

**RESOLUTION 2025-117**

**RESOLUTION ENDORSING THE FOURTH ROUND HOUSING  
ELEMENT AND FAIR SHARE PLAN AND AUTHORIZING AND  
DIRECTING SUBMISSION OF THE PLAN TO THE AFFORDABLE  
HOUSING DISPUTE RESOLUTION PROGRAM**

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301 et al.); and

**WHEREAS**, the Amended FHA requires the Department of Community Affairs ("DCA") to calculate the Fourth Round Present and Prospective Need Obligation of municipalities within the state and establishing the New Jersey Affordable Housing Dispute Resolution Program; and

**WHEREAS**, the Township resolved in Resolution No. 2025-43 to accept the DCA-calculated Present Need or Rehabilitation Obligation of 0 and a Prospective Need Obligation of 101, subject to its right to a durational adjustment; and

**WHEREAS**, pursuant to the FHA, Administrative Directive No. 14-24, and Resolution No. 2025-43, the Township's professionals filed a Declaratory Judgment action with the Affordable Housing Dispute Resolution Program, under Docket Number MON-L-422-25; and

**WHEREAS**, no parties challenged the Township's present and prospective need obligations; and

**WHEREAS**, on March 27, 2025, the Hon. Linda Grasso Jones J.S.C. issued an order finding in favor of the Township's identified affordable housing obligation and authorizing the Township to proceed with preparation and adoption of a Fourth Round Housing Element and Fair Share Plan by June 30, 2025;

**WHEREAS**, the Township's Planning Board adopted the Fourth Round Housing Element and Fair Share Plan on June 9, 2025; and

**WHEREAS**, a true and accurate copy of the 2025 Fourth Round Housing Element and Fair Share Plan is annexed hereto as Exhibit A; and

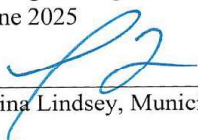
**WHEREAS**, a true copy of the Resolution of the Planning Board adopting Fourth Round Housing Element and Fair Share Plan is annexed hereto as Exhibit B; and

**NOW THEREFORE, BE IT RESOLVED** the Township Committee of Colts Neck Township, Monmouth County, State of New Jersey, hereby endorses the 2025 Fourth Round Housing Element and Fair Share Plan as adopted by the Planning Board on June 9, 2025; and

**BE IT FURTHER RESOLVED**, the Township's professionals are directed to continue to take the actions necessary to continue participating in the Affordable Housing Dispute Resolution Program; and

**BE IT FURTHER RESOLVED**, the Township reserves the right to further amend the Fourth Round Housing Element and Fair Share Plan, should that be necessary.

I, Trina Lindsey, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of Colts Neck Township during the regular meeting held on the 11<sup>th</sup> day of June 2025

  
Trina Lindsey, Municipal Clerk

RECORD OF VOTE					
	M S	Yes	No	NV	Ab
Mayor Torchia Buss		X			
Deputy Mayor Viola	M	X			
Buzzetta		X			
Fitzpatrick		X			
Rizzuto	S	X			
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					

# EXHIBIT

## A

# 2025 FOURTH ROUND HOUSING PLAN

HOUSING ELEMENT & FAIR SHARE PLAN  
COLTS NECK TOWNSHIP  
MONMOUTH COUNTY  
NEW JERSEY

ADOPTED BY THE PLANNING BOARD

JUNE 9, 2025

ENDORSED BY THE TOWNSHIP COMMITTEE

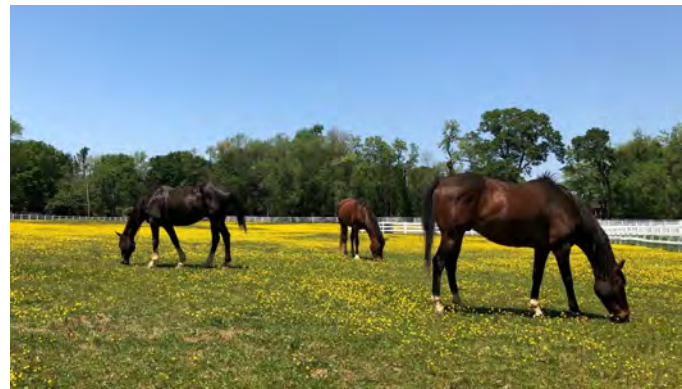
JUNE 11, 2025

PREPARED BY:



ELIZABETH McMANUS, PP, AICP, LEED AP  
NEW JERSEY PROFESSIONAL PLANNER LICENSE 5915  
**KYLE + McMANUS ASSOCIATES**

A SIGNED AND SEALED ORIGINAL IS ON FILE WITH THE TOWNSHIP CLERK





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Kris Lukowitz, Class IV, Vice Chair

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Timothy Anfuso, PP, Township Planner

Michael B. Steib, Esq., Planning Board Attorney

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Michael Viola, Deputy Mayor

Dan Buzzetta

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Trina Lindsey, Secretary to the Mayor and Township Committee

Kathleen M. Capristo, Township Administrator

Meghan Ann Bennett, Esq., Township Attorney

Thomas J. Trautner, Esq., Affordable Housing Attorney

Ronald Israel, Esq., Affordable Housing Attorney



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## **INTRODUCTION & EXECUTIVE SUMMARY**

**This Housing Plan addresses the Township’s newly assigned fourth round affordable housing obligation of 101 units, and reflects the Township’s previous approval of its first, second and third round affordable housing strategies. Given the Township’s lack of sewer infrastructure, the Township relies upon a durational adjustment to address the fourth round obligation. Consistent with the regulations addressing durational adjustments, the Township is not required to adopt zoning or take other actions at this time to satisfy the obligation. In fact, the Township is unable to incorporate the most common strategies into its Housing Plan (excluding those that are small) – 100% affordable housing developments and inclusionary development – because of the lack of sewer infrastructure. Notwithstanding, the Township will incorporate potentially appropriate affordable housing strategies that do come to fruition in an amended housing plan and reduce the extent of the durational adjustment accordingly.**

**This Housing Plan does not propose new zoning or other affordable housing strategies. Doing so is unnecessary given the first, second and more than half of the third round obligations are satisfied with constructed or approved development, and the remaining third round and fourth round obligations are addressed with the durational adjustment.**

Since the 1975 New Jersey Supreme Court decision known as “Mount Laurel I,” New Jersey municipalities have had a constitutional obligation to provide opportunities for creation of low and moderate housing units. This 1975 decision led to a body of case law, legislative changes and rulemaking by a state agency that, collectively, is now referred to as the “Mount Laurel Doctrine”. Through these actions, New Jersey municipalities have been assigned a specific number of affordable housing units that must be created or planned for creation to have “satisfied” their constitutional obligation, referred to as their affordable housing obligation. The purpose of this Housing Element and Fair Share Plan (hereinafter the “Plan”) is to present how Colts Neck Township will satisfy its constitutional obligation.

Affordable housing in New Jersey is defined as housing units which are reserved for households with incomes not more than 80% of the regional median income. Each affordable unit, depending on the age and type of housing, must remain reserved for low and moderate income households for up to 40 years and it is typically enforced by a deed restriction. Each affordable unit is eligible for one “credit” against the obligation and certain units are eligible for “bonus credits,” which provide more than one credit per unit. In addition to providing the minimum number of credits, municipalities must ensure diversity in the unit type (at least half of the units must be available to families and the remaining may be reserved for seniors and those with special needs), diversity in the level of affordability (very low, low and moderate income units), and diversity in the size of affordable units (one, two and three bedroom units).

Participation in this process, and therefore satisfaction of the affordable housing obligation, can be achieved voluntarily or involuntarily. However, voluntary compliance is heavily incentivized. Municipalities that do not successfully participate may be vulnerable to exclusionary zoning litigation, which is defined as litigation based on alleged noncompliance with the Fair Housing Act, or the Mount



Laurel doctrine, and includes builder's remedies. A builder's remedy is a litigation tool that grants a developer the right to construct what is typically a multi-family development on land that was not zoned to permit the use or the residential density desired by the developer, provided a "substantial" percentage of the units are reserved for low and moderate income households. Colts Neck seeks to avoid this possibility and has already taken substantial steps to do so.

This Plan supersedes all previously adopted housing plans and will serve as the foundation for the Township's application filing with the New Jersey Affordable Housing Dispute Resolution Program and the request for a Compliance Certification.

As detailed in this Plan, the Township – like all New Jersey municipalities – has four components of its affordable housing obligation. Each component of the Township's obligation is identified below.

- Rehabilitation Obligation: 0 units  
The rehabilitation obligation can be defined as an estimate of the number of deteriorated housing units existing in Colts Neck that are occupied by low- and moderate-income households. This component is also referred to as the "present need".
- First & Second Rounds Obligation: 218 units, fully satisfied  
The first and second rounds obligation can be defined as the cumulative 1987 through 1999 new construction affordable housing obligation. This component is often referred to as the "prior round" obligation. *This obligation is satisfied with constructed developments and an RCA.*
- Third Round Obligation: 306 units, balance of 138  
The third round obligation can be defined as the 1999 through 2025 new construction affordable housing obligation. *168 units of this obligation is satisfied with constructed and approved development, leaving a balance of 138.*
- Fourth Round Obligation: 101 units  
The fourth round obligation can be defined as the 2025-2035 new construction affordable housing obligation. The current round of affordable housing, now the fourth round, is also referred to as the "prospective need".

Given the 0-unit rehabilitation obligation, the Township does not propose affordable housing strategies to satisfy this obligation.

The Township fully satisfied the 218 unit first and second rounds obligation with the below listed strategies:

- Regional Contribution Agreement (RCA)  
The Township previously completed a 107-unit RCA with the City of Long Branch.
- The Grande  
An existing 276-unit family inclusionary development along NJ Route 18 and Stone Hill Road that includes 88 affordable units, including 66 for-sale and 22 rentals. Each rental unit is also eligible for bonus credits.



- Amboy Road Associates

An existing family inclusionary development along County Route 537 that includes 1 moderate income for sale unit.

Due to the total third round obligation exceeding the availability of existing sewer service capacity, the Township received a durational adjustment that reflects the Township's lack of public sewer. The Township utilizes the following strategies, including a durational adjustment, all of which was previously approved by Superior Court, to meet the 306 unit third round obligation:

- Mauro

This existing 2-unit development includes 2 for-sale affordable family units located at two different locations – along Merchants Way and New Street.

- Reflections at Colts Neck

An existing 72-unit assisted living development on Meridian Way that includes 7 units reserved for Medicaid recipients.

- Colts Neck Building Associates

A 360-unit family rental development on Route 537 that includes 72 affordable homes. Each unit is also eligible for bonus credits. The development received site plan approval in 2021.

- Countryside Developers

A 68-unit family for-sale development on Stone Hill Road that includes 15 affordable homes. The development received site plan approval in 2024 and is under construction.

- Durational Adjustment

In response to the Township's lack of public sewer the Township utilizes a durational adjustment, pursuant to *N.J.A.C. 5:93-4.3*, to satisfy the remaining third round obligation.

Consistent with the third round, the fourth round obligation of 101 units exceeds the availability of existing water and sewer service capacity. Accordingly, the Township is eligible for a durational adjustment for the entirety of the fourth round obligation that reflects this lack of public sewer.

Adoption of this Housing Element and Fair Share Plan and complete implementation of the strategies described above to meet the affordable housing obligation will yield a Compliance Certification and protect the Township from builder's remedy litigation through July 2035, the maximum time available.

## **AFFORDABLE HOUSING IN NEW JERSEY**

In its landmark 1975 decision, now referred to as "Mount Laurel I," the NJ Supreme Court ruled that developing municipalities have a constitutional obligation to provide variety and choice of housing types affordable to low- and moderate-income households. In its 1983 "Mount Laurel II" decision, the NJ Supreme Court extended the regional fair share obligation to all municipalities with any "growth area" as designated in the State Development Guide Plan (NJDCG 1978) and determined that each municipality



would have to establish its fair share obligation and provide zoning strategies to create a realistic opportunity for fulfilment of the fair share obligation. Mount Laurel II also gave developers, under appropriate circumstances, the opportunity to secure a builder's remedy. A builder's remedy is a litigation tool that grants a developer the right to develop what is typically a multi-family development on land that was not zoned to permit the use or the residential density desired by the developer, provided a "substantial" percentage of the units are reserved for low and moderate income households. Colts Neck seeks to avoid this possibility and has already taken substantial steps to do so.

In 1985, the Legislature enacted the Fair Housing Act in response to Mount Laurel II. The Fair Housing Act created the Council on Affordable Housing (hereinafter "COAH") as an administrative alternative to compliance in a court proceeding. The Legislature conferred "primary jurisdiction" on COAH and charged COAH with promulgating regulations to establish housing regions, to estimate the state's low- and moderate-income housing needs, set criteria and guidelines for municipalities to determine and satisfy their affordable housing obligation, and to create a process for the review and approval of appropriate housing elements and fair share plans. Approval of a municipal housing element and fair share plan by COAH was referred to as "substantive certification" and it provided protection from builder's remedy litigation during the period which the housing element and fair share plan addresses (i.e. the round).

COAH created the criteria and guidelines for municipalities to determine and address their respective affordable housing obligation. COAH originally established a formula for determining municipal affordable housing obligation for the six-year period between 1987 and 1993 (*N.J.A.C. 5:92-1 et seq.*), which became known as the "first round." These rules established the first round rehabilitation obligation (also referred to as the "present need") and the first round new construction obligation.

The first round formula was superseded by COAH regulations in 1994 (*N.J.A.C. 5:93-1.1 et seq.*). The 1994 regulations recalculated a portion of the first round 1987-1993 affordable housing obligations for each municipality and computed the additional municipal affordable housing need from 1993 to 1999 using 1990 U.S. Census data. The regulations COAH adopted in 1994 to identify a municipality's "cumulative" obligations for the first and second rounds are known as "the second round" regulations. Under regulations adopted for the third round, the obligation of municipalities to create new affordable housing for the first and second rounds was referred to as the "prior round" obligation.

On December 20, 2004, COAH's first version of the third round rules became effective some five years after the end of the second round in 1999. At that time, the third round was defined as the time from 1999 to 2014 but condensed into an affordable housing delivery period from January 1, 2004 through January 1, 2014. The third round rules marked a significant departure from the methods utilized in COAH's earlier rounds by creating a "growth share" approach that linked the production of affordable housing to residential and non-residential development within a municipality.

The growth share approach and the rules in which it was created, was the subject to significant litigation and was ultimately overturned by the New Jersey Appellate Court. On January 25, 2007, the New Jersey Appellate Court decision, In re Adoption of N.J.A.C. 5:94 and 5:95, 390 N.J. Super. 1, invalidated key elements of the first version of the third round rules, including the growth share approach. COAH issued



revised rules on June 2, 2008 (as well as a further rule revision effective on October 20, 2008). Included in the 2008 rules was a recalculation of the cumulative first and second rounds obligation to account for updated data addressing secondary sources (filtering, demolitions, and residential conversions). Just as various parties challenged COAH's initial third round regulations, parties challenged COAH's 2008 revised third round rules. On October 8, 2010, the Appellate Division issued its decision, In re Adoption of N.J.A.C. 5:96 and 5:97, 416 N.J. Super. 462, with respect to the challenge to the second iteration of COAH's third round regulations. The Appellate Division upheld the COAH regulations that assigned rehabilitation and first and second rounds obligations to each municipality but invalidated the regulations by which the agency assigned housing obligations in the third round, finding that the Agency continued to utilize a growth share approach, albeit an amended approach.

COAH sought a stay from the NJ Supreme Court of the deadline to issue new third round housing rules set forth by the Appellate Division. Additionally, there were various challenges to the Appellate Division's 2010 decision. On September 26, 2013, the NJ Supreme Court upheld the Appellate Court decision in In re Adoption of N.J.A.C. 5:96 and 5:97 by New Jersey Council On Affordable Housing, 215 N.J. 578 (2013), and ordered COAH to prepare the necessary rules. Subsequent delays in COAH's rule preparation and ensuing litigation led to the NJ Supreme Court, on March 14, 2014, setting forth a schedule for adoption.

Although ordered by the NJ Supreme Court to adopt revised new rules on or before October 22, 2014, COAH deadlocked 3-3 at its October 20th meeting and failed to adopt the draft rules it had issued on April 30, 2014. In response, Fair Share Housing Center (hereinafter "FSHC") filed a motion in aid of litigant's rights with the NJ Supreme Court.

On March 10, 2015, the NJ Supreme Court issued a ruling on the Motion In Aid of Litigant's Rights (In re Adoption of N.J.A.C. 5:96 & 5:97, 221 NJ 1, aka "Mount Laurel IV"). This long-awaited decision provided a new direction for how New Jersey municipalities were to comply with the constitutional requirement to provide their fair share of affordable housing. The Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges. The implication was that municipalities were required to apply to Superior Court with a Declaratory Judgement Action, instead of to COAH, if they wished to be protected from exclusionary zoning litigation, including builder's remedy. These trial judges, with the assistance of an appointed Special Adjudicator to the Court, reviewed municipal plans much in the same manner as COAH previously did.

While the NJ Supreme Court's decision set a process in motion for towns to address their third round obligations, it did not assign those obligations. Instead, the task was completed by the trial courts. However, the NJ Supreme Court did direct that the method of determining municipal affordable housing obligations were to be "similar to" the methodologies used in the first and second round rules and municipalities should rely on COAH's 1993 second round rules (*N.J.A.C. 5:93*) and certain components of COAH's 2008 regulations that were specifically, as well as the Fair Housing Act (*N.J.S.A. 52:27D – 301 et seq.*), in their preparation of third round housing elements and fair share plans.

FSHC, the only public interest advocacy organization in New Jersey devoted exclusively to promoting the production of housing affordable to low and moderate income households, was permitted to serve as an



interested party in every municipal Declaratory Judgment Action. In this role the organization calculated municipal affordable housing obligations and offered to settle with municipalities. Such settlements addressed the municipal affordable housing obligation, compliance strategies and other terms intended to promote affordable housing production. Most municipalities that filed a Declaratory Judgment Action settled with FSHC, finding it to be in their best interest. The typical alternative to settlement with FSHC was conducting a trial in Superior Court to determine the municipal affordable housing obligation.

In addition to the State agency activity and judicial decisions through 2015, the New Jersey Legislature amended the Fair Housing Act in 2008 (P.L. 2008, c. 46, often referred to as the “Roberts Bill”, or “A500”). This amendment established a statewide 2.5% nonresidential development fee, prohibited new regional contribution agreements (hereinafter “RCAs”), required that 13% of all new affordable housing units be restricted to very low income households (30% of median income), and added a requirement that municipalities had to commit to spend development fees within four (4) years of the date of collection. Additionally, the Fair Housing Act was amended in 2013 (P.L. 2013, c. 6) to permit municipalities to enter into an agreement with a developer or development owner to provide a preference for veterans who served in time of war or other emergency to occupy up to 50% of the affordable units in a particular development. The preference is applicable to the first 90 of the 120 days of initial marketing and thereafter may on a special waiting list for future available affordable units in the development. These amendments to the Fair Housing Act are not promulgated in any valid COAH regulations.

On March 20, 2024, an amendment to the Fair Housing Act was adopted (P.L. 2024, c.2.). This amendment creates significant changes to the fourth round of affordable housing, and all subsequent rounds. Such changes include the process in which municipalities obtain protection from builder’s remedy litigation – including but not limited to the elimination of COAH and the creation of the Affordable Housing Dispute Resolution Program, the methodology to calculate municipal prospective need obligations, and the administration of affordable housing units. However, the Fair Housing Act does not create or direct the creation of new rules that would provide further guidance, instead it states municipalities shall rely on rules adopted by COAH, unless contradicted by statute or binding court decisions, for municipal crediting, adjustments and compliance strategies. One notable example of contradiction is the generation of and use of bonus credits. See the sections that follow for additional information regarding this amendment to the Fair Housing Act.

The Affordable Housing Dispute Resolution Program (hereinafter the “Program”) is a program within the judiciary made up of an odd number of Judges with a minimum of 3 and not to exceed 7. The Program, in its discretion and in accordance with Rules of Court, may consult or employ services of one or more special adjudicators or staff to assist it in rendering determinations, resolving disputes, and facilitating communication among municipalities and interested parties. The Program is responsible for reviewing municipal affordable housing obligations, housing plans, and conducting mediation. However, final determinations of compliance, disputes, and other issues, as well as Court orders may only be issued by a County-level housing judge.



In addition to changes addressing the compliance process and elimination of COAH, the amendment also revised minimum affordability controls for rental units from 30 years to 40 years and those for extension of affordability controls from 30 years to as little as 20 years, provided the total control period is not less than 60 years. It also created new roles for the Department of Community Affairs (hereinafter “DCA”), including calculation of non-binding rehabilitation and prospective need affordable housing obligations, oversight and adoption of rules regulating municipal affordable housing trust funds, municipal housing liaisons and affordable housing administrative agents, as well as oversight of affordable unit administration. The amendment also directed the New Jersey Housing and Mortgage agency to revise the Uniform Housing Affordability Control Rules (*N.J.A.C. 5:80-26.1 et seq.*).

### **The Compliance Process**

The first step in a municipality’s compliance process is to establish the affordable housing obligation. The first, second and third round obligations are already established by COAH or Superior Court, as applicable. Only the rehabilitation obligation and current prospective need, the fourth round obligation, are subject to the determination.

The methodology and formulas each municipality must rely upon to determine its rehabilitation and fourth round obligation (as well as subsequent round obligations) are set forth within *N.J.S.A. 52:27D-304.1* thru *-304.3* of the Fair Housing Act. The March 8, 2018 unpublished decision of the Superior Court, Law Division, Mercer County, *In re Application of Municipality of Princeton* (“Jacobson Decision”) is also to be referenced as to datasets and methodologies that are not explicitly addressed in *N.J.S.A. 52:27D-304.3*. Notwithstanding the methodology set forth in the Fair Housing Act, the Act also required the DCA to release a non-binding report calculating obligations for each municipality in the State.

The following provides an overview of the process and deadlines associated with fourth round compliance.

- Establishing the Affordable Housing Obligation
  - October 20, 2024: DCA Regional and Municipal Fair Share Obligation Report Issued.
  - January 31, 2025: Deadline for municipalities to adopt a binding committing to the affordable housing obligation and seeking a Compliance Certification through participation in the Program.
  - February 28, 2025: Deadline for an interested party to challenge the municipality’s determination of its obligation to the Program. It shall apply “an objective assessment standard”.
  - March 1, 2025: The municipality’s determination of its obligation will be established by default if no challenge.
  - March 31, 2025: The Program must issue a decision on the obligation challenge.



- Obtaining a Compliance Certification
  - June 30, 2025: Municipality shall adopt a Housing Plan and propose drafts of ordinances and resolutions to implement the plan. If a municipality does not adopt a Housing Element and Fair Share Plan by June 30, 2025, the Rules of Court may permit the Program or County Level Judge to allow the municipality to secure a grace period. *If a municipality does not adopt a Housing Plan by June 30, 2025 and does not secure a grace period, the municipality will have its immunity immediately stripped.*
  - August 31, 2025: Deadline for an interested party to file a challenge of the Housing Plan with the Program. If no challenge by this date the Program will begin review of the Housing Plan for consistency with the FHA.
  - December 31, 2025: Deadline for a municipality to settle any challenge or provide an explanation as to why it will not make all, or some of the changes brought by the challenge.
  - March 15, 2026: Municipality to amend the Housing Plan and implement the agreed upon revisions resulting from a challenge and adopt all pertinent ordinances. The Housing Plan and adopted ordinances shall be immediately filed with the Program.
- Ongoing Compliance
  - Midpoint (2030): Action by municipality or interested party filed to seek a realistic opportunity review of any developments that have not moved forward.

### **Affordability Requirements**

Affordable housing is defined under New Jersey's Fair Housing Act as a dwelling, either for sale or rent, that is within the financial means of households of low- or moderate-income, as is measured within each housing region. Colts Neck is in Region 4, which includes Mercer, Monmouth, and Ocean counties. Moderate-income households are those with annual incomes greater than 50%, but less than 80% of the regional median income. Low-income households are those with annual incomes that are 50% or less than the regional median income. Very low-income households are a subset of "low-income" households and are defined as those with incomes 30% or less than the regional median income.

The Uniform Housing Affordability Controls (hereinafter "UHAC") at N.J.A.C. 5:80-26.3(d) and (e) requires that the maximum rent for a qualified unit be affordable to households with incomes 70% or less than the median income for the region, provided the development includes 13% or more very low income units. The average rent must be affordable to households with incomes no greater than 52% of the median income. The maximum sale prices for affordable units must be affordable to households with incomes 70% or less than the median income. The average sale price must be affordable to a household with an income of 55% or less than the median income.



The regional median income is defined using the federal income limits established by Department of Housing and Urban Development (hereinafter “HUD”) on an annual basis. In the spring of each year, HUD releases updated regional income limits, and it is from these income limits that the rents and sale prices for affordable units are derived. The following table reflects the 2024 affordable housing regional income limits for Region 4, prepared by Affordable Housing Professionals of New Jersey (AHPNJ).

2024 Income Limits for Region 4 (Monmouth, Ocean & Mercer Counties)					
Household Income Levels	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5-Person Household
Median	\$94,300	\$107,700	\$121,200	\$134,600	\$145,400
Moderate	\$75,440	\$86,160	\$96,960	\$107,680	\$116,320
Low	\$47,150	\$53,850	\$60,600	\$67,300	\$72,700
Very Low	\$28,290	\$32,310	\$36,360	\$40,380	\$43,620
Source: 2025 Income Limits prepared by New Jersey Housing and Mortgage Finance Agency (NJHMFA), effective May 16, 2025					

## **Overview of Compliance Requirements**

There are extensive requirements that municipalities must ensure their affordable housing strategies satisfy to be eligible for a Compliance Certification. Furthermore, those requirements vary by round. The following provides a *brief and summarized* overview of the requirements.

- Rental Obligation. Not less than 25% of affordable units addressing the obligation of a round must be rental housing units.
- Family Obligation. Not less than 50% of affordable units addressing the obligation of a round must be available to families, meaning they are not restricted to a particular population. This obligation does not apply to the first and second rounds.
- Family Rental Obligation. Not less than 50% of the units meeting the rental obligation of a round must be available to families, meaning they are not restricted to a particular population. This obligation does not apply to the first and second rounds.
- Senior Maximum. Up to 30% of affordable units addressing the obligation of a round may be reserved for seniors. The maximum was 25% for the first, second and third rounds.
- Income Distribution of Affordable Units
  - Very Low Income Obligation. Not less than 13% of affordable units created or approved on or after July 1, 2008 must be reserved for very low income units (30% or less than the regional median income). Very low income units are a subset of low income units.



- Family Very Low Income Obligation. Not less than 50% of the units meeting the very low income obligation must be available to families, meaning they are not restricted to a particular population.
- Low Income Obligation. Not less than 50% of affordable units in any development must be reserved for low income households (50% or less than the regional median income, which includes very low income units). The remaining may be available to moderate income households (51-80% of regional median income).
- Bedroom Distribution of Affordable Units
  - The total bedrooms within the affordable units in any development must be not less than twice the number of affordable units. This requirement does not apply to the first, second or third round.
  - Studio and 1-bedroom Units. Not more than 20% of units in any development.
  - 2-bedroom Units. Not less than 30% of units in any development.
  - 3-bedroom Units. Not less than 20% of units in any development.
  - The above requirements do not apply to special needs housing or senior housing.
  - Senior developments are subject to a modified bedroom distribution such that the total bedrooms within the affordable units must be not less than the number of affordable units.
  - Senior and supportive housing developments with 20 or more affordable units shall have not less than 5% 2-bedroom and 3-bedroom affordable units. This requirement does not apply to the first, second or third round.
- Bonus Credits
  - No more than 25% of the obligation for each round.
  - Only one type of bonus credit may be applied to a unit.
  - Rental bonus credits (1.0) are only applicable to the first, second and third rounds.
  - The following unit types are eligible for 1.0 bonus credit in the fourth round.
    - Supportive and special needs. Note that special needs often receive credit for each bedroom.
    - Market to affordable (conversion of a market rate unit to an affordable unit).
    - 100% affordable developments: Units within 100% development provided the municipality the land or a minimum of 3% of the development costs.



- The following unit types are eligible for 0.5 bonus credit in the fourth round.
  - Partnership with non-profit.
  - Proximity to transit: units within ½ mile of transit (rail, bus, ferry).
  - Senior: limited to 10% of the affordable age-restricted units provided which is capped at 30% of the obligation.
  - Units with at least three bedrooms above the minimum number required by the bedroom distribution.
  - Redevelopment for units on land that was previously utilized for retail, office or commercial use.
  - Extension of affordability controls on rental housing only, provided the municipality funds the cost for the preservation.
  - Very Low-Income units above the 13% required.

## **AFFORDABLE HOUSING IN COLTS NECK**

The Township's first round housing plan was prepared in 1990 in response to builder's remedy litigation and a subsequent Court Judgment of Compliance and Repose dated December 1, 1986. A second round housing plan was adopted on November 18, 2003 and it addressed the then-existing cumulative first and second round obligation of 246 affordable housing units consisting of a rehabilitation component of 29 units and a new construction component of 217 units. This housing plan was the subject of a Judgment of Repose dated June 21, 2004 in the case of Westminster Realty Corporation vs. Township of Colts Neck, et. als., Docket No. MON-L-2954-99. This case involved a 1999 builder's remedy lawsuit initiated by the Plaintiff, Westminster Realty Corporation, for its 39-acre property (Block 22, Lot 18, formerly Block 22, Lots 11-14) on County Route 537 (now known and referenced herein as the Colts Neck Building Associates site). The terms of the settlement agreement stipulated Westminster Realty would be permitted a maximum of 48 market rate single-family homes on the site at a maximum gross density of 1.24 units per acre and required to make a payment of \$212,500 in lieu of constructing a maximum of 8.5 affordable units. The payment was to be used to fund a 107 unit Regional Contribution Agreement (RCA) to the City of Long Branch. While the RCA payment was made, the 48 single-family homes were not developed, and the site was the subject of intervention in the Township's 2015 Declaratory Judgment by Colts Neck Building Associates.

The Township adopted a third round plan on October 27, 2008; however, this did not receive substantive certification prior to COAH's third round rules being overturned.

To comply with the March 10, 2015 Mt. Laurel IV decision, Colts Neck petitioned the Superior Court on June 12, 2015 for a Declaratory Judgment and temporary immunity from builder's remedy suits. This



action entered the Township into the process of determining its affordable housing obligation and how it would be satisfied. Additionally, the Township received immunity from builder's remedy litigation while doing so.

Three parties intervened or participated as an interested party in the Township's Declaratory Judgment: Colts Neck Building Associates who sought development of Block 22, Lot 18, Countryside Developers who sought development of Block 42, Lot 4, and Carole Schlumpf who sought development of Block 53, Lots 4, 5 and 7. The Township later reached settlement agreements with all three intervenors.

To avoid a lengthy trial on the Township's affordable housing obligation and, potentially, a second trial on how that obligation would be satisfied, Colts Neck and FSHC came to terms in a March 18, 2020 Settlement Agreement. The Settlement Agreement set forth the Township's affordable housing obligation and how it would be satisfied. It recognized the lack of existing public sewer facilities to satisfy the Township's third round obligation and granted a durational adjustment with a waiver of *N.J.A.C. 5:93-4.3(c)* in favor of creating overlay zoning in an area of the Township referred to as Area 1, providing up to \$2 million in infrastructure funding for development in Area 1 (as defined in Exhibit B to the 2020 FSHC Settlement Agreement) and other terms related to the provision of sewer. This Settlement Agreement and those with the intervenors were approved by the Honorable Linda Grasso Jones, J.S.C. on August 13, 2020.

After the Fairness Hearing, it became clear that implementation of the Settlement Agreement would result in significant litigation and delay. The Fairness Hearing was objected to by the Manasquan River Regional Sewerage Authority (MRRSA), as well as its member municipalities. In sum, these parties objected to the Township's anticipation that sewer service could be provided by MRSSA.

Following a Compliance Hearing that was held by the Court on December 6 and 8, 2022, on November 21, 2024, the Court entered two orders:

1. Order granting Fair Share Housing Center's Motion to Enforce Litigant's Rights and Directing Modification of Colts Neck's Proposed Housing Element and Fair Share Plan and Spending Plan; and
2. Order of Judgment of Fairness and Conditional Compliance and Repose Approving the Amended HEFSP Submitted to the Court by the Township of Colts Neck on June 15, 2022.

As stated in the November 21, 2024 Orders issued by the Hon. Linda Grasso Jones, J.S.C. the Township was granted its request for a durational adjustment without the durational adjustment waiver.

The Township adopted a Third Round Housing Element and Fair Share Plan on February 11, 2025 and the Township Committee endorsed it on February 12, 2025. This Housing Plan was adopted pursuant to the November 21, 2024 Order directing modification of the previous Housing Plan; however, it was done so under protest due to an appeal of the November 21, 2024 Orders. The appeal remains undecided as of the adoption of this Housing Plan.

The Township adopted a resolution committing to the rehabilitation and fourth round obligations of 0 and 101 units, respectively, calculated by DCA on January 29, 2025. On April 1, 2025, the Hon. Linda Grasso



Jones, J.S.C. issued an order finding in favor of the Township’s identified affordable housing obligation and authorizing the Township to proceed with preparation and adoption of a fourth round housing plan by June 30, 2025.

## **CONSIDERATION OF LANDS MOST APPROPRIATE FOR AFFORDABLE HOUSING**

As part of this Plan, the Township considered land that is appropriate for the construction of low- and moderate-income housing. Colts Neck has limited capacity for future development due to environmental constraints and lack of wastewater (public sewer) facilities. Notwithstanding, the Township successfully satisfied its first and second rounds obligation, and a substantial portion of its third round affordable housing obligation on various properties using a variety of family and senior affordable housing strategies.

With the understanding that larger affordable housing development sites require densities that must be serviced by wastewater facilities, the Township received a third round, and is applying for a fourth round, durational adjustment until such time when public sewer service can be made available for affordable housing sites.

One entity – Seta Realty – stated commitment to construct affordable housing on a particular site within Colts Neck Township. Seta Realty owns Block 48, Lots 5, 39 and 40, located along State Highway Route 34. This property is already subject to inclusionary zoning since it is within the Area 1 Inclusionary Overlay Zone. The Township commits to working with this property owner consistent with the requirements of the durational adjustment. See discussion regarding the third round and fourth round durational adjustments for additional information about Area 1 and the durational adjustment requirements.

A portion of the Township’s housing stock may be appropriate for conversion or rehabilitation for affordable housing. Given the prevalence of substantial home sizes, such conversions are most appropriate for Township homes that are moderate in size to enable building and property maintenance costs that are proportionate to the household’s income. Additionally, the Township’s lack of wastewater facilities must be considered as it requires individual septic systems to serve the property, absent NJDEP approval for a public sewer or on-site treatment system. Notwithstanding, affordable single-family homes and group homes are appropriate in Colts Neck, and attached and multi-family affordable and inclusionary development may be appropriate where approval for wastewater facilities can be obtained.

## **OPPORTUNITY FOR MULTIGENERATIONAL HOUSING**

The Fair Housing Act requires “an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission”. As of the date of this Housing Plan there have been no recommendations by the Multigenerational Family Housing Continuity Commission in which to provide an analysis. However, the Commission has the primary goal of



enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity. Township land use policies are not in conflict with this goals and much of the Township's housing stock is large enough to accommodate multigenerational living.

## **DEMOGRAPHIC, HOUSING & EMPLOYMENT ANALYSIS**

See Appendix 1 to the Housing Plan for this analysis.

## **AFFORDABLE HOUSING OBLIGATION & SATISFACTION**

Fourth round housing plans must address four components of a municipality's affordable housing obligation. These include the rehabilitation obligation to improve substandard housing occupied by low- and moderate-income households, the first and second round obligation of new construction from 1987 to 1999, third round obligation of new construction from 1999 to 2025, and the fourth round obligation of new construction from 2025 to 2035.

### **Rehabilitation Obligation: 0 units**

The rehabilitation obligation can be defined as an estimate of the number of deteriorated housing units existing in Colts Neck that are occupied by low- and moderate-income households. The Fair Housing Act, N.J.S.A. 52:27D-304.3.b., describes present need as being determined by "estimating the existing deficient housing units currently occupied by low- and moderate-income households within the municipality, following a methodology comparable to the methodology used to determine third round present need, through the use of datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof." The DCA calculated municipal present need obligations in *Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background*, released on or about October 18, 2024. This DCA Report calculated a rehabilitation obligation of 0-units for the Township. This obligation was accepted in the Township's January 29, 2025 resolution and was assigned to the Township in the April 1, 2025 Order issued by the Hon. Linda Grasso Jones, J. S. C.

Given the 0 unit obligation, the Township does not propose rehabilitation strategies. Notwithstanding, the Township continues its participation in the Monmouth County Housing Repair Program, which provides financial assistance to income-eligible homeowners to repair major systems in their home. This County program is funded by the federal Community Development Block Grant (CDBG) program.



## **First & Second Rounds Obligation: 218 units, Fully Satisfied**

Colts Neck Township's first and second rounds obligation, also referred to as the prior round obligation, is 218 units. This obligation is defined as the cumulative new construction obligation from 1987 through 1999 (1987-1993 is the first round; 1993-1999 is the second round). The Township's obligation was published by COAH in 2008 and originally calculated in 1993-1994 pursuant to N.J.A.C 5:93.

The 218-unit obligation is satisfied with completed strategies that include a Regional Contribution Agreement (hereinafter "RCA") with the City of Long Branch and a mix of unit types and developments throughout the Township.

<b>Satisfaction of the 218-First and Second Rounds Obligation</b>				
<b>Strategy</b>	<b>Rental Units</b>	<b>Sale Units</b>	<b>Bonus Credits</b>	<b>Total Credits</b>
RCA with the City of Long Branch	0	0	0	107
The Grande (family for-sale and rental units)	22	66	22	110
Amboy Road Associates (family for-sale units)	0	1	0	1
<b>Total First and Second Rounds Credits</b>	<b>22</b>	<b>67</b>	<b>22</b>	<b>218</b>

### ***City of Long Branch RCA***

The Township paid an amount of \$2,915,000 to the City of Long Branch as part of a Regional Contribution Agreement (RCA) to transfer 107 units of the obligation to the City. COAH approved the agreement in June 2006; however, the RCA approval was appealed by FSHC. Approval of the Agreement was later remanded to COAH for procedural reasons. COAH took the position that the Appellate Division's procedural remand was moot, and the decision should not preclude Colts Neck from receiving the 107 RCA credits. Affordable housing credit for the program was approved as part of the Township's November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose. All funds for this RCA have been transferred.

### ***The Grande***

This inclusionary development is located off New Jersey Route 18 and Stone Hill Road on Blocks 41.01 and 41.02. The development was completed in 1995, with some units receiving a certificate of occupancy in 1994. It consists of 276 units that are a combination of single family and townhouse homes. It is connected to public water and sanitary sewer from adjacent Freehold Township. The development includes 88 low- and moderate-income units, of which 66 are for-sale and 22 are rental units. Of this total, there are 46 low income units and 42 moderate income units. Affordable housing credit for the development was approved as part of the Township's 2004 Judgment of Compliance and Repose as well as the Township's November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose.



### ***Amboy Road Associates***

This inclusionary development is located on Block 39, Lot 11.01 along County Route 537 and constitutes 17.6 acres. The development includes 8 total units, including one (1) affordable sale unit developed off-site. The affordable unit is a three-bedroom low-income unit located on Block 26, Lot 7. The development received preliminary site plan approval on February 9, 2016, final site plan approval on June 14, 2016, and amendment of final site plan conditions on September 13, 2016. The affordable unit has 30 year affordability controls were applied in 2019. Affordable housing credit for the development was approved as part of the Township's November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose.

### **Third Round Obligation: 306 units (138 outstanding) – All Strategies Approved**

Colts Neck's third round obligation is 306 units, of which 168 are satisfied with constructed and approved development and the remaining 138 is addressed with the approved durational adjustment. This obligation is defined as the new construction obligation for 1999-2025. The obligation was assigned by the Order of Fairness and Preliminary Mount Laurel Compliance issued by the Hon. Linda Grasso Jones, J.S.C. on August 13, 2020. The source of the third round obligation is the number multiple experts used as an extrapolation of the methodology established by the Hon. Mary C. Jacobson, A.J.S.C. in her decision, In the Matter of the Application of the Municipality of Princeton, Docket. No. MER-L-1550-15 (Law Div., Mercer Cty., March 29, 2018) (hereafter the "Mercer County decision").

The Township utilizes existing credits, inclusionary housing, all of which is constructed or approved, and a durational adjustment to meet the third round obligation of 306 units. All third round strategies were approved as part of the Township's November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose. The Township satisfies the third round obligation as set forth in the following table.

<b>Satisfaction of the 306-unit Third Round Obligation</b>					
<b>Strategy</b>	<b>Unit Type</b>	<b>Units</b>	<b>Bonus</b>	<b>Credits</b>	<b>Durational Adjustment?</b>
Mauro (Route 704 / Cross Street)	Family For-Sale	2	0	2	No
Reflections at Colts Neck	Assisted Living	7	0	7	No
Colts Neck Building Associates	Family Rental	72	72	144	Yes
Countryside Developers	Family Sale	15	0	15	Yes
Durational Adjustment	Family For-Sale / Rental	138	0	138	Yes
<b>Total Third Round Credits</b>		<b>234</b>	<b>72</b>	<b>306</b>	



### ***Mauro / 704 / Cross Street***

On May 14, 2013, the Colts Neck Township Planning Board granted final amended major subdivision approval with variances for an inclusionary development consisting of nine (9) market rate single-family dwellings and two (2) affordable housing units provided off-site. Preliminary approval was issued prior on November 13, 2012 and final site plan approval was issued on March 12, 2013. The affordable units are constructed.

The market-rate units are located at 46 Cross Road, which property is further known and designated as Block 10, Lots 2 and 2.01. One (1) of the affordable housing units is located at 28 Merchants Way, also known as Block 31.1, Lot 6. The second affordable housing unit is located on New Street at Block 30, Lot 9. The Declaration of Restrictive Covenant for both units, dated May 19, 2017 and February 7, 2020 respectively, restricts the affordable housing unit located at 28 Merchants Way as a low-income unit and the affordable housing unit located on New Street as a moderate-income unit; both units have affordability controls of at least 30 years. Affordable housing credit for the development was approved as part of the Township's November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose.

### ***Reflections at Colts Neck***

Colts Neck will address seven (7) units of its third round obligation through affordable units at an existing assisted living facility located at Block 46, Lot 17.04. Reflections at Colts Neck, a Brandywine Living facility, is an existing 72-unit assisted living residence constructed in 2002. Consistent with assisted living licensing requirements, 10% of the units are reserved for Medicaid recipients, resulting in seven (7) beds affordable to low-income households. The property is 12.54 acres and located at 3 Meridian Circle. It received preliminary and major subdivision and site plan approval on November 10, 1998, preliminary approval was received on October 14, 1997 and an extension of that approval was received on March 14, 2000. The assisted living does not have a deed restriction, or other form of affordability controls. In lieu of typical affordability controls, the Township confirmed the facility reserves 10% of its beds for Medicaid recipients and will continue to do so annually through 2032 – the 30-year period that follows its occupancy. This confirmation will occur during annual monitoring of the Township's affordable housing units and programs. Affordable housing credit for the development was approved as part of the Township's November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose.

### ***Colts Neck Building Associates***

The Township executed a Settlement Agreement with Colts Neck Building Associates in March 2020 for development Block 22, Lot 18 with an inclusionary multi-family rental development. This Settlement Agreement was approved by the Township's Order of Fairness and Preliminary Mount Laurel Compliance, issued on August 13, 2020 by the Hon. Linda Grasso Jones, J.S.C. The Township entered into an Amended Settlement Agreement on September 9, 2021. The purpose of this Agreement was to confirm how water and sewer would be provided, and it stated sewer shall be provided via onsite package treatment plan and water is to be provided by a limited expansion of the Gordon's Corner franchise area exclusively for



the site. The site subsequently received site plan approval from the Planning Board on December 14, 2021. The development is in the process of obtaining its outside agency approvals.

The property is located at 302 C.R. Route 537, which is across from the “T” intersection with Five Points Road. North of the site is open space and single-family homes. East of the site along Route 537 are single-family homes and the Colts Neck High School. South of the site, across Route 537 is 5 Points Park and recreational fields. West of the site is the Route 18 jug handle and beyond that are single family detached homes in Freehold Township. The site contains environmentally constrained lands associated with the South Branch of the Yellow Brook along which runs along the rear and western side property lines. These constrained areas consist of a 300 foot riparian area since the waterway is a Category-1, as well as wetlands.

The site was subject to a previous builder’s remedy litigation and subsequent approvals for 48 single family homes. The developer provided the funding for the Township’s RCA with the City of Long Branch.

The approved development will include multi-family apartment buildings, surface parking lots and a clubhouse and will provide a total of 360 family rental units, of which twenty percent (20%), or 72 units, will be affordable to very-low, low, and moderate-income households. The affordable units shall be family rentals and that the affordable units will provide the proper mix of very low, low- and moderate-income units and the proper mix of one-, two-, and three-bedroom units. Furthermore, 13% of the affordable units will be affordable to very-low income households and all affordable units will have a period of affordability controls of at least 30 years. Lastly, the units will be administered consistent with U.H.A.C. (N.J.A.C. 5:80-26.1 et seq.) affirmatively marketed.

The Township is entitled to credit for 72 affordable units and 72 rental bonus credits for this inclusionary development for a total of 144 credits towards its third round obligation. Affordable housing credit, including 72 bonus credits, for the development was approved as part of the Township’s November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose.

### ***Countryside Developers***

The Township executed a Settlement Agreement with Countryside Developers in March 2020 to receive public sewer and water service and to permit inclusionary townhouse development on Block 42, Lot 4. This Settlement Agreement was approved by the Township’s Order of Fairness and Preliminary Mount Laurel Compliance, issued on August 13, 2020 by the Hon. Linda Grasso Jones, J.S.C. The development received preliminary site plan approval on December 6, 2022 and final site plan approval on July 9, 2024. The development is currently under construction.

The property is approximately 26 acres located on the south side of Stone Hill Road. North of the site is the inclusionary housing development referred to at the Grande. West of the site are single-family homes and open space in Freehold Township. South of the site is undeveloped land in Freehold Township. East of the site are single-family homes. The site will have access to Stony Hill Road. The subject site is located within the Township’s A-4 Zoning District that permits multi-family housing with an affordable housing set-aside.



The development will include 68 townhomes, of which 15 units or 22%, will be affordable to very-low, low, and moderate-income households. The units will be family sale units. The affordable units will consist of 12 two-bedroom units and 3 three-bedroom units. Additionally, the affordable units will have the proper mix of very low, low- and moderate-income units, will be administered consistent with U.H.A.C. (*N.J.A.C. 5:80-26.1 et seq.*), including affordability controls of at least 30 years, and will be affirmatively marketed. and that the affordable units.

The Township is entitled credit for 15 affordable units for this inclusionary development towards its third round obligation. Affordable housing credit for the development was approved as part of the Township's November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose.

### ***Durational Adjustment***

The Township lacks the wastewater facilities (public sewer and / or on-site treatment facilities) to fully address the remaining third round obligation of 138 (306 less 168 from the above referenced developments and their bonus credits). Such a scenario was anticipated by COAH and as such, a procedure for deferring a portion of a municipality's obligation until if/when the sewer service is provided is set forth at *N.J.A.C. 5:93-4.3(c)*. This procedure, referred to as a durational adjustment, requires a municipality demonstrate the lack of available sewer and set forth how the affordable housing obligation will be addressed. As detailed herein, Colts Neck Township qualifies for a durational adjustment. The Township's request for a durational adjustment was granted by the November 21, 2024 Orders issued by the Hon. Linda Grasso Jones, J.S.C.

The 2013 Monmouth County Wastewater Management Plan shows its intention to protect critical groundwater, surface water and agricultural resources in Colts Neck and the 1978 Plan characterized Colts Neck as a Limited Growth Area. The 2013 Service Area shows that Colts Neck was not served by any regional sewage authority. Most of the development in Colts Neck is served by onsite septic systems and a limited number of wastewater package plants. Therefore, it was demonstrated to the satisfaction of the Court that Colts Neck has insufficient sewer service to support inclusionary development.

Colts Neck will comply with the applicable COAH rules regarding durational adjustments to satisfy the remaining third round obligation. This means, as set forth in *N.J.A.C. 5:93-4.3(c)*, the requirement to address the remaining third round obligation of 138 units (306 unit total third round obligation – 168 existing and approved third round affordable units = 138 units) is deferred until adequate wastewater facilities are made available.

The remaining third round obligation of 138 units will be satisfied through compliance with COAH's rules regarding durational adjustments. As such, the Township commits to complying with the following, which is stated in, *N.J.A.C. 5:93-4.3*:

1. Notwithstanding the lack of adequate water and/or sewer at the time a municipality petitions for substantive certification, the municipality shall reserve and set aside new water and/or sewer capacity, when it becomes available, for low and moderate income housing, on a priority basis.
2. Municipal officials shall endorse all applications to the DEP or its agent to provide water and/or sewer capacity. Such endorsements shall be simultaneously submitted to the Council.



3. Where the DEP or its designated agent approves a proposal to provide infrastructure to a site for the development of low and moderate income housing identified in the housing element, the municipality shall permit such development; and
4. Where a municipality has designated sites for low and moderate income housing that lack adequate water and/or sewer and where the DEP or its designated agent approves a proposal to provide water and/or sewer to a site other than those designated for the development of low and moderate income housing in the housing element, the municipality shall amend its housing element and fair share housing ordinance to permit development of such site for low and moderate income housing. The amended housing element and fair share housing ordinance shall be submitted to the Council within 90 days of the site's approval by the DEP or its agent.

As reflected above, the Township is not proposing a waiver from durational adjustment provisions, such as the requirement to endorse applications to DEP or its agent to provide wastewater capacity. Accordingly, the terms of this durational adjustment are consistent with the November 21, 2024 Orders issued by the Hon. Linda Grasso Jones, J.S.C. and addressing the third round.

The Orders additionally require the following Township actions:

- Retain the Area 1 overlay district.
- Provide up to \$2 million toward extending sewer service to affordable housing in the Area 1 as specified in Exhibit B to the 2020 Fair Share Housing Center Settlement Agreement and as specified in the Court's November 21, 2024 orders wherein the Court notes that while the 2020 Fair Share Housing Center Settlement Agreement required sewer service to Area 1 be provided by Manasquan River Regional Sewerage Authority ("MRRSA") with treatment provided by Ocean County Utilities Authority ("OCUA"), the court directs that if an alternative manner of providing sanitary sewer service for Area 1 becomes viable, e.g., through another treatment provider, the up to \$2 million amount may be applied to the provision of wastewater transmission and treatment by an alternative provider, subject to an application to the Court to propose an alternative plan in lieu of MRRSA.
- Permit development where the NJDEP or its designated agent approves a proposal to provide infrastructure to a site for the development of affordable housing.
- Developers with proposals for affordable housing sites not already included in the Housing Element and Fair Share Plan and that seek to apply to the NJDEP for water and/or sewer approvals for their sites may first file a motion with the Court, upon notice to and an opportunity to be heard by Colts Neck and Fair Share Housing Center, seeking an order finding their proposed developments suitable and requiring the municipality provide all approvals necessary to submit the application to NJDEP. Colts Neck bears the burden of proof to demonstrate that such proposed sites are not suitable.
- The Affordable Housing Trust Funds will be prioritized for sewer infrastructure and will not be used toward NWS Earle during the third round.
- Work with a qualifying developer of comparable reputation to that of Toll Brothers to facilitate sewer service to Area 1.



- Reserve and set aside new sewer capacity, when it became available, for affordable housing on a priority basis.
- Support, and if necessary, endorse all applications that developers deem necessary to secure water and/or sewer service for affordable housing units.

This Plan commits to implementing the Court's November 21, 2024 Orders, albeit under protest and with acknowledgement of an ongoing appeal. The Township reserves all rights and positions in connection with any appeal.

### Area 1 Zoning

The Township retains the overlay zoning for lands referred to as Area 1, an approximately 82 acre portion of the Township located within the (B-1) Business District. The Area 1 Overlay District zoning ordinance permits a density of eight (8) units/acre with a 20% affordable housing set-aside. This ordinance was adopted in 2020 as Ordinance NO. 2020-20. Area 1 consists of the following lots:

- Block 46, Lots 13, 15, 16, 17
- Block 48, Lots 1, 2, 3, 4, 5, 6, 19, 39, 40, 41

Area 1 is generally bounded by Colts Neck Road (Country Route 537) to the north and bisected by NJ State Highway 34 and contains 14 parcels. The area excludes lands within a 3,000 foot buffer of NWS Earle military base at the southern end of the Township since multi-family housing in this area is recognized in the 2017 NWS Earle Joint Land Use Study as being incompatible with the proximate military use.

The area contains vacant wooded land, agricultural fields, existing nonresidential uses, and one single-family dwelling. The area is bisected by State Highway 34 and is generally bounded by County Route 537 to the north, Pebble Creek golf course to the east, a Brandywine Assisted Living facility and nonresidential uses to the south, and Trump National golf course to the west. The 82-acre area contains only 13.56 acres of environmental constraints, all of which are located on the rear of Block 46, Lots 15 and 13. The overlay zoning enhances the opportunity for the Township to create a sense of place and a destination for shopping and services. Development of the site shall be consistent with the Township's Route 34 Highway Access Management Plan.

The affordable units in Area 1 will be compliant with U.H.A.C. (N.J.A.C. 5:80-26.1 et seq.) including but not limited to bedroom distribution, income distribution, affirmative marketing and compliant affordability controls.

### Infrastructure Contribution

The Township will, under protest, provide up to \$2,000,000 toward development of a sewer service that serves inclusionary development in Area 1 in accordance with the Court's November 21, 2024 Orders. As set forth in the Court's November 21, 2024 Orders, the provision of this funding is to be consistent with Exhibit B to the 2020 Fair Share Housing Center Settlement Agreement. Additionally, as set forth in the Order's, the Township commits to work with a qualifying developer of comparable reputation to that of Toll Brothers to facilitate sewer service to Area 1.



Again, this Plan commits to implementing the Court's November 21, 2024 Orders and the foregoing infrastructure contribution, albeit under protest, with acknowledgement of the ongoing appeal. The Township reserves all rights and positions in connection with any appeal.

### ***Distribution of Third Round Units***

In addition to meeting the total 306-unit third round obligation, the Township must also meet a rental obligation, maximum senior units, family obligation, very low income obligation, and maximum bonus credits as set forth in the November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose. The following provides the calculation of each sub-obligation, as well as its satisfaction pursuant to the November 21, 2024 third round Order of Judgement of Fairness and Conditional Compliance and Repose.

Maximum Bonus = 76 credits

- Maximum bonus credits = 25% (obligation) |  $25\% (306) = 76.5$ , rounded down to 76 credits.
- Satisfied with Colts Neck Building Associates (72 units)

Minimum Rental = 77 units

- Minimum rental units = 25% (obligation) |  $25\% (306) = 76.5$ , rounded up to 77 units
- Satisfied with Reflections at Colts Neck (7 units) and Colts Neck Building Associates (72 units),

Maximum Senior = 76 units

- Maximum age-restricted units = 25% (obligation) |  $25\% (306) = 76.5$ , rounded down to 76 units
- Satisfied using only 7 units at Reflections at Colts Neck.

Minimum Family = 117 units

- Minimum family units = 50% (units) |  $50\% (234) = 117$  units
- Partially satisfied with Mauro, Colts Neck Building Associates (72 units), Countryside Developers (15 units); the remaining is deferred consistent with the durational adjustment.

Minimum Family Rental = 39 units

- Minimum family rental units = 50% (rental obligation) |  $50\% (77) = 38.5$ , rounded up to 39 units
- Satisfied with Colts Neck Building Associates (72 units).



Minimum Very Low Income = 30 units

- Minimum very low income units = 13% (affordable units created or approved on or after July 1, 2008) | 13% (229) = 29.77, rounded up to 30 units
- Developments contributing to this calculation and its satisfaction include Colts Neck Building Associates (10 of 72 units), Countryside Developers (2 of 15 units), and the remaining is deferred consistent with the durational adjustment.

Minimum Family Very Low Income = 15 units

- Minimum family very low income units = 50% (very low income obligation) | 13% (30) = 15 units
- Satisfied with Colts Neck Building Associates (10 of 72 units) and Countryside Developers (2 of 15 units).

### **Fourth Round Obligation**

Colts Neck's fourth round obligation (also referred to as the prospective need) is 101 units. This obligation is defined as the new construction obligation for 2025-2035. The Fair Housing Act, *N.J.S.A. 52:27D-304.3.b.*, describes the obligation as a "projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to sections 6 and 7 of P.L.2024, c. 2 (C.52:27D-304.2 and C.52:27D-304.3) for the fourth round and all future rounds of housing obligations". The methodology to calculate the obligation begins with determining the need for affordable housing in which the municipality is located. That regional need is then allocated to each municipality in the region, excluding qualified urban aid municipalities, based on an average of three factors: 1) equalized nonresidential valuation factor, which serves as a proxy for the municipal share of the region's change in employment during the previous affordable housing round, 2) income capacity factor, which is the municipal share of the region's median household income, and 3) land capacity factor, which is the municipal share of the region's developable land.

The DCA calculated municipal fourth round obligations in *Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background*, released on or about October 18, 2024. This DCA Report calculated a fourth round obligation of 101-units for the Township. This obligation was accepted in the Township's January 29, 2025 resolution and was assigned to the Township in the April 1, 2025 Order issued by the Hon. Linda Grasso Jones, J. S. C.

The Township will continue the third round durational adjustment to meet the fourth round obligation of 101 units. While the Township seeks a durational adjustment, it will continue to explore additional affordable housing credits.



### ***Potential Fourth Round Strategies***

While the Township's eligibility for a durational adjustment limits compliance actions required at this time, the Township nonetheless seeks opportunities to create affordable housing units. To aid in decision making regarding affordable housing strategies best suited to Colts Neck, the Planning Board hosted a public input meeting on January 14, 2025. As many as 150 people attended to learn about New Jersey's affordable housing requirements and to provide input about the preferred type and location of affordable housing in Colts Neck. The following provides a summary of the public input received:

- Extension of expiring affordability controls was by far the affordable housing strategy found to be most appropriate for the Township. 100% affordable housing developments were the second most preferred, although the preference was less than half that of extension of expiring affordability controls.

The extensions of affordability expiring controls program entails application of a new deed restriction on an existing affordable home whose affordability controls, the deed restriction, expire during the ongoing affordable housing round (currently the fourth round). The Township will need to seek an agreement with the property owner (unit owner in the case of for-sale units and landlord in the case of for-rent units) for application of a new deed restriction for not less than 30 years in exchange for a monetary subsidy from the Township. Each new deed restriction will create another affordable housing credit for the existing unit. This program has significant benefits in that not only does it create affordable housing credit without the need for construction, but it also avoids displacement of the family living in the home.

One hundred percent affordable housing developments are those that consist entirely of homes that are restricted to low and moderate households, perhaps except for a manager's unit. In order for a municipality to obtain credit for a 100% affordable housing development, it must have control over the selected site or an agreement with the developer who has control over it, the site must be suitable for affordable housing, there must be a municipal commitment to fund the construction of the development if adequate outside funding sources cannot be obtained, and the Township must ensure construction will begin within 2 years of receiving approval of its housing plan.

Two years to start construction can at times be challenging because construction will not begin until site plan approval has been granted, and outside funding sources have been awarded. Outside funding sources may have limited application windows and may require multiple applications to be successful. Commitment to fund the development entails adoption of a resolution of intent to fund, which states the municipality will provide the necessary funds if outside funding cannot be obtained, and in nearly all developments a substantial subsidy from the municipality (typically includes the cost of land and as much as millions of dollars), and a PILOT (payment in lieu of taxes). As noted above, any site selected for affordable housing development must be "suitable", as defined below and pursuant to N.J.A.C. 5:93-1.3 and N.J.A.C. 5:93:5.5.

- Available Site – An available site is one with clear title and is free of encumbrances that preclude development for low and moderate income housing, such as but not limited to a deed restriction or easement.



- Suitable Site – A suitable site is one in which it is adjacent to compatible land uses, has access to appropriate streets (or will by virtue of improvements that will support the development) and is consistent with the state’s environmental regulations and policies.
  - Developable Site – A developable site has access to appropriate sewer and water infrastructure, meaning it is within a sewer service and water service area, and there is adequate capacity for both. While the term “sewer” is used, wastewater service may be provided via on-site treatment or traditional sewer lines. Similarly, water service may be provided via public water service or an on-site well.
  - Approvable Site – An approvable site may be developed for low- and moderate-income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site, including but not limited to the Residential Site Improvement Standards (R.S.I.S.), and State historic preservation regulations.
  - Seniors and veterans supportive and special needs housing were substantially more preferred than all other housing type options. The preference for veterans housing is unsurprising given the presence of the military installation Naval Weapons Station Earle in the southern part of the Township and the Township’s resulting and historic relationship with members of the military.
- Senior housing developments are commonly inclusionary as well as 100% affordable housing developments. These development are limited to residents who are 55 years or older. Veterans supportive and special needs housing developments are typically limited to those (and perhaps family members depending on the housing type) who served in a time of war or other emergency and are typically 100% affordable housing developments. See the above item for information about 100% affordable housing developments.
- Senior affordable homes may fulfil up 30% of the fourth round obligation and 25% of all prior rounds. Veterans supportive and special needs homes may be used to satisfy up to half of the third and fourth round units. Notwithstanding these maximums, not less than half of the third and the fourth affordable units must be family units (those not reserved for any particular population) and half of the rental obligation (25% of each round obligation) must be family units.
- There was little support for expending Township money and/or bonding for the creation of affordable housing.
  - While not directly asked of residents, many comments shared throughout the third round and during the January 14, 2025 public input meeting expressed concern about new development having negative impacts on traffic, character, and municipal services, including schools. This includes the unpredictable impacts of the durational adjustment.

Given the concerns expressed about the durational adjustment impacts, coupled with input on the preferred affordable housing strategies, the Township will maximize efforts to generate affordable housing credits from extension of expiring affordability controls at the Grande, and 100% affordable housing developments, particularly those for seniors and veterans. The Township seeks to maximize extensions of expiring controls since doing so will create family affordable housing units (for rent and sale), prevents displacement of existing residents, and does so without impacts associated with new



construction and development. For 100% affordable housing development, the Township will seek partnerships with developers and potential sites for such development as opportunities so arise.

At the time that these additional strategies come to fruition, the Township will amend this Housing Plan. Additional affordable housing credits will be applied to the third round and fourth round obligations, as may be appropriate, and these credits will reduce the size of the durational adjustment accordingly.

### ***Durational Adjustment***

The Township continues the third round durational adjustment since no additional wastewater facilities that can support additional inclusionary development have been created since the Township's third round durational adjustment was approved. See the third round durational adjustment discussion herein for additional information.

Colts Neck will comply with the applicable COAH rules regarding durational adjustments to satisfy the fourth round obligation. This means, as set forth in *N.J.A.C. 5:93-4.3(c)*, the requirement to address the fourth round obligation of 101 units is deferred until adequate water and/or sewer are made available. As such, the Township commits to complying with the following, which is stated in, *N.J.A.C. 5:93-4.3*:

1. Notwithstanding the lack of adequate water and/or sewer at the time a municipality petitions for substantive certification, the municipality shall reserve and set aside new water and/or sewer capacity, when it becomes available, for low and moderate income housing, on a priority basis.
2. Municipal officials shall endorse all applications to the DEP or its agent to provide water and/or sewer capacity. Such endorsements shall be simultaneously submitted to the Council.
3. Where the DEP or its designated agent approves a proposal to provide infrastructure to a site for the development of low and moderate income housing identified in the housing element, the municipality shall permit such development; and
4. Where a municipality has designated sites for low and moderate income housing that lack adequate water and/or sewer and where the DEP or its designated agent approves a proposal to provide water and/or sewer to a site other than those designated for the development of low and moderate income housing in the housing element, the municipality shall amend its housing element and fair share housing ordinance to permit development of such site for low and moderate income housing. The amended housing element and fair share housing ordinance shall be submitted to the Council within 90 days of the site's approval by the DEP or its agent.

As reflected above, the Township is not proposing a waiver from durational adjustment provisions, such as the requirement to endorse applications to DEP or its agent to provide sewer capacity.



### ***Distribution of Fourth Round Units***

In addition to meeting the total 101-unit fourth round obligation, the Township must also meet a rental obligation, maximum senior units, family obligation, very low income obligation, and maximum bonus credits, as set forth in the Fair Housing Act. These obligations may be amended should bonus credits be applied to the fourth round obligation.

Maximum Bonus = 25 credits

- Maximum bonus credits = 25% (obligation) |  $25\% (101) = 25.25$ , rounded down to 25 units.
- Satisfaction is deferred, consistent with the durational adjustment.

Minimum Rental = 26 units

- Minimum rental units = 25% (f units meeting the obligation) |  $25\% (101) = 25.25$ , rounded up to 26 units
- Satisfaction is deferred, consistent with the durational adjustment.

Maximum Senior = 30 units

- Maximum age-restricted units = 30% (units meeting the obligation) |  $30\% (101) = 30.3$ , rounded down to 30 units
- Satisfaction is deferred, consistent with the durational adjustment.

Minimum Family = 51 units

- Minimum family units = 50% (units meeting the obligation) |  $50\% (101) = 50.5$  units, rounded up to 51 units
- Satisfaction is deferred, consistent with the durational adjustment.

Minimum Family Rental = 13 units

- Minimum family rental = 50% (rental obligation) |  $50\% (26) = 13$  units
- Satisfaction is deferred, consistent with the durational adjustment.

Minimum Very Low Income = 14 units

- Minimum very low income units = 13% (fourth round units created or approved on or after July 1, 2008) |  $13\% (101) = 13.13$ , rounded up to 14 units
- Satisfaction is deferred, consistent with the durational adjustment.

Minimum Family Very Low Income = 7 units

- Minimum family very low income units = 50% (very low income obligation) |  $13\% (14) = 7$  units
- Satisfaction is deferred, consistent with the durational adjustment.



## **CONSISTENCY WITH THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN**

Pursuant to the 2001 adopted State Development and Redevelopment Plan (hereinafter the “State Plan”), the Township is entirely within Planning Area 4, the Rural Planning Area, and Planning Area 5, the Environmentally Sensitive Planning Area. These designations are reflective of the Township’s limited development, expansive open space and agricultural areas, lack of public water and sewer, and environmentally constrained areas associated with the Swimming River Reservoir and its extensive network of Category 1 waterways and other associated constrained areas, such as wetlands. The Preliminary State Plan, which is not yet adopted, does not propose changes to these Planning Areas. Additionally, the State Plan’s many policies applicable to Colts Neck remain largely applicable in the Preliminary State Plan.

The compliance strategies set forth in this Housing Plan, notably the durational adjustment, are consistent with the Planning Areas and the applicable Policy Objectives set forth in the adopted and Preliminary State Plan. Additionally, the Township’s predominant lack of water service and wastewater facilities is consistent with the designation of Planning Areas 4 and 5, as these Planning Areas are intended to maintain and enhance their rural character and protect natural systems and environmentally sensitive features. Housing and economic development is intended for centers, for which there are none in Colts Neck Township. Additionally, the State Plan indicates transportation systems should support the rural character and link Centers and other more intense Planning Areas. Additional policies support reversing the auto-oriented pattern of development, as well as supporting stormwater management infrastructure to limit the impacts of stormwater run-off.

The Township’s Housing Plan, as well as other land use policies, are not inconsistent with these policy objectives. The Township’ land use conditions and policies support lower intensity development, particularly in areas that are not well served by road infrastructure such as County or State Roads. Many of the Township roads are rural in character, which limit their ability to support robust alternative forms of transportation. However, bike trails and shared roads provide bicycle and pedestrian access to many of the commercial areas providing shopping and services in and immediately around the Township. The most intense development is proximate to Freehold Township, is partially served by wastewater and water service, and accessible from County or State roads. Most of the Township’s nonresidential uses are located along or proximate to S.H. Route 34. While this area does not have wastewater or public water facilities (except for site-specific on-site treatment), it is within Area 1 which is subject to inclusionary overlay zoning. The Township’s policies regarding stormwater management are also not inconsistent with the State Plan in that the Township’s has compliant policies and regulation in place that are enforced to ensure stormwater management from new developments properly mitigates runoff and environmental impacts.



## **AFFORDABLE HOUSING ADMINISTRATION & AFFIRMATIVE MARKETING**

Colts Neck Township's Affordable Housing Ordinance is, or will be amended to be, consistent with the Fair Housing Act, the Uniform Housing Affordability Control Rules, *N.J.A.C. 5:80-26.1 et seq.*, and the Division of Local Planning Services Fair Housing Act Rules, *N.J.A.C. 5:99*. As of the adoption of this Housing Plan, the latter two are in the process of being amended.

The Township's Affordable Housing Ordinance, Chapter 102 of the Colts Neck Development Regulations Ordinance, governs the establishment of affordable units in the Township as well as regulating the occupancy of such units. The Township's Affordable Housing Ordinance addresses the phasing of affordable units, the low/moderate income split, bedroom distribution, occupancy standards, affordability controls, establishing rents and prices, affirmative marketing, income qualification, etc. All newly created affordable units, with limited exceptions, will comply with the affordability control period of 30 years for sale units or 40 years for rental units, as required by the Fair Housing Act and the Uniform Housing Affordability Control Rules.

The Township created the position of the Municipal Housing Liaison and appointed a staff member to the position. The Township relies on an in-house affordable housing administrator to conduct the administration and affirmative marketing of its affordable housing sites. However, developers who demonstrate the appropriate experience and expertise are permitted to administer their own units. The affirmative marketing plans are designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to the affordable units located in the Township. Additionally, the affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units and who reside in the Township's housing region, Region 4, consisting of Mercer, Monmouth, and Ocean counties.

The affirmative marketing plans include regulations for qualification of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance with *N.J.A.C. 5:80-26.1 et seq.* This plan must be adhered to by all private, non-profit, and municipal developers of affordable housing units and must cover the period of deed restriction or affordability controls on each affordable unit.

## **AFFORDABLE HOUSING TRUST FUND**

A development fee ordinance creating a dedicated revenue source for affordable housing was adopted by the Township in 2004 and approved by the Superior Court on June 7, 2004. The ordinance, which is section 102-15 of the Colts Neck Development Regulations Ordinance, was amended on December 10, 2008 and was approved by the Superior Court as part of the Township's November 21, 2024 third round

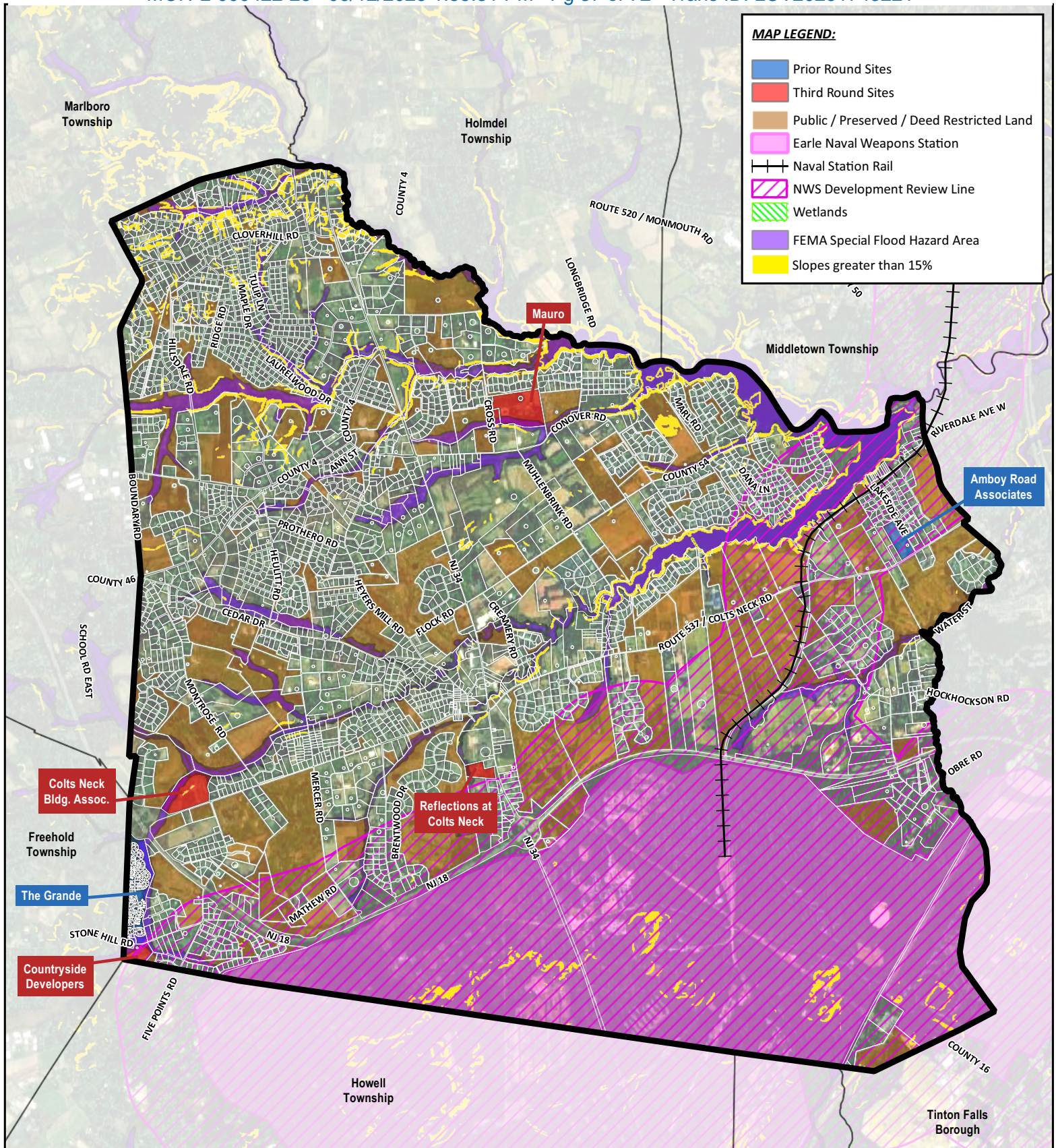


Order of Judgement of Fairness and Conditional Compliance and Repose. The ordinance creates a dedicated revenue source for affordable housing in the form of residential and nonresidential development fees and establishes and regulates the affordable housing trust fund. The ordinance requires residential development fees in the amount of 0.5% of the equalized assessed value a new or reconstructed home that utilizes an existing foundation and 1.5% of the equalized assessed value of other new residential development. For nonresidential development, the ordinance requires a development fee of 2.5% of the equalized assessed value of the nonresidential development.

The Township's Spending Plan discusses anticipated revenues, collection of revenues, and the use of revenues. Collected revenues are placed in the Township's Affordable Housing Trust fund and may dispensed for the use of eligible affordable housing activities including, but not limited to:

- Rehabilitation program activities.
- Infrastructure funding to Area 1, which is included under protest with acknowledgement of the on-going appeal. The Township reserves all rights and positions in connection with the appeal.
  - Prioritized for water and/or sewer infrastructure but will not be used toward NWS Earle during the third round;
- New construction of affordable housing units and related development costs.
- Extension of expiring affordability controls.
- Purchase market rate units for conversion to affordable housing units.
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites.
- Acquisition and/or improvement of land to be used for affordable housing.
- Maintenance and repair of affordable housing units.
- Repayment of municipal bonds issued to finance low- and moderate-income housing activity.
- Any other activity as specified in the approved spending plan.

As required by the Fair Housing Act, the Township will expend a portion of its collected development fees on affordability assistance to enhance affordability of affordable housing units. Additionally, no more than 20% of the revenues collected from development fees each year, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to prepare or implement a rehabilitation program, a new construction program, a housing element and fair share plan, and/or an affirmative marketing program. As of the adoption of this Housing Plan the Township has exceeded its permitted administrative expenditures and thus must refrain from using the Affordable Housing Trust Fund for that purpose until the 20% maximum is no longer exceeded.



HOUSING ELEMENT AND FAIR SHARE PLAN  
**Affordable Housing Sites**  
 Colts Neck Township, Monmouth County, NJ

Date: April 2025



0 2,500 5,000 ft

Map Scale: 1 inch equals 5000 feet






Map Prepared By:  
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Data Sources:  
 Monmouth County Parcels and MODIV August 2019, NJGIS  
 Road Network, NJDEP Wetlands, FEMA Flood Hazard Mapping,  
 NJDEP Elevation DEM, Earle Naval Station boundary and Rail  
 extracted from Affordable Housing Sites map May 2018, NJDEP  
 Open Space, NJSADC Preserved Farmland

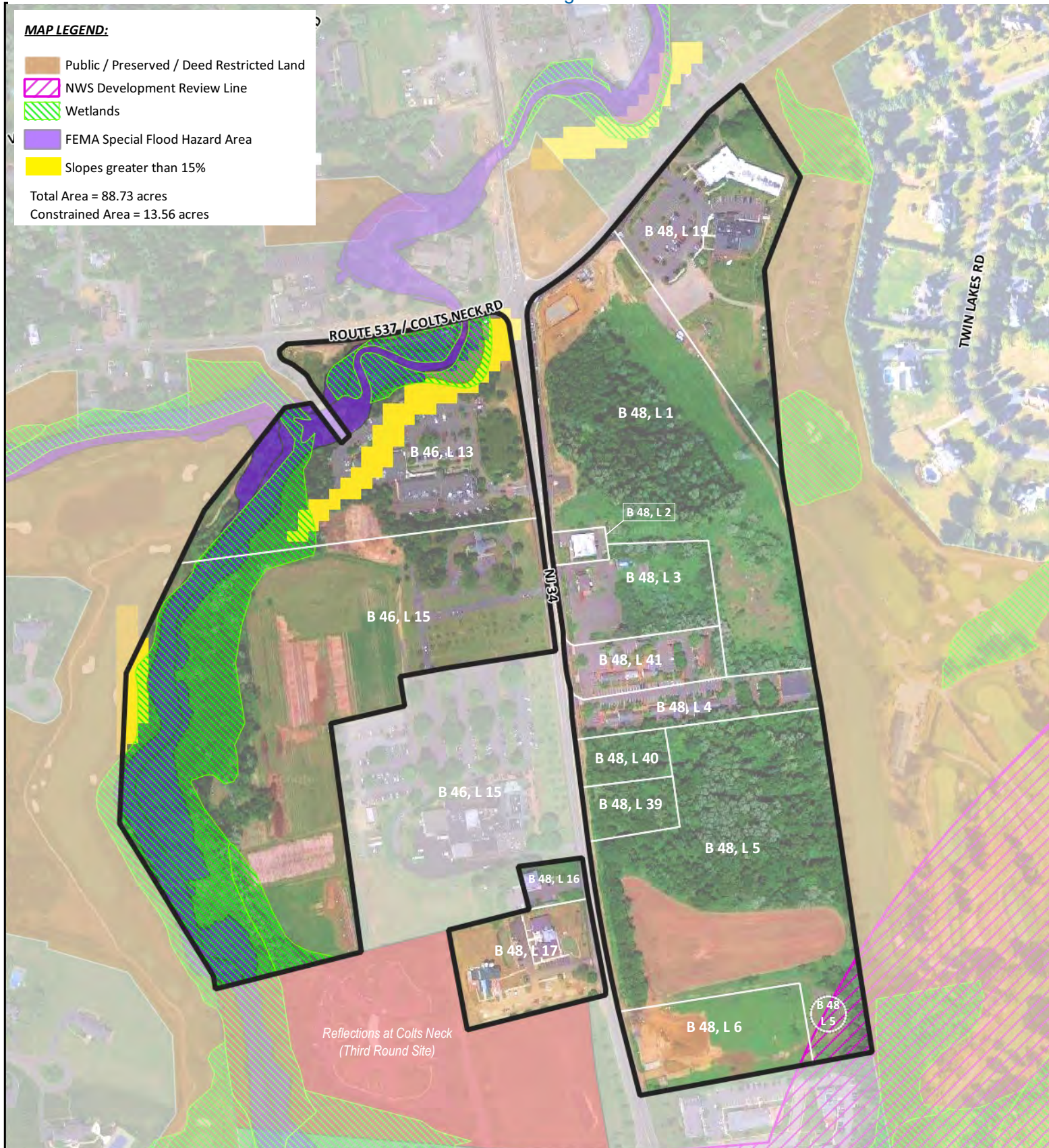


POLICY  
 PLANNING  
 DESIGN

**MAP LEGEND:**

-  Public / Preserved / Deed Restricted Land
-  NWS Development Review Line
-  Wetlands
-  FEMA Special Flood Hazard Area
-  Slopes greater than 15%

Total Area = 88.73 acres  
Constrained Area = 13.56 acres



HOUSING ELEMENT AND FAIR SHARE PLAN

**Area1 with Environmental Constraints**

Colts Neck Township, Monmouth County, NJ

Date: April 2025

Map Prepared By:  
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Data Sources:  
Monmouth County Parcels and MODIV August 2019, NJOGIS  
Road Network, NJDEP Wetlands, FEMA Flood Hazard Mapping,  
NJDEP WMA12 DEM, Earle Naval Station boundary and Rail  
extracted from Affordable Housing Sites map May 2018, NJDEP  
Open Space, NJSADC Preserved Farmland



0 200 400 ft



Map Scale: 1 inch equals 400 feet

**POLICY  
PLANNING  
DESIGN**

## **APPENDIX 1.**

# **HOUSING, DEMOGRAPHIC & EMPLOYMENT ANALYSIS**

2025 FOURTH ROUND HOUSING PLAN

HOUSING ELEMENT & FAIR SHARE PLAN

COLTS NECK TOWNSHIP

MONMOUTH COUNTY

NEW JERSEY





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## DEMOGRAPHIC ANALYSIS

The population of Colts Neck grew steadily during the latter half of the twentieth century (Table 1). From 1940 to 2000, the number of Colts Neck residents rose from 1,187 to 12,331 persons, a pace that greatly eclipsed the comparable figures for Monmouth County and New Jersey. The period of greatest growth occurred between 1960 and 1970, when the township's population surged by 166.1% as people flocked to greenfield development sprouting up in sparsely settled parts of Monmouth County. People continued to come during the rest of the twentieth century, particularly in the 1990s, when the population grew by 44%. If the twentieth century was marked by rapid population growth, the twenty-first century is distinguished by a modest population decline. To be precise, the population of Colts Neck declined by 17.8% in the 2000s and 1.8% in the 2010s. This trend mirrors the plateauing of Monmouth County's population during the same period, even as the population of the Garden State as a whole continued to increase. It should be noted here that, although the total population data in Table 1 is drawn from the Decennial U.S. Census survey, all subsequent Census Bureau data contained herein comes from the 2019-2023 American Community Survey (ACS), which is calculated as a 5-year estimate.

**Table 1: Population Trends (1940-2020)**

Year	Colts Neck		Monmouth County		New Jersey	
	Total Population	% Change, Decade-on-Decade	Total Population	% Change, Decade-on-Decade	Total Population	% Change, Decade-on-Decade
1940	1,187	--	161,238	--	4,160,165	--
1950	1,814	52.8%	225,327	39.7%	4,835,329	16.2%
1960	2,187	20.6%	334,401	48.4%	6,066,782	25.5%
1970	5,819	166.1%	459,379	37.4%	7,171,112	18.2%
1980	7,888	35.6%	503,173	9.5%	7,365,011	2.7%
1990	8,559	8.5%	553,124	9.9%	7,730,188	5.0%
2000	12,331	44.1%	615,301	11.2%	8,414,350	8.9%
2010	10,142	-17.8%	630,380	2.5%	8,791,894	4.5%
2020	9,957	-1.8%	643,615	2.1%	9,288,944	5.7%

*Source: Census Bureau, Decennial Census; NJ Dept. of Labor and Workforce Development*

Table 2 shows the population cohorts in Colts Neck as of 2023. The distribution is relatively balanced, with a split between males (47.7%) and females (52.3%) within the community. The largest age group overall is 35–54 year old persons, making up 24.6% of the population. Notably, the 55-64 age group has the second-highest share (21.2%), with a higher male percentage (22.9%) compared to females (19.7%). There is a similar gender disparity in the 65-and-over population, with 22.3% of the male population at least 65 years of age, compared to 15.2% of the female population. Strikingly, only 3.4% of the population is under



the age of 5, suggesting a birth rate that is unsubstantial. The community has a median age of 48.8 years old, which is relatively old.

**Table 2: Population by Age and Sex**

Age Group	Total Population		Male		Female	
	Number	% of Population	Number	% of Population	Number	% of Population
Under 5 years old	342	3.4%	173	3.6%	169	3.2%
5 to 19 years of age	2,031	20.4%	743	15.7%	1,288	24.8%
20 to 34 years of age	1,170	11.8%	565	11.9%	605	11.6%
35 to 54 years of age	2,444	24.6%	1,119	23.6%	1,325	25.5%
55 to 64 years of age	2,108	21.2%	1,085	22.9%	1,023	19.7%
65+ years of age	1,847	18.6%	1,055	22.3%	792	15.2%
<b>Total</b>	<b>9,942</b>	<b>100.0%</b>	<b>4,740</b>	<b>100.0%</b>	<b>5,202</b>	<b>100.0%</b>
<b>Median Age</b>	<b>48.8</b>		<b>52.3</b>		<b>45.7</b>	

*Source: Census Bureau, 2019-2023 5-Year American Community Survey*

The population of Colts Neck is growing older. Table 3 illustrates the changes among the various cohorts between 2013 and 2023. During that time, the two oldest cohorts increased by 1,179 persons. At the same time, the rest of the population decreased by 1,348 persons. The upshot is the population fell by 169 persons. The cohorts that include children, under 5 years and 5-to-19 years of age, declined at the greatest rates, -21.7% and -22.3%, respectively. As such, the community's composition is shifting from one of families to one of retirees.

**Table 3: Population Change by Age (2013-2023)**

Age Group	2013		2023		Change, 2013 to 2023	
	2013	%, Total Population	2023	%, Total Population	Total Change	% Change
Under 5 years old	437	4.3%	342	3.6%	<b>-95</b>	<b>-21.7%</b>
5 to 19 years of age	2,613	25.8%	2,031	21.2%	<b>-582</b>	<b>-22.3%</b>
20 to 34 years of age	1,205	11.9%	1,170	12.2%	<b>-35</b>	<b>-2.9%</b>
35 to 54 years of age	3,080	30.5%	2,444	25.5%	<b>-636</b>	<b>-20.6%</b>
55 to 64 years of age	1,386	13.7%	2,108	22.0%	<b>722</b>	<b>52.1%</b>
65+ years of age	1,390	13.7%	1,847	19.2%	<b>457</b>	<b>32.9%</b>

*Source: 2009-2013, 2019-2023 5-Year American Community Survey*

A household is defined by the U.S. Census Bureau as those persons who occupy a single room or group of rooms that constitute a unit of housing, and these persons may or may not be related. A family is identified



as a group of persons including a householder and one or more persons related by blood, marriage or adoption, who live in the same household.

Next to its peers, Colts Neck has few people living alone. One-person households account for only 1 in 10 households in the municipality. This is a departure from the rest of the county where 26.6% of households consist of only one person. Despite the drop in the school-age population, Colts Neck is still full of larger households. Of all households in the community, 16.5% consist of 5 persons or more. Four-person households are the most common household size in Colts Neck, with 29.5% of households in all. The second most common is the two-person household, which represents 28.5% of Colts Neck households.

**Table 4: Household Size**

Highest level of education	Colts Neck		Monmouth County		New Jersey	
	Total	%	Total	%	Total	%
1-person	320	10.1%	66,589	26.6%	918,897	26.4%
2-person	899	28.5%	81,289	32.5%	1,081,842	31.1%
3-person	488	15.5%	40,929	16.4%	594,946	17.1%
4-person	931	29.5%	39,131	15.6%	530,520	15.3%
5-person	333	10.6%	15,144	6.1%	218,492	6.3%
6-person	138	4.4%	4,654	1.9%	79,678	2.3%
7+-person Household	45	1.4%	2,459	1.0%	53,980	1.6%
Total, Households	<b>3,154</b>	<b>100.0%</b>	<b>250,195</b>	<b>100.0%</b>	<b>3,478,355</b>	<b>100.0%</b>
Average Household Size	<b>2.59</b>		<b>2.55</b>		<b>2.61</b>	

*Source: 2019-2023 5-Year American Community Survey*

Census data on families and household types contain insights into the community's household trends. Married couples live in 76.6% of households, a number far in excess of the rest of the state, where only one in two households include a married couple. Colts Neck retains its status as a locale for families, with 31.2% of households having at least one member under the age of 18. At the opposite end of the age spectrum, 34.6% of households have at least one person over the age of 65 years old. Given the number of larger households, it is possible that a sizable number of aging residents live with adult children who can take care of them and help maintain their properties. The aging of the population should be kept in mind as future housing needs and senior services are planned.

**Table 5: Household and Family Types**

Household Type	Colts Neck	Monmouth County	New Jersey
Married Couple	76.6%	54.9%	50.0%
Cohabiting Couple	6.0%	5.8%	6.6%
Male householder no spouse	7.6%	14.7%	16.1%
Female householder, no spouse	9.9%	24.6%	27.3%
Household with at least one person under 18	31.2%	29.6%	31.4%
Household with at least one person over 65	34.6%	34.9%	32.5%
Average Household size	2.75	2.55	2.61
Average Family Size	3.00	3.12	3.19

*Source: 2019-2023 5-Year ACS*

Colts Neck is a highly educated enclave in a relatively well-educated county. Of all residents at least 25 years of age, 68.3% have at least a bachelor's degree; 33.9% possess a graduate or professional degree. A mere 1.5% have not earned a high school diploma. These educational attainment statistics are especially noteworthy, considering that 'only' 43% of the comparable population in New Jersey has a bachelor's degree, a figure still well above the national average. Hence, the township has clearly long been a destination for highly-educated – and highly skilled – workers and the affluent incomes they attract.

**Table 6: Educational Attainment**

Highest level of education	Colts Neck	Monmouth County	New Jersey
Less than 9th grade	0.4%	2.5%	4.6%
9th to 12th grade, no diploma	1.5%	3.4%	4.7%
High school graduate (includes equivalency)	9.4%	21.4%	25.7%
Some college, no degree	14.1%	15.0%	15.3%
Associate's degree	6.4%	7.2%	6.7%
Bachelor's degree	34.4%	30.9%	25.8%
Graduate or professional degree	33.9%	19.7%	17.1%
<b>High school graduate or higher</b>	<b>98.2%</b>	<b>94.2%</b>	<b>90.7%</b>
<b>Bachelor's degree or higher</b>	<b>68.3%</b>	<b>50.6%</b>	<b>42.9%</b>

*Source: 2019-2023 5-Year ACS*



Regarding race, White persons make up an overwhelming share of Colts Neck residents, or 88.4%. Whites represent 72.1% of the Monmouth County population and just over one-half of all New Jerseyans. 8.3% of the community is Hispanic, a relatively small amount for a state where 21.9% of residents are Hispanic. Of racial minorities, Asian is the most numerous, representing 4% of all residents. The Black population is very small, 0.7% of residents.

**Table 7: Race and Ethnicity**

Race and Ethnicity	Colts Neck	Monmouth County	New Jersey
White	83.8%	72.1%	51.9%
Black	0.4%	5.9%	12.3%
Asian	4.0%	5.3%	9.8%
Other Race Alone	0.4%	0.8%	0.8%
Two or more Races	3.1%	3.3%	3.2%
Hispanic (All Races)	8.3%	12.7%	21.9%
Hispanic, White	4.6%	4.0%	5.0%
Hispanic, Black	0.3%	0.3%	0.7%
Hispanic, Other	0.0%	4.0%	8.9%
Hispanic, Two or More Races	3.4%	4.3%	7.4%
Source: 2019-2023 5-Year ACS			

## ANALYSIS OF SOCIOECONOMIC CHARACTERISTICS

Colts Neck is an uncommonly affluent community. According to the most recent American Community Survey, 47.9% of households have an income of at least \$200,000. The median household income is marginally below that demarcation, at \$184,412. Looking at a different metric, the mean income for Colts Neck households is \$266,508. Given the upward skew of the mean, it's reasonable to conclude that Colts Neck is home to a small number of extraordinarily high-earning households. In all, 77.0% of Colts Neck households have an income of \$100,000 or higher. As for those with fewer means, 8.1% of households have an income less than \$50,000. To put that in perspective, 25.2% of households in New Jersey have an income under \$50,000, or three times the rate for Colts Neck.

**Table 8: Household Income**

Household Income	Colts Neck	Monmouth County	New Jersey
Less than \$25,000	4.2%	9.7%	11.9%
\$25,000-\$50,000	3.9%	11.3%	13.3%
\$50,000-\$100,000	14.9%	20.3%	24.3%
\$100,000-\$200,000	29.1%	31.2%	29.7%
More than \$200,000	47.9%	27.7%	20.7%
<b>Median Household Income</b>	<b>\$184,412</b>	<b>\$122,727</b>	<b>\$101,050</b>
<b>Mean Household Income</b>	<b>\$266,508</b>	<b>\$168,016</b>	<b>\$140,299</b>

Source: 2019-2023 5-Year ACS

Even so, it's necessary to note the presence of persons who have limited resources. To that end, the poverty rate in Colts Neck is 3.6% (Figure 9). That is just over half the rate for Monmouth County, or 6.4%. Poverty is especially grievous for children, 3.2% of whom live in poverty in Colts Neck. The statewide figure is more than four times higher, or 13.3%. The poverty rate for seniors is 3.6%, lower than that rate of the community as a whole. The lower rate makes sense as Colts Neck seniors likely worked in lucrative careers and can live off the proceeds of the financial assets they built up. This stands in stark contrast to the poverty rate for seniors in New Jersey overall, 9.5%.

**Table 9: Poverty Rate**

Poverty Status	Colts Neck	Monmouth County	New Jersey
Poverty Rate, Overall	3.6%	6.4%	9.8%
Poverty Rate, Under 18 years old	3.2%	7.1%	13.3%
Poverty Rate, Seniors	2.8%	7.0%	9.5%

Source: 2019-2023 5-Year ACS

Over the past decade, Colts Neck workers have fared better than those in the county and state as a whole. Annualized, the township's unemployment rate during that period stayed almost entirely below 5%, reaching a low of 2.6% in 2019. The exception was the pandemic year of 2020, when the unemployment rate shot up to 7.7 percent before tapering back down to 5.1% in 2021. Even then, the township absorbed Covid's economic shock better than the rest of Monmouth County and New Jersey, where the unemployment rate increased to 8.5% and 9.4%, respective. The resilience of these data underline that, for most Colts Neck households, employment – and, by extension housing stability – is anything but precarious.

**Table 10: Unemployment Rate**

Year	Colts Neck	Monmouth County	New Jersey
2013	3.5%	7.7%	8.4%
2014	4.8%	6.1%	6.7%
2015	4.3%	5.1%	5.7%
2016	3.7%	4.4%	4.9%
2017	3.3%	4.0%	4.5%
2018	2.8%	3.5%	4.0%
2019	2.6%	3.1%	3.5%
2020	7.7%	8.5%	9.4%
2021	5.1%	5.9%	6.7%
2022	3.0%	3.5%	3.9%
2023	3.5%	3.8%	4.4%

*Source: NJ Dept. of Labor and Workforce Development*

Examining the labor force further, 17.8% of the working population is self-employed, either as a business owner or a contractor. By comparison, 9% of New Jersey workers are self-employed, roughly half the Colts Neck rate. The outsized number suggests that the community is home to entrepreneurs and highly skilled talent who can work for themselves. Still, these workers constitute a small portion of the local labor force. Approximately two-thirds of the labor force is employed by for-profit businesses. Government and not-for-profit employees account for a relatively small share of the labor force, and below the statewide figure, with 11.5% employed in the former sector and 4.7% in the latter.

**Table 61: Class of Worker**

Class of Worker	Colts Neck	Monmouth County	New Jersey
For-profit company employee	66.0%	68.6%	69.2%
Not-for-profit employee	4.7%	6.6%	7.6%
Government Worker	11.5%	14.6%	14.2%
Self-employed, business owner	13.9%	5.0%	3.9%
Self-employed, contractor	3.9%	5.3%	5.1%

*Source: 2019-2023 5-Year ACS*



As mentioned previously, Colts Neck appears to have a highly skilled workforce. This is supported in the Occupation data listed in Table 12. Fully 67% of the employed population works in management, business, science, and the arts. These are individuals who work in occupations that demand a singular set of skills and knowledge. Relatively small numbers of people who work in more menial occupations live in the township. While 7.1% and 11.3% of Monmouth County and New Jersey workers work in production, transportation, and moving, only 4.0% of Colts Neck workers do. Likewise, only 5.3% of employed residents work in natural resources, construction, and maintenance, compared to 6.9% in the county and state. The story is the same for service occupations, which is how 5.5% of Colts Neck residents earn their pay, just over a third of the 14.8% who do statewide. These data underline how advantageously placed the labor force is compared to that in other municipalities.

**Table 72: Occupation**

Occupation	Colts Neck	Monmouth County	New Jersey
Management, business, science, and arts	67.0%	51.6%	46.9%
Service occupations	5.5%	13.7%	14.8%
Sales and office occupations	18.2%	20.7%	20.0%
Natural resources, construction, and maintenance occupations	5.3%	6.9%	6.9%
Production, transportation, and material moving	4.0%	7.1%	11.3%
Source: 2019-2023 5-Year ACS			

Township residents are employed in all the major industrial sectors, but are especially well-represented in construction, health care, education, and professional, scientific, and management. These industries employ a higher percentage of Colts Neck residents than those in the rest of the state and county. The finance, insurance, and real estate sector also employs an ample share of workers, 11.1%, as does New Jersey as a whole. While many residents work in finance, only a small number work in other industrial sectors. This is especially true of the retail sector, where only 6.6% of the labor force is employed. Comparatively few workers toil in wholesale sector, with 1.8 percent of the employed population, 4.1% work in transportation, warehousing, and utilities.

**Table 83: Industry**

Industry	Colts Neck	Monmouth County	New Jersey
Agriculture, forestry, fishing and hunting, and mining	0.7%	0.3%	0.3%
Construction	10.4%	7.6%	6.4%
Manufacturing	8.5%	7.7%	9.8%
Wholesale trade	1.8%	2.8%	3.4%
Retail trade	6.6%	8.3%	8.7%
Transportation and warehousing, and utilities	4.1%	4.5%	6.9%



Industry	Colts Neck	Monmouth County	New Jersey
Information	3.2%	3.7%	2.9%
Finance and insurance, and real estate and rental and leasing	11.1%	12.3%	10.3%
Professional, scientific, and management, and administrative and waste management services	18.4%	17.0%	15.4%
Educational services	11.1%	9.9%	8.9%
Health care and social assistance	15.5%	12.9%	13.3%
Arts, entertainment, and recreation, and accommodation and food services	4.3%	4.5%	4.8%
Other services except public administration	2.1%	3.1%	3.5%
Public administration	2.3%	5.3%	5.3%

*Source: 2019-2023 5-Year ACS*

The industry data included in the Census Bureau’s American Community Survey is mirrored by the data tabulated in the Quarterly Census of Employment and Wages (QCEW). The latter survey is administered by the US Department of Labor’s Bureau of Labor Statistics and measures wages as well. The industry data for Colts Neck differs from the ACS data to a certain extent. This is understandable as the surveys are fielded by different agencies and have different methodologies. Notably, the QCEW found that the agriculture and retail sectors account for larger shares of the Colts Neck labor force than recorded in the American Community Survey. Yet, while some industry measures differ between the two surveys, others are remarkably similar. This is especially true for healthcare, where 12.36% of the Colts Neck is employed, according to the QCEW. It is also true for local education, which employs 9.16% of Colts Neck workers. The wage data also sheds light on the Colts Neck workers employed in traditionally blue collar industries like construction and wholesale. While the construction sector employs 6.65% of the labor force as compiled in the QCEW, the wages those workers earn account for 8.41% of its aggregate wages. In other words, these workers fill relatively high-wage roles. The wholesale trade accounts for the highest annual income, \$112,276, once the quarterly figures are averaged.

**Table 94: Quarterly Census of Employment and Wages, 2023**

Sector	%, Employed Population	%, Aggregate Wages	Average Annual Income
FEDERAL GOVT TOTALS	6.67%	9.68%	\$95,872
LOCAL GOVT TOTALS	11.56%	15.01%	\$85,810
LOCAL GOVT EDUCATION	9.16%	12.37%	\$89,196
Agriculture	2.12%	1.31%	\$41,030
Utilities	0.00%	0.00%	\$0
Construction	6.65%	8.41%	\$83,615
Manufacturing	3.63%	3.14%	\$57,201



Sector	%, Employed Population	%, Aggregate Wages	Average Annual Income
Wholesale Trade	1.31%	2.23%	\$112,276
Retail Trade	9.95%	5.62%	\$37,290
Transp/Warehousing	2.96%	2.33%	\$52,068
Information	0.42%	0.54%	\$85,201
Finance/Insurance	2.29%	3.69%	\$106,454
Real Estate	1.23%	1.47%	\$78,914
Professional/Technical	5.67%	7.83%	\$91,314
Management	0.00%	0.00%	\$0
Admin/Waste Remediation	5.59%	4.26%	\$50,375
Education	0.84%	0.32%	\$25,415
Health/Social	12.36%	12.56%	\$67,159
Arts/Entertainment	7.77%	4.77%	\$40,534
Accommodations/Food	6.77%	2.91%	\$28,414
Other Services	2.89%	1.35%	\$30,929
Unclassified	0.17%	0.21%	\$83,377

Source: QCEW, NJ Dept. of Labor and Workforce Development

Wherever they work, Colts Neck residents tend to get there by car. Approximately 64.8% of the working population drive to work alone. A further 6.4% carpool, meaning 71.2% travel to work by car. Only 4.5% use public transportation to get to the workplace. Many residents have embraced telecommuting and no longer sit in traffic, with 23.6% working from home. This greatly exceeds the telecommuting share for Monmouth County and New Jersey, with 16.8% for the former and 15.0% for the latter.

**Table 105: Means of Transport to Work**

Means of Transport	Colts Neck	Monmouth County	New Jersey
Drove alone	64.8%	66.8%	63.7%
Carpooled	6.4%	7.2%	7.7%
Public transportation	4.5%	5.5%	8.5%
Walked	0.3%	1.5%	2.6%
Bicycle	0.0%	0.5%	0.3%
Taxicab, motorcycle, or other means	0.5%	1.7%	2.1%
Worked from home	23.6%	16.8%	15.0%

Source: 2019-2023 5-Year ACS



For those workers who do commute, travel times are generally consistent with the rest of the state though there are some differences. Fewer commuters have short trips to work compared to those in other municipalities in the county. That is, 17% of workers have a commute under 15 minutes while 24.2% of workers do countywide. This is understandable as fewer nonresidential developments have been built in the Township compared to other nearby places. As for longer trips, 47.2% of commuters traveling to and from Colts Neck have a trip of 30 minutes or more while 16.2% have an hourlong trip or more. The average travel time to work is 32.8 minutes, slightly higher than the state at large, but close to the County overall.

**Table 116: Travel Time to Work**

Travel Time	Colts Neck	Monmouth County	New Jersey
Less than 10 minutes	7.8%	11.4%	9.9%
10 to 14 minutes	9.2%	12.8%	11.5%
15 to 19 minutes	14.2%	12.9%	13.1%
20 to 24 minutes	13.5%	11.2%	12.9%
25 to 29 minutes	8.1%	5.6%	6.7%
30 to 34 minutes	13.4%	11.2%	13.7%
35 to 44 minutes	10.4%	8.0%	8.2%
45 to 59 minutes	7.0%	9.4%	9.9%
60 or more minutes	16.4%	17.4%	14.2%
<b>Mean travel time to work (minutes)</b>	<b>32.7</b>	<b>32.8</b>	<b>30.9</b>

*Source: 2019-2023 5-Year ACS*

Colts Neck is auto dependent with pedestrian and bicycle facilities being inconvenient for reaching almost every destination. As such, it makes sense that workers would have more vehicles at their disposal than those elsewhere. Households possessing three or more vehicles represent 47.4 of the community. This greatly exceeds the respective shares for county and state, 37.6% and 30.3%. One-car households account for only 9.8% of those in the township, far less than the 16.6% in the remainder of the county and 23.3% statewide. A paltry 0.7% do not have a car altogether. The high number of cars relatively to persons influences the character of the housing stock and

**Table 127: Total Vehicles Available**

Total Vehicles	Colts Neck	Monmouth County	New Jersey
No vehicle	0.7%	1.9%	6.4%
1 vehicle	9.8%	16.6%	23.3%
2 vehicles	42.1%	43.9%	39.9%
3 or more vehicles	47.4%	37.6%	30.3%

*Source: 2019-2023 5-Year ACS*



## ANALYSIS OF HOUSING STOCK

Colts Neck is a community of homeowners. To be specific, 92.8% of housing units are owner-occupied, with rentals accounting for the remaining 7.2% of units (Table 18). This breakdown marks a substantial departure from the tenure data elsewhere. Statewide, 63.7% of housing units are owner-occupied, with 36.3% of rentals. Even in Monmouth County, a place full of bedroom communities, ‘only’ 75.4% of homes are owner-occupied.

**Table 138: Tenure**

Tenure	Colts Neck	Monmouth County	New Jersey
Owner-Occupied	92.8%	75.4%	63.7%
Renter-Occupied	7.2%	24.6%	36.3%

*Source: 2019-2023 5-Year ACS*

The housing stock includes comparatively few vacancies (Table 19) The township has a vacancy rate of 2.7%, far less than the 7.2% in Monmouth County and 7.9% in New Jersey as a whole. The low vacancy rate is what one would expect for a wealthy exurb largely built after World War II.

**Table 19: Occupancy Status**

Occupancy Status	Colts Neck	Monmouth County	New Jersey
Occupied	97.3%	92.8%	92.1%
Vacant	2.7%	7.2%	7.9%

*Source: 2019-2023 5-Year ACS*

The strength of the housing market is evident when taking a closer look at the reasons behind housing vacant. One out of four vacant homes in Colts Neck have been sold, with the buyers yet to move in. This is the case for only 4.1% at the state and county level. Second homes intended for seasonal, recreational, or occasional use constitute 37.0% of vacant units. Homes vacant for other reasons, which can reflect economic distress, are behind 38% of vacancies, according to the ACS. Since the vacancy rate is only 2.7% to begin with, this is not a sign of widespread economic anguish. The same data also states that none of the vacant units are rentals. American Community Survey data are estimates, so fluctuations do occur, and this can be especially true when the sample is small, as is the case with rental housing in Colts Neck.

**Table 140: Vacancy Status**

Vacancy Status	Colts Neck	Monmouth County	New Jersey
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For rent	0.0%	11.4%	16.0%
Rented, not occupied	0.0%	2.9%	2.7%
For sale only	0.0%	7.8%	6.4%
Sold, not occupied	25.0%	4.1%	4.1%
For seasonal, recreational, or occasional use	37.0%	51.7%	43.7%
Other vacant	38.0%	22.1%	27.1%

Source: 2019-2023 5-Year ACS

Housing in Colts Neck is comprised almost entirely of single-family residences. To be precise, a stunning 93.0% of homes are detached one-family residences, with an additional 2.5% attached. For a state as urban as New Jersey is, this is a spectacularly high rate. Single-family housing comprises 62.7% of the housing stock in the Garden State and, more locally, 76.6% in Monmouth County.

Those looking for homes that aren't one-family, have few options. Two-family residences account for 0.7% of homes while 2.7% are in buildings with 3 or 4 dwellings. If the Census is to be believed, there is at least one large apartment building in Colts Neck, with 0.4% of homes located in buildings of 50 units or more. Mobile homes, an option for low-income households, make up the remaining 0.7%. To put these numbers in context, 21.7% of the housing stock statewide is in multifamily buildings, typically defined as containing 5 units or more. Moreover, apartment buildings with 20 units or more contribute 12.1% of the housing stock in New Jersey and 9.1% in Monmouth County.

**Table 151: Units in Structure**

Housing Type	Colts Neck	Monmouth County	New Jersey
1, detached	93.0%	66.1%	52.7%
1, attached	2.5%	9.5%	10.0%
2	0.7%	2.8%	8.6%
3 or 4	2.7%	3.6%	6.1%
5 to 9	0.0%	3.7%	4.7%
10 to 19	0.0%	4.1%	4.9%
20 to 49	0.0%	2.6%	4.2%
50 or more	0.4%	6.5%	7.9%
Mobile home	0.7%	1.1%	0.9%
Boat, RV, van, etc.	0.0%	0.0%	0.0%

Source: 2019-2023 5-Year ACS

The dearth of multifamily buildings, which provide of 50.1% of New Jersey's rental housing, is one reason so few people rent in Colts Neck. For those who do, 64.7% live in detached single-family residences while 19.8% live in single-family attached homes. In this respect, Colts Neck is a major outlier within Monmouth County, where only 27.1% of renters live in one-family structures. A further 9.7% of Colts Neck renters



live in two-family buildings and the remaining 5.8% live in buildings with 50 units or more. Once again, the broader county presents a greater variety of rentals. Specifically, 8.6% of rentals in the county are in two-family buildings, while 11.3% are in 3- or 4-family buildings, and 54.0% are in multifamily buildings.

**Table 162: Year Structure Built by Tenure**

Housing Type	Colts Neck		Monmouth County		New Jersey	
	Owner-Occupied	Renter-Occupied	Owner-Occupied	Renter-Occupied	Owner-Occupied	Renter-Occupied
1, detached	95.8%	64.7%	82.9%	18.3%	77.1%	11.7%
1, attached	1.3%	19.8%	9.6%	8.8%	10.2%	8.4%
2	0.0%	9.7%	0.7%	8.6%	4.6%	15.5%
3 or 4	3.0%	0.0%	0.9%	11.3%	1.7%	13.8%
5 to 9	0.0%	0.0%	1.5%	10.4%	1.4%	10.6%
10 to 19	0.0%	0.0%	1.3%	12.5%	1.2%	11.4%
20 to 49	0.0%	0.0%	0.8%	8.2%	1.0%	9.7%
50 or more	0.0%	5.8%	1.3%	20.9%	1.8%	18.4%
Mobile home	0.0%	0.0%	1.0%	1.0%	1.1%	0.4%
Boat, RV, van, etc.	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%

*Source: 2019-2023 5-Year ACS*

As mentioned above, most of Colts Neck's population growth came in the second half of the twentieth century. This history is reflected in Census Bureau data, with only 6.2% of homes in structures built before 1940 and 8.7% before 1960. Development did not begin in earnest until the 1960s, when 20.5% of residences were erected. Growth continued apace in subsequent decades, with 20.9% of homes built in the 1970s, 12.4% in the 1980s, and 24.4% in the 1990s. Relative to those decades, housing construction has evidently fallen off in the twenty-first century. Homes built between 2000 and 2010 form 12.6% of the housing stock while a meager 0.3% was built during the 2010s. The narrative is different at the county and state levels, with 15.8% and 15.5% of the housing stock built in the twenty-first century.

**Table 173: Year Structure Built**

Year Structure Built	Colts Neck	Monmouth County	New Jersey
Built 2020 or later	0.3%	0.6%	0.6%
Built 2010 to 2019	0.3%	5.8%	5.8%
Built 2000 to 2009	12.6%	9.4%	9.1%
Built 1990 to 1999	24.4%	11.3%	9.1%
Built 1980 to 1989	12.4%	15.8%	11.9%
Built 1970 to 1979	20.9%	13.2%	12.4%



Built 1960 to 1969	20.5%	14.0%	13.0%
Built 1950 to 1959	1.7%	12.3%	14.1%
Built 1940 to 1949	0.8%	4.2%	6.7%
Built 1939 or earlier	6.2%	13.5%	17.5%

*Source: 2019-2023 5-Year ACS*

The housing stock is especially suited for larger households. Tellingly, 28.2% of housing units in the township have at least five bedrooms, more than triple the rate for Monmouth County and more than four times the percentage for New Jersey. The tendency toward larger homes is even more pronounced, considering that four-bedroom houses constitute another 48.6% of the housing in Colts Neck, a much larger figure than the 26.5 and 19.7% for the county and state. The upshot is more than three quarters of the housing stock is composed of houses with four bedrooms or more. As for smaller homes, 1-bedroom units account for a mere 0.6% of Colts Neck housing. Separately, 2- and 3-bedroom units separately make up 6.5% and 16.2% of the housing stock. Once again, the divergence with the larger county and state is striking. Studios and 1- and 2-bedroom units combine for 35.2% of the housing stock in Monmouth County and 42.7% statewide.

**Table 184: Number of Bedrooms, Housing Stock**

Total Bedrooms	Colts Neck	Monmouth County	New Jersey
No bedroom	0.0%	1.7%	3.0%
1 bedroom	0.6%	12.6%	14.2%
2 bedrooms	6.5%	21.0%	25.5%
3 bedrooms	16.2%	29.0%	31.8%
4 bedrooms	48.6%	26.5%	19.7%
5 or more bedrooms	28.2%	9.2%	5.9%

*Source: 2019-2023 5-Year ACS*

The bevy of large houses in Colts Neck also shows up in the ACS data for total rooms per house. 64.2% of Colts Neck homes have at least 9 rooms, most that a survey-taker can select on their ACS questionnaire. Hence, the Census states that '9.0+' is the median number of rooms. Countywide, the median number of rooms is 6.4, with only 21.3% of residences having 9 units or more. At the state level, the median number of rooms is 5.7 while only 15.2% of housing units have 9 rooms or more. The data do indicate a scarcity of less spacious options. While accounting for over half of housing countywide, just 11.1% of Colts Neck residences have 6 rooms or less. The community's single-family character and high incomes surely contribute to the expansiveness of the homes built in the township. The lack of smaller options is concerning, however, as dwellers have less space to maintain and can age in place.

**Table 195: Total Rooms**

Total Rooms	Colts Neck	Monmouth County	New Jersey
1 room	0.0%	1.6%	2.7%
2 rooms	0.3%	2.6%	3.0%
3 rooms	0.0%	8.1%	10.5%
4 rooms	4.2%	12.1%	15.2%
5 rooms	2.5%	12.9%	15.8%
6 rooms	4.1%	14.6%	15.4%
7 rooms	8.6%	13.0%	12.0%
8 rooms	16.2%	13.9%	10.4%
9 rooms or more	64.2%	21.3%	15.2%
<b>Median rooms</b>	<b>9.0+</b>	<b>6.4</b>	<b>5.7</b>
<i>Source: 2019-2023 5-Year ACS</i>			

Colts Neck's affluence can also be discerned in the housing quality data from the ACS (Table 26). This is most apparent in the metric for overcrowding. The survey found no homes had an occupants per room ratio greater than 1. Given the bedroom and total rooms data, this should not be surprising. The share of homes in Colts Neck that lack essential facilities is below the rate statewide. Interestingly, no homes in the municipality lack telephone service while a small number do in the broader county and state. A large majority of homes are supplied with natural gas while 10% are heated through oil. A relative handful of households, 3.0%, are heated through electricity.

**Table 206: Housing Quality Indicators**

Home Heating Fuel	Colts Neck	Monmouth County	New Jersey
Utility gas	85.8%	80.9%	73.3%
Bottled, tank, or LP gas	0.9%	1.7%	2.5%
Electricity	3.0%	12.9%	15.6%
Fuel oil, kerosene, etc.	10.0%	3.3%	6.8%
Coal or coke	0.0%	0.0%	0.0%
Wood	0.0%	0.1%	0.3%
Solar energy	0.2%	0.2%	0.2%
Other fuel	0.0%	0.4%	0.5%
No fuel used	0.0%	0.5%	0.8%
<b>Lacking facilities</b>			
Lacking complete plumbing facilities	0.3%	0.2%	0.3%



Home Heating Fuel	Colts Neck	Monmouth County	New Jersey
Lacking complete kitchen facilities	0.6%	0.8%	0.8%
No telephone service available	0.0%	0.8%	0.9%
Occupants Per Room			
1.00 or less	100.0%	98.3%	96.3%
1.01 to 1.50	0.0%	1.2%	2.4%
1.51 or more	0.0%	0.5%	1.3%

Source: 2019-2023 5-Year ACS

Long-time residents form an appreciable core of the Colts Neck population. A noteworthy 40.1% of householders moved into their domicile before 2000, compared to 26.3% in Monmouth County. By extension, 59.9% of householders in Colts Neck moved into their home in the twenty-first century, less than the 73.7% for Monmouth County. More recently, 39.3% of households have moved into their home since 2010 while 54.2% of Monmouth County households have moved in during that span. The considerable time that inhabitants have lived in their homes has ramifications for the housing market as fewer homes are put on the market as their owners stay put.

**Table 27: Year Moved In**

Year Moved In	Colts Neck	Monmouth County	New Jersey
Moved in 2021 or later	2.8%	6.8%	8.3%
Moved in 2018 to 2020	17.9%	18.8%	20.6%
Moved in 2010 to 2017	18.6%	28.6%	28.6%
Moved in 2000 to 2009	20.5%	19.5%	19.2%
Moved in 1990 to 1999	29.1%	14.2%	11.4%
Moved in 1989 and earlier	11.0%	12.1%	11.9%

Source: 2009-2013 5-Year ACS

## **ANALYSIS OF HOUSING AFFORDABILITY**

Approximately 63.6% of Colts Neck homeowners have a mortgage while 36.4% do not have a mortgage. In Monmouth County, not to mention New Jersey as a whole, 64.4% of homeowners have a mortgage while 35.6% do not.

**Table 28: Mortgage Status**

Mortgage Status	Colts Neck	Monmouth County	New Jersey
With a mortgage	63.6%	64.4%	64.4%
Without a mortgage	36.4%	35.6%	35.6%

Colts Neck homes carry exceptionally high values, a product of, among other things, the size of the houses and its reputation as an exclusive locale for wealthy households. Over a third of owner-occupied homes in the township, 34.3%, are valued in excess of \$1,000,000. This greatly surpasses the comparable figure for Monmouth County, 11.3%, which is relatively affluent in its own right. Furthermore, 64.7% are valued over \$750,000 and 90.3% have values greater than \$500,000. In other words, a modest percentage of homes, 9.7% are valued at \$500,000 or less. The residential property values in the municipality are relatively astronomical for a state where 61.8% of houses are valued under \$500,000. The upshot is that the median home value for Colts Neck ins \$871,400, considerably higher than the \$566,500 for Monmouth County and \$427,600 for New Jersey.

**Table 29: Home Values**

Home Value	Colts Neck	Monmouth County	New Jersey
Less than \$100,000	0.7%	3.1%	4.4%
\$100,000 to \$299,999	5.3%	9.2%	23.6%
\$300,000 to \$499,999	3.7%	29.2%	33.8%
\$500,000 to \$749,999	25.6%	31.7%	23.0%
\$750,000 to \$999,999	30.3%	15.4%	8.6%
\$1,000,000 or more	34.4%	11.3%	6.6%
<b>Median home value</b>	<b>\$871,400</b>	<b>\$566,500</b>	<b>\$427,600</b>

Source: 2019-2023 5-Year ACS

Data from the New Jersey Division of Taxation supports the home values reported to the Census. In six of the last ten years reported, the sales price has outstripped the median value estimated by the Census, \$871,400. If anything, the price of homes sold has soared in the last five years, fueled in part by pandemic-related changes to the housing market. In each of the last few years, homes in Colts Neck have sold at an average price that exceeds \$1,000,000. There are signs that prices are stabilizing as the average sales price declined in 2024 after hitting a peak in 2023 of \$1,404,533. It is important to note that the supply of homes on the market in has declined appreciably since 2022, under 3,000 sold annually in Monmouth County, and well below the rate of the late 2010s. Though the number of homes sold annually in Colts Neck remains at the pre-pandemic rate, the constraint in supply will place upward pressure on prices going forward.

**Table 30: Home Sales**

Year	Colts Neck		Monmouth County	
	Total Sales	Avg Sales Price	Total Sales	Avg Sales Price
2015	110	\$904,704	6,146	\$478,821
2016	32	\$789,933	3,029	\$483,506
2017	53	\$818,584	3,679	\$495,743
2018	38	\$915,091	3,813	\$533,873
2019	39	\$757,405	3,558	\$512,214
2020	35	\$864,964	3,357	\$544,180
2021	67	\$975,729	4,407	\$638,158
2022	42	\$1,068,268	3,600	\$677,266
2023	32	\$1,404,533	2,776	\$729,440
2024	40	\$1,378,290	2,760	\$831,577
Source: NJ Division of Taxation, NJ Treasury				

The spike in home values has petered down to residential tax assessments. Since 2020, the average assessment has risen to \$1,118,664, from \$844,059 in the first year of the pandemic. The steeper figure keeps assessments in line with the escalation of home prices. A similar trend has played out in Monmouth County as a whole, with the average residential assessment increasing to \$715,263. Presumably, the embrace of working from home has heightened Monmouth County's appeal as distance from employment centers like Newark and New York is not as pressing a priority when looking at homes. This trend may permanently alter the dynamics of the local housing market.

**Table 211: Residential Tax Assessments**

Year	Total Lots, Colts Neck	Avg Assessment	Total Lots, Monmouth County	Avg Assessment
2016	3,302	\$841,409	211,934	\$445,876
2020	3,311	\$844,059	213,716	\$503,341
2024	3,182	\$1,118,664	214,709	\$715,263
Source: NJ Division of Taxation, NJ Treasury				

Given the rise in home values, the cost of housing may become of increasingly serious concern in the years to come. Housing is generally considered to be affordable if the amount of rent, mortgage, and other essential costs consume less than 30% of a household's income. If a household spends more than 30% of its income on housing, it is considered cost-burdened. ACS data show that a sizable number of Colts Neck households, 31.5%, spend 30% or more of their income on housing. This is marginally lower than the



32.7% in the county and 35.8% in the state. An additional 1.2% have zero or negative income and presumably are living on savings and financial support.

**Table 32: Burden of Housing Costs, All Households**

Housing Costs as % of Household Income	Colts Neck	Monmouth County	New Jersey
Less than 20% of Household Income	47.0%	42.8%	39.4%
20 to 29% of Household Income	18.5%	22.5%	22.9%
30% or more of Household Income	31.5%	32.7%	35.8%
Zero or negative income	1.2%	0.9%	1.1%
No cash rent	1.8%	1.0%	1.1%
Other	3.0%	2.0%	1.9%

Source: 2019-2023 5-Year ACS

The impressive incomes earned by Colts Neck homeowners surely provide a buffer when bearing the cost of housing. Nevertheless, an estimated 31.7% must set aside at least 30% of their income to pay for housing, which, interestingly, is higher than the respective percentages for the county and state, 27.2% and 28.2%. That said, almost half of homeowners, 49.0%, spend less than 20% of their income on housing, consistent with homeowners elsewhere, while 18.3% allot between 20% and 29% of their income on housing.

**Table 223: Burden of Housing Costs, Owner-Occupied Housing**

Housing Costs as % of Household Income	Colts Neck	Monmouth County	New Jersey
Less than 20% of Household Income	49.0%	49.4%	48.1%
20 to 29% of Household Income	18.3%	22.6%	22.7%
30% or more of H Household Income	31.7%	27.2%	28.6%
Zero or negative income	1.0%	0.7%	0.6%
No cash rent	--	--	--
Other	1.0%	0.8%	0.6%

Source: 2019-2023 5-Year ACS

In terms of monthly costs, 80.0% of households with a mortgage pay \$3,000 or more on housing. This greatly outpaces the comparable rate for Monmouth County, 51.2%. This is, indeed, the tradeoff of living in a sought-after location. Housing costs are so lofty that the Census simply lists a median monthly cost of '\$4,000' by default. Steep housing costs are a deeply concerning issue for the entire state of New Jersey, where the median monthly cost for homeowners with a mortgage is \$2,767. More locally, the median monthly cost in Monmouth County is \$3,037.

**Table 34: Monthly Costs, Homeowners with a Mortgage**

Monthly Owner Costs	Colts Neck	Monmouth County	New Jersey
Less than \$500	0.0%	0.2%	0.4%
\$500 to \$999	0.0%	1.3%	1.8%
\$1,000 to \$1,499	2.1%	4.6%	6.6%
\$1,500 to \$1,999	2.6%	9.9%	13.7%
\$2,000 to \$2,499	3.4%	16.0%	17.7%
\$2,500 to \$2,999	11.8%	16.8%	17.0%
\$3,000 or more	80.0%	51.2%	42.7%
<b>Median monthly housing cost</b>	<b>\$4,000+</b>	<b>\$3,037</b>	<b>\$2,787</b>

Source: 2019-2023 5-Year ACS

Monthly housing costs are necessarily lower for those households without a mortgage. For these Colts Neck households, however, costs the median cost is such that the Census assigned the default figure for very high values for this data point, '\$1,500+'. In total, 88.2% of households without a mortgage spend \$1,000 on housing. These expenditures go towards taxes, insurance payments, utilities, and other fees. In comparison, 75.9% of households without a mortgage in Monmouth County spend more than \$1,000. 7.5% of said Colts Neck households spend between \$800 and \$1,000 on housing while only 4.3% spend under \$800. The latter figure contrasts greatly with the county and state, where 11.6% and 9.5% of households without a mortgage spend less than \$800 a month on housing.

**Table 35: Monthly Costs, Homeowners without a Mortgage**

Monthly housing costs	Colts Neck	Monmouth County	New Jersey
Less than \$250	0.9%	2.0%	1.9%
\$250 to \$399	0.0%	1.3%	2.6%
\$400 to \$599	2.5%	3.0%	5.0%
\$600 to \$799	0.9%	5.3%	8.8%
\$800 to \$999	7.5%	12.5%	14.6%
\$1,000 or more	88.2%	75.9%	67.1%
<b>Median monthly housing costs</b>	<b>\$1,500+</b>	<b>\$1,312</b>	<b>\$1,205</b>

Source: 2019-2023 5-Year ACS

Housing costs put an even greater strain on renters in New Jersey, where 48.3 of renting households are cost-burdened. Of the small number of renting households in Colts Neck, 29.5% spend more than 30% of their income on housing while 4.3% have zero or negative income. A significant number of renters, 25.5%,



pay no cash rent, a far greater percentage than in the state overall, or 2.9%. In the main, renters in Colts Neck are far better placed to absorb costs than their peers in other communities.

**Table 236: Burden of Housing Costs, Renter-Occupied Housing**

Housing Costs as % of Household Income	Colts Neck	Monmouth County	New Jersey
Less than 20% of Household Income	20.2%	22.9%	23.8%
20 to 29% of Household Income	20.5%	21.7%	23.1%
30% or more of Household Income	29.5%	50.0%	48.3%
Zero or negative income	4.3%	1.7%	1.9%
No cash rent	25.5%	3.9%	2.9%
Other	0.0%	0.0%	0.0%

Source: 2019-2023 5-Year ACS

The financial stability renters enjoy is not due to Colts Neck landlords asking for lower rents. As a matter of fact, the median rent, \$2,972, is far higher than that of Monmouth County, \$1,771, or New Jersey, \$1,653. Put differently, 49.0% of renting households spend at least \$3,000 a month on housing. This dwarfs the share who pay such a sum in the county as a whole, 9.2%. At the other end of the scale, 20.8% of households have a gross rent less than \$2,000, of which 5.7% have a rent under \$1,000. In contrast, 62.0% of renting households in Monmouth County and 69.8% in New Jersey have a gross rent under \$2,000.

**Table 247: Gross Rent**

Gross Rent	Colts Neck	Monmouth County	New Jersey
Less than \$500	0.0%	6.8%	6.3%
\$500 to \$999	5.7%	5.8%	8.7%
\$1,000 to \$1,499	2.1%	23.2%	26.3%
\$1,500 to \$1,999	13.0%	26.2%	28.5%
\$2,000 to \$2,499	11.5%	18.4%	15.9%
\$2,500 to \$2,999	18.8%	10.4%	6.7%
\$3,000 or more	49.0%	9.2%	7.6%
<b>Median rent</b>	<b>\$2,972</b>	<b>\$1,771</b>	<b>\$1,653</b>

Source: 2019-2023 5-Year ACS



### ANALYSIS OF CONSTRUCTION ACTIVITY & TRENDS

The rate at which officials in Colts Neck have issued permits for new housing has stayed steady over the last decade. The most building permits issued in a year for housing was 10, a level attained in 2014 and, later, in 2021 and 2022. The lowest number of residential building permits issued on a yearly basis was in 2019, when 5 were issued. Annually, Colt Neck has issued an average of 8 building permits per year since 2013. On average, Monmouth County municipalities have permitted 1,545 homes a year over the same spell. Housing production statewide, however, appears to be accelerating. Since 2018, the number of new homes permitted annually in New Jersey has exceeded the 10-year average in 5 of 6 years, reaching a peak in 2022, when 31,792 homes were permitted. It's important to note, though, that permits slowed in 2023, when only 21,682 were issued.

**Table 38: Housing Permits Issued Annually, 2013-2023**

Year	Colts Neck	Monmouth County	New Jersey
2013	7	1,425	18,795
2014	10	1,367	22,896
2015	6	1,176	19,503
2016	6	1,901	24,170
2017	7	1,729	25,961
2018	7	1,828	26,048
2019	5	1,262	30,770
2020	6	1,642	26,680
2021	10	1,622	30,044
2022	10	1,384	31,792
2023	9	1,663	21,682
<b>Annual Average</b>	<b>8</b>	<b>1,545</b>	<b>25,304</b>

*Source: NJ Dept. of Community Affairs*

Unsurprisingly, the only homes permitted in Colts Neck since 2013 were 1- and 2-family residences. This deviates sharply from regional and state-level building patterns. Over the last 10 years for which we have data, multifamily development accounted for 34.5% of the building permits issued on by Monmouth County municipalities on an average annual basis. Statewide, the figure is 60.5% while 1- and 2-family homes compose an average of 38.4% permitted annually. Intriguingly, the share of building permits approved for mixed-use development has jumped in the last two years of data, with 2.3% and 2.7% of residential building permits in 2022 and 2023 issued for mixed-use development.

**Table 39: Share of Housing Permits Issued by Type, 2013-2023**

Year	Colts Neck	Monmouth County	New Jersey
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	1-2 Units	Multifamily	Mixed- Use	1-2 Units	Multifamily	Mixed- Use	1-2 Units	Multifamily	Mixed- Use
2013	100.0%	0.0%	0.0%	84.1%	15.2%	0.7%	51.4%	47.9%	0.7%
2014	100.0%	0.0%	0.0%	73.8%	24.4%	1.8%	46.6%	52.0%	1.3%
2015	100.0%	0.0%	0.0%	70.5%	28.9%	0.6%	48.6%	51.2%	0.2%
2016	100.0%	0.0%	0.0%	43.8%	55.6%	0.6%	36.8%	63.0%	0.3%
2017	100.0%	0.0%	0.0%	52.7%	45.8%	1.4%	35.4%	62.2%	2.4%
2018	100.0%	0.0%	0.0%	47.0%	52.4%	0.5%	34.7%	64.5%	0.8%
2019	100.0%	0.0%	0.0%	62.2%	37.3%	0.5%	29.1%	70.7%	0.2%
2020	100.0%	0.0%	0.0%	55.5%	43.6%	0.9%	32.5%	67.3%	0.2%
2021	100.0%	0.0%	0.0%	65.6%	34.3%	0.1%	34.9%	64.8%	0.3%
2022	100.0%	0.0%	0.0%	79.0%	20.2%	0.8%	28.8%	68.9%	2.3%
2023	100.0%	0.0%	0.0%	77.6%	22.1%	0.2%	44.1%	53.2%	2.7%
<b>10-Year Average</b>	<b>100.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>64.7%</b>	<b>34.5%</b>	<b>0.7%</b>	<b>38.4%</b>	<b>60.5%</b>	<b>1.0%</b>

Source: NJ Dept. of Community Affairs

A similar pattern can be seen in the certificate of occupancy data. As with building permits, certificates of occupancy were issued only for 1- and 2-family homes. Countywide, 64.2% of certificates of occupancy for homes were for 1- and 2-family homes while 43.5% were issued for 1- and 2-family at the state level. Multifamily housing accounted for 35.2 and 55.8% of the certificates of occupancy related to housing.

**Table 41: Certificates of Occupancy, Residential, 2013-2023**

Year	Colts Neck			Monmouth County			New Jersey		
	1-2 Units	Multifamily	Mixed- Use	1-2 Units	Multifamily	Mixed- Use	1-2 Units	Multifamily	Mixed- Use
2013	100.0%	0.0%	0.0%	66.8%	32.7%	0.5%	57.4%	42.3%	0.3%
2014	100.0%	0.0%	0.0%	88.6%	11.0%	0.4%	61.5%	38.0%	0.4%
2015	100.0%	0.0%	0.0%	75.9%	22.4%	1.7%	54.0%	45.5%	0.5%
2016	100.0%	0.0%	0.0%	75.2%	24.1%	0.6%	52.7%	47.1%	0.3%
2017	100.0%	0.0%	0.0%	68.3%	30.9%	0.8%	44.9%	53.5%	1.5%
2018	100.0%	0.0%	0.0%	64.4%	34.9%	0.7%	41.4%	56.9%	1.7%
2019	100.0%	0.0%	0.0%	58.2%	40.7%	1.1%	31.6%	66.1%	2.3%
2020	100.0%	0.0%	0.0%	36.6%	63.1%	0.2%	36.8%	62.8%	0.3%
2021	100.0%	0.0%	0.0%	42.3%	57.4%	0.3%	27.3%	72.6%	0.1%
2022	100.0%	0.0%	0.0%	62.8%	37.2%	0.0%	32.7%	66.8%	0.4%



Year	<i>Colts Neck</i>			<i>Monmouth County</i>			<i>New Jersey</i>		
	1-2 Units	Multifamily	Mixed-Use	1-2 Units	Multifamily	Mixed-Use	1-2 Units	Multifamily	Mixed-Use
2023	100.0%	0.0%	0.0%	67.6%	32.2%	0.2%	37.6%	62.3%	0.1%
<b>10-Year Average</b>	<b>100.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>64.2%</b>	<b>35.2%</b>	<b>0.6%</b>	<b>43.5%</b>	<b>55.8%</b>	<b>0.7%</b>
<i>Source: NJ Dept. of Community Affairs</i>									

Table 42 contains the data for demolition permits issued since 2013. Colts Neck approves an average of 4 demolition permits for houses annually, which is half the rate at which it approves building permits. This means that township adds an average of 4 units a year to its housing stock annually. Countywide, an average of 460 homes are demolished every year while 4,679 homes are demolished yearly on average across the entire state.

**Table 252: Demolition Permits, 2013-2023**

Year	Colts Neck	Monmouth County	New Jersey
2013	3	940	7,295
2014	3	528	5,232
2015	2	450	5,651
2016	9	582	5,457
2017	10	564	4,715
2018	3	356	4,252
2019	3	315	4,090
2020	6	279	3,599
2021	1	321	4,002
2022	2	297	3,837
2023	3	425	3,335
<b>10-Year Average</b>	<b>4</b>	<b>460</b>	<b>4,679</b>
<i>Source: NJ Dept of Community Affairs</i>			

A relatively small amount of nonresidential development has been constructed in Colts Neck in the twenty-first century. Storage facilities appear to be largest driver of nonresidential development, with a large amount of square footage added in the early 2000s. After the financial crisis, nonresidential development declined sharply in Colts Neck. During the 2010s, less than 10,000 square feet of nonresidential development was often constructed annually in the township. There have been occasional



spurts of office development, most notably in 2012 and 2021, when 10,744 and 17,336 square feet of office space were constructed. The office development in 2021 marked a 20-year peak for Colts Neck, with an average of 2,685 square feet of office development constructed annually during the same period.

In Monmouth County, an average of 457,883 of office space and 214,459 square feet of retail have been constructed since 2004. No retail development has been constructed in Colts Neck during that interval. Additionally, an average of 24,093 square feet of other types of nonresidential developments have been constructed annually in Colts Neck over the past 20 years. At the top level, NJ DCA groups these uses into an 'Other' category, but they encompass civic, institutional, industrial, and miscellaneous commercial uses, among others. In total, an average of 7,037,338 square feet of office development has been built annually statewide as has 2,937,091 square feet of retail development. With regard to the 'Other' category, 38,163,962 square feet has been constructed every year.

**Table 263: Nonresidential Construction, 2004-2023**

Year	Colts Neck			Monmouth County			New Jersey		
	Office	Retail	Other	Office	Retail	Other	Office	Retail	Other
2004	7,008	0	51,456	776,676	380,576	3,817,593	12,219,068	4,911,257	57,206,055
2005	7,400	0	49,521	672,563	531,289	2,509,753	11,038,132	5,965,258	50,631,439
2006	0	0	23,301	937,008	197,248	3,450,328	11,113,555	5,186,662	47,807,864
2007	9,953	0	85,458	968,794	400,940	2,875,336	9,569,501	5,423,889	53,881,012
2008	996	0	34,568	318,481	414,612	1,629,619	7,962,998	5,557,101	44,127,384
2009	0	0	11,589	293,900	61,926	1,462,954	4,253,888	2,248,935	19,137,343
2010	0	0	9,907	343,680	282,233	1,220,213	5,496,579	2,192,231	20,090,503
2011	0	0	22,937	320,603	104,300	988,003	4,915,544	1,680,445	16,406,225
2012	10,744	0	19,597	249,063	233,940	1,235,639	7,395,704	2,088,658	24,204,171
2013	0	0	7,684	340,222	177,855	1,192,521	5,830,508	2,240,758	26,512,767
2014	0	0	2,957	282,481	312,136	1,174,418	5,426,729	3,536,522	37,902,289
2015	0	0	4,234	384,157	160,413	1,192,906	5,751,737	3,544,141	28,999,440
2016	0	0	8,345	547,984	145,787	2,344,973	7,183,084	2,913,461	48,892,163
2017	0	0	3,669	412,057	110,882	2,045,995	6,826,372	2,153,638	39,842,698
2018	0	0	34,271	414,509	265,417	2,118,110	5,316,607	3,122,448	36,483,744
2019	0	0	13,702	306,076	115,411	1,401,255	5,724,671	1,286,733	40,886,748
2020	0	0	17,665	374,497	169,029	1,527,822	5,525,377	2,023,918	37,236,103
2021	17,336	0	39,491	641,091	34,786	4,093,550	5,074,155	786,303	50,338,453
2022	268	0	25,607	193,054	16,849	2,005,822	7,716,195	622,440	49,613,379
2023	0	0	15,901	380,772	173,552	1,778,385	6,406,348	1,257,019	33,079,451
<b>20-Year Average</b>	<b>2,685</b>	<b>0</b>	<b>24,093</b>	<b>457,883</b>	<b>214,459</b>	<b>2,003,260</b>	<b>7,037,338</b>	<b>2,937,091</b>	<b>38,163,962</b>

Source: NJ Dept. of Community Affairs



## **PLANNING PROJECTIONS**

Monmouth County is served by the North Jersey Transportation Planning Authority (NJTPA), one of New Jersey's three metropolitan planning organizations. NJTPA calculates population and employment projections to anticipate the long-range planning needs of the North Jersey portion of the New York metropolitan area.

The agency forecasts that Colts Neck and Monmouth County will have lower population and household growth than the rest of NJTPA coverage area. Specifically, Colts Neck is projected to have an annualized growth of 0.36% for households and 0.22% for population. The forecast growth is lower for population as household sizes are expected to decrease, which would continue a decades-long trend. As projected, Colts Neck would have 3,740 households and 10,961 residents in 2050. Needless to say, any population increase would in population would mark an abrupt shift to the population declines that Colts Neck has seen in the twenty-first century thus far. The forecast growth is also greater than that calculated for Monmouth County, whose population NJTPA expects to grow by 40,439 persons and 23,731 households by 2050. This represents an annualized growth rate of 0.27% for households and 0.18% for population. The growth rates for the county and township fall short of those forecast for NJTPA's jurisdiction overall, 0.46% and 0.42%, respectively. The agency actually forecasts employment in Colts Neck to grow at a greater clip than in the region overall, with an annualized growth rate of 0.5%. This would translate to a net increase of 525 jobs.

**Table 274: Long-term Population, Household and Employment Forecasts**

	Colts Neck	Monmouth	NJTPA
Population, 2015	10,149	629,185	6,688,013
Population, 2050	10,961	669,624	7,743,120
<i>Annualized % Population Change 2015-2050</i>	<i>0.22%</i>	<i>0.18%</i>	<i>0.42%</i>
Households, 2015	3,295	235,513	2,444,799
Households, 2050	3,740	259,244	2,868,943
<i>Annualized % Household Change 2015-2050</i>	<i>0.36%</i>	<i>0.27%</i>	<i>0.46%</i>
Employment, 2015	2,882	262,372	2,910,458
Employment, 2050	3,407	293,290	3,375,651
<i>Annualized % Employment Change 2015-2050</i>	<i>0.5%</i>	<i>0.3%</i>	<i>0.4%</i>

*Source: NJTPA*

These long term housing projections are not inconsistent with current trends in the Township. While construction of the approved but unbuilt affordable housing developments account for most of the household growth anticipated, given the Township's lack of sewer service it seems substantial additional growth may be unlikely. The long term employment projections are not supported by approved but unbuilt nonresidential uses; however, opportunity for nonresidential development exists in the Township particularly along Routes 34 and 537.



# **EXHIBIT**

# **B**

**COLTS NECK TOWNSHIP PLANNING BOARD  
RESOLUTION ADOPTING THE  
2025 FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN  
ON JUNE 9<sup>TH</sup>, 2025**

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301 et al.); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

**WHEREAS**, the Township of Colts Neck (the "Township") adopted a binding resolution on January 29, 2025 identifying its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, the Township filed a Declaratory Judgement on January 30, 2025 identifying its present and prospective fair share obligation for the Fourth Round and committing to adopting and submitting a fourth round housing element and fair share plan as required by the FHA; and

**WHEREAS**, the FHA now requires, among other actions, that municipalities submit an adopted housing element in fair share plan on or before June 30, 2025;

**WHEREAS**, on March 27, 2025, the Hon. Linda Grasso Jones J.S.C. issued an order finding in favor of the Township's identified affordable housing obligation and authorizing the Township to proceed with preparation and adoption of a fourth round housing plan by June 30, 2025;

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board of the Township of Colts Neck (the "Board") held a public hearing on the 2025 Fourth Round Housing Plan Element and Fair Share Plan on June 9, 2025 during which the document was presented to the public and Board, and opportunity for comments and questions were provided; and

**WHEREAS**, upon the conclusion of the public hearing, the Board determined that the proposed 2025 Fourth Round Housing Plan Element and Fair Share Plan is consistent with the goals and objectives of the Master Plan of the Township of Colts Neck, will guide the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28, and is designed to access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310;

**NOW THEREFORE BE IT RESOLVED**, by motion duly made and seconded, that the Planning Board of the Township of Colts Neck, Monmouth County, State of New Jersey, hereby adopts the 2025 Fourth Round Housing Plan Element and Fair Share Plan.

**BE IT FURTHER RESOLVED** that a written copy of this Resolution certified by the Secretary of the Planning Board to be a true copy to be filed in the office of the Administrative Officer of the municipality, which copy shall be made available to any interested party and available for public inspection during normal business hours.

**BE IT FURTHER RESOLVED** that a proper notice of this decision be published once in the official newspaper of the municipality or in a newspaper in general circulation within the Township.

OFFERED BY: Viola

SECONDED BY: Lutkewitte

ROLL CALL

YES: Torchia Buss, Corsi, Lutkewitte, Sullivan, Viola, Visci, Stivala

NO: Tobia, Taeschler

I hereby certify that this is a true copy of the Planning Board resolution adopting the 2025 Fourth Round Housing Plan Element and Fair Share Plan of the Township of Colts Neck, Monmouth County, State of New Jersey on June 9, 2025.



Krista A. Hill-Kane, Planning Board Secretary