

# Housing Element and Fair Share Plan

*Prepared for:*

**The Borough of Eatontown  
Monmouth County, New Jersey**

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Prepared By:



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## **INTRODUCTION**

In the case of Southern Burlington County NAACP v. the Township of Mount Laurel, (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities in New Jersey have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing in their communities. In its Mount Laurel decision, decided on January 20, 1983 (Mount Laurel II), the Supreme Court expanded the Mount Laurel doctrine by stating that this constitutional responsibility extended to all municipalities in New Jersey. The Court also established various remedies, including the “builder remedy” or court-imposed zoning, to ensure that municipalities affirmatively addressed this obligation.

In response to the Mount Laurel II decision, the New Jersey Legislature adopted the Fair Housing Act in 1985 (Chapter 222, Laws Of New Jersey, 1985). The Fair Housing Act established a Council on Affordable Housing (COAH) as an administrative alternative to the courts. COAH was also given the responsibility of establishing various housing regions in the state, determining regional and municipal fair share affordable housing obligations and adopting regulations establishing the guide lines and approaches that municipalities may use in addressing their affordable housing need.

Under COAH’s regulations, low income households are defined as those with incomes no greater than 50 percent of the median household income, adjusted for household size, of the housing region in which the municipality is located, and moderate-income households are those with incomes no greater than 80 percent and no less than 50 percent of the median household income, adjusted for household size, of the housing region. For the Township of Eatontown, the housing region is defined by COAH as Region 4 and is comprised of Mercer, Monmouth and Ocean counties. In 2024, the Region 4 median income for a four-person household is \$130,054, the moderate-income limit is \$104,0431, the low-income limit is \$65,027, and the very-low-income limit is \$39,016.

Pursuant to both the Fair Housing Act and the Municipal Land Use Law (MLUL), municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to provide for methods of achieving the goal of access to affordable housing to meet the municipality’s low- and moderate-income housing needs. The statutory required contents of the housing element are:

- An inventory of the municipality’s housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
- A projection of the municipality’s housing stock, including the probable future construction of low- and moderate-income housing, for the ten years, taking into

account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;

- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing; and
- A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing.

## **MUNICIPAL SUMMARY**

The Borough of Eatontown is an established residential community that contains approximately 5.9 square miles in the eastern portion of Monmouth County New Jersey. The Borough was originally part of Ocean and Shrewsbury Townships before the Borough became Eatontown in 1873. Originally settled for agricultural uses, Eatontown slowly grew in its population as more people were drawn to its rural character and natural resources. The 20th century brought dramatic changes to the shape and feel of Eatontown Borough. Fort Monmouth, a United States Army Base, operated in Eatontown and neighboring communities, from 1917 until its 2010 closure, based on the mandate of the Base Realignment and Closure (BRAC) Commission; and was a major economic and population driver while it was open. In 1960, Monmouth Mall opened in Eatontown at the intersection of State Highways 35, 36, and Wyckoff Road.

Today, the Borough of Eatontown is a fully developed community. Higher-density single family and multi-family developments are primarily located in the northern section of the Borough, especially located near major roadways such as Route 35 and Route 36. Commercial uses are concentrated along these highly traveled areas as well. These spaces offer a variety of establishments including restaurants, offices, retail shops, and service centers. Public facilities are located throughout the Borough to provide amenities such as public parks, for the community and visitors to enjoy. Eatontown is bordered by Shrewsbury Township to the north, Oceanport and West Long Branch to the east, Ocean Township to the south, and Tinton Falls to the west.

The current year-round population of Eatontown is estimated at 13,537 (ACS 2023 5-year data). Eatontown has a population density of 2,298 persons per square mile. The Borough grew older by 5.7 years between 2000 and 2023, with a current median age of 45.5 years of age. Eatontown's 2023 median household income estimate of \$90,174 was lower than that of the county (\$122,727) and the State (\$101,050).

In the guidelines established by COAH, the Borough of Eatontown is located in affordable housing Region 4 which is comprised of Monmouth, Mercer, and Ocean Counties.

**DEMOGRAPHIC CHARACTERISTICS**

**POPULATION**

In 2023, the Borough of Eatontown had a total population of 13,537. This number represented an increase of 1,342 individuals or 11.0 percent since 2020, when the total population was 12,195 individuals. There was a steady increase of population until 1980 where there was the Borough’s first dip in the population. From 1980-2000, there was a small rise before experiencing a small decrease again from 2000-2020. The total population pattern for Eatontown, Monmouth County, and New Jersey are detailed below.

**TABLE 1: POPULATION TRENDS, 1940-2023**

Year	Eatontown			Monmouth County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1940	1,758	-	-	161,238	-	-	4,160,165	-	-
1950	3,044	1,286	73.1%	225,327	64,089	39.7%	4,835,329	675,164	16.2%
1960	10,334	7,290	239.4%	334,401	109,074	48.4%	6,066,782	1,231,453	25.5%
1970	14,619	4,285	41.4%	461,849	127,448	38.1%	7,171,112	1,104,330	18.2%
1980	12,703	-1,916	-13.1%	503,173	41,324	8.9%	7,365,011	193,899	2.7%
1990	13,800	1,097	8.6%	553,124	49,951	9.9%	7,730,188	365,177	5.0%
2000	14,008	208	1.5%	615,301	62,177	11.2%	8,414,350	684,162	8.9%
2010	12,709	-1,299	-9.2%	628,112	12,811	2.0%	8,721,577	307,227	3.6%
2020*	12,195	-517	-4.0%	620,821	-7,291	1.2%	8,885,418	163,841	1.9%
2023*	13,537	1,342	11.0%	643,615	22,794	3.67%	9,267,014	381,596	4.29%
2050^	13,905	368	2.7%	669,624	48,559	4.0%	-	-	-

Source: U.S. Census Bureau Decennial Census, American Community Survey 5-Year Estimates (table DP05)  
 ^Population Projections from North Jersey Transportation Planning Authority (NJTPA)

**POPULATION COMPOSITION BY AGE**

The age composition of Eatontown has shifted noticeably since 2010. According to American Community Survey 5-Year Estimates, 2023, significant changes occurred in many age groups. The number of teenagers between the ages of 15 to 19 and adults 35 to 44 years old has decreased significantly over this time period. The greatest increase in population was experienced in the years 65 to 74 age cohort and the 60 to 64 years age cohort, followed by the 55 to 59 year age cohort.

**TABLE 2: POPULATION BY AGE COHORT, EATONTOWN, 2010-2023**

Population	2010		2023		Change 2010-2023
	Number	Percent	Number	Percent	
Total population	12,939	100.00%	13,537	100.00%	6.5%
Under 5 years	639	4.9%	736	5.4%	15.2%
5 to 9 years	802	6.2%	772	5.7%	-9.9%
10 to 14 years	766	5.9%	683	5.0%	-10.8%
15 to 19 years	799	6.1%	532	3.9%	-33.4%
20 to 24 years	859	6.6%	704	5.2%	-18.0%
25 to 34 years	1,643	12.7%	1,780	13.1%	8.3%
35 to 44 years	1,963	15.1%	1,455	10.7%	-25.9%
45 to 54 years	2,379	18.3%	2,243	16.6%	-5.7%
55 to 59 years	759	5.8%	1,084	8.0%	42.8%
60 to 64 years	593	4.5%	1,073	7.9%	80.9%
65 to 74 years	714	5.5%	1,365	10.1%	91.1%
75 to 84 years	689	5.3%	742	5.5%	7.6%
85 years and over	334	2.5%	368	2.7%	10.2%
U.S. Census Bureau ACS 2023 5- Year Estimates (table DP-05)					

Monmouth County also experienced shifts in the age make-up of its population. The County experienced a significant decrease in children under the age of 18. The 20 to 34-year-old and 55 and over age cohorts also experienced population increases between 2010 and 2023, with the largest increases in the older age cohorts, suggesting that the County, like the Borough, has an aging population.

**TABLE 3: POPULATION BY AGE COHORT, MONMOUTH COUNTY, 2010-2023**

Population	2010		2023		Change 2010-2022
	Number	Percent	Number	Percent	
Total population	628,112	100.0%	643,615	100.0%	2.5%
Under 5 years	36,105	5.7%	32,114	4.9%	-11.05%
5 to 9 years	43,432	6.9%	37,013	5.7%	-14.8%
10 to 14 years	45,172	7.2%	39,484	6.1%	-12.6%
15 to 19 years	44,706	7.1%	42,163	6.5%	-5.7%
20 to 24 years	33,055	5.3%	37,390	5.8%	13.1%
25 to 34 years	63,105	10.0%	70,569	10.9%	11.8%
35 to 44 years	93,461	14.9%	75,860	11.8%	-18.8%
45 to 54 years	108,675	17.3%	88,083	13.3%	-18.9%
55 to 59 years	42,594	6.8%	50,654	7.9%	18.9%
60 to 64 years	34,235	5.5%	50,797	7.9%	48.4%
65 to 74 years	41,719	6.6%	71,107	11.0%	70.4%
75 to 84 years	29,301	4.7%	33,953	5.3%	15.9%
85 years and over	12,552	2.0%	14,428	2.1%	14.9%
U.S. Census Bureau American Community Survey 5-Year Estimates (table DP-05)					

The median age of Eatontown residents has decreased by 5.7 years between 2010 and 2023. While the State and County have experienced increases in median age and the Borough experienced the highest increase between 2010 and 2023 and exhibits the highest median age of the three populations.

**TABLE 4: MEDIAN AGE**

Year	Eatontown	Monmouth County	New Jersey
2010	39.8	40.6	38.5
2023	45.5	43.2	40.1
Change	5.7	2.6	1.6
U.S. Census Bureau, 2000 Decennial Census (table DP-1)			
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table B01002)			

## **HOUSEHOLDS**

A household is defined as one or more persons, either related or not, living together in a housing unit. 2023 ACS 5-Year Estimates note that there were approximately 5,856 households in the Borough. Approximately 62.4% percent of all Borough households were comprised of one or two persons, with 37.5% comprising of one-person households. While one- and two-person household also comprise the majority of County households at 58.9%, Eatontown has fewer larger households than the County overall. The Borough’s average household size was 2.28, which is smaller than the County’s average household size of 2.55.

**TABLE 5: HOUSEHOLD CHARACTERISTICS  
EATONTOWN AND MONMOUTH COUNTY, 2023**

	Borough		County	
	Number	Percent	Number	Percent
<b>Total Households</b>	<b>5,856</b>	<b>100.0%</b>	<b>250,195</b>	<b>100.0%</b>
1-person	2,197	37.5%	66,589	26.0%
2-persons	1,615	27.6%	81,289	32.9%
3-persons	944	16.1%	40,929	16.4%
4 or more persons	1,100	18.8%	61,388	24.5%
<b>Average Household Size</b>	<b>2.28</b>		<b>2.55</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (tables S2501 & B25010)				

Family households are defined as two or more persons living in the same household, related by blood, marriage or adoption. Households in Eatontown are mainly family households (54.4%). Approximately 42 percent of all family households were family households with married couple householders, while 10.9 percent of family households respectively were family households consisting of single female householders and 1.5 percent for single male householders. The average family size was 3.16 persons. The

average non-family household size was 1.17 persons.

**TABLE 6: HOUSEHOLDS BY TYPE (2023)**

Households	Total	Percent
		5,856
<b>Average Household Size</b>	<b>2.28</b>	
<b>Average Non-Family Household Size</b>	<b>1.17</b>	
<b>Family households</b>	<b>3,191</b>	<b>54.4%</b>
Married Couple Family	2,465	42.0%
With own children under 18 years	906	15.4%
No children under 18 years	1,559	26.6%
<b>Other Family</b>		
Male householder, no spouse present	86	1.5%
With own children under 18 years	24	0.4%
No own children under 18 years	60	1.1%
Female householder, no spouse present	640	10.9%
With own children under 18 years	272	4.6%
No own children under 18 years	368	6.2%
<b>Nonfamily Households</b>	<b>2,665</b>	<b>45.5%</b>
<b>Average Family Size</b>	<b>3.16</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table S1101)		

**INCOME**

Eatontown experienced a 17.7 percent increase in per capita income between 2010 and 2023, which was lower than Monmouth County’s 41.1 percent increase, and lower than the State’s 33.9 percent increase over the same period. Eatontown’s 2023 per capita income of \$41,434 was less than the County’s \$57,836, and the State’s \$46,691.

**TABLE 7: PER CAPITA INCOME AND MEDIAN HOUSEHOLD INCOME**

	2010 Per Capita Income	2023 Per Capita Income	Percent Change	2010 Median Household Income	2023 Median Household Income	Percent Change
Eatontown	\$35,200	\$41,434	17.7%	\$60,188	\$90,174	49.8%
Monmouth	\$40,976	\$57,836	41.1%	\$82,265	\$122,727	49.1%
New Jersey	\$34,858	\$46,691	33.9%	\$69,811	\$101,050	44.7%
U.S. Census Bureau, 2000 Decennial Census (tables DP-3 and P082)						
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (tables S1902 and S1903)						

The income distribution for the Borough deviates from that of the County. The income bracket containing the highest percentage of households for both Eatontown and Monmouth County is the \$100,000 to \$149,000 range, however, the County (27.7%) had a higher

percentage of households in this bracket than Eatontown (17.9%) did. The income brackets containing the next highest percentages of households were the \$75,000 to \$99,000 range (15.1%), followed by the \$200,000 or more range (12.70%) for Eatontown and the \$200,000 or more range (27.7%), followed by the \$150,000 to \$199,999 range (13.6%) for the County. The median income in Eatontown was \$90,174 approximately \$20,182 less than the county median household income, and about \$471 more than the state median household income. Between 2010 and 2023, the median household income increased 49.8 percent, higher than the 34.1 percent growth rate experienced in Monmouth County and higher than the 28.5 percent increase for the State overall.

**TABLE 8: HOUSEHOLD INCOME DISTRIBUTION  
EATONTOWN AND MONMOUTH COUNTY, 2023**

	Eatontown		Monmouth County	
	Number	Percent	Number	Percentage
<b>Total Households</b>	<b>5,856</b>	<b>100.0%</b>	<b>250,195</b>	<b>100.0%</b>
Less than \$10,000	256	4.3%	8,165	3.2%
\$10,000 to \$14,999	133	2.2%	5,319	2.1%
\$15,000 to \$24,999	296	5.0%	10,781	4.3%
\$25,000 to \$34,999	669	11.4%	10,705	4.3%
\$35,000 to \$49,999	615	10.5%	17,390	6.9%
\$50,000 to \$74,999	664	11.3%	25,153	10.05%
\$75,000 to \$99,999	885	15.1%	25,542	10.2%
\$100,000 to \$149,999	1,051	17.9%	43,917	17.5%
\$150,000 to \$199,999	539	3.2%	33,996	13.6%
\$200,000 or more	748	12.7%	69,227	27.7%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table B19001)				

**HOUSEHOLD COSTS**

The tables below show housing expenditures for owner- and renter-occupied units in Eatontown in 2023. The first table shows the housing costs of owner occupants with a mortgage as a percentage of total income. A total of 564 households (17.6%) were devoting more than 30 percent of their annual income to housing costs. The State affordability threshold for housing as a percent of income suggests that not more than 28 percent of gross income should be allocated for housing costs.

The second table shows rental costs as a percentage of household income. A total of 1,330 households renting in Eatontown, or 50 percent, were spending over 30 percent of their incomes on rent. The State affordability threshold for housing as a percent of income suggests that not more than 30 percent of gross income should be allocated for rent.

**TABLE 9: MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME, 2023**

	Eatontown		Monmouth County	
	Number	Percent	Number	Percent
Total Owner-Occupied Housing Units with a Mortgage	3,198	100.0%	121,452	100.0%
Less than 15%	315	9.8%	27,233	22.4%
15 to 19%	335	10.5%	23,882	19.66%
20 to 24%	277	8.6%	19,772	16.3%
25 to 29%	298	9.3%	13,459	11.08%
30 to 34%	101	3.1%	8,293	6.8%
35% or more	463	14.5%	28,203	23.2%
Not computed	0	0.0%	610	0.5%

U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table B25091)

**TABLE 10: GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME, 2023**

	Eatontown		Monmouth County	
	Number	Percentage	Number	Percentage
Total Renter-Occupied Housing Units	2,658	100.0%	61,617	100.0%
Less than 15%	251	9.4%	7,106	11.5%
15 to 19%	287	10.8%	6,970	11.3%
20 to 24%	457	17.1%	6,927	11.2%
25 to 29%	225	8.5%	6,419	10.4%
30 to 34%	124	4.7%	4,751	7.7%
35% or more	1,206	45.3%	26,025	42.2%
Not computed	108	4.0%	3,419	5.5%

U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table B25070)

## EXISTING HOUSING CONDITIONS

### HOUSING UNIT DATA

Eatontown’s housing stock is predominantly owner occupied and relatively old. According to the 2023 ACS, the Borough had a total of 6,217 occupied housing units. Most occupied units (54.6%) were owner-occupied, while 45.4 percent were renter-occupied. Housing construction has slowed since peaking in the decade between 1960-1969, however a large number of housing units were also constructed in the decades between 1970-1990. Most of the housing structures (60.3%) were built before 1980.

**TABLE 11: HOUSING UNIT DATA, 2023**

<b>Housing Units in Eatontown</b>	<b>Number</b>	<b>Percent</b>
Total Housing Units	6,217	100.0%
Vacant Housing Units	361	5.8%
Occupied Housing Units	5,856	94.2%
Owner Occupied	3,198	54.6%
Renter Occupied	2,658	45.4%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)		

	<b>Number</b>	<b>Percent</b>
Built 1939 or earlier	224	3.6%
Built 1940 to 1949	341	5.5%
Built 1950 to 1959	974	15.7%
Built 1960 to 1969	1,319	21.2%
Built 1970 to 1979	1,094	17.6%
Built 1980 to 1989	1,039	16.7%
Built 1990 to 1999	452	7.3%
Built 2000 to 2009	429	6.9%
Built 2010 or later	762	12.3%
<b>Total</b>	<b>6,217</b>	<b>100.0%</b>
<b>Median Year Structure Built</b>	<b>1972</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04 and B25035)		

**HOUSING TYPE AND SIZE**

The housing stock in Eatontown is generally divided into three different unit types. Single-family detached homes comprise approximately 39.5% percent of the Borough’s housing stock, while a further 12.7 percent of all units were single-family attached homes. Multi-family residences with 10 to 19 units made up 14.9 percent of the units in Eatontown. The median number of rooms per unit was 4.7.

**TABLE 12: HOUSING UNITS BY TYPE, 2023**

Units in Structure	Total	Percent
Total	6,217	100%
1 Unit, detached	2,456	39.5%
1 Unit, attached	792	12.7%
2 Units	134	2.2%
3 or 4 Units	453	7.3%
5 to 9 Units	635	10.2%
10 to 19 Units	929	14.9%
20 Units or more	594	9.6%
Mobile home	224	3.6%
Boat, RV, van, etc.	0	0.0%
Rooms	Total	Percent
1 room	236	3.8%
2 rooms	116	1.9%
3 rooms	1,136	18.3%
4 rooms	1,404	22.6%
5 rooms	883	14.2%
6 or more rooms	2,442	39.3%
<b>Median number of rooms</b>	<b>4.7</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (DP04)		

**HOUSING VALUES AND CONTRACT RENTS**

According to ACS 2023 5-Year Estimates, most housing units in Eatontown (43.1%) were valued between \$300,000 to \$499,999. Table 13 provides a breakdown of home values for owner-occupied units within the Borough. Only 303 owner-occupied housing units in Eatontown were worth less than \$100,000. The median value of an owner-occupied housing unit was \$454,300 at the time of the survey.

**TABLE 13: VALUE OF OWNER-OCCUPIED HOUSING UNITS, 2023**

	Eatontown		Monmouth County	
	Number	Percentage	Number	Percentage
<b>Total</b>	<b>3,198</b>	<b>100.0%</b>	<b>188,578</b>	<b>100%</b>
Less than \$50,000	133	4.2%	3,202	1.7%
\$50,000 to \$99,999	170	5.3%	2,703	1.4%
\$100,000 to \$149,999	79	2.5%	1,760	0.9%
\$150,000 to \$199,999	59	1.8%	2,797	1.4%
\$200,000 to \$299,999	98	3.1%	12,780	6.8%
\$300,000 to \$499,999	1,377	43.1%	55,119	29.2%
\$500,000 and greater	1,282	40.1%	110,217	58.4%
<b>Median Value</b>	<b>\$454,300</b>		<b>\$566,500</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)				

With respect to renter-occupied units, there are a range of rents, with most rental units in the Borough carrying rental costs within the \$1,500 to \$1,999 range per month. At the time of the ACS 5-Year Estimates, the median gross rent in Eatontown was \$2,785. 262 units in the Borough carried rental costs less than \$1,000 per month, and 2.4 percent of units did not require cash rent payments.

**TABLE 14: GROSS RENT PAID**

	Eatontown		Monmouth County	
	Number	Percentage	Number	Percentage
Total Renter Occupied Units	2,595	100.0%	59,223	100%
Less than \$500	148	5.7%	4,045	6.8%
\$500 to \$999	114	4.4%	3,453	5.8%
\$1,000 to \$1,499	786	30.3%	13,711	23.1%
\$1,500 to \$1,999	1254	48.3%	15,499	26.1%
\$2,000 to \$2,499	178	6.9%	10,920	18.4%
\$2,500 to \$2,999	80	3.1%	6,150	10.3%
\$3,000 or more	35	1.3%	5,445	9.1%
No cash rent	63	2.4%	2,394	4.0%
<b>Median Contract Rent</b>	<b>\$2,785</b>		<b>\$1,771</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)				

**HOUSING CONDITIONS**

According to the 2023 ACS, there were a minimal number of units exhibiting overcrowding (more than one person per room), lacking complete plumbing facilities or lacking complete kitchen facilities. Table 15 details the condition of housing within Eatontown based on plumbing facilities, kitchen facilities, and overcrowding. These factors are utilized in determining housing deficiency and general housing problems and are used as the basis to calculate the municipal rehabilitation obligation. According to the data, 1.8 percent of occupied housing units experienced over-crowding, while 0.0 percent of occupied units lacked complete plumbing facilities and 0.4 percent of units lacked complete kitchen facilities.

**TABLE 15: HOUSING DEFICIENCY CHARACTERISTICS**

	Count	Percent
<b>Housing Units with 1.01 or More Persons Per Room</b>		
1.01 to 1.5 occupants per room	21	0.4%
1.51 or more occupants per room	88	1.5%
<b>Plumbing Facilities</b>		
Total Occupied Housing Units	5,856	100.0%
Lacking complete plumbing facilities	0	0.0%
<b>Kitchen Equipment</b>		
Total Occupied Housing Units	5,856	100.0%
Lacking complete kitchen facilities	25	0.4%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)		

**PROJECTED HOUSING STOCK**

According to New Jersey Department of Community Affairs, Eatontown has issued building permits for 533 residential dwelling units between 2000 and 2023. During that same time period, the Borough issued 125 residential demolition permits, adding a total of 408 dwelling units over this time period. Building permit data by year is summarized in Table 16 below.

**TABLE 16: BUILDING PERMITS AND DEMOLITION PERMITS ISSUED, 2000 - 2023**

Year	Building Permits				Demolition Permits	Total Units Added
	1&2 Family	Multifamily	Mixed Use	Total		
2000	-	-	-	3	1	2
2001	-	-	-	39	2	37
2002	-	-	-	51	4	47
2003	-	-	-	18	2	16
2004	53	0	0	53	1	52
2005	17	0	0	17	4	13
2006	5	0	0	5	5	0
2007	5	72	0	77	3	74
2008	5	46	0	51	2	49
2009	4	0	0	4	6	-2
2010	0	0	0	0	36	-36
2011	3	0	0	3	27	-24
2012	2	0	0	2	14	-12
2013	23	0	0	23	5	18
2014	47	0	0	47	2	45
2015	32	7	0	39	3	36
2016	34	0	0	34	0	34
2017	8	0	0	8	3	5
2018	7	0	0	7	2	5
2019	20	0	0	20	0	20
2020	1	0	0	1	0	1
2021	5	8	0	13	0	13
2022	8	4	0	12	3	9
2023	6	0	0	6	0	6
<b>Total</b>	<b>285</b>	<b>137</b>	<b>0</b>	<b>533</b>	<b>125</b>	<b>408</b>

## EMPLOYMENT DATA

The 2023 ACS reports on work activity of residents aged 16 years and older. While the Borough’s working age population was 11,283 residents, Eatontown had an approximate labor force of 7,697 residents. Approximately 31.8 percent of the Borough’s working age residents were not participating in the labor force at the time of the estimates. The vast majority of the Borough’s labor force was employed in civilian jobs, while only 0.3 percent of residents reported being members of the armed forces. Approximately 5.7 percent of Borough residents reported being unemployed.

**TABLE 17: EMPLOYMENT STATUS**

	Eatontown		Monmouth County	
	Number	Percent	Number	Percent
Population 16 years and over	11,283	100.0%	529,352	100.0%
In labor force	7,697	68.2%	349,815	66.08%
Civilian Labor Force	7,659	67.9%	349,355	65.9%
Employed	7,019	62.2%	331,018	62.5%
Unemployed	640	5.7%	18,337	3.1%
Armed Forces	38	0.3%	460	0.1%
Not in labor force	3,586	31.8%	176,537	33.3%

U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)

More than three quarters of the Borough’s workers were employed in private wage and salary positions, while 6.1 percent of workers are self-employed. Government workers comprise about 11.5 percent of the Borough’s workforce. Table 18 provides a breakdown of worker classifications.

**TABLE 18: CLASSIFICATION OF WORKERS IN EATONTOWN, 2023**

	Number	Percent
Total	7,019	100.0%
Private Wage and Salary Worker	5,784	82.4%
Government Worker	804	11.5%
Self-Employed Worker	431	6.1%
Unpaid Family Worker	0	0.0%

U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)

An analysis of employees (over the age of 16) by economic sector indicates that employed working age individuals in Eatontown were involved in a range of economic sectors. As depicted in Table 19 below, the highest concentration of workers (22.4%) are employed in the educational, health care, and social services sectors. The professional scientific, management, administrative and waste management services and retail trade sectors employ 13.4 and 9.7 percent of the Borough’s workforce and employ the next highest

concentrations of Borough workers respectively.

**TABLE 19: WORKFORCE BY SECTOR**

<b>Sector</b>	<b>Number</b>	<b>Percent</b>
Civilian employed population 16 years and over	7,019	100.0%
Agriculture, forestry, fishing and hunting, mining	0	0.0%
Construction	646	9.2%
Manufacturing	579	8.2%
Wholesale Trade	134	1.9%
Retail Trade	678	9.7%
Transportation and Warehousing, and Utilities	296	4.2%
Information	296	4.2%
Finance and insurance, and real estate and rental and leasing	604	8.6%
Professional, scientific, and management, and administrative and waste management services	938	13.4%
Educational services, and health care and social assistance	1,572	22.4%
Arts, entertainment, and recreation, and accommodation and food services	557	7.9%
Other Services, except public administration	552	7.9%
Public administration	167	2.4%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)		

Table 20 provides a percentage comparison of the Borough's workforce against that of the County. The Borough's profile of employment by sector generally mirrors that of the County. The three (3) sectors employing the largest number of civilian residents are the same in both the Borough and the County. However, a higher percentage of the Borough's workforce is employed in the construction and manufacturing sectors; while a higher percentage of the County's workforce was employed in the finance and insurance, and real estate and rental and leasing sectors.

**TABLE 20: COMPARISON OF WORKFORCE BY SECTOR  
EATONTOWN AND MONMOUTH COUNTY, 2023**

Sector	Eatontown	Monmouth County
Civilian employed population 16 years and over	7,019	331,018
Agriculture, forestry, fishing and hunting, mining	0.0%	0.4%
Construction	9.2%	6.9%
Manufacturing	8.2%	6.2%
Wholesale Trade	1.9%	2.4%
Retail Trade	9.7%	10.4%
Transportation and Warehousing, and Utilities	4.2%	4.4%
Information	4.2%	3.2%
Finance and insurance, and real estate and rental and leasing	8.6%	10.3%
Professional, scientific, and management, and administrative and waste management services	13.4%	15.5%
Educational services, and health care and social assistance	22.4%	24.3%
Arts, entertainment, and recreation, and accommodation and food services	7.9%	7.7%
Other Services, except public administration	7.9%	3.7%
Public administration	2.4%	4.3%
U.S. Census Bureau, American Community Survey 2023 5 Year Estimates (table DP03)		

Table 21 provides a breakdown of occupations by type for the Borough’s employed civilian labor force. Approximately 41.9 percent of the Borough’s employed civilian labor force was employed in management, business, science and arts occupations, and an additional 20.3 percent of the Borough's employed work force worked in sales and office occupations.

**TABLE 211: OCCUPATIONS BY TYPE**

Occupation	Number	Percent
Employed Civilian population 16 years and over	7,019	100.0%
Management, business, science and arts occupations	2,938	41.9%
Service occupations	1,123	16.0%
Sales and office occupations	1,427	20.3%
Natural resources, construction and maintenance occupations	856	12.2%
Production Transportation and material moving occupations	675	9.6%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)		

As indicated in Table 22 below, it is projected that Monmouth County will add 21,400 jobs by 2032. The Ambulatory Health Care Services, Transportation and Warehousing, and

Information sectors are poised to experience the greatest increase in number of jobs over the course of the projection period.

**TABLE 22: PROJECTED EMPLOYMENT, MONMOUTH COUNTY, 2032**

Industry Title	2022 Actual Employment	2032 Projected Employment	Numeric Change	Annual Growth Rate	Percent Change	Outlook
Mining	0	50	13.6	0.0	0.0%	Stable
Utilities	16,250	16,900	650	4.1	4.0%	Growing
Construction	1,300	1,400	100	6.9	7.8%	Growing
Manufacturing	9,700	10,250	550	5.9	5.6%	Growing
Wholesale Trade	8,900	9,200	300	3.5	3.3%	Growing
Retail Trade	36,450	36,700	250	0.7	1.5%	Growing
Transportation and Warehousing	6,100	7,100	1,000	16.6	16.3%	Growing
Postal Service	1,050	1,000	-50	-6.8	-4.7%	Declining
Information	6,050	6,950	900	14.8	14.8%	Growing
Finance and Insurance	10,950	11,050	100	0.9	0.9%	Growing
Real Estate and Rental and Leasing	4,150	4,300	150	4.0	3.6%	Growing
Professional, Scientific, and Technical Services	21,850	22,650	800	3.9	3.6%	Growing
Management of Companies and Enterprises	4,150	4,800	650	15.3	15.7%	Growing
Administrative and Support and Waste Management and Remediation Services	14,650	15,450	800	5.4	5.4%	Growing
Educational Services	25,800	27,350	1,550	6.0	6.0%	Growing
Health Care and Social Assistance	51,200	57,750	6,550	12.7	12.7%	Growing
Ambulatory Health Care Services	24,450	29,550	5,100	20.8	20.9%	Growing
Hospitals	11,250	11,600	350	3.2	3.1%	Growing
Nursing and Residential Care Facilities	8,150	8,400	250	3.0	3.1%	Growing
Social Assistance	7,350	8,200	850	11.4	11.5	Growing
Arts, Entertainment, and Recreation	8,150	9,700	1,550	19.4	13.9%	Growing
Accommodation and Food Services	28,750	30,650	1,900	6.7	6.6%	Growing
Other Services (except Government)	14,150	15,450	1,300	9.1	9.2%	Growing
Government	14,350	15,150	800	5.3	5.5%	Growing
Total Federal Government Employment	1,950	1,900	-50	-3.3	-2.5%	Declining
State Government, Excluding Education and Hospitals	1,300	1,200	-100	-7.3	-7.6%	Declining
Local Government, Excluding Education and Hospitals	11,100	12,050	950	8.3	8.6%	Growing
Federal Government, Excluding Post Office	900	900	0	0.8	0	Stable
Total Self Employed and Unpaid Family Workers, All Jobs	18,700	19,950	1,250	6.5	6.6%	Growing
<b>Total All Industries</b>	<b>302,150</b>	<b>323,550</b>	<b>21,400</b>	<b>7.1</b>	<b>7.0%</b>	<b>Growing</b>

<i>Source: 2022-2032 Industry Employment Projections, NJ Department of Labor and Workforce Development</i> Industry Title	2022 Actual Employment	2032 Projected Employment	Numeric Change	Annual Growth Rate	Percent Change	Outlook
Mining	0	50	13.6	0.0	0.0%	Stable
Utilities	16,250	16,900	650	4.1	4.0%	Growing
Construction	1,300	1,400	100	6.9	7.8%	Growing
Manufacturing	9,700	10,250	550	5.9	5.6%	Growing
Wholesale Trade	8,900	9,200	300	3.5	3.3%	Growing
Retail Trade	36,450	36,700	250	0.7	1.5%	Growing
Transportation and Warehousing	6,100	7,100	1,000	16.6	16.3%	Growing
Postal Service	1,050	1,000	-50	-6.8	-4.7%	Declining
Information	6,050	6,950	900	14.8	14.8%	Growing
Finance and Insurance	10,950	11,050	100	0.9	0.9%	Growing
Real Estate and Rental and Leasing	4,150	4,300	150	4.0	3.6%	Growing
Professional, Scientific, and Technical Services	21,850	22,650	800	3.9	3.6%	Growing
Management of Companies and Enterprises	4,150	4,800	650	15.3	15.7%	Growing
Administrative and Support and Waste Management and Remediation Services	14,650	15,450	800	5.4	5.4%	Growing
Educational Services	25,800	27,350	1,550	6.0	6.0%	Growing
Health Care and Social Assistance	51,200	57,750	6,550	12.7	12.7%	Growing
Ambulatory Health Care Services	24,450	29,550	5,100	20.8	20.9%	Growing
Hospitals	11,250	11,600	350	3.2	3.1%	Growing
Nursing and Residential Care Facilities	8,150	8,400	250	3.0	3.1%	Growing
Social Assistance	7,350	8,200	850	11.4	11.5	Growing
Arts, Entertainment, and Recreation	8,150	9,700	1,550	19.4	13.9%	Growing
Accommodation and Food Services	28,750	30,650	1,900	6.7	6.6%	Growing
Other Services (except Government)	14,150	15,450	1,300	9.1	9.2%	Growing
Government	14,350	15,150	800	5.3	5.5%	Growing
Total Federal Government Employment	1,950	1,900	-50	-3.3	-2.5%	Declining
State Government, Excluding Education and Hospitals	1,300	1,200	-100	-7.3	-7.6%	Declining
Local Government, Excluding Education and Hospitals	11,100	12,050	950	8.3	8.6%	Growing
Federal Government, Excluding Post Office	900	900	0	0.8	0	Stable
Total Self Employed and Unpaid Family Workers, All Jobs	18,700	19,950	1,250	6.5	6.6%	Growing
<b>Total All Industries</b>	<b>302,150</b>	<b>323,550</b>	<b>21,400</b>	<b>7.1</b>	<b>7.0%</b>	<b>Growing</b>

*Source: 2022-2032 Industry Employment Projections, NJ Department of Labor and Workforce Development*

## **Lands Most Appropriate for Affordable Housing**

An analysis was conducted to determine which areas of the Borough could accommodate developments that address affordable housing need. This analysis reviews the Borough's existing zoning and planned zoning changes, and outlines the Borough's capacity to accommodate residential and non-residential growth projections. The following are included:

- An analysis of the available existing and planned infrastructure;
- The projected demand for types of uses permitted by zoning based on present and anticipated future demographic characteristics of the Borough and anticipated land use patterns; and
- Factors, such as environmental conditions, that present constraints on development.

### **Infrastructure**

#### *Water and Sewer*

The Borough of Eatontown is located within public water and sewer service areas. Sewer service is provided by the Eatontown Sewerage Authority to the entire Borough. The Eatontown Sewerage Authority is responsible for all the collection and management of the wastewater. The Authority operates and maintains local infrastructure, and transport and treatment. Public water is received from New Jersey American Water, which distributes the water for use.

### **Anticipated Demand and Land Use Patterns**

The Borough of Eatontown contains residential neighborhoods, commercial development, and public uses with very limited vacant land. According to NJTPA population estimates projected to 2050, it is anticipated that the Borough's population will grow to be approximately, 13,905 people (2.7 percent increase from 2023). As a fully built-out municipality, it is anticipated that the Borough will need to accommodate future population and employment growth as opportunities for redevelopment arise.

#### *Residential*

Currently, the Borough is predominantly zoned for Single Family housing in zones R-32, R-32TH, R-32FRD, R-20, R-20 RSC, R-20/R-TH/SCH, R-10, R-10A, R-10B, R-10 MH, and R-MLC. Additional zone MU-OO, as well as the Monmouth Mall Redevelopment Area, Downtown Redevelopment Area, and Fort Monmouth provide opportunities for mixed-use development to integrate residential, commercial and recreational spaces. The Borough has opportunities to allow and encourage mixed-use development in its downtown area near commercial uses, permitting multifamily uses in areas potentially designated as

mixed-use districts.

### *Non-Residential*

Eatontown has a number of commercial, business and office uses located throughout the Borough along transportation corridors including State Highway 35, State Highway 36, and Industrial Way.

### **Environmental Constraints**

Eatontown contains several different preserved environmental features that provide a variety of opportunities for active and passive recreational activities. This includes the F. Bliss Price Arboretum and Wildlife Sanctuary, community parks, and recreational areas for the community to enjoy. Additionally, Eatontown has areas of wetlands, wooded areas, creeks, brooks, and streams, that flow through the Borough. Environmental constraints are generally a major source of development constraint in Eatontown.

### **Historic**

There is one (1) property in Eatontown eligible to be listed on the State or National Register of Historic Places. This one location is St. James Memorial Church of Eatontown, located on 69 Broad Street. This property is located in the northern central portion of the Borough. The Eatontown Historical Museum is located nearby at 75 Broad Street. The Borough also has a Historic District, located in the area between Main Street and Brynes Lane, and along South Street. However, historic status is not generally a major source of development constraint in Eatontown.

### **Existing Land Use Designations**

The Borough's land use designations have been continually examined and updated through the Master Plan Reexamination process. The last Reexamination Report was adopted in 2023.

The following districts comprise the Borough's **residential zones**:

#### *R-32, R-32 FRD, R-20 Residence*

The Borough has established the R-32, R-32FRD, R-20 and Residence Zone Districts. The R-32, R-20 and R-32FRD all contain the same permitted principle, accessory, and conditional uses. Permitted principle uses include: One-Family Dwellings; Farm operations; public and private Schools; Places of Worship; and Municipal Parks, Playgrounds, and Buildings; Golf Courses.

*R-32TH Residence Zone*

The Borough has established the R-32TH Residence Zone District. Permitted principle uses include: All uses permitted in the R-32 Zone in accordance with the standards and requirements therein plus townhouse, patio homes, quadplex and zero lot line home developments in accord with the standards and requirements of § 89-44B(11).

*R-20 RSC Residence Zone*

The Borough has established the R-20 RSC Residence Zone District. Permitted principle uses include Senior citizen housing projects.

*R-20/R-TH/SCH Age Restricted Residence*

The Borough has established the R-20/R-TH/SCH Age Restricted Residence Zone District. Permitted principle uses include a contiguous residential cluster of townhouses for senior citizens.

*R-10 Residence Zone*

The Borough has established the R-10 Residence Zone District. Permitted principle uses include: One-Family Dwellings; Farm operations; public and private Schools; Places of Worship; and Municipal Parks, Playgrounds, and Buildings; Quasi-Public Buildings and Recreation Areas.

*R-10A, R-10B and R-10MH Residence*

The Borough has established the R-10A, R-10B, and R-10MH Zone Districts. R-10A, R-10B, and R-10MH all contain the same permitted principle, accessory, and conditional uses. Permitted principle uses include: One-Family Dwellings; Farm operations; public and private Schools; Places of Worship; and Municipal Parks, Playgrounds, and Buildings; Golf Courses and in R-10MH, mobile home parks are permitted.

*R-MLC Residential- Mount Laurel Contribution*

The Borough has established the R-MLC Residence Zone District. Permitted principle uses include: One-Family Dwellings.

*R-TH/MLC Residential Townhouse/Mount Laurel Contribution (R-TH/MLC) District*

The Borough has established the R-TH/MLC Residential Townhouse/Mount Laurel Contribution (R-TH/MLC) District. Principle Permitted uses include: Residential cluster of townhouse dwelling units; Community residences for the developmentally disabled in accordance with N.J.S.A. 40:55D-66.1; Family day-care homes in accordance with N.J.S.A. 40:55D-66.5a; and Structures or land used by the Borough of Eatontown for public purpose.

*R-MF-AH Multifamily Affordable Housing Overlay Zone*

The Borough has established the R-MF-AH Multifamily Affordable Housing Overlay Zone. The purpose of the R-MF-AH Multifamily Affordable Housing Overlay Zone is to permit the

development of planned multifamily housing with inclusionary low- and moderate-income housing units on parcels of land that are designated for such use within the Eatontown Borough Master Plan Land Use Plan Element. Development within the R-MF-AH Overlay Zone shall permit multifamily housing to be constructed as condominiums as an optional use to underlying residential, business or industrial zoning district regulations. Multifamily residential uses developed within this zone shall include affordable housing units for low- and moderate-income families in accordance with the growth share requirements of N.J.A.C. 5:94 in order to better promote the general welfare and to create a realistic opportunity for the construction of low- and moderate-income housing in accordance with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. and the New Jersey Council on Affordable Housing Rules, N.J.A.C. 5:92 through N.J.A.C. 5:95. Principle permitted uses include: Multifamily developments to be constructed as condos; Community residences for the developmentally disabled in accordance with N.J.S.A. 40: 55D-66.1; Structures or land used by the Borough of Eatontown for public purposes.

#### *R-MF-AH-2 Affordable Housing-2 Zone*

The Borough has established the R-MF-AH-2 Multifamily Affordable Housing Overlay Zone 2. The purpose of the R-MF-AH-2 Multifamily Affordable Housing-2 Zone is to permit the development of multifamily affordable housing and affordable alternative living arrangements in accordance with the recommendations of the Borough of Eatontown Master Plan. All alternative living arrangements and multifamily residential uses developed within this zone shall be exclusively affordable housing units for low- and moderate-income households in accordance with the requirements of the substantive rules of the New Jersey Council on Affordable Housing (N.J.A.C. 5:94) in order to create a realistic opportunity for the construction of low- and moderate-income housing within the Borough in accordance with the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). Principle permitted uses include: Affordable housing constructed as rental apartment dwelling units and/or as alternative living arrangements and in accordance with the Borough of Eatontown Master Plan; and Structures or land used by the Borough of Eatontown for public purposes.

#### *R-TH/SCH Overlay Zone*

Development in R-TH/SCH Overlay Zone. In the R-TH/SCH Overlay Zone, a developer may develop a contiguous residential cluster of townhouses in accordance with these standards and regulations. All housing developed under the provisions of the R-TH/SCH Overlay Zone shall qualify as housing for older persons within the meaning of the United States Fair Housing Act. Property developed under the terms of the R-TH/SCH overlay shall be used solely as housing for older persons. The permanent residents of the development shall be restricted to residents who are at least 55 years of age or over and a husband or wife under the age of 55 years who is residing with his/her spouse who is 55 years of age or over. No persons under the age of 18 shall be permitted as permanent residents.

Certain zones in Eatontown **permit housing as a principle use along with a number of other non-residential uses**, as summarized below:

**B-2MH Business Mobile Home Park**

The Borough has established the B-2MH Business Mobile Home Zone District. Permitted principle uses include: All uses permitted in the B-1 and B-2 Zones; Mobile home parks in accordance with the standards set forth in § 89-44B(9).

Certain zones in Eatontown **do not permit housing as a permitted or conditional use**, as summarized below:

*B-1 Business*

The Borough has established the B-1 Business Zone District. Permitted principle uses include: Retail sales; Personal services; Indoor movie theaters; Bus stations and taxi stands; Banks, post office, business, municipal, public utility, and professional offices; Buildings with mixed uses that are permitted within the B-1 Zone; Restaurants and taverns; Child day-care services and children's play areas; Public parking lots or garages (commercial); Public utilities; Health care testing service facility; and Ambulatory health care facility.

*B-2 Business*

The Borough has established the B-2 Business Zone District. Permitted principle uses include: Retail sales; Personal services; Indoor movie theaters; Banks, post office, business, municipal, public utility, and professional offices; Buildings with mixed uses that are permitted within the B-2 Zone; Restaurants and taverns; Health clubs; Health care testing service facility; Ambulatory health care facility; Child day-care services and children's play areas; Public parking lots or garages (commercial); Public utilities; Hotels and motels; and Auto repair and gasoline stations.

*B-3 Business*

The Borough has established the B-3 Business Zone District. Permitted principle uses include: Retail sales; Personal services; Indoor movie theaters; Banks, post office, business, municipal, public utility, and professional offices; Buildings with mixed uses that are permitted within the B-3 Zone; Restaurants and taverns; Public parking lots or garages (commercial); Bowling alleys; Regional enclosed planned shopping centers; Health care testing service facility; Ambulatory health care facility; and Public utilities.

*B-4 Business*

The Borough has established the B-4 Business Zone District. Permitted principle uses include: Retail sales; Personal services; Buildings with mixed uses that are permitted within the B-4 Zone; Business and professional offices; Restaurants; Health care testing service facility; Ambulatory health care facility; Child day-care

services and children's play areas; Recreational uses; and Public utilities.

*M-B Manufacturing Business*

The Borough has established the M-B Manufacturing - Business District. Permitted principle uses include: Light industry; Buildings with mixed uses that are permitted within the M-B Zone; Business and professional offices; Wholesale business; Communications; Flex office/warehousing; Warehousing; Financial services; Document imaging; Educational services, such as data processing schools, business and secretarial schools and job training and vocational rehabilitation services but excluding primary and secondary schools and colleges; Headquarters mixed-use complex, including executive offices, laboratories and research facilities; Health care testing service facility; Ambulatory health care facility; Business park developments; Building materials; Bowling alleys; Indoor movie theaters; Restaurants and taverns; Child day-care services and children's play areas; Public utilities; Hotels and motels; and New and used auto and recreational vehicle sales.

*MB/R Manufacturing – Business/Retail*

The Borough has established the MB/R Manufacturing Business/Retail District. Permitted principle uses include: All uses permitted within the MB Zone; Planned commercial developments consisting of one or more of the uses permitted within the MB Zone and/or one or more of the retail, service or other specified uses listed below; Retail sales; Personal services; Fitness centers; Assisted-living facilities; Banks; Post offices; Municipal buildings; and Public utility offices.

*PBO-88 Professional, Business & Office*

The Borough has established the PBO-88 Professional, Business and Office Zone District. Permitted principle uses include: Business and professional offices; Retail sales; Personal services; Buildings with mixed uses that are permitted within the PBO-88 Zone; Communications; Financial services; Document imaging; Educational services, such as data processing schools, business and secretarial schools and job training and vocational rehabilitation services but excluding primary and secondary schools and colleges; Headquarters mixed-use complex, including executive offices, laboratories and research facilities; Scientific engineering and/or research laboratories devoted to research, design and/or experimentation and processing and fabrication incidental thereto; Health care testing service facility; Ambulatory health care facility; Business park developments; Hotels and motels; Municipal and public utility offices; Child day-care services and children's play areas; and Public utilities.

*PBO-200 Professional, Business and Office*

The Borough has established the PBO-200 Professional, Business and Office Zone District. Permitted principle uses include: Light industry; Wholesale business; Warehousing; Business and professional offices; Flex office/warehousing; Buildings with mixed uses that are permitted within the PBO-200 Zone; Communications;

Financial services; Document imaging; Educational services, such as data processing schools, business and secretarial schools and job training and vocational rehabilitation services but excluding primary and secondary schools and colleges; Headquarters mixed-use complex, including executive offices, laboratories and research facilities; Scientific engineering and/or research laboratories devoted to research, design and/or experimentation and processing and fabrication incidental thereto; Health care testing service facility; Ambulatory health care facility; Business park developments; Hotels and motels; Fitness centers; Child day-care services and children's play areas; and Public utilities.

*M-1 Manufacturing - Business*

The Borough has established the M-1 Manufacturing – Business Zone District. Permitted principle uses include: Light industry; Construction contractors; Buildings with mixed uses that are permitted within the M-1 Zone; Business and professional offices; Wholesale business; Communications; Flex office/warehousing; Warehousing; Financial services; Document imaging; Educational services, such as data processing schools, business and secretarial schools and job training and vocational rehabilitation services but excluding primary and secondary schools and colleges; Headquarters mixed-use complex, including executive offices, laboratories and research facilities; Health care testing service facility; Ambulatory health care facility; Industrial park; Business park developments; Government office; Child day-care services and children's play areas; and Public utilities.

*M-2 Manufacturing - Business*

The Borough has established the M-2 Manufacturing Business Zone District. Permitted principle uses include: Light industry; Business park developments; Buildings with mixed uses that are permitted within the M-2 Zone; Business and professional offices; Wholesale business; Communications; Flex office/warehousing; Warehousing; Financial services; Document imaging; Educational services, such as data processing schools, business and secretarial schools and job training and vocational rehabilitation services but excluding primary and secondary schools and colleges; Headquarters mixed-use complex, including executive offices, laboratories and research facilities; Health care testing service facility; Ambulatory health care facility; Child day-care services and children's play areas; and Public utilities.

*P-1 Public Land*

The Borough has established the Public Land Zone District. Permitted principle uses include: be those deemed appropriate by the Borough Council to include but not be limited to parks, playfields, playgrounds, recreation, administrative or utility buildings and installations, libraries, historical buildings, or other cultural or community centers, or other similar public uses, or deemed appropriate by the local

or regional school district board to include public school or private school educational and administrative buildings and related uses and buildings.

*BP-1 Business Park*

The Borough has established the Business Park Zone District. Permitted principle uses include: Financial services; Business offices; Professional offices; Government offices; Insurance services (excluding retail brokers); Inbound and outbound call centers; Headquarters mixed-use complex, including executive offices, laboratories and research facilities; Educational services, such as data processing schools, business and secretarial schools and job training and vocational rehabilitation services but excluding primary and secondary schools and colleges; Indoor recreation; Scientific engineering and/or research laboratories devoted to research, design and/or experimentation and processing and fabrication incidental thereto; Buildings with mixed uses that are permitted within the BP-1 Zone; Flex office/warehousing; Mailing, reproduction, commercial art and photography, video production and stenographic services; Electronic computer and data processing services; Document imaging ; Advertising agencies; Restaurants; Cinema; Health care testing service facility; Ambulatory health care facility; Public facilities (operated by the Borough); Child day-care services and children's play areas; Public utilities; Hotels and motels; and Golf training centers.

*BP-2 Business Park*

The Borough has established the BP-2 Business Park Zone Light industry District. Permitted principle uses include: Wholesale business; Construction contractors; Communications; Warehousing; Financial services; Business offices; Professional offices; Insurance services; Inbound and outbound call centers; Headquarters mixed-use complex, including executive offices, laboratories and research facilities. Educational services, such as service training schools, data processing schools, business and secretarial schools and job training and vocational rehabilitation services but excluding primary and secondary schools and colleges; Indoor recreational uses; Golf training centers; Scientific engineering and/or research laboratories devoted to research, design and/or experimentation and processing and fabrication incidental thereto; Health care testing service facility; Ambulatory health care facility; Buildings with mixed uses that are permitted within the BP-2 Zone; Flex office/warehousing; Mailing, reproduction, commercial art and photography and stenographic services; Electronic computer and data processing services; Document imaging; Advertising agencies; Child day-care services and children's play areas; Public facilities (operated by the Borough); Neighborhood retail/service center; Public utilities; Business park developments; and Animal care centers which were in existence within the BP-2 Zone District as of January 1, 2007,

## **Consistency with the State Plan**

This housing element is consistent with the plans and policies of the New Jersey State Development and Redevelopment Plan (SDRP). The Borough is located within the PA 1 – Metropolitan Planning Area. According to the State Plan, most of the communities within the PA1 planning area are fully developed or almost fully developed with little vacant land available for new development. This planning area includes a variety of communities and is intended to provide for future redevelopment and revitalize the communities, promote growth in compact forms, stabilize older suburbs, redesign areas of sprawl and protect the character of existing stable communities. This plan is consistent with the State Plan by preserving and protecting the established residential character, preserving and upgrading the existing utility infrastructure, providing adequate open space facilities, and preserving and protecting valuable natural features within the Borough.

Eatontown's planning documents are consistent with the State's goals for Stormwater Management, including the Stormwater Management Information guide for the public, Stormwater Pollution Prevention plan, as well as a Municipal Stormwater Management Plan. Municipal strategies to implement stormwater management strategies include but are not limited to public outreach methods and education programs, new development and redevelopment programs, yard waste ordinance/Collection program, storm drain inlet retrofitting, street sweeping and road erosion control maintenance, storm drain inlet labeling, and MS4 outfall pipe mapping; in compliance with State requirements.

Public transportation is provided throughout Eatontown via NJ Transit Bus Routes. While there is no direct access to the NJ Transit North Jersey Coast Commuter rail line, nearby train stops include Little Silver, Monmouth Park (seasonal), and Long Branch. In 2018, Eatontown created the Complete Streets Advisory Committee to establish a walkable and bikeable community that is safe and accessible for people of all ages and abilities.

## **FAIR SHARE PLAN**

### **Fair Share Obligation Summary**

The Fourth Round (2025-2035) housing obligation is based upon the figures calculated in the NJ Department of Community Affairs Affordable Housing Obligations for the 2025-2035 (Fourth Round) Methodology. The Borough’s housing obligation is outlined in Table 23, below:

**TABLE 23: FAIR SHARE OBLIGATION SUMMARY**

<b>Obligation Component</b>	<b>Number of Credits Required</b>
Present Need	20
Prior Round Obligation (1987-1999)	504
Third Round "Gap" and Prospective Need (1999-2025)	382
Fourth Round Prospective Need (2025-2035)	186

The following sections outline the Borough’s plan for complying with its Fair Share Obligation.

### **Satisfaction of the Borough’s Rehabilitation/ Present Need Obligation**

The Borough’s 2025-2035 rehabilitation obligation is 20. Eatontown will address its obligation through its municipal low- and moderated-income housing rehabilitation program to be administered and operated by an experienced qualified local affordable housing rehabilitation program consultant. Duties of the Housing Rehabilitation Program Administrative Agent are to include preparation of the program manual and affirmative marketing plan, as well as all administrative and operational aspects of the program. Eligible properties will include substandard housing units occupied by low- and moderate-income owners and renters. The program is to be funded through the Borough’s Affordable Housing Trust Fund.

### Prior Round Compliance

Per the Court-approved Settlement Agreement, the Borough's prior-round (1987-1999) obligation is 504 units. This is met through the mechanisms described in Table 25, Prior Round Compliance Plan Summary.

On November 2, 2005, the Court issued an Order of Final Judgment and Repose approving the conditions the Borough's 2004 Prior Round HE&FSP, including Spending Plan. All affordable units listed in the Borough's prior round compliance plan (above) are built and occupied. The following describes the various components of the Borough's prior round compliance plan and documents the Borough's entitlement to the crediting claimed toward its 504-unit prior round obligation:

**TABLE 24: PRIOR ROUND COMPLIANCE PLAN SUMMARY**

Affordable Housing Mechanism	Affordable Units	Rental Bonus Credits	Total Credits
<b>Age- Restricted Units</b>			
Meadowbrook I	124		124
<b>Non-Inclusionary Family Rental</b>			
Spring House	1		1
Pine Tree Manor Mobile Home Park	13		13
<b>Inclusionary Family Rental</b>			
Stony Hill	132	116	248
Mill Pond	13		13
<b>Non-Inclusionary Family Sale</b>			
Pine Tree Manor Mobile Home Park	72		72
<b>Alternative Living Arrangements</b>			
CPC Mental Health/ Heritage House	5	5	10
Collaborative Support	4	4	8
Special Needs Partnership	4		4
Spring House	5		5
<b>Credits without Controls</b>			
Credits without Controls	6		6
<b>Total</b>	<b>379</b>	<b>125</b>	<b>504</b>

#### *Meadowbrook I*

Meadowbrook I is an existing multi-family, 100-percent affordable age-restricted rental complex containing a total of 196 units. This facility is operated by the Eatontown Senior Housing Corporation. The project received a certificate of occupancy on June 12, 1981 and was funded through the Section 8 Housing Assistance Payments Program of the U.S. Department of Housing and Urban development (HUD). All units in Meadowbrook I must be low-income units with 30 percent of the units restricted to very low-income individuals or

families. The HUD contract and the resulting income restrictions are renewable in five-year increments for a period of up to 40 years. The Borough's claim to 196 credits was granted pursuant to the 2005 Final Judgment of Compliance and Repose. The Borough claims 124 of the 196 units toward its prior round obligation, and the remaining 72 units toward its third-round obligation as subsequently described in this HE&FSP.

#### *Spring House*

The complex located at 155 South Street is operated by the Affordable Housing Alliance and includes a detached single-family dwelling that is rented, currently by a moderate-income family. The complex also includes an existing 5-bedroom group home and a 7-unit supportive housing facility. The entire facility has 30-year affordability controls.

#### *Pine Tree Mobile Home Park*

Per Order dated February 16, 2011, the Court approved a total of 85 new construction credits (72 for-sale units and 13 rental units), plus 15 rehabilitation credits for affordable units in the Pine Tree Mobile Home Park, which is owned and was developed by the Affordable Housing Alliance. The Borough contributed \$250,000 from its affordable housing trust fund toward the project. The current rent roll indicates there are a total of 115 affordable units in the mobile home park, including 18 rental mobile home units and 97 owner-occupied mobile home units.

#### *Stony Hill*

Stony Hill is an inclusionary, 376-unit, multi-family rental development containing a total of 132 affordable family rental units. Pursuant to the Borough's 2005 Judgment of Compliance and Repose, the Court recognized as eligible for credit all of the 132 affordable family rental units and issued a total of 116 rental bonus credits.

#### *Mill Pond*

The Mill Pond development is a built and occupied inclusionary development in the southwest portion of the Borough on Frankel Way. The development consists of a total of 118 total units in seven buildings. The units are non-age restricted, for-sale condominiums, a total of 13 of which are low- and moderate-income units, including seven (7) low-income units and six (6) moderate- income units.

#### *CPC Mental Health/Heritage House*

The Borough claims five (5) credits and five (5) rental bonus credits for this existing 5-bedroom group home serving very low-income households. The facility is operated by CPC Mental Health. The ten (10) credits claimed by the Borough for this facility were recognized by the Court under the 2005 Judgment of Compliance and Repose.

#### *Collaborative Support*

The Borough claims four (4) credits and four (4) rental bonus credits for this existing group home, which serves very low-income households. The facility is operated by Collaborative Support Programs. The eight (8) credits claimed for this facility were recognized by the Court

under the 2005 Judgment of Compliance and Repose.

#### *Special Needs Partnership*

The Borough claims four (4) credits for this existing 4-bedroom group home developed under the Department of Community Affairs Special Needs Housing Partnership Program. The Borough contributed \$250,000 from its affordable housing trust fund toward the project, which is licensed by the Department of Human Services and operated by Enable, Inc.

#### *Spring House Group Home*

As cited above, the Spring House complex, located at 155 South Street, operated by the Affordable Housing Alliance, contains a 5-bedroom group home serving low-income households. This group home facility is operated by Legacy Treatment Services. The five (5) credits for this facility claimed by the Borough were recognized by the Court under the 2005 Judgment of Compliance and Repose.

#### *Credits Without Controls*

COAR Rule [N.J.A.C. 5:93-3.2(b)] permits municipalities to claim crediting for units that were constructed and occupied during the 1980-1986 time period but lacking affordability controls, provided that the municipality can document that the unit is in sound condition, is currently (i.e., at the time crediting is sought) occupied by a low- or moderate-income household, and has a market value or monthly rent that is affordable to low- or moderate-income households. Such credits are referred to as credits without controls. The Borough conducted a survey of credits without control in accordance with the COAR rule and determined that six (6) units qualified for such crediting. The 2005 Judgment of Compliance and Repose granted the Borough six (6) credits without controls units.

### **Prior Round Compliance Plan Caps and Requirements**

#### *Rental Obligation*

Per COAH rule, the Borough's rental obligation is calculated as follows: rental obligation =  $0.25 \text{ (prior round obligation)} = 0.25 (504) = 126$  units. The Borough's prior round compliance plan includes 301 rental units, which is well in excess of the 126 unit minimum. COAH rules require a minimum of 50 percent of the Borough's rental obligation to be family-rental units. A total of 177 of the 301 rental units are family rental units, which is well in excess of the 63-unit minimum family rental requirement established pursuant to COAH rules.

#### *Rental Bonus Credits*

Per COAH rule, the number of rental units eligible for one-for-one rental bonus credits is limited to qualifying family rental units up to the municipal rental obligation. As cited in the preceding section, the Borough's minimum prior round rental obligation is 126 units. As illustrated in Table 25, the Borough's prior round obligation compliance plan claims 125 one-for-one rental bonus credits consistent with COAH rules.

*Maximum Age-Restricted Units*

Per COAH rule, the maximum number of age-restricted affordable units to address its prior round obligation is calculated pursuant to the following: Maximum age-restricted units = 0.25 (prior round obligation minus transferred RCA unit) = 0.25 (504-0) = 0.25 (504) = 126 units. As illustrated in Table 25 the Borough's prior round compliance plan includes 124 age-restricted units (Meadowbrook I) consistent with COAH rules.

**Third Round Compliance**

Per the Court-approved Settlement Agreement, the Borough's Third Round (1999-2025) obligation is 382 units. As noted in Table 26, the Borough received credit for 413 affordable units toward its 382-unit third round obligation, resulting in a 31-unit surplus, to be carried forward to satisfy a future affordable housing obligation beyond 2025. The various components of the Borough's third round compliance plan are described below.

**TABLE 25: THIRD ROUND COMPLIANCE PLAN SUMMARY**

<b>Affordable Housing Mechanism</b>	<b>Affordable Units</b>	<b>Rental Bonus Credits</b>	<b>Total Credits</b>
<b>Prior Round Credits Carried Forward:</b>			
<b>Age- Restricted Rental Units</b>			
Meadowbrook I	72		72
<b>Age-Restricted Rental Units</b>			
Artis Senior Living	7		7
Brightview Senior Living	10		10
<b>Non-Inclusionary Family Rental</b>			
Spring House	7		7
<b>Inclusionary Family Sale</b>			
Howard Commons (Fort Monmouth)	55		55
Lakeview Townhomes	3		3
Parcel B (Fort Monmouth)	60		60
<b>Inclusionary Family Rental</b>			
Monmouth Mall Mixed-Use Development	88	88	176
Sun Eagles (Fort Monmouth)	15	8	23
<b>Total</b>	<b>317</b>	<b>96</b>	<b>413</b>

*Meadowbrook I*

As described in the preceding section, the Borough claimed crediting for the remaining 72 age- restricted rental units in the existing 196-unit Meadowbrook I project, not claimed in the prior round (i.e. 124 units claimed in prior round, and 72 units in third round).

*Artis Senior Living*

On February 12, 2019, the Eatontown Zoning Board of Adjustment approved a use and bulk variances and site plan approval for the Artis Senior Living development. The project consists of a one story, 36,777square foot building to house a 68-bed memory care, assisted living facility on a 4.18-acre site located at 147 Grant Avenue (Block 2002, Lot 59). In accordance with Department of Health licensing requirements ten (10) percent of the beds, seven (7), must be set aside for Medicaid recipients. Based upon the findings in the resolution granting site plan approval, the project site is available, approvable, suitable and developable as defined by COAH rules and, therefore represents a reasonable opportunity for the development of affordable housing as proposed in the Borough's third round compliance plan and supports the Borough's claim for seven (7) credits for this project. This project has been constructed and is occupied.

#### *Brightview Senior Living*

On July 10, 2019, the Eatontown Zoning Board of Adjustment approved a use variance and site plan approval for the Brightview Senior Living development. The project consists of 177 units, consisting of 54 assisted living beds, 35 dementia beds and 88 congregate care units on 8.45 acre property (Block 2002, Lots 1&2) located at the southwest quadrant of the intersection of Wycoff Road and Route 36. The 89 assisted living and dementia units have a total of 100 beds. In accordance with Department of Health licensing requirements, ten (10) percent of the 100 beds (i.e., ten [10]) in the assisted living and dementia units must be set aside for Medicaid recipients. Based upon the findings contained in the existing site plan approval, the project site is available, approvable, suitable, and developable as defined by COAH rules and, therefore, represents a reasonable opportunity for the development of affordable housing as proposed in the Borough's third round compliance plan, the Borough claims ten (10) credits for the very low-income beds in the proposed Brightview Senior Living facility. The resolution of approval of the project is scheduled to act upon on August 12, 2019. A copy of the resolution of approval will be provided to the Court Master prior to the Final Compliance Hearing. Based upon the foregoing the site is available, approvable, suitable, and developable and, therefore, represents a reasonable opportunity for the development of affordable housing as proposed. This project has been constructed and is occupied. The Borough claims 10 credits for this project.

#### *Spring House Supportive Housing*

As described in previous sections, the Affordable Housing Alliance Spring House complex located at 155 South Street, includes an existing multi-family apartment building consisting of 7 one- bedroom rental units restricted to low and very-low-income residents with disabilities and previously homeless. The facility was completed in 2016 and received \$100,000 from the Eatontown Affordable Housing Trust Fund. The Mental Health Association provides supportive services to the residents. The Borough claims seven (7) low-income credits for the units at this facility.

#### *Howard Commons/Parcel B/Sun Eagles (Fort Monmouth)*

By statute, the Fort Monmouth Economic Revitalization Authority (FMERA) controls land use regulations in those areas of Eatontown that were formerly part of Fort Monmouth. The Fort

Monmouth Reuse and Redevelopment Plan that was developed by FMERA codified land use regulations for such areas. The Borough maintains limited land use authority, primarily subdivision and site plan review. The Fort Monmouth Reuse and Redevelopment Plan include three (3) separate residential areas within Eatontown Borough, specifically the Howard Commons, Parcel B and Sun Eagles properties.

The Reuse and Redevelopment Plan provides zoning to permit: 276 total units of which 55 (i.e., 20 percent) are required to be set-aside as affordable units on the Howard Commons site; 302 total units of which 60 (i.e., 20 percent) are required to be set aside as affordable units on the Parcel B site; and, 75 total units of which 15 (i.e., 20 percent) are required to be set aside on the Sun Eagles site.

The Borough claimed the following crediting for these projects in the third round: 50 credits for affordable units at Howard Commons; 60 credits for affordable units at Parcel B; and 15 credits for affordable units at Sun Eagles. At the time of this plan update, the Sun Eagles units have been constructed as anticipated and development at Howard Commons is underway as anticipated. Plan Amendment #20 to the Fort Monmouth Reuse Plan transferred the affordable housing obligation from Parcel B to Development Zone 10, Eatontown Housing Parcel. The Borough anticipates building a 100% affordable housing project consisting of 62 units reserved for veterans on this parcel, resulting in an additional two (2) units than previously anticipated, which the Borough intends to take credit for in its Fourth Round compliance summary.

#### *Monmouth Mall Mixed Use Redevelopment*

The Borough's third round compliance plan includes 88 family rental units and 88 rental bonus credits for the proposed reuse/redevelopment of the existing Monmouth Mall site. On September 16, 2016, the Borough Council adopted Ordinance 10-2016, which created the Mixed-Use Regional Center (MURC) Zone. The MURC Zoning permits the redevelopment of the existing mall site to include mixed-use buildings containing up to a maximum of 700 family rental units, of which 12.5 percent (i.e., 88) are required to be set aside as affordable units.

By resolution dated August 20, 2018, the Eatontown Planning Board granted preliminary and final major site plan approval with variances to Eatontown Mall, LLC for the redevelopment of the existing Monmouth Mall site. The site plan approval includes a variety of uses including retail, food hall, food market, restaurant, entertainment, medical office in addition to 700 residential units, 88 of which are to be set aside for low - and moderate-income households.

In Borough of Eatontown adopted a Redevelopment Plan for the Monmouth Mall Site in April of 2023, and in January of 2024, the Eatontown Planning Board granted preliminary and final site plan approval for a mixed-use development consisting of 1,000 residential rental apartments, including 125 affordable units, and a variety of commercial, retail, medical, and other non-residential uses and amenities. The Borough will seek credit for these additional

37 affordable units to meet its Fourth Round obligation.

#### *Lakeview Townhomes*

By resolution dated April 8, 2019 the Eatontown Zoning Board of Adjustment approved use and bulk variances and site plan approval of the Lakeview Townhome development. This inclusionary development consists of fifteen (15) townhomes, three (3) units of which are to be set aside as affordable units, on a 2.57 acre property located at 74 Tilton Avenue (Block 401, Lot 19). This development has been constructed and the Borough claimed three (3) credits for the affordable units in the Lakeview Townhomes development.

### **Third Round Compliance Plan Caps and Requirements**

#### *Third Round Age-Restricted Units*

Utilizing N.J.A.C. 5:97-3.10(c)2 as the basis for determining the maximum number of age-restricted units that the Township may claim toward its third-round obligation, the Borough can claim up to a maximum of 96 age-restricted units. This is determined as follows: Age-Restricted Maximum=  $0.25 \times \text{Third Round New Construction Obligation} = 0.25 \times 382 = 96$  Units.

The Borough's third round compliance plan contains a total of 89 age-restricted units (72 units in Meadowbrook I, 10 units within the Brightview Senior Living development, and 7 units in the Artis Senior Living development), and therefore, is below the 96-unit age-restricted unit cap.

#### *Third Round Rental Obligation*

Utilizing N.J.A.C. 5:93-5.15, the Township's rental obligation is calculated as follows:  $0.25 \times \text{Calculated Need} = 0.25 \times 382 = 96$  Units. The Borough's third round compliance plan includes 199 rental units (viz., Meadowbrook I, Brightview Senior Living, Artis Senior Living, Spring House Supportive Housing, Monmouth Mall Mixed Use Redevelopment, and Sun Eagles projects) and, therefore, substantially exceeds the minimum rental requirement. The Borough's third round compliance plan provides 110 family rental units, well in excess of the 48-unit minimum requirement.

#### *Third Round Rental Bonus Credits*

Utilizing N.J.A.C. 5:93-5.15(d), the Township may claim rental bonus credits for rental units up to its rental obligation of 96 units. As detailed in Table 9, the Borough claims one-for-one rental bonus credits for 88 family rental units in the Monmouth Mall Mixed Use Redevelopment project and for 8 family rental units in the Sun Eagles project, for a total of 96 rental bonus credits.

#### *Very Low-Income Housing Requirement*

The July 2008 amendments to the New Jersey Fair Housing Act (P.L. 2008, c.46) and the FSHC Settlement Agreement provide that a minimum of 13 percent of the low- and

moderate-income units developed in a municipality shall be "reserved for occupancy by very low-income households."

The Borough's prior and third round compliance plans provide for a total of 337 affordable units either constructed post 2008 or to be constructed and subject to the 13-percent very low-income requirements of the Fair Housing Act and the Court-approved Settlement Agreement, resulting in a minimum very low-income requirement of 44 units. The following demonstrates compliance with these requirements:

The ten (10) Medicaid beds constructed as part of the Brightview Senior Living Development qualify as very low-income units.

The seven (7) Medicaid beds constructed in the Artis Senior Living Facility qualify as very-low-income units.

The seven (7) units in the Spring House Supportive Housing facility qualify as very low-income units.

All four (4) units developed pursuant to the Special Needs Partnership Program qualify as very low-income units.

The proposed inclusionary developments of Howard Commons, Parcel B, Sun Eagles and the Monmouth Mall Mixed Use Redevelopment projects are all subject to the amended affordable housing ordinance to be adopted by the Borough prior to the Co, which require the 13-percent very low-income set aside yielding a combined total of 29 very low-income units.

The prior and third round compliance plans generated 57 very low-income units, and, therefore, exceeded the 44-unit requirement. It should be noted that although the 85 affordable units in the Pine Tree Mobile Park have been included in the 337 affordable unit total used to calculate the very low-income requirement, no units in Pine Tree Mobile Home Park are claimed at this time as very low-income units, notwithstanding there is a likelihood that a significant number of the units are very low-income units.

#### **Fourth Round Obligation**

The Borough's Fourth Round Prospective Need Obligation is 186 and shall be met with the following mechanisms:

**TABLE 26: FOURTH ROUND COMPLIANCE SUMMARY**

<b>Project</b>	<b>Type</b>	<b>Units</b>	<b>Bonus</b>	<b>Tenures</b>	<b>Total Credits</b>
Monmouth Mall	Family	37	18	Rental	55
Fort Monmouth	Family	2	1	Rental	2
Meadowbrook II	Age-Restricted	45		Rental	45
Victoria Gardens	Family	32	16	Rental/Sale	48
Third Round Surplus	Family	31		Rental	31
Pine Tree Expansion	Family	15		For-sale	15
<b>Total Units</b>		<b>162</b>	<b>35</b>		<b>197</b>

The Borough anticipates having an 11-unit surplus to be applied to the Borough's future affordable housing obligation.

#### *Monmouth Mall*

Eatontown received 88 credits for this project during Round 3 and is now seeking to receive credit for the additional 37 affordable units this project is providing. Eatontown will receive an additional 18 rental bonus credits for this project.

#### *Fort Monmouth*

Plan Amendment #20 to the Fort Monmouth Reuse Plan transferred the affordable housing obligation from Parcel B to Development Zone 10, Eatontown Housing Parcel. The Borough of Eatontown now intends to construct a 62-unit, 100% affordable housing project in Zone 10, creating an additional two (2) housing units, over what was credited in the third round. The Borough intends to receive credit for those two (2) units in the Fourth Round.

#### *Meadowbrook II*

The Borough of Eatontown Planning Board approved a 60-unit expansion to the Meadowbrook Complex on April 21, 2025, and will seek credit for those 45 units under the Fourth Round.

#### *Victoria Gardens*

Victoria Gardens is the redevelopment of 12 acres of land, identified as Block 603, Lots 1 and 2. The property currently maintains a retail center as well as an office building with associated parking. The Borough is proposing to allow 158 dwelling units on the subject site, 32 will be multi-family units and 126 Townhouse units. The site will also maintain approximately 8,000 square feet of retail with associated parking and amenity space on the site. As the site is the redevelopment of non-residential space the site is eligible for 16 redevelopment bonus credits, thereby resulting in a total of 48 credits from this proposed project.

The site is currently developed and there are no environmentally constrained land, nor any liens against the property as such the site is available, developable, suitable and habitable pursuant to the statute.

*Third Round Surplus Credits*

The Borough had 31 surplus credits during the Third round, to be carried over to their next obligation.

*Pine Tree Expansion*

The Borough will allocate \$1,000,000 from the Eatontown Affordable Housing Trust Fund to Affordable Housing Alliance for a minimum of fifteen (15) new affordable housing units in the Pine Tree Community. The Borough will enter into a separate agreement with Affordable Housing Alliance to reflect this arrangement.

**Compliance with Affordable Housing Distribution Requirements**

The Substantive Rules for affordable housing that were promulgated as Chapter 93 and which are being used during the present round include limitations on the number of age-restricted affordable units that can count toward the municipal obligation, as well as a cap on the number of bonus credits that can be claimed for rental units. There is also a minimum requirement for the provision of rental units as opposed to sale units, and requirements for the distribution of units across very low-, low- and moderate-income categories. Manasquan complies with these rules as follows:

*Age-Restricted Unit Maximum*

The Borough is permitted to meet its Round 4 prospective need by taking up to thirty (30%) percent of the obligation as age-restricted housing. As the Round 4 Prospective Need is 186, thirty (30%) percent is 55; furthermore, the Borough is creating 162 actual units in Round 4, thirty (30%) percent of 162 is 47. The Borough is taking 45 credits in Round 4 as age-restricted and therefore are in compliance with this requirement.

*Rental Unit Minimum*

The minimum number is 25% of the Borough's Obligation of 186 for Round 47. The Borough's Round 4 Housing Element and Fair Share Plan proposes 141 rental units, therefore is in compliance with this requirement.

*Bonus Maximum*

Maximum bonus credits are capped at 25% of total obligation figures, with the added stipulation that no more than 50 percent of the rental obligation shall receive a bonus for age-restricted rental units. The Borough is claiming 35 bonus credits for the 186 Round 4 Obligation which is less than 20% therefore demonstrating compliance with the bonus maximums as established by the legislature.

### *Family Units*

Pursuant to NJSA 52:27D-211(l), the Borough shall satisfy a minimum of 50 percent of the actual affordable housing units, exclusive of any bonus credits created to address its Fourth Round Prospective Need.

The Borough's Round 4 plan includes 162 actual units. Compliance with this micro-requirement would require the Township's plan to provide a minimum of 81 family units. The Borough's Round 4 Fair Share Plan provides 117 units as family units; therefore, the Borough is in compliance with this micro-requirement.

### *Family Rental Units*

Pursuant to NJSA NJSA 52:27D-211(l), at least 25 percent of the actual units, exclusive of any bonus credits, shall be addressed through rental housing. Twenty-five percent of the 162 units created results in a minimum of 41 rental units. The Borough has provided 96 family rental units, therefore complying with this requirement.

### *Income Distribution Requirements*

Income distribution requirements mandate the following:

- *50 percent of affordable units must be affordable to moderate-income households with a gross income between 80 and 50 percent of regional median household income;*
- *At least 50 percent of units must be affordable to low-income households making 50% or less of regional median income; and*
- *At least 13 percent of all units must be affordable to very low-income households making 30 percent or less as compared to regional median income.*

As described above, the Borough will meet this requirement by requiring all units to meet the income distribution requirements.

## **Appendix A. Spending Plan**

**EATONTOWN BOROUGH**  
**AFFORDABLE HOUSING TRUST FUND SPENDING PLAN**  
**May 2025**

The Borough of Eatontown has a history of compliance with its Mount Laurel affordable housing obligation and has previously implemented all necessary ordinances for establishing an affordable housing trust fund financed through the collection of mandatory development fees to assist in accomplishing the provision of affordable housing.

The Borough has prepared a Fourth Round Housing Element and Fair Share Plan that advances a comprehensive strategy for meeting its regional share of affordable housing need in accordance with the intent of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Fair Housing Act (N.J.S.A. 52:27D-301), and in accordance with the procedural and substantive requirements of N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:91-1 et seq. The Borough has actively participated in the Fourth Round compliance process.

The Borough has adopted a development fee ordinance, codified as part of the Borough's Revised General Ordinances, to require and regulate the collection of residential and non-residential development fees as revenue for the Borough's affordable housing trust fund at a percentage of 1.5% for residential development and 2.5% for non-residential development; creating a dedicated revenue source for affordable housing and a mechanism to provide revenue for the Borough's Affordable Housing Trust Fund. The sections below outline the Borough's plan for the administration and use of collected development fee revenues as per the requirements of N.J.A.C. 5:93-5.1(c).

**I. Projected Revenues 2025 through 2035**

A projection of anticipated revenues to be collected during the tenure of the Fourth Round has been calculated based on historical annualized trends in the amount of development fees collected to date.

As of April 30, 2025, the Borough had a balance of \$3,641,448.71 in the trust fund account held at Ocean First Bank. The current interest rate on the account is 4.39%. In 2024, Eatontown expended \$65,709.51 from the account and generated in \$192,794.64 in revenue through development fees and interest earned on the account. The development fees collected in 2024 totaled \$17,304. This figure provides a reasonable estimate for anticipated annual development fee revenue through 2035.

The Borough of Eatontown projects a total of \$1,325,206.51 in interest and revenue to be collected from May 1, 2025 to December 31, 2035. This projected amount, when added to the trust fund balance from April 30, 2025, results in an anticipated total revenue of \$4,996,655.22 available to fund and administer the Borough's affordable housing plan and

programs. All interest earned on the account shall accrue to the account and be used only for the purposes of affordable housing. See the Projected Revenues Table 3, at the end of this Spending plan.

## **II. Administrative Mechanisms for Collecting and Distributing Revenues**

The Borough's Development Fee Ordinance is recorded in Chapter 89, Subsections 106.22 through 106.32 of Eatontown's General Ordinance. Procedures for collection, administration, and distribution of development fees as affordable housing trust fund revenues are fully established in this section. The Borough's ordinance complies with P.L. 2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7).

The Development Fee Ordinance covers the following general topics:

1. Determination of residential development fees;
2. Determination of non-residential development fees;
3. Fee collection procedures;
4. Operation of the affordable housing trust fund;
5. Permitted uses of funds;
6. Monitoring; and
7. Ongoing collection of fees as related to affordable housing compliance.

All development fees are deposited in a separate affordable housing trust fund held in an account at Ocean First Bank. Per stipulations in the Development Fee Ordinance the account and the record of distribution of funds is maintained by the Township's Chief Financial Officer.

## **III. Anticipated Use of Development Fees**

As per the Borough's ordinance, development fees shall be used for the sole purpose of providing low- and moderate-income housing. Funding mechanisms can be set up as a grant or revolving loan program to cover costs associated activities including, but not limited to, the following:

1. Preservation or purchase of housing for maintaining or implementing affordability controls;
2. Rehabilitation grants;
3. New construction of affordable housing units and related costs;
4. Implementing accessory apartment, market to affordable, or regional housing partnership programs;
5. Conversion of existing non-residential buildings to create new affordable units;
6. Green building strategies designed to be cost saving and in accordance with accepted national or State standards;

7. Purchase of land or improvement of land to be used for affordable housing;
8. Extensions or improvements of roads and infrastructure to affordable housing sites;
9. Financial assistance designed to increase affordability; and
10. Administration necessary for implementation of the Housing Element and Fair Share Plan.

**(A) Anticipated Rehabilitation and New Construction Projects**

As discussed in the Housing Element and Fair Share Plan, Eatontown has a rehabilitation present need obligation of 20 units in the Fourth Round. Eatontown plans to dedicate an average of \$50,000 per unit to rehabilitation projects. The Borough plans to participate in the County’s Rehab Program. At the average cost of \$25,000 per unit, the Borough preliminarily expects to rehabilitate approximately 20 units through 2035, totaling \$1,000,000.00. An outline of these expenditures can be found in Table 3 attached to this Spending Plan.

**(B) Affordability Assistance Requirement**

The Borough anticipates dedicating \$2,405,550, to its affordability assistance program.

As per the requirements of N.J.A.C. 5:93-8.16, at least thirty (30%) percent of all development fees and interest earned shall be used to provide low- and moderate-income households in affordable units with affordability assistance. One-third of the required affordability assistance shall specifically be used to provide affordability assistance to very low-income households (i.e. those households earning thirty percent or less of regional median income).

The projected minimum affordability assistance requirement through 2035 is calculated as follows:

**Table 1. Minimum Affordability Assistance**

Trust fund balance as of 04/30/25	\$3,641,448.71
Projected development fees plus interest, 2025 - 2035	\$4,377,034
<b>PROJECTED TOTAL</b>	<b>\$8,018,483.09</b>
Projected minimum affordability assistance requirement (30%)	\$ 2,405,544.93
Projected minimum required for very low-income households (1/3 of total affordability assistance)	\$ 801,848.31

Affordability assistance programs may include down payment assistance; security

deposit assistance; low interest loans; rental assistance; assistance with homeowner’s association or condominium fees and special assessments; and assistance with emergency repairs.

Affordability assistance to households earning thirty (30%) percent or less of median income may further include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning thirty (30%) percent or less of median income.

**(C) Administrative Expenses**

Eatontown Borough may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan. Also in accordance with N.J.A.C. 5:93-8.16, the Borough can use up to twenty (20%) percent of all revenues collected from development fees on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, rehabilitation program, a Housing Element and Fair Share Plan, an affirmative marketing program, income qualification of households, monitoring the turnover of sale and rental units, and/or compliance with monitoring requirements.

The projected maximum administrative expenditures through 2035 is calculated as follows:

Table 2. Maximum Administrative Expenditures

Trust fund balance as of 04/30/25	\$3,641,448.71
Projected development fees plus interest, 2025 - 2035	\$4,377,034.38
<b>PROJECTED TOTAL</b>	<b>\$8,018,483.09</b>
Projected maximum administrative expenditures (20%)	\$ 1,603,696.62

**IV. Schedule for New or Rehabilitated Housing Units**

The schedule for new or rehabilitated housing units is documented by year in the Projected Expenditures table attached to this Spending Plan.

**V. Expenditure Schedule**

The schedule for expenditures by year can be found in Table 3 attached to this Spending Plan.

**VI. Excess of Funds**

In the event that more funds than anticipated are collected, these excess funds will be used to fund additional rehabilitation and/or affordability assistance programs.

**VII. Barrier Free Escrow**

Collection and distribution of barrier free funds shall be consistent with the Borough's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5. A process describing the collection and distribution procedures for barrier free escrow funds pursuant to N.J.A.C. 5:97-8.5 is detailed within the Affordable Housing Ordinance.

**VIII. In Sum**

Eatontown has prepared this Spending Plan in support of the implementation of its Fourth Round Housing Element and Fair Share plan, and in accordance with the administrative requirements of N.J.A.C. 5:93-1 et seq. The Borough has a balance of \$3,641,448.71 as of April 30, 2025 and anticipates an additional \$4,377,034.38 in revenues, including interest, by December 31, 2035 for a total of \$8,018,483.09. The Spending Plan represents the Borough's intended use of development fee revenues that are collected in its Housing Trust Fund, illustrating how the Borough will use these funds to provide for its fair share of regional affordable housing need. This will leave a balance of \$1,369,930.08, which the Borough will reserve in the event that an additional affordable housing project becomes necessary. The Spending Plan represents the Borough's intended use of development fee revenues that are collected in its Housing Trust Fund, illustrating how the Borough will use these funds to provide for its fair share of regional affordable housing need.

Table 3: Housing Trust Fund  
Borough of Eatontown, New Jersey  
Projected Revenues for 2025-2035

Funding Source	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
AHTF Balance as of 4/30/25	\$ 3,641,448.71											\$ 3,641,448.71
Projected Development Fees	\$ 17,304.00	\$ 17,304.00	\$ 17,304.00	\$ 17,304.00	\$ 1,250,000.00	\$ 1,250,000.00	\$ 17,304.00	\$ 17,304.00	\$ 17,304.00	\$ 17,304.00	\$ 17,304.00	\$ 2,655,736.00
Pmts in lieu of construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest on total account balance (4.39%)	\$ 160,619.24	\$ 116,771.00	\$ 86,092.76	\$ 554,145.18	\$ 85,910.75	\$ 107,820.14	\$ 86,589.18	\$ 65,358.22	\$ 44,127.26	\$ 22,896.30	\$ 1,665.33	\$ 1,391,995.37
<b>Total</b>	<b>\$ 3,819,371.95</b>	<b>\$ 194,075.00</b>	<b>\$ 103,396.76</b>	<b>\$ 571,449.18</b>	<b>\$ 1,335,910.75</b>	<b>\$ 1,357,820.14</b>	<b>\$ 103,893.18</b>	<b>\$ 82,662.22</b>	<b>\$ 61,431.26</b>	<b>\$ 40,200.30</b>	<b>\$ 18,969.33</b>	<b>\$ 7,629,180.08</b>

Projected Expenditures for 2025-2035

Type	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Rehabilitation Program		\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$1,000,000
Pine Tree Park		\$515,200	\$215,200	\$215,200	\$54,400							\$1,000,000
Senior Housing Corporation						\$250,000						\$250,000
Affordability Assistance		\$ 240,555.00	\$ 240,555.00	\$ 240,555.00	\$ 240,555.00	\$ 240,555.00	\$ 240,555.00	\$ 240,555.00	\$ 240,555.00	\$ 240,555.00	\$ 240,555.00	\$ 2,405,550.00
Administrative Costs		\$ 160,370.00	\$ 160,370.00	\$ 160,370.00	\$ 160,370.00	\$ 160,370.00	\$ 160,370.00	\$ 160,370.00	\$ 160,370.00	\$ 160,370.00	\$ 160,370.00	\$ 1,603,700.00
<b>Total</b>	<b>\$ -</b>	<b>\$ 1,016,125.00</b>	<b>\$ 716,125.00</b>	<b>\$ 716,125.00</b>	<b>\$ 555,325.00</b>	<b>\$ 750,925.00</b>	<b>\$ 500,925.00</b>	<b>\$ 6,259,250</b>				
<i>Projected Balance available for Future Projects and Programs</i>												
												<b>\$ 1,369,930.08</b>

## **Appendix B. Victoria Gardens Draft Zoning and Concept Plan**

**ORDINANCE OF THE BOROUGH OF EATONTOWN, COUNTY OF  
MONMOUTH AND STATE OF NEW JERSEY ADOPTING CERTAIN  
AMENDMENTS TO THE BOROUGH OF EATONTOWN LAND USE  
ORDINANCE**

**Victoria Mixed Use Zone**

Permitted Principal Uses:

- 1) Residential
  - a) Townhomes, traditional and stacked
  - b) Multifamily Units
  - c) Senior Housing/Active Adults
- 2) Non-Residential
  - a) Retail/Commercial Development
- 3) Mixed Use
  - a) Residential and Retail

Permitted Accessory Uses:

- 1) Off-street parking, including driveways and parking lots/spaces
- 2) Home occupation
- 3) Open space and recreation
- 4) Private outdoor amenity space, such as patios and decks and related furnishings
- 5) Clubhouse and related community amenities, such as but not limited to swimming pool, dog park, tennis court, pickleball court, co-working spaces, fitness space, outdoor cooking and eating facilities, and walking trails
- 6) Maintenance buildings
- 7) Loading areas for permitted principal uses, as required
- 8) Fences, walls, berms and landscape buffers
- 9) Signs
- 10) Stormwater Management facilities
- 11) Mechanical and utility equipment and infrastructure
- 12) Electric vehicle charging stations and make-ready infrastructure
- 13) Uses and structures that are customary and incidental to a permitted principal use

**Bulk Standards:**

The underlying Zone of the property is the B-4 Business Zone. The redevelopment of this property shall be in accordance with the bulk standards as set forth below. Where a standard is not specified in the below the standards of the Borough of Eatontown Land Use Ordinance shall apply.

Overall Tract:

Maximum residential units:	160 dwelling units
Minimum tract area:	10 acres
Minimum tract width:	400 feet
Minimum tract depth:	400 feet
Tract perimeter setback:	50 feet along Hope Road and Pine Brook Road 25 feet all other lot lines
Maximum building coverage:	30%
Maximum impervious coverage:	75%

Individual standards:

	Townhouse	Multifamily Unit	Non- residential	Mixed Use
Minimum Lot Area (SF)	N/A*	N/A**	N/A	N/A**
Maximum units per building	16	32	N/A	32
Minimum lot width	20'*	N/A	N/A	N/A
Minimum lot depth	60'*	N/A	N/A	N/A
Maximum height (feet)	45	50	30	50
Maximum height (stories)	3	3	2	3
Minimum distance between buildings				
Front to front	50'	N/A	N/A	N/A
Front to side	50'	N/A	N/A	N/A
Side to side	25'	N/A	N/A	N/A
Side to rear	50'	N/A	N/A	N/A
Minimum setback to parking				
Residential	10'	10'	10'	10'
At garage/driveway	0'	0'	N/A	N/A
Mixed Use	0'	0'	N/A	N/A
Maximum lot coverage by building	100%	N/A	N/A	N/A
Maximum impervious coverage	100%	N/A	N/A	N/A

Parking spaces	RSIS	RSIS	1 per 250 sf
Loading spaces	N/A	N/A	1 per 20,000 sf

\*Lots created only for individual (fee-simple) ownership are not subject to overall tract standards.

\*\*There shall be no minimum lot area for the subdivision of the mixed use retail and residential building or the remainder parcel. The 10 acre minimum tract area standard only applies to the parent tract eligibility for this specific zone.

Building and Site Design Standards

Overall Tract

1. The development in the Victoria Mixed Use Zone is a redevelopment of previously developed property and shall not be subject to the requirements of the Tree Removal Ordinances of the Borough of Eatontown, Chapter 89-3, C. and Chapter 307.
2. The parking and loading requirements specified herein shall govern and supersede the Borough of Eatontown Ordinance Chapter 89-36.
3. The proposed project is a mixed-use development and the Landscape, Buffer and Screening requirements of the Borough of Eatontown Ordinance Chapter 89-39 shall not apply.
4. Notwithstanding any requirements of the Borough of Eatontown Land Development Ordinance (Chapter 89), and specifically Article XIA of Chapter 89, the stormwater management facilities proposed for the site shall comply with the State Stormwater Management Regulations, N.J.A.C. 7:8. Further, the site-specific Concept Plan made a part of and attached to this Ordinance specifically designates stormwater management facilities, including but not limited to, bioretention systems, along the site frontages of Hope Road and Pine Brook Road. Nothing in the Borough of Eatontown Ordinances shall prohibit the installation of said stormwater management facilities, including if such facilities are within lands designated as a buffer or setback.

Townhomes / Stacked Townhomes

1. Generally, all buildings shall incorporate elements that divide façade planes and create a visual play of light and shadow. Long, uninterrupted horizontal facades and architectural elements are discouraged.
2. Building facades shall be staggered horizontally to break the monotony of continuous horizontal facades and include vertical offsets, inset balconies or changes in exterior finish that combine to break the building mass and provide visual interest.

**IT IS FURTHER ORDAINED**, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**IT IS FURTHER ORDAINED**, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**IT IS FURTHER ORDAINED**, that is Ordinance shall take effect upon passage and publication in accordance with applicable law.

DATE OF INTRODUCTION: / /2026

DATE OF PUBLIC HEARING: / /2026

APPROVED:

ATTEST:

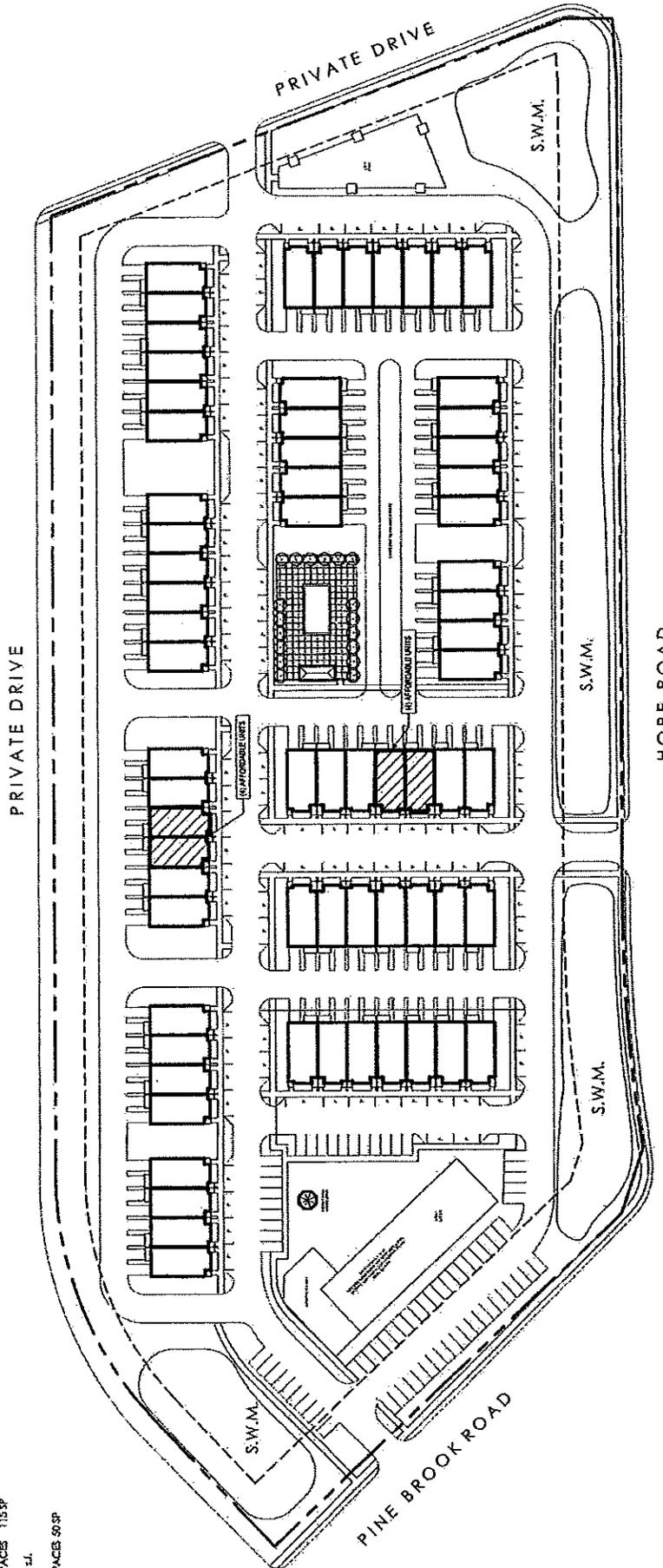
\_\_\_\_\_  
ANTHONY TALERICO, JR., MAYOR  
Date:

\_\_\_\_\_  
TRINA LINDSEY, MUNICIPAL CLERK  
Date:

**DEVELOPMENT PROGRAM**  
 TOTAL SITE AREA 215.0 AC  
 TOTAL NO. UNITS 160 DU  
 • MARKET RATE 128 DU  
 • AFFORDABLE 32 DU  
 BUILDING HEIGHT 3-STORIES  
 TOTAL PARKING SPACES: 387 SP  
 Resident Spaces  
 • GARAGE SPACES 136 SP  
 • DRIVEWAY SPACES 156 SP  
 • SURFACE SPACES 115 SP

RETAIL 8000-SL

Retail Spaces 7  
 SURFACE SPACES 50 SP



SCALE: 1"=40'-0"  
**CONCEPT SITE PLAN**  
 DATE: 01/28/2024



**HOPE ROAD**  
 EATONTOWN, NEW JERSEY  
 COPYRIGHT GARDINO & WASKO ARCHITECTS AND PLANNERS

**BNE** | REAL ESTATE GROUP

**MINNO WASKO**  
 ARCHITECTS AND PLANNERS  
 50 SUMMIT LANE, SUITE 105, LANESVILLE, NEW JERSEY 08853 | WWW.MINNO-WASKO.COM

## **Appendix C. Affordable Housing/Development Fee Ordinance**

**ORDINANCE 03-2026**

**BOROUGH OF EATONTOWN  
COUNTY OF MONMOUTH  
STATE OF NEW JERSEY**

**AFFORDABLE HOUSING ORDINANCE IMPLEMENTING THE FOURTH ROUND  
HOUSING PLAN ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, the Borough of Eatontown, County of Monmouth, State of New Jersey, (hereinafter, "Borough" or "Eatontown") has a demonstrated history of voluntary compliance with its constitutional affordable housing obligations and in fact obtained a Final Round Three Judgment of Compliance and Repose on from the Court in the matter captioned In the Matter of the Application of the Borough of Eatontown, County of Monmouth, Superior Court of New Jersey, Law Division, Docket No. MON-L-2522-15 thereby immunizing the Borough from builder's remedy litigation until July 1, 2025 (the "Third Round Litigation"); and

**WHEREAS**, on March 20, 2024, Governor Phil Murphy signed into law P.L. 2024, c.2, an Amendment to the 1985 Fair Housing Act (hereinafter "Amended FHA" or the "Act"); and

**WHEREAS**, the Amended FHA requires the Department of Community Affairs ("DCA") to provide an estimate of the Present Need, also referred to as the rehabilitation obligation, and the Round 4 Prospective Need of all municipalities by October 20, 2024 based upon the criteria on the Amended FHA; and

**WHEREAS**, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimate of the Present Need and the Round 4 Prospective Need obligation for all municipalities based upon its interpretation of the standards in the Act; and

**WHEREAS**, the DCA Report calculates Eatontown's Round 4 (2025-2035) Present Need (Rehabilitation) Obligation as 20 units and its Round 4 Prospective Need Obligation as 193 units; and

**WHEREAS**, the Borough adopted Resolution 45-2025 accepting the DCA's Fourth Round Present Need (Rehabilitation) calculation of 20 units but it rejected the DCA's calculation of the Borough's Fourth Round Prospective Need (New Construction) calculation of 193 units and instead calculated the obligation at 180 units in conformance with the Amended FHA; and

**WHEREAS**, pursuant to Directive #14-24, a municipality seeking a certification of compliance with the Act shall file an action in the form of a declaratory judgment complaint within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner; and

**WHEREAS**, the Borough filed a timely declaratory judgment complaint in accordance with AOC Directive #14-24 known as In the Matter of the Application of the Borough of Eatontown County of Monmouth, State of New Jersey, Docket No. MON-L-000310-25 seeking a declaration as to the Borough's Fourth Round affordable housing obligation and the approval of the Borough's Housing Element and Fair Share Plan ("HESP") which sets forth the affordable housing mechanisms the Borough will implement to satisfy its Fourth Round affordable housing obligation; and

**WHEREAS**, the Borough engaged in court ordered mediation through the Affordable Housing Dispute Resolution Program and establishing the Borough's Fourth Round prospective need obligation at 186 units, subject to the ability to avail itself of a Vacant Land Adjustment, which was subsequently memorized through the entry of a court order on April 10, 2025; and

**WHEREAS**, the Court entered an order on April 14, 2025 setting the Borough's Fourth Round fair share obligations as a Present Need of 20 units and a Prospective Need of 186 units, which no party appealed, and ordering the Borough to file a Housing Element and Fair Share Plan ("HEFSP") by June 30, 2025; and

**WHEREAS**, the Borough having filed its Housing Element and Fair Share Plan on June 4 2025 (the "HEFSP"); and

**WHEREAS**, FSHC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Borough's HEFSP on August 31, 2025; and

**WHEREAS**, the Borough having entered into Mediation Agreement with Fair Share Housing Center which requires the Borough to adopt Fourth Round implementing ordinances in conformance with current statutes and regulation; and

**WHEREAS**, the Borough Council of the Borough of Eatontown believes it is in the best interest of the Borough to adopt the Fourth Round implementing ordinances in order to obtain compliance certification from the Program/Court thereby protecting the Borough from exclusionary zoning litigation for ten years until 2035.

**NOW, THEREFORE, BE IT RESOLVED** By The Borough Council of the Borough of Eatontown, County of Monmouth, State of New Jersey, that it hereby repeals Article XXIII A, Affordable Housing Regulations, Sections 89-106 through 89.21 and replaces it with the following:

**Article XIII A Affordable Housing Regulations**

**§89-106.1**

Introduction & Applicability

1. This section shall be known and may be cited as the "Affordable Housing Ordinance" of the Borough of Eatontown and it sets forth regulations regarding the very low-, low- and moderate-income housing units in the Borough of Eatontown consistent with the provisions outlined in P.L. 2024, Chapter 2, including the amended Fair Housing Act ("FHA") at N.J.S.A. 52:27D-301 et seq., as well as the Department of Community Affairs, Division of Local Planning Services ("LPS") at N.J.A.C. 5:99 et seq., statutorily upheld existing regulations of the now-defunct Council on Affordable Housing ("COAH") at N.J.A.C. 5:93 and 5:97, the Uniform Housing Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1 et seq., and as reflected in the adopted municipal Fourth Round Housing Element and Fair Share Plan ("HEFSP").
2. This Ordinance is intended to ensure that very low-, low- and moderate-income units ("affordable units") are created with controls on affordability over time and that very low-low- and moderate-income households shall occupy these units pursuant to statutory requirements. This Ordinance shall apply to all inclusionary developments, individual affordable units, and 100% affordable housing developments except where inconsistent with applicable law. Low-Income Housing Tax Credit financed developments shall adhere to the provisions set forth below in item 5.c. below.
3. The Planning Board has adopted a HEFSP pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan describes the ways the Borough of Eatontown shall address its fair share of very low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Element.
4. This Ordinance implements and incorporates the relevant provisions of the HEFSP and addresses the requirements of P.L. 2024, Chapter 2, the FHA, N.J.A.C. 5:99, NJ Supreme Court upheld COAH

regulations at N.J.A.C. 5:93 and 5:97, and UHAC at N.J.A.C. 5:80-26.1, as may be amended and supplemented.

5. Applicability

- a. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created pursuant to the municipality's most recently adopted HEFSP.
- b. This Ordinance shall apply to all developments that contain very low-, low- and moderate-income housing units included in the Borough's HEFSP, including any unanticipated future developments that will provide very low-, low- and moderate-income housing units.
- c. Projects receiving federal Low Income Housing Tax Credit financing and are proposed for credit shall comply with the low/moderate split and bedroom distribution requirements, maximum initial rents and sales prices requirements, affirmative fair marketing requirements of UHAC at N.J.A.C. 5:80-26.16 and the length of the affordability controls applicable to such projects shall be not less than a 30-year compliance period plus a 15-year extended-use period, for a total of not less than 45 years.

**§89-106.2**

Definitions

As used herein the following terms shall have the following meanings:

"Accessory apartments" means a residential dwelling unit that provides complete independent living facilities with a private entrance for one or more persons, consisting of provisions for living, sleeping, eating, sanitation, and cooking, including a stove and refrigerator, and is located within a proposed preexisting primary dwelling, within an existing or proposed structure that is an accessory to a dwelling on the same lot, constructed in whole or part as an extension to a proposed or existing primary dwelling, or constructed as a separate detached structure on the same lot as the existing or proposed primary dwelling. Accessory apartments are also referred to as "accessory dwelling units".

"Act" means the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

"Adaptable" means constructed in compliance with the technical design standards of the barrier free subcode adopted by the Commissioner of Community Affairs pursuant to the "State Uniform Construction Code Act," P.L.1975, c. 217 (C.52:27D-119 et seq.) and in accordance with the provisions of section 5 of P.L.2005, c. 350 (C.52:27D-123.15).

"Administrative agent" means the entity approved by the Division responsible for the administration of affordable units, in accordance with N.J.A.C. 5:99-7, and UHAC at N.J.A.C. 5:80-26.15.

"Affirmative marketing" means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.16.

"Affirmative Marketing Plan" means the municipally adopted plan of strategies from which the administrative agent will choose to implement as part of the Affirmative Marketing requirements.

"Affirmative Marketing Process" or "Program" means the actual undertaking of Affirmative Marketing activities in furtherance of each project with very low- low- and moderate-income units.

“Affordability assistance” means the use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, common maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5.

“Affordability average” means an average of the percentage of regional median income at which restricted units in an affordable development are affordable to low- and moderate-income households.

“Affordable” means, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.7 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.13.

“Affordable housing development” means a development included in a municipality’s housing element and fair share plan, and includes, but is not limited to, an inclusionary development, a municipally sponsored affordable housing project, or a 100 percent affordable development. This includes developments with affordable units on-site, off-site, or provided as a payment in-lieu of construction only if such a payment-in-lieu option has been previously approved by the Program or Superior Court as part of the HEFSP. Payments in lieu of construction were invalidated per P.L. 2024, c.2.

“Affordable Housing Dispute Resolution Program” or “the Program” refers to the dispute resolution program established pursuant to N.J.S.A. 52:27D-313.2.

“Affordable Housing Monitoring System” or “AHMS” means the Department’s cloud-based software application, which shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

“Affordable Housing Trust Fund” or “AHTF” means that non-lapsing, revolving trust fund established in DCA pursuant to N.J.S.A. 52:27D-320 and N.J.A.C. 5:43 to be the repository of all State funds appropriated for affordable housing purposes. All references to the “Neighborhood Preservation Nonlapsing Revolving Fund” and “Balanced Housing” mean the AHTF.

“Affordable unit” means a housing unit proposed or developed pursuant to the Act, including units created with municipal affordable housing trust funds.

“Age-restricted housing” means a housing unit that is designed to meet the needs of, and is exclusively for, an age-restricted segment of the population such that: 1. All the residents of the development where the unit is situated are 62 years or older; 2. At least 80 percent of the units are occupied by one person that is 55 years or older; or 3. The development has been designated by the Secretary of HUD as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L.1983, c. 530 (C.55:14K-1 et seq.).

“Assisted living residence” means a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to ensure that assisted living services