persons may or may not be related. As a subset of households, a family is identified as a group of persons including a householder and one or more persons related by blood, marriage or adoption, all living in the same household. In 2023, there were **16,972** occupied households in East Brunswick, with an average of **2.90 persons per household** and an average of **3.29 persons per family**. Approximately 67% of the households were comprised of married couples with or without children, and 20% of East Brunswick households are non-family households, which includes individuals, roommates, and other groups. (Source: ACS 2019-2023, Table S1101 & S2501).

D. INCOME CHARACTERISTICS

Households in East Brunswick have on average, notably higher incomes than that of Middlesex County as a whole. Annual median income for East Brunswick households in 2023 was \$140,769, whereas annual median income for households in Middlesex County was \$109,028. Table 13, Household and Family Income by Income Brackets for East Brunswick and Middlesex County, 2023, further illustrates these findings by noting the number of households in each of the income categories.

The percentage of persons and household below the poverty level, as defined by the 2023 American Community Survey, equates to approximately **5%** of all East Brunswick Residents. This is lower than the County as a whole, wherein almost 9% of County residents were living below the poverty level in 2023. (Source: ACS 2019-2023, Table S1701)

Table 13. Household and Family Income by Income Brackets for East Brunswick & Middlesex County, 2023

	East Brunswick		Middlesex County	
	Households	Percent	Households	Percent
Less than \$5,000	376	2.2%	6,310	2.1%
\$5,000 to \$14,999	459	2.7%	11,086	3.6%
\$15,000 to \$24,999	365	2.1%	13,810	4.5%
\$25,000 to \$34,999	489	2.9%	12,665	4.1%
\$35,000 to \$49,999	767	4.5%	22,016	7.2%
\$50,000 to \$74,999	1,476	8.7%	38,152	12.5%
\$75,000 to \$99,999	1,684	9.9%	36,214	11.8%
\$100,000 to \$149,999	3,347	19.7%	59,875	19.6%
\$150,000 or more	8,009	47.2%	105,482	34.5%
Total	16,972	100.0%	305,610	100.0%
Median Income	\$140,769		\$109,028	

Source: American Community Survey, 2019-2023 (Table S2503 Financial Characteristics)

E. EMPLOYMENT CHARACTERISTICS

Table 14, Employment Status, East Brunswick, indicates the number of Township residents 16 years and over who are in the labor force, the type of labor force (i.e., civilian or armed forces) and employment status. Approximately 67% of East Brunswick residents 16 and over are in the labor force and, among those in the labor force, all are in the civilian labor force. Of the residents in the civilian labor force, approximately 95% are employed and approximately 5% are unemployed.

Table 14. Employment Status, East Brunswick

	Number	Percent
Population 16 years and over	38,623	-
In Labor Force	25,944	67.2%
Civilian Labor Force	25,944	67.2%
Employed	24,751	64.1%
Unemployed	1,193	3.1%
Not in Labor Force	12,679	32.8%

Source: American Community Survey, 2019-2023 (Table DP03 Selected Economic Characteristics)

Table 15, Employment by Occupation, East Brunswick, 2023, identifies the occupations of employed persons. While East Brunswick residents work in a variety of industries, 58% of employed residents work in Management, Business, Science, and Arts Occupations; 17% are employed in Sales and Office-related occupations; and 11% are employed in Service-related occupations.

Table 16, Distribution of Employment by Industry, Township Residents, 2023, shows the distribution of employment by industry for employed East Brunswick residents. The three industries to capture the largest segments of the population were: the Educational, Health, and Social Services sector at nearly 26%; the Professional, Scientific, Management, Administrative, and Waste Management Services sector at 16%; and the Financing, Insurance, Real Estate, Renting, and Leasing sector at 12%.

Table 15. Employment by Occupation, East Brunswick, 2023

Job Sector	Number	Percent
Management, Business, Science, and Arts Occupations	14,415	58.2%
Service	2,766	11.2%
Sales and Office	4,235	17.1%
Natural Resources, Construction, and Maintenance	1,223	4.9%
Production, Transportation, and Material Moving	2,112	8.5%
Total	24,751	100.0%

Source: American Community Survey, 2019-2023 (Table DP03 Selected Economic Characteristics)

Table 16. Distribution of Employment by Industry, East Brunswick Township Residents, 2023

Job Sector	Number	Percent
Agriculture, Forestry, Fishing and Hunting, and Mining	19	0.1%
Construction	1,172	4.7%
Manufacturing	2,116	8.5%
Wholesale Trade	568	2.3%
Retail Trade	2,447	9.9%
Transportation and Warehousing, and Utilities	1,252	5.1%
Information	831	3.4%
Financing, Insurance, Real Estate, Renting, & Leasing	3,004	12.1%
Professional, Scientific, Management, Administrative, and Waste Management Services	3,977	16.1%
Educational, Health and Social Services	6,387	25.8%
Arts, Entertainment, Recreation, Accommodation and Food Services	1,207	4.9%
Public Administration	885	3.6%
Other	886	3.6%
Total	24,751	100.0%

Source: American Community Survey, 2019-2023 (Table DP03 Selected Economic Characteristics)

Of the employed residents, approximately 79% are private wage and salary workers; 15% are government workers; and 6% are self-employed. See Table 17, [Distribution by Class of Worker, 2023](#), for additional details.

Table 17. Distribution by Class of Worker, Township of East Brunswick, 2023

	Number	Percent
Private Wage and Salary Workers	19,494	78.8%
Government Workers	3,719	15.0%
Self-employed in own not incorporated business workers	1,499	6.1%
Unpaid family workers	39	0.2%
Total	24,751	100.0%

Source: American Community Survey, 2019-2023 (Table DP03 Selected Economic Characteristics)

The New Jersey Department of Labor and Statistics tracks covered employment throughout the State. See Table 18, Private Sector Employment in East Brunswick by Industry Sector, 2012, 2017, 2022, for additional details. According to the New Jersey Department of Labor and Statistics, there were 26,063 jobs in East Brunswick in 2022 (the most recently available data year). Health Care and Social Assistance Services (4,284 jobs); Retail Trade (3,717 jobs); Professional, Scientific and Technical Services (2,943 jobs); and Educational Services (2,719 jobs) were the largest sectors of employment. Table 18 also shows the number of employees by sector in East Brunswick in 2012 and 2017. The largest decrease in local employment between 2012 and 2022 was in the Retail Trade sector, which experienced a decrease of 811 jobs (or almost 18% decrease). The sector with the largest local employment increase between 2012 and 2022 was Professional, Scientific, and Technical Services, which experienced an increase of 898 jobs (or 44%).

Table 18. Private Sector Employment in East Brunswick by Industry Sector, 2012, 2017, 2022

	2012		2017		2022	
PRIVATE SECTOR JOBS	COUNT	SHARE	COUNT	SHARE	COUNT	SHARE
Agriculture, Forestry, Fishing & Hunting, Mining	15	0.1%	14	0.1%	54	0.2%
Mining, Quarrying, and Oil/Gas Extraction	9	0.0%	3	0.0%	4	0.0%
Utilities	19	0.1%	79	0.3%	4	0.0%
Construction	559	2.2%	886	3.3%	837	3.2%
Manufacturing	652	2.6%	709	2.6%	667	2.6%
Wholesale Trade	1,092	4.4%	1,128	4.2%	1,799	6.9%
Retail Trade	4,528	18.1%	4,290	15.9%	3,717	14.3%
Transportation & Warehousing	1,990	7.9%	1,486	5.5%	1,576	6.0%
Information	218	0.9%	273	1.0%	202	0.8%
Finance and Insurance	1,021	4.1%	1,034	3.8%	781	3.0%
Real Estate and Rental & Leasing	212	0.8%	289	1.1%	224	0.9%
Professional, Scientific & Technical Services	2,045	8.2%	2,806	10.4%	2,943	11.3%
Management of Companies & Enterprises	316	1.3%	1,869	6.9%	404	1.6%
Administration & Support, Waste Management and Remediation	1,818	7.2%	1,839	6.8%	1,774	6.8%
Educational Services	2,383	9.5%	2,882	10.7%	2,719	10.4%
Health Care and Social Assistance	4,190	16.7%	3,449	12.8%	4,284	16.4%
Arts, Entertainment, and Recreation	382	1.5%	364	1.3%	392	1.5%
Accommodation & Food Services	2,111	8.4%	2,241	8.3%	2,302	8.8%
Other Services (Excluding Public Administration)	985	3.9%	837	3.1%	876	3.4%
Public Administration	540	2.2%	494	1.8%	504	1.9%
TOTAL PRIVATE SECTOR	25,085	100.0%	26,972	100.0%	26,063	100.0%

Source: State of New Jersey Department of Labor and Workforce Development Local Employment Dynamics;

F. GROWTH TRENDS AND PROJECTIONS

1. Residential Trends and Projections

According to the New Jersey Construction Reporter, between 2013 and 2023, East Brunswick issued 735 certificates of occupancy: 99 for one and two family dwelling units, 629 for multifamily dwelling units and 7 for mixed use dwelling units. See Table 19, Residential Certificates of Occupancy, 2013-2023.

Table 19. Residential New Building Permits, East Brunswick, 2013-2023

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
1 & 2 Family	1	11	16	11	12	35	3	16	25	17	27	174
Multifamily	1	0	48	3	0	0	400	3	0	9	177	641
Mixed Use	0	0	2	1	3	0	0	1	0	0	0	7
Total	2	11	66	15	15	35	403	20	25	26	204	822

Source: New Jersey Construction Reporter

As shown in this table, new residential construction in the Township has been predominately multi-family in nature, inclusive of inclusionary housing development. The Township has encouraged the development of these projects in an effort to provide its regional fair share of affordable housing. Aside from these projects, the Township anticipates little additional multifamily housing development. This is due in part to the lack of developable vacant land within the sewer service area and which is not subject to environmental constraints.

2. Non-Residential Trends and Projections

According to the New Jersey Construction Reporter, between 2013 and 2023, East Brunswick issued certificates of occupancy for a total of ±516,321 square feet of non-residential building space. See Table 20, Non-Residential Certificates of Occupancy, 2013-2023, for additional details. Specifically, 185,865 square feet of hotel/motel were certified in 2021 and 2022, and 60,174 square feet of warehouse/storage was certified in 2023. Note that the table below does not capture all new approved retail and mixed-use development has been constructed, or is under construction, in the Township at present, including as part of Third Round sites.

Table 20. Non-Residential Certificates of Occupancy by Square Foot, East Brunswick, 2013-2023

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
Office	5,580	6,440	3,253	0	13,358	0	13,302	8,050	1	0	663	50,647
Retail	21,606	15,168	1	1	26,079	0	0	0	1	0	0	62,856
A-1	33,800	0	0	0	0	0	0	0	0	0	0	33,800
A-2	0	2,584	0	2,029	5,310	0	0	0	0	3,033	0	12,956
A-3	0	0	0	0	3,261	0	0	0	0	0	0	3,261
Hotel/ Motel	0	0	0	0	0	0	0	0	82,125	103,740	0	185,865
Education	0	0	0	0	16,509	847	12,412	0	0	71,662	0	101,430
Storage	0	0	1	0	1	1	0	0	0	0	60,171	60,174
Utility / Misc.	256	0	0	0	2	1	1	0	3,840	1,232	0	5,332
TOTAL	61,242	24,192	3,255	2,030	64,520	849	25,715	8,050	85,967	179,667	60,834	516,321

Source: New Jersey Construction Reporter

3. Capacity for Growth

East Brunswick has the capacity to meet its Fair Share Obligation. New non-residential construction is expected to continue on trend as indicated by Planning and Zoning Board applications and approvals, for which development fees have been collected. Customary or ordinary improvements to the existing infrastructure, including but not limited to public wastewater and public water, will be completed as necessary.

The Township anticipates that a portion of its Fair Share Obligation will be accommodated on vacant land, but the majority of new residential units, particularly multifamily units, will occur on sites that are currently improved but may be expanded or redeveloped for housing. Much of this obligation will be met through the redevelopment of commercial areas along the Route 18 corridor, where New Jersey Department of Transportation has been undertaking massive infrastructure upgrades.

G. MULTIGENERATIONAL HOUSING CONTINUITY

Multigenerational housing is becoming a desired housing option in the State due to rising housing costs and an aging population. Housing for multigenerational families is necessary to offer a diverse housing stock and to account for population trends. Multigenerational housing can provide an opportunity for residents to age in place, save on costs associated with housing, and provide in-house care for an older adult or persons with disabilities. Additionally, multigenerational housing is a more sustainable approach to meeting housing obligations as there is no need for the construction of new homes in order to provide housing for additional individuals.

On November 8, 2021, the Senate and General Assembly of the State of New Jersey adopted C.52:27D-329.209, which established the Multigenerational Family Housing Continuity Commission. The commission is allocated within the Department of Community Affairs. The duties of the commission include: preparing and adopting recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas.

The bill requires that a municipality's housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing, and shall contain, among other requirements:

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.

This language is included in the Amended FHA at N.J.S.A. 52:27D-310. It should be noted that at the time of the preparation of this Housing Element and Fair Share Plan, the commission has made no recommendations. That said, East Brunswick is committed to promoting multigenerational family continuity through the provision of a variety of housing options offered to a variety of income levels in a manner consistent with the regulations. In recent years, East Brunswick has increased the diversity of its housing stock with the approval of several independent and assisted living facilities that provide a continuity of care for Township residents. New multifamily housing, including Legacy Place, offers elevator accessible units. Affordable units restricted to seniors were also constructed as part of the Third Round Housing Plan (e.g., Oak Creek II).

East Brunswick residents can also participate, if eligible, in Greater Middlesex & Morris Habitat for Humanity's Aging in Place program which provides support relating to home modifications that improve the mobility, accessibility and safety of a home or energy efficiency repairs and improvements. Such improvements include installing wheelchair ramps; installing chair lifts on stairways; securing handrails and grab bars; changing faucets and door knobs to levers; installing handheld and/or slidebar showerheads; adding LED light fixtures to basement stairs; repairing sidewalks; and other accessibility or weatherization improvements

The Township is committed to supporting inclusive housing opportunities that meet the needs of residents at every stage of life, actively prioritizing thoughtful planning and following population trends.

IV. East Brunswick Township Fair Share Plan

A. SATISFACTION OF PRIOR AND THIRD ROUND OBLIGATION (1987–2025)

Per the Amended FHA at N.J.S.A. 52:27D-304.1.3.a(f)(2)(a), as part of its housing element and fair share plan, the municipality shall include an assessment of the degree to which the municipality has met its fair share obligation from the prior rounds of affordable housing obligations as established by prior court approval, or approval by COAH, and determine to what extent this obligation is unfulfilled or whether the municipality has credits in excess of its prior round obligations. East Brunswick had the following affordable housing prospective need obligations for the 1987-2025 compliance periods:

- Prior Round (1987-1999): **648 units**
- Third Round (1999-2025): **1067 units**

1. Prior Round (1987-1999) Obligation: 648 Units

East Brunswick had a Prior Round prospective need obligation of 648 units, as detailed in the East Brunswick Housing Element and Fair Share Plan adopted October 18, 1995, and revised November 6, 1996. East Brunswick was granted Second Round Substantive Certification by the Council on Affordable Housing (COAH) on June 4, 1997. The Township addressed this obligation through credits at the projects detailed below and summarized in [Table 21. Prior Round Affordable Housing Credits.](#)

Table 21. Prior Round Affordable Housing Credits.

Affordable Development	Type / Mechanism	Affordable Units	Bonus Credits	Total Credits	Status
Halls Corner	Age-Restricted Rental	153	0	153	Complete
Victory Gardens	Rental	12	0	12	Complete
Summerhill Road	Group Home	4	0	4	Complete
Two River Road	Family Rental	4	4	8	Complete
Oak Creek I	Senior	79	26	105	Complete
Society Hill East II	Family For-Sale	29	0	29	Complete
The Club	Age-Restricted For-Sale	21	0	21	Complete
Summerhill Meadows	Family For-Sale	35	0	35	Complete
Fox Meadows	Family For-Sale	29	0	29	Complete
Kingswood Station	Family For-Sale	64	0	64	Complete
Crosspointe	Family For-Sale	41	0	57	Complete
Windsong	Family For-Sale	62	0	62	Complete
Country Woods	Family For-Sale	65	0	65	Complete
Kingswood Station II	Family For-Sale	26	0	26	Complete
	TOTAL	640	30	670	

As of the Third Round Housing Element and Fair Share Plan, the Township had created 735 units, which met and exceeded the Prior Round Obligation by 87 units, which were carried forward to the Third Round obligation.

Table 22. Credits Applied to Gap Period and Third Round Prospective Need Obligation

Affordable Development	Type / Mechanism	Affordable Units	Bonus Credits	Total Credits	Status
CREDITS IDENTIFIED IN THIRD ROUND FAIR SHARE PLAN					
Carry-Over from Prior Round		87		87	Complete
Crosspointe	Inclusionary Zoning	16			Complete
Timberhollow	Inclusionary Zoning	26			Complete
Commons at Kingwood	Inclusionary Zoning	24			Complete
EBCHC	Market-to-Affordable	21			Complete
EBCHC	Market-to-Affordable Family Rental	48		48	Complete
Allies	Supportive/Special Needs Rental	3		3	Complete
Triple C Housing	Supportive/Special Needs Rental	5		5	Complete
Community Options	Supportive/Special Needs Rental	3		3	Complete
EIHAB Human Services, Inc.	Supportive/Special Needs Rental	4		4	Complete
Remed Recovery Care	Supportive/Special Needs Rental	8		8	Complete
Oakcreek II	100% Affordable Age-Restricted	40		40	Complete
Various Projects	Extension of Affordability Controls	322		322	Complete
Arisa	Inclusionary Family Rental	20		20	Complete
Alfieri (Hidden Oak Woods)	Inclusionary Family Rental	55		55	Approved
Zielinski (Cranbury Rd)	Inclusionary Zoning - VGII	17		17	Rezoned
Bailes (Cranbury Rd South)	Inclusionary Zoning - VGII	20		20	Rezoned
Kelemen (Rues Lane)	Inclusionary Zoning - TG	36		36	Rezoned
HD Summerhill (Mack-Cali)	Inclusionary Family Rental	24		24	Complete
Route 18 Redevelopment		115		115	
Tices Lane (Legacy Place)	Inclusionary Family Rental				Partially Complete
Vermella Phase II	Inclusionary Family Rental				Approved
Rental Bonus (Total)			260	260	
	TOTAL THIRD ROUND CREDIT OBLIGATION			1067	
	TOTAL CONSTRUCTED/APPROVED			994	
ADDITIONAL CREDITS TO ADDRESS FOURTH ROUND					
EIHAB (Site 2)	Supportive/Special Needs Rental	3	3	6	Complete
Aplus Care (Sites 1, 2, & 3)	Supportive/Special Needs Rental	10	10	20	Complete
EBCHC	Market-to-Affordable Family Rental	10	10	20	Complete
Commons at Kingswood Station	Extension of Affordability Controls	9		9	Complete
Tices Lane (Legacy Place)	Inclusionary Family Rental	4	4	8	Under Construction
	ADDITIONAL CREDITS OVER THIRD ROUND PLAN			63	

2. Satisfaction of Third Round Obligation (1999–2025)

East Brunswick had a Third Round prospective need obligation of 1067 units, as set forth in the Third Round Housing Element and Fair Share Plan as based on a settlement agreement reached In the Matter of the Application of the Township of East Brunswick for Substantive Certification of its Obligations Under the Fair Housing Act, Docket No. MID-L-4013-15, dated July 28, 2016. The Third Round Plan proposed to satisfy this obligation through a variety of compliance mechanisms, including rezoning to assure the economic viability of inclusionary developments; extension of affordability controls; redevelopment; rehabilitation of properties; the market-to-affordable program with the East Brunswick Community Housing Corporation (EBCHC), provision of special needs housing, and collection of development fees, as summarized in Table 22.

STATUS OF THIRD ROUND PROJECTS

As shown in Table 22, the Township was generally successful in meeting its Third Round obligation of 1,067 units through the above-referenced compliance mechanisms. To date, the Township has effectuated approval and/or construction of the vast majority of its Third Round obligation. A total of 994 of the 1,067 Third Round Credits have been approved and/or constructed. Additional credits were also realized above the proposed Third Round obligation set forth in the plan, as indicated in Table 22. The projects/sites that are not yet complete remain viable and continue to present a realistic opportunity for the development of affordable housing in accordance with the Third Round Plan.

The remaining 73 units represent three inclusionary (3) sites –the Zielinski, Bailes, and Kelemen tracts – that remain unbuilt with no development approvals in place. Another site, Alfieri/Hidden Oak Woods, has been approved for inclusionary development containing 55 affordable rental units, but has not yet been constructed. As described below, a settlement agreement is in place that is anticipated to lead to the construction of these units. The Township's Fourth Round Plan will continue to provide for the realistic construction of these 73 units (credits) that were not built as part of the Third Round.

ZIELENSKI, CRANBURY ROAD | 9.96 AC

BLOCK 88, LOT 18.01

This site is located in the VG-II Village Green Zone. As part of the Third Round compliance, the VG-II Zone was amended to allow multi-family and apartments at a residential density of 9 units per acre, where 6 units per acre was previously permitted. The minimum required tract area was decreased to 7.5 acres and a mandatory 20% affordable housing set aside was required. The site was anticipated to yield up to 87 dwelling units, including 17 affordable units, and remains viable for development.

BAILES, 491 CRANBURY ROAD | 11.42 AC

BLOCK 87, LOTS 12.06, 12.07, 12.08, 12.16, 12.17

This site is also located in the VG-II Village Green Zone. As part of the Third Round compliance, the VG-II Zone was amended to allow multi-family and apartments at a residential density of 9 units per acre, where 6 units per acre was previously permitted. The minimum required tract area was decreased to 7.5 acres and a mandatory 20% affordable housing set aside was required. The site was anticipated to yield up to 102 dwelling units, including 20 affordable units, and remains viable for development.

KELEMEN, 600 RUES LANE | 15.22 AC

BLOCK 87.33, LOT 1.02

This site is located in the TG Town Green Village Green Zone, which permits planned single-family, townhouse and multifamily development at a density of 12 units to the acre, with a mandatory 20% affordable housing set aside. The zoning also permits office and retail uses as part of mixed-use developments to serve residents of the site and surrounding neighborhood. The site was anticipated to yield up to 182 dwelling units, including 36 affordable units, and remains viable for development.

ALFIERI / HIDDEN OAK WOODS | 41.06 AC

BLOCK 29.01, LOTS 37, 38, 39, 40, 41, 42; BLOCK 29.06, LOTS 1, 2, 3, 4, 5, 6, 7

This tract is situated near Tices and Harts Lane and comprises ± 41 acres. The developer initially intervened in the Township's Third Round declaratory judgement in 2015. In July 2016, the Township reached a settlement agreement ("Third Round Settlement Agreement") with the intervenors, including Alfieri. Pursuant to this agreement, the Township adopted the MDR Multiple Dwelling/Apartment District Zone for this tract, which replaced the former industrial, office, and manufacturing zoning, in order to permit 275 non-aged restricted residential rental units with a 20% mandatory affordable housing set-aside (55 units). The total permitted gross tract density is 6.7 acres and at minimum of 50% of the tract is required to be open space.

Hidden Oak Woods, LLC filed a Planning Board application in December 2017 for preliminary and final major site plan approval, to consist of seven four-story buildings comprising 275 rental units with a 20% (55-unit) set aside. This application was denied by the Planning Board on February 13, 2019, and memorialized on April 24, 2019. The applicant appealed this decision and a ruling was issued in their favor on February 24, 2020, thereby vacating the Planning Board's denial of plaintiff's site plan application². The application returned the Planning Board on limited remand for the Board to approve minor bulk variances and other reasonable conditions. The Planning Board granted this approval on June 10, 2020, per Resolution #18-07 (included in Appendix B). The prior settlement agreement and court orders remain valid and the subject property remains suitable for the approved inclusionary development as approved.

² On appeal from the Township, the Appellate Division of Superior Court subsequently upheld the lower court's ruling in an order dated July 30, 2021.

B. CALCULATION OF FOURTH ROUND OBLIGATION (2025–2035)

The Township's affordable housing obligation is comprised of two components: a Present Need (or Rehabilitation) obligation; and a Prospective Need obligation. The Present Need obligation is defined as the number of substandard existing deficient housing units in the municipality currently occupied by low- and moderate-income (LMI) households. The Prospective Need is a projection of the need for low- and moderate-housing based on development and growth which is reasonably likely to occur in a region or a municipality.

1. DCA Estimate of Fourth Round Obligations.

On October 18, 2024, the New Jersey Department of Community Affairs (DCA) issued a report ("DCA Report") calculating statewide and regional affordable housing needs, including nonbinding municipal obligations, based upon its interpretations of the standards for the determination of fair share obligations in the Amended FHA. These non-binding determination of each municipality's Fourth Round (2025 - 2035) affordable housing obligations were released on October 18, 2024. The DCA Report interpreted the Amended FHA to set the Township's Present Need at 170 and its Fourth Round Prospective Need (new construction) obligation at 314. As noted, the DCA Report's numbers were non-binding. As such, the Amended FHA set a deadline of January 31, 2025, for municipalities to adopt a binding resolution setting forth either their acceptance of the DCA determination of their obligations or, in the alternative, the municipal determination of their Fourth Round obligations based on the Amended FHA standards.

PRESENT NEED

The DCA Report determined a non-binding Present Need obligation of 170 for the Township of East Brunswick. Present need, also known as the rehabilitation obligation, is defined in the Amended FHA as the number of substandard existing deficient housing units in the municipality currently occupied by low- and moderate-income (LMI) households. The Township accepted this obligation.

PROSPECTIVE NEED

The DCA Report determined a non-binding Prospective Need obligation for East Brunswick of 314. As described in the DCA Report, municipal Prospective Need obligations are calculated as a share of the region in which the municipality is located; Region 3, in which East Brunswick is located, includes Hunterdon, Middlesex and Somerset Counties. As established by the Amended FHA, the regional Prospective Need is calculated by establishing the increase in households in the region between the 2020 and 2010 federal decennial Census, and dividing the household change increase by 2.5 to estimate the number of low- and moderate-income households (and the number of homes needed to address same).

The Prospective Need for Region 3 was 11,604, with this need allocated to municipalities throughout the region. However, "Qualified Urban Aid Municipalities³" are exempt from addressing Prospective Need, which increases the remaining municipalities' obligations. Regional Prospective Need is then allocated across the non-qualified urban aid municipalities in the region by applying three factors:

³ Qualified Urban Aid Municipalities are determined based on a formula that varies between each Fair Share Round. For the Fourth Round, the municipalities in Region 3 are Carteret, New Brunswick, Perth Amboy, and Woodbridge.

EQUALIZED NONRESIDENTIAL VALUATION

This factor is the change in nonresidential property valuations in the municipality from 1999 to 2023 divided by the regional total change in nonresidential valuations, with the intent to shift housing to municipalities experiencing employment growth. This factor for East Brunswick is 3.09%.

INCOME CAPACITY

This factor incorporates median household income figures to measure the extent to which a municipality's income level differs from that of the lowest-income municipality in its housing region, with the intent to shift portions of the obligation to municipalities with higher household incomes. This factor is 3.44% for East Brunswick.

LAND CAPACITY

This factor is intended to determine the total acreage that is developable in a municipality as a proportion of developable acreage in the Region. This is determined by utilizing the most recent land use / land cover data from the New Jersey Department of Environmental Protection (NJDEP), in combination with the most recently available MOD-IV Property Tax List data from the Division of Taxation in the Department of the Treasury and construction permit data from DCA. The calculation is supposed to exclude lands subject to development limitations, including but not limited to existing developed land, lands with environmental constraints, and lands deeded for open space purposes. "Weighting factors" as specified in the Amended FHA were applied to developable lands based on the planning area type in which such land was located. East Brunswick is located in Planning Areas 1, 4, and 5, for which the DCA applied respective weights of 1, 0, and 0. A weight of 1 corresponds to no reduction in developable land and a weight of 0 corresponds to no developable land. This factor was determined to be 1.69% for East Brunswick.

The DCA issued the data that was the basis for the land capacity factor on November 27th. While this data was intended to heed the methodology set forth in the Amended FHA, the land area contained in the dataset was described as an "estimate of the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program."

AVERAGE ALLOCATION FACTOR

The Equalized Nonresidential Valuation Factor, Land Capacity Factor and Income Capacity Factor for each municipality were averaged to determine an Average Allocation Factor, which is the basis for municipal Prospective Need. East Brunswick's Average Allocation Factor per the non-binding DCA Report was 2.71%, which resulted in a Prospective Need of 314.

2. Township Determination of Fourth Round Obligation

The Amended FHA set a deadline of January 31, 2025, for municipalities to adopt a binding resolution setting forth the Fourth Round Present and Prospective Need numbers. East Brunswick's Mayor and Council adopted Resolution #25-763 on January 6, 2025, committing to Township's Fourth Round obligations as Present Need of 170 and municipally determined Prospective Need of 265, based on a recalculation of the Land Capacity Factor to account for methodological errors in the DCA report. This resolution was filed with the State's Affordable Housing Dispute Resolution Program and published on the Township's website as required by the Amended FHA. The Township filed a declaratory judgment in the Superior Court of New Jersey on January 8, 2025, within 48 hours of adoption of the resolution, as required by the Amended FHA.

The Township did not dispute DCA's calculation of the Township's Equalized Nonresidential Allocation Factor or Income Capacity Allocation Factor. However, the Township did contest DCA's calculation of the Land Capacity Allocation Factor, impacting the overall Average Allocation Factor. The Township found that the DCA Per the Township's determination, the Prospective Need obligation was calculated to be lower than the DCA's non-binding obligation due to issues with DCA's calculations. Specifically, the Land Capacity factor is based on an acreage that categorizes a number of areas in the Township as "developable" when in reality they are not. The areas identified as developable in the DCA's calculation of the Land Capacity factor was overinclusive and the land capacity allocation was reduced from 175 acres to 44.7 acres, resulting in a decrease in land capacity factor from 1.69% to 0.44% of the Region 3 share. When all factors were reallocated, the Township's Average Allocation Factor was reduced from 2.71% to 2.29%, reducing the Prospective Need from 314 to 265.

3. Challenge and Settlement of Fourth Round Obligation

The New Jersey Builders' Association (NJBA) filed a timely challenge to East Brunswick's filing on February 26, 2025, which challenged the proposed reduction in the Township's Prospective Need number on the basis of land capability factor. The Township and NJBA subsequently engaged in proceedings through the Affordable Housing Dispute Resolution Program that were managed by Program Member Hon. Mary C. Jacobson, J.S.C. (Ret.), who subsequently appointed Elizabeth McManus, PP, AICP, as a special adjudicator. A settlement conference was held on March 27, 2025, during which NJBA strictly supported the DCA number of 314. Mediation was not successful and Program Member Jacobson heard argument from both parties during a session on that same date.

Program Member Jacobson issued her written Report and Program Recommendation on April 8, 2025, which recommended a Prospective Need of 296 units of affordable housing. The Report and Recommendations were accepted and adopted in their entirety in a decision and order issued by Hon. Thomas Daniel McCloskey, J.S.C., the Mount Laurel vicinage judge, on April 24, 2025. Based on this order, the Township's Fourth Round (2025 – 2035) Prospective Need is set at 296.

Table 23. Township of East Brunswick Fourth Round Affordable Housing Obligation:

Present Need (Rehab): 170

Prospective Need: 296

As adjusted by order of affordable housing dispute resolution program

C. COMPLIANCE PLAN TO ADDRESS FOURTH ROUND OBLIGATION (2025–2035)

Present Need

East Brunswick Township has a rehabilitation share obligation of one hundred and seventy (170) units. In prior rounds, East Brunswick has met the majority of its obligation in conjunction with The East Brunswick Community Housing Corporation. The East Brunswick Community Housing Corporation (EBCHC) is a non-profit corporation whose purpose is to provide affordable housing for low- and very low-income households in the Township. As of 2025, EBCHC owns and manages 81 affordable rental units. This is a municipally sponsored, 100% affordable family rental program. All units are perpetually deed restricted, with housing units that are primarily thirty years old or more. The tenants are income-certified annually and must be earning below 50% of regional median income. The projects consist of remediation of deficient windows and furnaces, dilapidated kitchens and bathrooms in the low income rental program. Water heaters were replaced proactively to prevent water damage to the units and neighboring units. East Brunswick will continue to participate in programs such as the Middlesex County Housing Rehabilitation Program⁴ and Community Development Block Grant Program. It will also create a program to provide for rehabilitation of existing units which will be funded through its affordable housing trust fund and other sources, as funds become available.

Prospective Need

As noted above, the Township has a Fourth Round Prospective Need Obligation of 296 units that must be provided in the 2025-2035 period. The Fourth Round Plan will also continue to provide a realistic opportunity for development of at least 73 affordable units on the unbuilt inclusionary sites from the Third Round, as detailed in the previous section. In addition, 63 credits have been identified over and above the Third Round Plan, which can be used to address the Fourth Round per C.52:27D-304.1.⁵ The Fourth Round Prospective Need obligation will be addressed through the following compliance mechanisms:

1. EXTENSION OF AFFORDABILITY CONTROLS

9 CREDITS | COMPLETE

As part of the Third Round, the Township undertook an aggressive and highly successful effort in 2015 and 2016 to extend the affordability controls on 322 residential units throughout the Township that were otherwise going to revert to market rate following the expiration of their initial 20- or 30-year control period. In October 2024, the Township extended the affordability controls on 9 additional affordable for-sale units within the Kingswood Station development that were extended as part of the Third Round. As in the Third Round, the Township exercised their legitimate right to prevent the repayment option under the 95/5 rule per the provisions of the existing deed restrictions or master deeds. The Township Resolution extending the affordability controls is included in Appendix H.

⁴ The Middlesex County Owner-Occupied Housing Rehabilitation Program is administered by CGP&H on behalf of the County: <https://hip.cgph.net/middlesex-county-housing-rehabilitation-program/>

⁵ *[i]f a municipality has credits in excess of its prior round obligations, and such excess credits represent housing that will continue to be deed-restricted and affordable through the current round, the municipality may include such housing, and applicable bonus credits, towards addressing the municipality's new calculation of prospective need."*

2. MARKET TO AFFORDABLE PROGRAM

20 UNITS + UP TO 20 BONUS = 40 CREDITS | PARTIALLY COMPLETE

The Township, in conjunction with the non-profit East Brunswick Community Housing Corporation (EBCHC) remains committed to acquiring market rate units during the Fourth Round for conversion to affordable family rentals. The Third Round Plan committed to the conversion 48 market rate to affordable units during the years 1999 to 2025, of which 10 had yet to be completed as of the time of the 2016 Plan adoption. Since then, the Township and EBCHC have acquired 20 new units, leaving a surplus of 10 that may carry forward into the Fourth Round. The Township will acquire 10 additional units over the remainder of the 2025-2035 period, for a total Fourth Round goal of 20 market-to-affordable conversions.

All newly created affordable units will be priced to be affordable to families annually earning between 30% and 50% of median income, with a portion further restricted as very low-income units to families earning less than 30% of median annual income. The mix will be between one, two and three bedroom units as needed by the demographics of the community. As in the past, the units will be owned and managed by the EBCHC for the duration of the deed restriction and will be affirmatively marketed in accordance with UHAC requirements. The Administrative Agent for the program is the Executive Director of East Brunswick Community Housing Corporation, who oversees the program in accordance with UHAC regulations. While funding needs are varied based on the individual characteristics of each transaction, units are typically acquired using a combination of monies from the Affordable Housing Trust Fund, State & County financing, and mortgages.

Market-to-affordable conversion units had previously been eligible for one-to-one bonus credits in the Third Round if the units were deed restricted for family rentals. The Amended FHA provides a one-to-one bonus credit for any market-to-affordable units created as part of the Fourth Round. A list of existing deed-restricted units managed by EBCHC is included in Appendix H.

3. SUPPORTIVE & SPECIAL NEEDS HOUSING

13 BEDROOMS + 13 BONUS = 26 CREDITS | COMPLETE

Thirteen (13) permanent rental supportive and special needs housing bedrooms have been established in the Township, in addition to the 12 bedrooms that were part of the Third Round Plan. The 13 bedrooms are located within 4 residences throughout the Township and are operated by licensed residential service providers in accordance with the New Jersey Department of Human Services Office of Licensing. A list of all existing supportive and special needs developments in the Township is included in Appendix H.

4. ASSISTED LIVING FACILITIES

30 BEDS | COMPLETE OR APPROVED

Since 2017, three assisted living facilities have been approved in the Township. In accordance with N.J.S.A. 26:2H-12.16 et seq., a new assisted living residence licensed on or after September 1, 2001, shall attain a level of occupancy by Medicaid-eligible persons of at least 10 percent of its total beds which is based on the total beds allocated in the CN. Per N.J.A.C. 5:93-5.16, these beds may count toward a municipality's fair share obligation.

CareOne at East Brunswick Assisted Living | 10 Medicaid beds

BLOCK 321.18, LOT 40.02 | COMPLETE

In February 2018, Care One received amended preliminary and final site plan approval with variances from the Zoning Board of Adjustment to construct a 106-unit assisted living facility located at 664-666 Cranbury Road, designated as Block 321.18, Lot 40.01 on the Township tax maps. In New Jersey, assisted living residences are licensed by the Long Term Care Licensing Program of the Division of Long Term Care Systems. As part of the licensing process the facility must receive a certificate of need ("CN"), which Care One received for the approved 106-bed facility per CN ER#180203-12-37, dated 8/3/2018. As the CN is for 106 beds, there are 10 Medicaid beds at Care One at East Brunswick which qualify as affordable units. The CN is provided in Appendix H.

Brightview Senior Living | 10 Medicaid beds

BLOCK 321.18, LOT 40.02 | APPROVED

In February 2025, Brightview East Brunswick Urban Renewal, LLC received preliminary and final major site plan approval from the Planning Board to construct a senior citizen congregate living, assisted living and memory care facility consisting of 175 units with 209 beds. The subject property is located at 509 Cranbury Road and is designated as Block 87, Lot 10.07 on the Township tax maps. The site was the subject of the Cranbury Road and Ryders Lane Redevelopment Plan, adopted 2024, which specifically permitted the proposed use. Brightview will be providing 10 Medicaid beds (10% of overall assisted living beds) in accordance with State regulations.

East Brunswick Assisted Living | 10 Medicaid beds

BLOCK 87, LOTS 20.01 & 3.09 | APPROVED / PENDING AMENDMENT

In December 2023, Capitol Seniors Housing (CSH) received preliminary and final site plan approval & subdivision approval with variances from the Zoning Board of Adjustment to construct a three-story, 100-bed assisted living facility at 566 Ryders Lane (Block 87, Lot 20.01 and 3.09) in accordance with CN ER#2022-09305-12-01, dated 9/28/2023. The facility will provide the 100 beds within 87 units and 10%, or 10, beds will be reserved for Medicaid patients. As of June 2025, a contract purchaser, Benchmark Senior Living, is in the process of acquiring the site from CSH and is currently seeking limited amended preliminary and final site plan approval from the Zoning Board in order to effectuate development of the project. It is anticipated that the hearing on the matter will conclude this summer.

5. 100% AFFORDABLE DEVELOPMENT WITH MUNICIPAL CONTRIBUTION

SIXTH STREET MUNICIPAL SITE | 26 UNITS + 26 BONUS CREDITS = MINIMUM 50 CREDITS

BLOCK LOT

32 7.02, 7.02

66 5, 6, 7, 8, 9, 10.01, 11.01, 12.01, 13.01

73 1.01

East Brunswick will address a portion of its Fourth Round obligation through a 100% affordable development in collaboration with a nonprofit housing developer on a municipally owned property. The 13.1 acre tract is located on the west side of Route 18 within a residential area served by Icker Avenue, Davison Avenue, and Sixth Street. The site was formerly the Middlesex Metro Bus Company depot prior to Township acquisition in foreclosure proceedings circa 1998. It is anticipated that a minimum of 26 affordable family rental units would be constructed on the site. A complete site suitability analysis is provided in the next section.

6. FOURTH ROUND INCLUSIONARY HOUSING PROJECTS

MIN. 120 AFFORDABLE UNITS + EST. 45 BONUS CREDITS = EST. 165 CREDITS

The Township proposes to rezone three (3) privately-owned tracts for inclusionary development that will yield at least 120 affordable units plus an estimated 45 bonus credits, for a estimated total of 165 credits. Inclusionary zoning will be accomplished via Redevelopment Plan and/or zoning amendment. The three proposed inclusionary sites are as follows:

- Arisa II
- Brunswick Square Mall
- Route 18 Lumber-Plaza Hill

A description of each site's proposed conceptual development is described in the next section. Draft zoning is included in **Appendix E**.

Table 24: Satisfying the Fourth Round

	Type / Mechanism	Affordable Units	Max. Bonus Credits	Max. Credits
Commons at Kingswood Station	Extension of Affordability Controls	9		9
EBCHC	Market-to-Affordable Family Rental	20	20	40
EIHAB (Site No. 2)	Supportive/Special Needs Housing	3	3	6
Aplus Care (Sites No. 1, 2, & 3)	Supportive/Special Needs Housing	10	10	20
Tices Lane (Legacy Place)	Carry-Over Family Rental	4	4	8
Care One	Assisted Living	10		10
Brightview EB Urban Renewal	Assisted Living	10		10
CSH/Benchmark Senior Living	Assisted Living	10		10
Sixth Street Municipal Site	100% Affordable / Municipally Sponsored	26	26	52
Inclusionary Rezoning Sites	Inclusionary Zoning	120	45	165
	TOTAL AFFORDABLE UNITS:	222		
	MAXIMUM BONUS CREDITS:		74*	
	TOTAL FOURTH ROUND CREDITS:			296

*Subject to bonus cap of 25% of prospective need (25% x 296 = 74)

D. SITE SUITABILITY ANALYSIS FOR 100% AFFORDABLE AND INCLUSIONARY SITES

The site suitability of each project is provided in the next section, including maps. In accordance with the requirements of N.J.A.C 5:93-5.3, municipalities shall designate sites that are:

- **Available**, i.e., have clear title and is free of encumbrances which preclude development);
- **Suitable**, i.e., adjacent to compatible land uses, have access to appropriate streets, and are consistent with the environmental policies of N.J.A.C. 5:93-4;
- **Developable**, i.e., have access to appropriate water and sewer infrastructure and are consistent with the areawide water quality management plan.
- **Approvable**, i.e., can be developed in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site;
- Align with the **State Development and Redevelopment Plan** (“SDRP”), per N.J.A.C. 5:93-5.4.

N.J.A.C. 5:93-1.3 and N.J.A.C. 5:93:5.5 establish further documentation required for proposed 100% affordable sites with municipal contributions in order to demonstrate municipal control of a site and address other areas of concern related to site suitability, as follows:

A municipality may elect to provide low and moderate income units through a municipally sponsored construction program. A municipally sponsored construction program shall address four major areas of concern. It shall document that there is municipal control of the site(s); an administrative mechanism to construct the proposed housing; a funding plan and evidence of adequate funding capacity; and timetables for construction of the units. More specifically, the following minimum documentation shall be submitted:

1. The municipality shall demonstrate that it has control or has the ability **to control the site(s)**.
2. An **administrative mechanism** shall be submitted for the development indicating who will income qualify applicants and administer the units once they are occupied. The municipality may contract with an outside agency to provide these functions, provided a written agreement between the administrative agency and the municipality is submitted to the Council.
3. The municipality shall submit detailed information demonstrating that it has **adequate funding capabilities**. The municipality shall demonstrate that it has control or has the ability to control the site(s). Control may be in the form of outright ownership or an option on the property;
4. A **construction schedule, or timetable**, shall be submitted for each step in the development process: including preparation of a site plan, granting of municipal approvals, applications for State and Federal permits, selection of a contractor and construction. The construction schedule shall provide for construction to begin within two years of substantive certification.

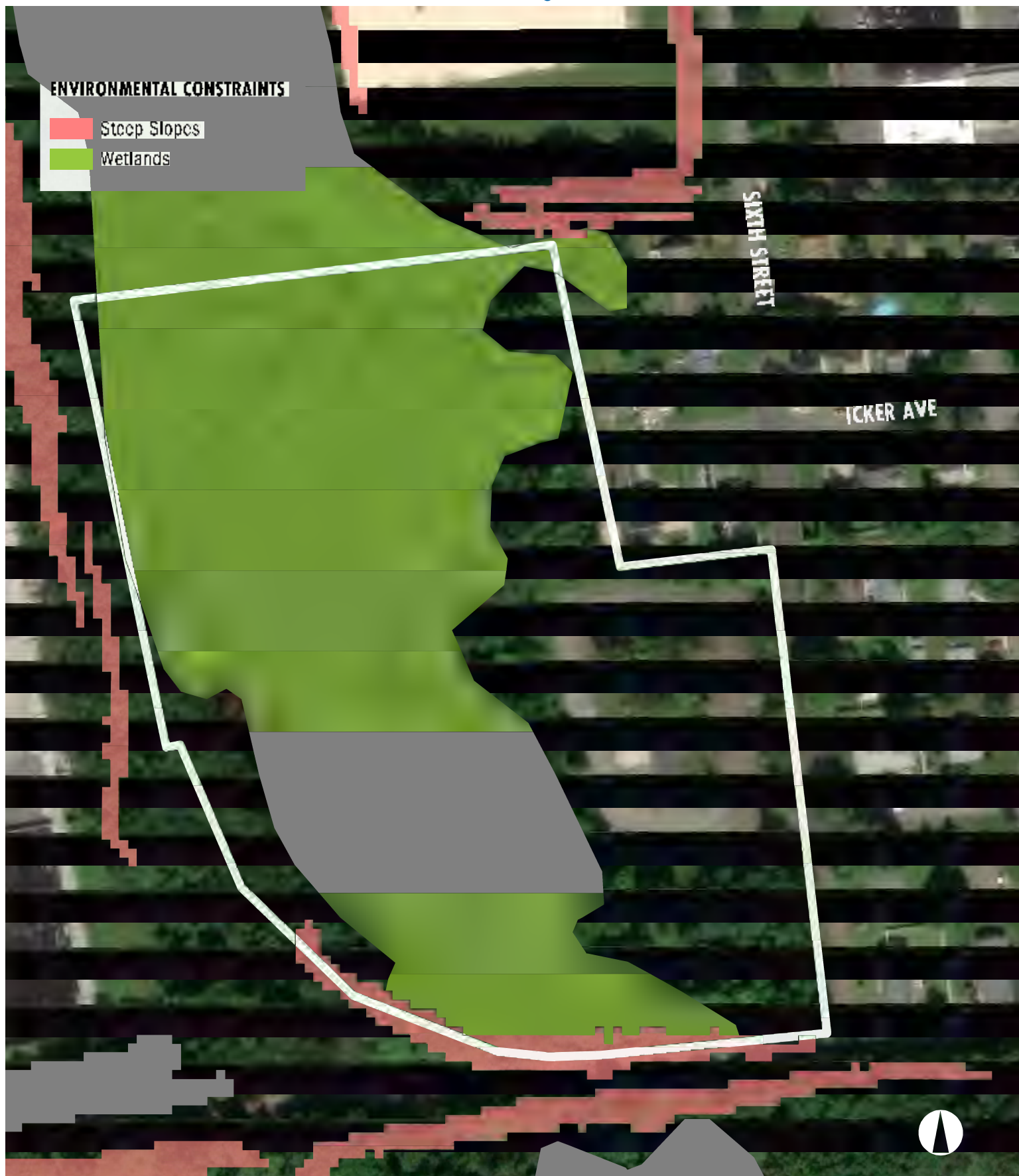


FIGURE 1: SIXTH STREET MUNICIPAL SITE
 Township of East Brunswick
 Fourth Round Housing Element & Fair Share Plan

BLOCK 32, LOT 7.02, 7.02
 BLOCK 66, LOT 5, 6, 7, 8, 9, 10.01,
 11.01, 12.01, 13.01
 BLOCK 73, LOT 1.01

1. 100% AFFORDABLE FAMILY RENTAL | SIXTH STREET MUNICIPAL SITE

Block / Lot:	32 / 7.02, 7.02 66 / 5, 6, 7, 8, 9, 10.01, 11.01, 12.01, 13.01 73 / 1.01	Address:	Sixth Street & Davison Ave	Current Zoning:	I/M
Acreage:	13.1	Density:	3 DU/acre based on gross acreage (±6 DU/acre based on developable acreage)	Draft Zoning	VG-TH
Total Units:	±25 to 30	Set Aside:	100% Affordable	Unit Type(s):	Townhouses; Stacked flats Family rentals
Current Use:	Vacant; Former bus depot	Potential Bonus Type:	1-for-1: 100% affordable with municipal contribution	Affordable Units:	±25 to 30
				Potential Bonus Credits:	±25 to 30

AVAILABLE:

The Township of East Brunswick has owned this property since acquiring it in foreclosure proceedings in 1998. The Township has engaged in environmental remediation of the site. To the Township's knowledge, there are no legal encumbrances that preclude development of this site for affordable housing.

SUITABLE:

The proposed townhouse development would be located adjacent to a small-lot single-family neighborhood to the north and east. The site has frontage on Davison and Sixth Streets, which provide connectivity to the surrounding area, including commercial uses on and near Route 18. The Sawmill Brook and its associated wetlands and riparian areas are located to the west and north of the site, where the environmental constraints will provide a substantial natural buffer of over 400 feet from the I/M Zone along Harts Lane to the west. As shown on the aerial map (see **Figure 1**), the site includes areas that are delineated as wetlands within the western and northern portions of the site. However, these environmental constraints will not preclude the proposed affordable housing development and will provide the enhanced screening as discussed. Development on the site is proposed to be limited to ±3 units per gross acre or ±6 units per net acre, which is comparable to the density of the surrounding residential area. There are no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact or be impacted by the development of affordable housing.

DEVELOPABLE:

The site has access to appropriate water and sewer infrastructure and there is sufficient capacity to serve the proposed project.

APPROVABLE:

The Township will rezone the site to permit the proposed project. The development can be accommodated outside of the regulated riparian zone, wetlands, or required associated buffers. The site can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of NJ Department of Environmental Protection (NJDEP).

ALIGN WITH THE SDRP:

The 2001 Adopted State Plan Map and the 2025 Preliminary State Plan Map designates the property as the Metropolitan Planning Area (PA 1). The intention of the Metropolitan Planning Area is to provide for much of the State's future development in a compact form and is the preferred location for affordable housing development, particularly the redevelopment of existing improved sites - in this case, a long-vacant municipally owned site.

DOCUMENTATION FOR 100% AFFORDABLE DEVELOPMENT:**SITE CONTROL:**

The Township of East Brunswick is the outright owner of the entire tract.

ADMINISTRATIVE MECHANISM:

The nonprofit site developer will own and operate the development in accordance with an agreement to be determined in the future, which may include an administrative agent. All units shall be income restricted and affirmatively marketed in accordance with the requirements of UHAC, the Amended FHA, or successive legislative.

FUNDING CAPABILITIES:

The Township of East Brunswick will provide the development site in accordance with an agreement to be determined. The nonprofit developer will seek financing from governmental (County, State, Federal) resources as applicable to the project. The Township has adequate Affordable Housing Trust Fund moneys available to supplement, as needed.

CONSTRUCTION TIMETABLE:

Will be developed and provided as part of the compliance process. Construction will be completed in the timely manner set forth by State guidelines.

2. INCLUSIONARY ZONING | ARISA II SITE, MAIN STREET**BLOCK 149, LOTS 2.02, 3.02, AND 4**

The Arisa II tract is located on the south side of Main Street to the north of Duhernal Lake, west of Route 18, near the Township's border with the Borough of Spotswood and the Township of Old Bridge. The site was historically developed with the Anheuser Busch yeast production factory before its sale in 1988 and subsequent closure in 1995. The property was rezoned SCMXD, Senior Citizen Mixed Use Planned Development, in 2002 from I/M Industrial Manufacturing. The overall tract measures approximately 28 acres in area, though significant areas of wetlands and flood plains are present in the southerly portion of the property that limit the developable area to ± 13.2 acres.

The portion of the site closest to Main Street was a Third Round inclusionary development site wherein the developer, Arisa Realty Co., initially obtained approval for 163 senior residential units in 2005 with an affordable housing component. The Developer sought to convert the project to a non-age restricted development in accordance with the conversion legislation of 2010. The development was subsequently approved for 133 non-age restricted apartments and townhomes at a gross density of 4.19 DU/acre with the provision of 20 affordable units within the apartment portion of the project including 12 moderate income units, 7 low income units and 1 very low income unit as part of the Third Round Plan. At present, 63 apartments have been constructed on adjacent Block 150, Lot 34.01, including the 20 affordable units.

In 2025, the Developer approached the Township regarding a new prospective inclusionary development on the remainder of the site. now seeking inclusion in the Fourth Round Plan to develop an inclusionary multi-family residential project to the rear of the existing apartments. The site is suitable for inclusionary development, as detailed in the next section. The environmentally constrained areas have been considered in project design and approved unit yield. The site is located in the SCMXD zone, which permits a maximum of 5 units per gross acre. Permitted uses in the zone include residential development in a variety of housing types including townhomes and apartments, offices, personal services, instructional studios, banks and medical facilities including physician's offices.

It is expected that the site will yield between 120 and 250 new units in total with a required 20% set aside for affordable housing that would produce 24 to 50 affordable housing units. This would result in an overall gross density between 6 and 9 units per acre, exclusive of the existing 63-unit development. The Township intends to work with the Developer in order to reach a mutual agreement as to appropriate density, massing, and housing typology for the site and will rezone the property to effectuate this development.



FIGURE 2: ARISA II - MAIN STREET
Township of East Brunswick
Fourth Round Housing Element & Fair Share Plan

2. ARISA II - MAIN STREET

Block / Lot:	149 / 2.02, 3.02, 4	Address:	Main Street	Current Zoning:	SCMXD
				Draft Zoning	MXD-6
Acreage:	28	Density:	±6-9 DU/gross acre	Unit Type(s):	
Developable:	±13.2 (wetlands, floodplain)		Specifics to be determined.	Multi-family; townhouses; stacked flats	Family rentals
Total Units:	120 to 250 (est.)	Set Aside:	20% Affordable	Affordable Units:	24 to 50 (est.)
Current Use:	Vacant	Potential Bonus Type:	TBD	Potential Bonus Credits:	

AVAILABLE:

To the Township's knowledge, there are no legal encumbrances that preclude development of this site for inclusionary development. The Developer has indicated that access over an adjacent Conrail parcel, which would be necessary for site access, can be acquired.

SUITABLE:

The proposed development would be located on the south side of Main Street, adjacent to the Developer's existing multi-family project, and in the vicinity of single-family development on the north side of Main Street. There are a mix of uses, including retail, also located within walking distance. The site will be accessed from Main Street and is less than a quarter mile from Route 18. There are approximately 14 acres of environmental constraints on the site; however, these are located away from the Main Street frontage and there is a large, contiguous developable upland area (see **Figure 2**). The environmental constraints have been considered in project design and approved unit yield and will not preclude development. There are no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact or be impacted by the development of affordable housing.

DEVELOPABLE:

The site has access to appropriate water and sewer infrastructure and there is sufficient capacity to serve the proposed project.

APPROVABLE:

The Township will rezone the site to permit the proposed project to effectuate the production of affordable housing. The development can be accommodated outside of the regulatory floodway, floodplains, and any required associated buffers. The site can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP).

ALIGN WITH THE SDRP:

The 2001 Adopted State Plan Map and the 2025 Preliminary State Plan Map designates the property as the Metropolitan Planning Area (PA 1). The intention of the Metropolitan Planning Area is to provide for much of the State's future development in a compact form and is the preferred location for affordable housing development, particularly the redevelopment of existing improved sites, in this case a former industrial property in a developed area.



FIGURE 3: BRUNSWICK SQUARE MALL REDEVELOPMENT
Township of East Brunswick
Fourth Round Housing Element & Fair Share Plan

BLOCK 131, LOTS 7.01, 20.01, 20.03, 20.04, 21.02, 21.03,
21.04, 22.01, 23.01 AND 24.01

3. INCLUSIONARY ZONING | BRUNSWICK SQUARE MALL REDEVELOPMENT

BLOCK 131, LOTS 7.01, 20.01, 20.03, 20.04, 21.02, 21.03, 21.04, 22.01, 23.01, 24.01

The Township proposes to meet a portion of its Fourth Round Obligation with inclusionary residential development on the Brunswick Square Mall site as part of a mixed-use redevelopment project. The Brunswick Square Mall was constructed in the 1970s and has not been substantially modernized since then. The site was determined to be a Condemnation Area in Need of Redevelopment by the Township Council per Resolution #25-139 on March 24, 2025. It is anticipated that a redevelopment plan will be prepared to reflect the proposed mixed-use development, including a required affordable housing set-aside component.

BRUNSWICK SQUARE MALL REDEVELOPMENT

Block / Lot:	131 / 7.01, 20.01, 20.03, 20.04, 21.02, 21.03, 21.04, 22.01, 23.01, 24.01	Address:	State Route 18 & Rues Lane	Current Zoning:	HC-2 & OP-1
				Draft Zoning	Redevelopment Plan TBD.
Acreage:	81.43	Density:	Net acreage of redevelopment area to be determined.	Unit Type(s):	TBD Family rentals
Total Units:	TBD	Set Aside:	20% Affordable	Affordable Units:	TBD
Current Use:	Brunswick Square Mall and Pad Sites	Potential Bonus Type:	0.5 credits for redevelopment of commercial site	Potential Bonus Credits:	TBD

AVAILABLE:

To the Township's knowledge, there are no legal encumbrances that preclude development of this site for inclusionary development.

SUITABLE:

This project is intended to be developed on a portion to be determined of the existing Brunswick Square Mall, which is an 81-acre enclosed shopping mall located on the west side of Route 18 north of Rues Lane (see **Figure 3**). The site is centrally located within the Township and greater region and would have direct access to a number of important Township roadways. Bus service is also available on Route 18. Land uses in the vicinity are varied in nature, including a school to the west, commercial uses along Route 18 and Summerhill Road, and single-family residential development to the north. There are no known environmental constraints on the site. As only a portion of the site's 81 acres are intended to be redeveloped for residential use, the overall residential development density will to be determined in discussion with the developer to achieve a mutually beneficial plan that effectuates the Township's production of affordable housing. There are no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact or be impacted by the development of affordable housing.

DEVELOPABLE:

The site has access to appropriate water and sewer infrastructure and there is sufficient capacity to serve the proposed project.

APPROVABLE:

The Township will prepare a Redevelopment Plan for the site to permit the proposed project. The site can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP).

ALIGN WITH THE SDRP:

The 2001 Adopted State Plan Map and the 2025 Preliminary State Plan Map designates the property as the Metropolitan Planning Area (PA 1). The intention of the Metropolitan Planning Area is to provide for much of the State's future development in a compact form and is the preferred location for affordable housing development, particularly the redevelopment of existing improved sites – in this case, a shopping mall that is one of the Township's most visible sites.



FIGURE 4: ROUTE 18 LUMBER - PLAZA HILL
Township of East Brunswick
Fourth Round Housing Element & Fair Share Plan

BLOCK 116, LOTS 1.01, 2.01, 3.01, 4.01, 5.01, 6.01, 7.01, 8.01, 10.01, 11.01,
BLOCK 117, LOTS 12.02, 13.01, 14.01, 19.02, 20 - 30
BLOCK 120, LOTS 11.02, 12.01, 13.01, 14.01, 15.01, 16.01, 17.01, 18.01, 19.01

4. INCLUSIONARY ZONING | ROUTE 18 LUMBER – PLAZA HILL

BLOCK 116, LOTS 1.01, 2.01, 3.01, 4.01, 5.01, 6.01, 7.01, 8.01, 10.01, 11.01,

BLOCK 117, LOTS 12.02, 13.01, 14.01, 19.02, 20 – 30

BLOCK 120, LOTS 11.02, 12.01, 13.01, 14.01, 15.01, 16.01, 17.01, 18.01, 19.01

The Township seeks to continue its support for high quality redevelopment, including inclusionary housing, along the Route 18 corridor through the future inclusionary zoning of this tract. The site measures ± 6.8 acres and currently comprises Eighteen Lumberyard, Plaza Hill medical office building, and certain Township-owned properties, with access to both Route 18 and Arthur Street.

ROUTE 18 LUMBER - PLAZA HILL

Block / Lot:	Various	Address:	State Route 18 & Arthur Street	Current Zoning:	HC-2
				Draft Zoning	TBD
Acreage:	± 6.83	Density:	Est. ± 6 to ± 9 DU/acre; to be determined.	Unit Type(s):	Multi-family; townhouses; stacked flats Family rentals
Total Units:	Est. ± 30 to ± 50 ; TBD.	Set Aside:	20% Affordable	Affordable Units:	Est. ± 6 to ± 10
Current Use:	Eighteen Lumber; Township property	Potential Bonus Type:	0.5 credits for redevelopment of commercial site	Potential Bonus Credits:	± 3 to ± 5

AVAILABLE:

To the Township's knowledge, there are no legal encumbrances that preclude development of this site for affordable housing.

SUITABLE:

The proposed development would be located between Route 18 and a single-family neighborhood to the north and east (see **Figure 4**). The site is centrally located, with direct access to Route 18 and major Township roadways. Bus service is also available in the vicinity. Retail, residential, and employment are all located within a short distance of the site. A buffer could be provided to serve as a transition between the Route 18 frontage and residential uses to the northeast. The site has frontage on both Route 18 and Arthur Street to provide alternative means of access. There are no known environmental constraints on the site. There are no historic or architecturally important sites or buildings on the property or in the immediate vicinity that will impact or be impacted by the development of affordable housing.

DEVELOPABLE:

The site has access to appropriate water and sewer infrastructure and there is sufficient capacity to serve the proposed project.

APPROVABLE:

The Township will rezone the site to permit the proposed project. The site can be developed consistent with the Residential Site Improvement Standards (RSIS) and other state regulations such as those of the New Jersey Department of Environmental Protection (NJDEP).

ALIGN WITH THE SDRP:

The 2001 Adopted State Plan Map and the 2025 Preliminary State Plan Map designates the property as the Metropolitan Planning Area (PA 1). The intention of the Metropolitan Planning Area is to provide for much of the State's future development in a compact form and is the preferred location for affordable housing development, particularly the redevelopment of existing improved sites, in this case a lumberyard.

E. REALISTIC OPPORTUNITY FOR UNDEVELOPED THIRD ROUND SITES

Per the Amended FHA, the municipality shall demonstrate how any sites that were not built in the prior round continue to present a realistic opportunity for construction of affordable housing, which may include proposing changes to the zoning or dedication of municipal trust fund dollars.

Table 25: Third Round Undeveloped Inclusionary Sites to Remain in Fourth Round

	Type / Mechanism	Affordable Units	Bonus Credits	Total Credits
Zielinski (Cranbury Rd)	Inclusionary Zoning - VGII	17	-	17
Bailes (Cranbury Rd South)	Inclusionary Zoning - VGII	20	-	20
Kelemen (Rues Lane)	Inclusionary Zoning - TG	36	-	36
				73

ZIELENSKI, CRANBURY ROAD – BLOCK 88, LOT 18.01

BAILES, 491 CRANBURY ROAD – BLOCK 87, LOTS

These sites are located in the VG-II Village Green Zone. The VG-II Zone was initially adopted in the 1970s and was amended as part of Third Round compliance to allow multi-family and apartments in addition to single-family dwellings and reduce the minimum required acreage from 40 acres to 7 acres. The permitted density was increased from 6 to 9 dwelling units per acre with a required minimum of 20% of the total units to be affordable units.

The Zielinski site is anticipated to yield up to 87 dwelling units, including 17 affordable units. The Bailes site is anticipated to yield up to 102 dwelling units, including 20 affordable units. Both sites continue to present a realistic opportunity for construction of affordable housing in the Fourth Round. In order to effectuate development, the Township will review the bulk and design standards of the VG-II Zone to determine whether any amendments are warranted to meet current housing preferences and market trends while remaining consistent with surrounding residential neighborhoods.

KELEMEN – 600 RUES LANE

This site is located in the TG Town Green Village Green Zone, which permits planned single-family, townhouse and multifamily development at a density of 12 units to the acre, with a mandatory 20% affordable housing set aside. The TG Zone was initially adopted in the 1970s and was amended through Third Round compliance. In 2017, the zoning was amended to reduce the required minimum lot area to 10 acres. The zoning also permits office and retail uses as part of mixed-use developments to serve residents of the site and surrounding neighborhood. The site was anticipated to yield up to 182 dwelling units, including 36 affordable units, and remains viable for development.

This site is located in the TG Town Green Zone at the intersection of Cranbury Road and Rues Lane near the Township Municipal Complex. The zoning for this site is proposed to be amended to allow for 14 units per acre, an increase from the current 12 units per acre, to facilitate development and provide 6 additional affordable units over the Third Round Compliance Plan. The site continues to present a realistic opportunity for construction of affordable housing in the Fourth Round. In order to effectuate development, the Township will review the bulk and design standards of the VG-II Zone to determine whether any amendments are warranted to meet current housing preferences and market trends while remaining consistent with surrounding residential neighborhoods.

F. APPLICABILITY OF BONUS CREDITS FOR THE FOURTH ROUND

Any new development or extension of affordability controls may yield bonus credits. The bonuses included in the amended FHA for the Fourth Round are as follows:

- **Supportive/Special Needs:** One unit of credit and one bonus credit for each unit of low- or moderate-income housing for individuals with special needs or permanent supportive housing, as those terms are defined in section 2 of P.L. 2004, c.70 (C.34:1B-21.24).
- **Ownership Units Created with Non-Profit:** One unit of credit and one-half bonus credit for each low- or moderate-income ownership unit created in partnership sponsorship with a non-profit housing developer.
- **Transit:** One unit of credit and one-half bonus credit for each unit of low- or moderate-income housing located within a one-half mile radius (or one-mile radius for projects located in a Garden State Growth Zone), surrounding a New Jersey Transit Corporation, Port Authority Transit Corporation, or Port Authority Trans-Hudson Corporation rail, bus, or ferry station, measured from the closest point on the outer perimeter of the station, including any associated park-and-ride lot, to the closest point of the housing project property.
- **Age-Restricted:** One unit of credit and one-half bonus credit for a unit of age-restricted housing, provided that a bonus credit for age-restricted housing shall not be applied to more than 10% of the units of age-restricted housing constructed in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency in a municipality that count towards the municipality's affordable housing obligation for any single 10-year round of affordable housing obligations.
- **Additional Three-Bedroom Units:** One unit of credit and one-half bonus credit for each unit of low- or moderate-income family housing with at least three bedrooms above the minimum number required by the bedroom distribution.
- **Former Retail, Office, Commercial:** One unit of credit and one-half bonus credit for a unit of low- or moderate-income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space.
- **Extension of Controls:** One unit of credit and one-half bonus credit for each existing low- or moderate-income rental housing unit for which affordability controls are extended for a new term of affordability, in compliance with the Uniform Housing Affordability Controls, and the municipality contributes funding towards the costs necessary for this preservation.
- **Municipal Contribution to 100% Affordable:** One unit of credit and one bonus credit for each unit of low- or moderate-income housing in a 100% affordable housing project for which the municipality either contributes property without which the project would not be feasible, or makes contributions from the municipal affordable housing trust fund that cover no less than 3% of the project cost.
- **Additional Very Low-Income Units:** One unit of credit and one-half bonus credit for each unit of very low-income housing for families above the 13% of units required to be reserved for very low-income housing pursuant to section 7 of P.L.2008, c.46 (C.52:27D-329.1).

- **Market to Affordable:** One unit of credit and one bonus credit for each unit of low- or moderate-income housing created by transforming an existing rental or ownership unit from a market rate unit to an affordable housing unit.

For the Fourth Round and beyond, a municipality shall not receive more than one type of bonus credit for any unit, and a municipality shall not be permitted to satisfy more than 25% of its prospective need obligation with the use of bonus credits.

G. OTHER REQUIREMENTS OF THE AMENDED FHA.

The Township will address the following requirements pursuant to the Amended FHA:

- **Very Low Income Obligation.** The Township will require that 13% of all units referenced in this plan, except those units that were constructed or granted preliminary or final site plan approval prior to July 1, 2008, to be very low-income units, with half of the very low-income units being available to families.
- **Low Income Obligation.** At least 50% of the units addressing the Fourth Round Prospective Need will be affordable to very low-income and low-income households, with the remainder affordable to moderate-income households. Two of the units 100 Candlewood Drive will be affordable to low-income households and three of the bedrooms at the group homes will address the remainder of this requirement.
- **Minimum Rental Obligation.** At least 25% of the Fourth Round Prospective Need will be met through rental units, including at least half in rental units available to families.
- **Minimum Family Obligation.** At least half of the units addressing the Fourth Round Prospective Need in total must be available to families.
- **Maximum Permitted Age-Restricted Units.** The Township does not anticipate any age-restricted development at this time. However, if age-restricted units are developed, the Township will comply with an age-restricted cap of 30%.
- **Required Bedroom Distribution.** All units shall include the required bedroom distribution, and be governed by controls on affordability and affirmatively marketed in conformance with the Uniform Housing Affordability Controls N.J.A.C. 5:80-26.1 et seq. or any successor regulation.

V. Consistency with the State Development and Redevelopment Plan

The New Jersey State Development and Redevelopment Plan (SDRP) was originally adopted in 1992. The purpose of the SDRP according to the State Planning Act at N.J.S.A. 52:18A-200(f) is to:

Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.

The State Plan is not a regulation, but a policy guide, and is meant to coordinate planning activities and development throughout the state. At the municipal level, master plans are required to be evaluated and, if necessary, modified to reflect policies of the State Plan. The State Plan is also important when the State makes infrastructural and other investment decisions, i.e., in determining where available State funds should be expended.

A revised version of the plan was adopted by the State Planning Commission in 2001. While required by the State Planning Act to be revised and re-adopted every three years, the SDRP has only been readopted once during the 32 years since its original adoption. A new State Strategic Plan (SSP) was proposed in 2011 as the revision to the 2001 SDRP, but it has not been advanced in recent years. The State Office of Planning Advocacy started the process of preparing a new State Plan in 2023 and the State Planning Commission has been engaging with stakeholders. As part of the update process, the State Planning Commission approved the Preliminary State Development and Redevelopment Plan on December 4, 2024, and is now undertaking the Cross-Acceptance process (i.e. review of the plan at the county level).

Spatially, the last adopted State Plan utilizes planning areas, centers, and environs as a framework for implementing Statewide goals and policies. All proposed Fourth Round sites are located within the area indicated by the State Plan Map as the Metropolitan Planning Area (PA1). For the Metropolitan Planning Area, the State Plan has four major aims, as follows: (1) to provide for much of the state's future redevelopment; (2) to revitalize cities and towns and promote growth in compact forms; (3) to stabilize older suburbs and redesign areas of sprawl; and (4) to protect the character of existing stable communities.

The land use policy objectives of the Metropolitan Planning Area are to:

- Promote redevelopment and development in cores and neighborhoods through cooperative regional planning efforts;
- Promote diversification of land uses, including housing where appropriate, in single-use developments and enhance their linkages to the rest of the community; and
- Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.

The East Brunswick Housing Element and Fair Share Plan recognizes the need to encourage development and redevelopment on the limited developable land in the Township in its continuous efforts to provide affordable housing. This Housing Plan promotes higher density development in appropriate locations served by existing infrastructure and proximate to transit, stores and services, and is therefore consistent with the State Plan.