

FOURTH ROUND

HOUSING ELEMENT AND FAIR SHARE PLAN

BOROUGH OF FAIR HAVEN | MONMOUTH COUNTY, NEW JERSEY

JUNE 2025

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**FOURTH ROUND HOUSING ELEMENT
AND FAIR SHARE PLAN**

ADOPTED BY THE PLANNING BOARD: JUNE 10, 2025

ENDORSED BY THE MAYOR & COUNCIL:

PREPARED BY:

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NEW JERSEY PROFESSIONAL PLANNER LICENSE #5537

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

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EXECUTIVE SUMMARY

This Fourth Round Housing Element and Fair Share Plan (HEFSP) has been prepared pursuant to the Amended Fair Housing Act (“FHA”) which was signed into law in March 2024. The Borough is required to adopt a Fourth Round HEFSP by June 30, 2025 in accordance with the FHA.

The HEFSP is a plan that addresses the affordable housing obligation as set forth by the FHA. There have been two (2) previous rounds of affordable housing in the State, the Prior Round which covered a time period from 1987 to 1999 and a Third Round which covered a time period from 1999-2025.

Fair Haven Borough received a Judgment of Compliance from Superior Court of the Prior Round and Third Round HEFSP on June 14, 2021. The prior round obligations totaled 371 units of which four (4) units were the Realistic Development Potential (RDP) obligation and the remaining 367 units were the Unmet Need obligation. The Borough is currently compliant with the Court approval providing four (4) affordable housing units, of which two (2) are approved for construction and two (2) are under construction which satisfies the prior round RDP obligation.

The Fourth Round obligation, as determined by the FHA, is 92 affordable housing units. The Fourth Round period is a 10-year obligation period running from July 1, 2025 to June 30, 2035. As detailed in the Fourth Round HEFSP, the Borough has a zero (0) RDP with the full obligation of 92 units categorized as Unmet Need. The Borough is satisfying the Unmet Need by slightly increasing the permitted density within one of the five (5) existing overlay zoning districts that were adopted during the Third Round.

INTRODUCTION & BACKGROUND

Since the 1975 New Jersey Supreme Court decision known as “Mount Laurel I”, New Jersey municipalities have had a constitutional obligation to provide opportunities for the creation of low and moderate housing units. This 1975 decision led to a body of case law, legislative changes, and rulemaking by a state agency that, collectively, is now referred to as the “Mount Laurel doctrine”. Through these actions, New Jersey municipalities have been assigned a specific number of affordable housing units that must be created or planned to “satisfy” their constitutional obligation, commonly referred to as their affordable housing obligation.

Participation in this process and satisfaction of the affordable housing obligation, can be achieved voluntarily or involuntarily. However, the affordable housing laws heavily incentivize voluntary compliance. Municipalities that do not voluntarily comply may be vulnerable to “builder’s remedy” litigation. A builder’s remedy is a litigation tool to compel the municipality to include a builder’s site in the Fair Share plan. However, to secure such a remedy, the developer must “succeed in litigation”, provide a “substantial” affordable housing set-aside and the developer’s “proposed project” must not clearly violate “sound land use planning”. The Supreme Court’s desire to ensure that developers who provide affordable housing do so in accordance with sound planning, which is a pillar of the Mount Laurel doctrine.

Affordable housing in New Jersey is defined as housing units which are reserved for households with incomes not more than 80% of the regional median income. Each affordable unit, with limited exceptions, must remain reserved for very-low-, low-, and moderate-income households for a minimum of 30 years and for rental units, 40 years, and it is typically enforced by a deed restriction. Each affordable unit is eligible for one “credit” against the affordable housing obligation and certain units are eligible for “bonus credits”. In addition to providing the minimum number of credits, municipalities must ensure diversity in the level of affordability – meaning very-low-, low- and moderate-income units – and diversity in the size of affordable units – meaning one-, two- and three-bedroom units.

The Housing Element and Fair Share Plan

In accordance with the Fair Housing Act (as amended) this Housing Element and Fair Share Plan includes the following:

- a. An inventory of the municipality’s housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
- b. A projection of the municipality’s housing stock, including the probable future construction of low and moderate income housing for the next ten (10) years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development of lands;
- c. An analysis of the municipality’s demographic characteristics, including, but not necessarily limited to, household size, income level, and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality’s present and prospective fair share of low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low- and moderate-income housing;
- f. A consideration of the lands 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 providing low and moderate income housing;
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission,

adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20); and

- h. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

Items a through d are included as an appendix item and items e through h are included in the body of this Fair Share Plan.

AFFORDABILITY REQUIREMENTS

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

Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.3, et seq., requires that the maximum rent for a qualified unit be affordable to households with incomes 60% or less than the median income for the region. The average rent must be affordable to households with incomes no greater than 52% of the median income. The maximum sale prices for affordable units must be affordable to households with incomes 70% or less than the median income. The average sale price must be affordable to a household with an income of 55% or less than the median income.

The regional median income uses the federal income limits established by Department of Housing and Urban Development (hereinafter "HUD") on an annual basis. In the spring of each year, HUD releases updated regional income limits. It is from these income limits that the rents and sale prices for affordable units are derived.

For 2025, New Jersey Housing and Mortgage Finance Agency (NJHMFA) updated income limits for all housing regions in New Jersey. These income limits for Region 4 will be utilized for Fair Haven. See Table 1 for 2025 income limits for Region 4.

Table 1: 2025 Income Limits for Region 4					
Household Income Levels	1-Person Household	2-Person Household	3-Person Household	4-Person Household	5-Person Household
Moderate	\$75,440	\$86,160	\$96,960	\$107,680	\$116,320
Low	\$47,150	\$53,850	\$60,600	\$67,300	\$72,700
Very Low	\$28,290	\$32,310	\$36,360	\$40,380	\$43,620
Source: 2025 NJHMFA Income Requirements					

The following tables provide illustrative gross rents and sale prices for 2025. The sample rents and sale prices are illustrative and are gross figures, which do not account for the specified utility allowances for rental units or for specific mortgage rates, taxes, etc. for sales units.

Table 2: Illustrative 2025 Affordable Gross Rents for Region 4			
Household Income Levels (% of Median Income)	1-Bedroom Unit Rent	2-Bedroom Unit Rent	3-Bedroom Unit Rent
Moderate	\$2,163	\$2,598	\$2,992
Low	\$1,344	\$1,622	\$1,874
Very Low	\$808	\$971	\$1,124

Table 3: Illustrative 2025 Affordable Sales Prices for Region 4			
Household Income Levels (% of Median Income)	1 Bedroom Unit Price	2 Bedroom Unit Price	3 Bedroom Unit Price
Moderate	\$196,680	\$237,959	\$276,486
Low	\$137,709	\$167,194	\$194,714

PRESENT AND PROSPECTIVE NEED OBLIGATION

The fair share affordable housing obligation consists of a rehabilitation component (present need) and a new construction component (prospective need). Pursuant to the Amended Fair Housing Act (FHA), the NJ State Department of Community Affairs (DCA) was required to calculate the rehabilitation (present need) and prospective need obligations for municipalities within the State. However, the FHA entitled municipalities to adjust the obligation if the information used in the DCA calculation was outdated or in error. After the review of the DCA methodology for the present and prospective need obligations, the Borough determined that the DCA calculation was correct and adopted the DCA calculations for present and prospective need for the Fourth Round. The Borough's obligation for the Fourth Round is as follows

- Present Need (Rehabilitation): 0 units. The rehabilitation obligation can be defined as an estimate of the number of deteriorated housing units existing in Fair Haven Borough occupied by low- and moderate-income households.
- Prospective Need: 92 units. The prospective need obligation can be defined as the cumulative July 1, 2025, through June 30, 2035, new construction affordable housing obligation.

Vacant Land Adjustment and Realistic Development Potential (RDP) Analysis

If there is a lack of sufficient land to meet the new construction obligation, a municipality is entitled to rely on COAH regulations to adjust the new construction obligation downward pursuant to N.J.S.A 52:27D-311 (m). The adjusted number is known as the realistic development potential (RDP). The RDP represents the portion of the new construction affordable housing obligation that can theoretically be addressed with inclusionary development (defined as a mix of market and affordable units) on lots identified as being suitable in the Vacant Land Analysis ("VLA"). The portion of the new construction obligation for which there is insufficient land is known as the "unmet need". The unmet need is calculated as the difference between the total obligation and the RDP.

Prior and Third Round RDP:

Due to the total prior round obligations being outsized as compared to the availability of developable land in Fair Haven Borough, the Borough applied a vacant land adjustment that reflects a Realistic Development Potential (hereinafter "RDP") and a remaining unmet need.

The Borough's total prior round obligation was 371 units and based on the previous vacant land adjustment the combined Prior Round and Third Round RDP was four (4) units and unmet need was 367 units.

Fourth Round RDP:

The Amended FHA permits municipalities to rely on COAH regulations that do not contradict the Amended FHA or a binding court decision. COAH regulations recognized that a municipality that spent the time and effort to secure a vacant land adjustment should not be required to do that analysis again:

COAH regulations N.J.A.C. 5:97-5.1 (d): A vacant land adjustment that was granted as part of a first round certification or judgment of compliance shall continue to be valid provided the municipality has implemented all of the terms of the substantive certification or judgment of compliance, and received or petitioned to the Council for second round substantive certification or was under the Court's jurisdiction for second round. If the municipality failed to implement the terms of the substantive certification or judgment of compliance, the Council may reevaluate the vacant land adjustment.

The Borough was originally granted a Final Judgment of Compliance from Monmouth County Superior Court for the Prior and Third round adjusted obligation on June 14, 2021. The Court found that the Borough was entitled to adjust its new construction obligation to four (4) units based upon the lack of vacant developable land. Under COAH Third Round regulations, the Borough is entitled to rely on its prior vacant land adjustment. N.J.A.C. 5:97-5.1 (d). Although COAH was abolished by N.J.S.A. 52:27D-304.1, the Borough is entitled to rely on COAH's Third Round regulation since it has not been contradicted by statutory amendment or a binding court decision. N.J.S.A. 52:27D-311(m).

The Borough has implemented all the terms of the Judgment of Compliance and therefore does not need to reevaluate the vacant land adjustment. The following table provides the status of the projects that addressed the Prior and Third Round RDP obligation:

Table 4: Satisfaction of the Prior and Third Round Four (4) Unit RDP					
Location	Unit Type	Status	Units	Bonus Credits	Total Credits
626 River Rd	Inclusionary Family Rental	Zoned and Site Plan Approved	2	1	3
Habitat for Humanity Hendrickson Place	100% Family For Sale	Under Construction	2	0	2
Total			4	1	5

The Borough realized a surplus of one (1) unit from the RDP projects which was applied to the prior round Unmet Need obligation. In addition, there have been no changes within the Borough since the Court approval that would create additional realistic development opportunities. Since the Borough lacked sufficient land to satisfy its Prior and Third Round Obligation of 371, it obviously lacks sufficient land to satisfy the additional 92-unit obligation imposed in the Fourth Round. The Borough's continued entitlement to a vacant land adjustment for the 92-unit Fourth Round obligation is also assumed to be valid.

As such, the Borough shall rely on COAH's regulations and adopts an RDP of zero (0) for the Fourth Round.

Unmet Need Determination

The Borough's prospective need obligation is 92 units and with a zero (0) RDP, the full prospective need obligation is considered to be unmet need. The Amended FHA requires a municipality that receives an adjustment of the prospective need to identify sufficient parcels that are likely to redevelop during the fourth round to address 25 percent of the "prospective need obligation that has been adjusted". Here, the prospective need has been adjusted to 0 and thus, 25% of 0 is 0. In any event, the Borough is addressing its unmet need through an increase in density in the existing Affordable Housing Overlay-5 (AHO-5) zoning district, which represents the most the Borough can reasonably be expected to do given its land constraints and lack of non-residential zones.

FAIR SHARE PLAN

Third Round Compliance Status

Pursuant to the Amended FHA, the Fourth Round Fair Share Plan is required to provide an assessment of the degree to which the prior rounds fair share obligations have been met as established by prior court approval. The municipality is required to determine to what extent the obligation is unfulfilled or whether the municipality has excess credits. If a prior round obligation remains unfulfilled the municipality shall address the prior round unfulfilled obligation in this Fourth Round Fair Share Plan. Units included as part of the municipality's unfulfilled prior round obligation shall not count towards the cap on units in the municipality's Fourth Round prospective need obligation. In addressing the status of the prior round projects, the municipality must demonstrate how any sites that were not built in the prior rounds continue to present a realistic opportunity.

As previously presented in the VLA discussion, two (2) of the units associated with 626 River Road have been approved but not yet constructed. The Borough's responsibility of providing a realistic opportunity for the construction of affordable housing is completed through the implementation of the zoning to permit an inclusionary development and in the approval of the site plan application which was memorialized on March 15, 2022. This project continues to satisfy a portion of the prior round obligation and creates a realistic opportunity for the construction of affordable housing. The other two (2) affordable

housing units (Hendrickson Place: Habitat for Humanity) are currently under construction and the Borough anticipates the units will be occupied in the next several months.

The Borough does not have an unfulfilled obligation from the Prior Rounds.

The Fourth Round Compliance Process

On March 20, 2024, Governor Murphy signed an amendment to the Fair Housing Act into law (“Amended FHA”) that created new procedures and laws. Pursuant to the Amended FHA, by January 31, 2025, municipalities had to adopt a “binding resolution”; and file a declaratory relief lawsuit with the Court and “the Program” that included the binding resolution within 48 hours from the adoption of the binding resolution. In addition, the municipality must file a Housing Element and Fair Share Plan with the Court and Program by June 30, 2025, and comply with a series of other requirements.

The Borough took the necessary steps required by the Amended FHA by adopting the binding resolution and filing the declaratory relief action to establish the Fourth Round obligation. The Borough and the Planning Board will adopt, endorse and submit this Housing Element and Fair Share Plan with the Court and the Program prior to June 30, 2025 to comply with the Amended FHA deadline.

Consideration of Affordable Housing Options

The Borough did not receive proposals from developers of affordable housing project to satisfy the Fourth Round prospective need obligation.

The Borough believes that the projects that exist and are proposed in this Fair Share Plan represent the best options for affordable housing in the Borough. The mechanisms within this Fourth Round Fair Share Plan satisfy the Borough’s affordable housing obligation. While the Borough recognizes that developers may, in the future, present sites that possess characteristics that could lend themselves to affordable housing development, additional sites are not needed to satisfy the obligation at this time.

Satisfaction of the Fourth Round Affordable Housing Obligation

Unmet Need

The Court found that the Borough was entitled to adjust its new construction obligation to four (4) units based upon the lack of vacant developable land. Under COAH Third Round regulations, the Borough is entitled to rely on its prior vacant land adjustment. N.J.A.C. 5:97-5.1 (d). The Borough has implemented all the terms of the Judgment of Compliance and therefore does not need to reevaluate the vacant land adjustment. Therefore, the Fourth Round RDP is zero (0). Since the Borough lacked sufficient land to satisfy its Prior and Third Round Obligation of 371, it obviously lacks sufficient land to satisfy the additional 92-unit obligation imposed in the Fourth Round. The Borough’s continued entitlement to a vacant land adjustment for the 92-unit Fourth Round obligation is also assumed to be valid.

The remaining obligation is known as the Fourth Round Unmet Need and will be addressed through an increase in density in one of the five (5) existing inclusionary overlay districts that were established during the Third Round.

The Borough adopted five (5) overlay zoning districts, an accessory apartment program and a mandatory set-aside ordinance to address the Prior Round and Third Round Unmet Need Obligation. A listing of the overlay zones is provided below:

- AHO-1: River Road Affordable Housing Overlay Zone
 - 11.3 Acres
 - 20 units per acre density
 - Mixed-Use
- AHO-2: Downtown Mixed-Use Affordable Housing Overlay Zone
 - 2.5 Acres
 - 20 units per acre density
 - Mixed-Use
- AHO-3: Affordable Housing Overlay Zone-3
 - 1 Acre
 - 15 units per acre density
 - Mixed-Use
- AHO-4: Affordable Housing Overlay Zone-4
 - 3.5 Acres
 - 20 units per acre density
 - Mixed-Use
- AHO-5: Affordable Housing Overlay Zone-5
 - 5 Acres
 - 8 units per acre density
 - Age-Restricted

The Borough has zoned over 23 acres for inclusionary housing within overlay zones. With the exception of the AHO-5 district, the existing densities within these overlay districts continue to be meaningful in order to capture affordable housing units if parcels were to redevelop in the future. As a matter of sound land use planning, increased densities may actually make it more difficult to adequately protect existing residents that are adjacent to these districts with sufficient buffering while also ensuring that future projects would be able to meet the minimum parking requirements.

The Borough does not have any land that they believe will redevelop in the next 10 years that has not already been included in the existing overlay districts. The only parcels left in the B-1 zoning district that are not currently in an overlay district are located in the Borough's Historic District and in accordance with the Borough's land use goals, the buildings in the historic district contribute to the historic character of the neighborhood and warrant special attention to ensure that character is not disturbed or negatively impacted. The Borough's historic district is also located in the PA-5 (Environmentally Sensitive) planning area within the State's Development and Redevelopment Plan (SDRP). Most of the area is located in a

flood hazard area which is a planning area not recommended for the construction of affordable housing. As such, the Borough will not be implementing an overlay zone for parcels located in the existing historic district.

In addition, the only parcels left in the B-2 zoning district that are not currently in an overlay district contain existing single-family detached homes which are not likely to redevelop during the Fourth Round. As such, the Borough will not be implementing an overlay zone for parcels in the B-2 zoning district that contain an existing single-family home.

AHO-5: United Methodist Church Affordable Housing Overlay-5

The AH-5 zoning district is situated on a five-acre parcel (Block 77, Lot 107) and located at the termination of McCarter Avenue. The property is currently developed with the Christ Church United Methodist of Fair Haven. The AHO-5 zoning district permits inclusionary age-restricted housing at a density of eight (8) units per net developable acre. To provide a more meaningful capture mechanism for future affordable housing, the Borough will increase the maximum permitted density to ten (10) units per acre and lift the age-restricted housing requirement.

PRESERVATION OF MULTIGENERATIONAL FAMILY CONTINUITY

The 2024 FHA requires an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20). The Commission has the primary goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity. A review of the Borough's ordinance indicates that there are no ordinances that would specifically create a detraction from meeting the Commission's goal of enabling senior citizens to reside at the homes of their extended families. In fact, the Borough defines a family that is permitted to live in a single family dwelling in such a way that a senior citizen may live in that single family dwelling unit with their extended family which is a permitted use in the residential zoning districts. The Fair Haven ordinances advance the multigenerational family continuity goal.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN CONSISTENCY

The Fourth Round Housing Element and Fair Share Plan is consistent with the 2001 State Development and Redevelopment Plan (SDRP) as the proposed increased density within the existing overlay zon will provide for a meaningful opportunity for the construction of affordable housing. Other than the area

along the Navesink River, all of Fair Haven is designated as PA1, which is the Metropolitan Planning Area. Pursuant to the SDRP, PA1 is the preferred location for redevelopment for compact growth. The development of affordable housing in PA1 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into existing “centers” where infrastructure can support the development and support services such as open space, retail shopping, public transportation, schools are within walking distance. The existing overlay zones that receive increased density opportunities are mainly located in the PA1. The Borough’s Fourth Round Plan is consistent with the 2001 SDRP.

AFFORDABLE HOUSING ADMINISTRATION & AFFIRMATIVE MARKETING

Fair Haven Borough adopted an Affordable Housing Ordinance in accordance with COAH’s substantive rules and UHAC. The Affordable Housing Ordinance governs the establishment of affordable units in the Borough as well as regulating the occupancy of such units. The Borough’s Affordable Housing Ordinance covers the phasing of affordable units, the low/moderate income split, bedroom distribution, occupancy standards, affordability controls, establishing rents and prices, affirmative marketing, income qualification, etc. The Borough will update the Affordable Housing Ordinance as needed and determined by the Program or Court.

The Borough also established the position of the Municipal Housing Liaison and appointed a staff member to the position. The Borough relies on their affordable housing administrator to conduct the administration and affirmative marketing of its affordable housing sites. The affirmative marketing plans are designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to the affordable units located in the Borough. Additionally, the affirmative marketing plan is intended to target those potentially eligible people who are least likely to apply for affordable units and who reside in the Borough’s housing region, Region 4, consisting of Monmouth, Mercer and Ocean counties.

The administrative agent, who is a consultant to the Borough, is responsible for the marketing, the setting of sale and rental prices for affordable units, income certification of applicants, creation of a waiting list of income certified applicants and the initial random selection process for new affordable housing units. The Borough’s Operating Manual, which describes the policies and procedures used to create affordable housing units and fill them with income-eligible families, is available on the Borough’s website.

The existing affirmative marketing plan includes regulations for qualifications of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance with N.J.A.C. 5:80-26.1 et seq. All newly created affordable units will comply with the 30-year affordability control required by UHAC, N.J.A.C. 5:80-26.5 and 5:80-26.11. This plan must be adhered to

by all private, non-profit, and municipal developers of affordable housing units and must cover the period of deed restriction or affordability controls on each affordable unit.

AFFORDABLE HOUSING TRUST FUND

A development fee ordinance was adopted to create a dedicated revenue source for affordable housing.

The future Spending Plan will cover anticipated revenues, collection of revenues, and the use of revenues, which will be prepared in accordance with COAH's applicable substantive rules. All collected revenues will be placed in the Borough's Affordable Housing Trust fund and may be dispensed for the use of eligible affordable housing activities including, but not limited to:

- New construction of affordable housing units and related development costs;
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites;
- Acquisition and/or improvement of land to be used for affordable housing;
- Purchase of affordable housing units for the purpose of maintaining or implementing affordability controls,
- Maintenance and repair of affordable housing units;
- Repayment of municipal bonds issued to finance low- and moderate-income housing activity; and
- Any other activity as specified in the approved spending plan.

At least 30% of collected development fees, excluding expenditures made since July 17, 2008, when affordability assistance became a statutory requirement in the Fair Housing Act, shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in a municipal Fair Share Plan. At least one-third (1/3) of the affordability assistance must be expended on very-low income units. Additionally, no more than 20% of the revenues collected from development fees each year, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to prepare or implement a rehabilitation program, a new construction program, a housing element and fair share plan, and/or an affirmative marketing program.

COST GENERATION

The Borough's Land Development Ordinance has been reviewed to eliminate unnecessary cost generating standards. The Borough will adopt, if needed, Planning Board rules for expediting the review of development applications containing affordable housing. Such expedition may consist of, but is not

limited to, scheduling pre-application conferences and special monthly public hearings. Furthermore, development applications containing affordable housing shall be reviewed for consistency with the Land Development Ordinance, Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.) and the mandate of the FHA regarding unnecessary cost generating features. Fair Haven Borough shall comply with COAH's requirements for unnecessary cost generating requirements, N.J.A.C. 5:93-10.1, procedures for development applications containing affordable housing, N.J.A.C. 5:93-10.4, and requirements for special studies and escrow accounts where an application contains affordable housing.