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August 26, 2025

VIA ECOURTS

Honorable Thomas C. Miller, A.J.S.C. (ret.)

Program Chair

Richard J. Hughes Justice Complex
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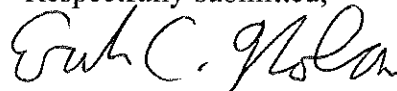
RE: In the Matter of the Application of the Township of Wall
Docket No.: MON-L-441-25

Dear Judge Miller:

This Firm represents the Township of Wall as affordable housing counsel. The Township Planning Board adopted a Fourth Round Housing Element and Fair Share Plan (the "Plan") after a properly noticed public hearing was held on August 25, 2025. The Township Committee also endorsed the Plan during a properly noticed public Special Township Committee meeting, also held on August 25, 2025 after the Planning Board meeting was concluded.

In accordance with the Fair Housing Act, and the Court's June 12, 2025 Order that extended the deadline for the Township to file its Plan from June 30, 2025 to August 29, 2025, the Township is submitting today via eCourts the adopted Planning Board resolution adopting the Plan, the adopted Township Committee resolution endorsing the Plan, the Plan itself, and the Appendix to the Plan. This hereby satisfies the deadline in the Fair Housing Act, and the June 12, 2025 Court Order, for the Township to file no later than August 29, 2025, an adopted Fourth Round Housing Element and Fair Share Plan with the Program and the Court for review and approval.

Respectfully submitted,



Erik C. Nolan

ECN/sp

Enclosure

cc: All attorneys of record (via eCourts)

Frank Banisch, III, P.P. (via eCourts)

Hon. Mary C. Jacobson (ret.), J.S.C. (via eCourts)



FOURTH ROUND

HOUSING ELEMENT AND FAIR SHARE PLAN

WALL TOWNSHIP | MONMOUTH COUNTY, NEW JERSEY

August 2025



FOURTH ROUND

HOUSING ELEMENT AND FAIR SHARE PLAN

ADOPTED BY THE PLANNING BOARD: AUGUST 25, 2025

ENDORSED BY THE TOWNSHIP COMMITTEE: AUGUST 25, 2025

PREPARED BY:

KENDRA LELIE, PP, AICP, LLA
NEW JERSEY PROFESSIONAL PLANNER LICENSE #5537
KYLE + McMANUS ASSOCIATES

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



WALL TOWNSHIP PLANNING BOARD

Richard Wonsala, Chairperson
Christine Shanklin, Vice Chairperson
Timothy Farrell, Committeeman
Kevin P. Orender, Committeeman
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Thomas Shields, Alternate #2

Erika Ward, Planning Board Secretary
Greg McGuckin, Esq., Planning Board Attorney
Raymond Savacool, PE, PP, CME, CFM Planning Board Engineer
Scott Taylor, PP, AICP, LLA, LEED AP, Planning Board Planner

WALL TOWNSHIP MAYOR & COMMITTEE

Honorable Timothy J. Clayton , Mayor
Daniel F. Becht, Deputy Mayor
Timothy J. Farrell, Committeeman
Kevin P. Orender, Committeeman
Erin M. Mangan, Committeewoman

John Tobia, Township Administrator
Roberta Lang, Township Clerk
Matt Zahorsky, PE, CME, Township Engineer
Nora Coyne, PP, AICP, Township Planner
Sean Kean, Esq., Township Attorney
Erik Nolan, Esq., Special Affordable Housing Counsel



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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” or “Amended FHA”) which was signed into law in March 2024. The Township is required to adopt a Fourth Round HEFSP by August 29, 2025 in accordance with the Order, entered by Superior Court Judge Linda Grasso Jones on June 12, 2025, which granted the Township of Wall (hereinafter the “Township”, “Wall Township” or “Wall”) a 60-day extension of the June 30, 2025 deadline established by the FHA to August 29, 2025. See Appendix.

This Plan will serve as the foundation for the Township’s application to the Affordable Housing Dispute Resolution Program (“Program”), which is the mediation arm of the Court to resolve disputes related to a municipality’s obligation and/or Housing Element and Fair Share Plan, and to the Superior Court for that approval, referred to as a Compliance Certification. Wall Township filed a Complaint for Declaratory Judgement in Superior Court on January 31, 2025, seeking a declaration of compliance with the Mount Laurel Doctrine and the Amended Fair Share Housing Act of 2024 for the Fourth Round (2025-2035).

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 the Third Round, which covered a time period from 1999-2025. Wall Township received a Final Judgment of Compliance from Superior Court of the Third Round HEFSP on March 4, 2024. See Appendix. The Third Round prospective need (new construction) obligation was 1,250 units. The Township has 212 affordable housing units that are occupied, 216 units under construction, 127 units that received site plan approval, 348 that have been zoned (of which 204 units have executed developers agreements) and 35 units that are part of the Township’s scattered site and market to affordable programs, which the Township will continue to pursue in the Fourth Round. The Township also received a total of 313 bonus credits for the Third Round. However, there is a deficit of 92 credits from the Route 33/34 Redevelopment Plan and the Schwartz zoning district. The Township will address the satisfaction of this deficit with additional units in the Fourth Round HEFSP, while still leaving both the Route 33/34 Redevelopment Plan and the Schwartz zoning district in place.

The Fourth Round Prospective Need Obligation is 650, as has been determined via the entry of a Mediation Agreement with Fair Share Housing Center (“FSHC”) dated April 2, 2025, an Order entered by the Program on March 31, 2025, and an Order entered by the Superior Court on April 14, 2025. See Appendix. The Fourth Round period is a 10-year obligation period running from July 1, 2025 to June 30, 2035. As detailed in this Fourth Round HEFSP, the Township is satisfying its current affordable housing obligations through a variety of compliance techniques and affordable housing projects.

INTRODUCTION & BACKGROUND

Since 1975, when the New Jersey Supreme Court decided S. Burlington County NAACP v. Mt. Laurel, 67 N.J. 151 (1975), more commonly known as “Mount Laurel I”, New Jersey municipalities have had a constitutional obligation to provide opportunities for the creation of low and moderate affordable 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 are subject 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, often at a very high density. 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 made it clear that developers who provide affordable housing must do so in accordance with sound planning, which is a pillar of the Mount Laurel doctrine.

Wall Township seeks to avoid the possibility of builder’s remedy litigation through the adoption of this Fourth Round Housing Element and Fair Share Plan (hereinafter “Fourth Round Plan”, “Plan” or “HEFSP”), which includes development projects with required affordable housing units, to be deed restricted for very-low, low- and moderate-income households.

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, which is 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.

Fair Housing Act Amendments

The 2024 Fair Housing Act (FHA) was signed into law in March 2024. The amendments made to the 2024 FHA govern how the municipal fair share obligations are established and satisfied. A few of the noteworthy changes include the following:

- The Department of Community Affairs (DCA), using the methodology required by the FHA, computed an advisory Fourth Round Present Need (Rehabilitation Obligation) and Prospective Need (New Construction) Obligation.
- The Affordable Housing Dispute Resolution Program (the “Program”) will administer the review, dispute resolution and approval of the Fourth Round Housing Element and Fair Share Plans submitted. The Program recently published new administrative rules requiring a municipality to file a Declaratory Judgment action with the Superior Court, once a municipality adopted a resolution setting forth its Fourth Round affordable housing Rehabilitation and Prospective Need Obligations. The process for review, dispute resolution and approval moves through a judicial process with a mediation process occurring at the Program level.
- Each municipality was required to adopt a binding resolution committing to a Fourth Round Present Need Obligation, also known as the Rehabilitation Obligation, and to a Fourth Round Prospective Need Obligation by January 31, 2025.
- The FHA set a deadline of June 30, 2025 for the submission of a Fourth Round Housing Element and Fair Share Plan to the Program is June 30, 2025, with the exception that a municipality could file a motion with the Superior Court for an extension of this deadline. If a municipality does not meet this deadline, the municipality may be open to a builder’s remedy lawsuit. The Fourth Round runs from July 1, 2025, to June 30, 2035.
- An overview of additional general requirements of the Amended FHA are as follows:
 - ✓ Third Round Assessment: A municipality shall include an assessment of meeting the Third Round obligation and determining if there is a deficit or surplus that must be addressed.
 - ✓ Unused/Underutilized Property: A municipality must consider converting or redevelopment of this type of property when planning for location of affordable housing.
 - ✓ 25% of affordable units have to be rental housing units and half of those have to be available to families with children.
 - ✓ 50% of the municipality’s prospective need (exclusive of any bonus credits) have to be available to families with children.
 - ✓ Transitional Housing: Municipalities can now count affordable housing credits from transitional housing, but towards no more than 10 percent of the municipality’s fair share obligation.

- ✓ Age-Restricted Units: 30% of a municipality's Prospective Need (exclusive of any bonus credits) can be age restricted.
 - ✓ Extension of Expiring Controls is a permitted mechanism credit if affordability controls are extended for a new term of affordability provided that the minimum extension term may be limited to no less than 20 years as long as the original and extended term, in combination, total at least 60 years. Any 100 percent affordable rental property shall have a right to extinguish a deed restriction regardless of original length, beginning 30 years following the start of the deed restriction, provided a refinancing or rehabilitation, or both, for the purpose of preservation is commenced and that a new deed restriction of at least 30 years is provided.
 - ✓ Adaptability Requirements/Possible Loss of Immunity: If affordable units do not properly comply with adaptability and barrier free requirements, the municipality "shall lose its immunity to builder's remedy lawsuits."
 - ✓ Loss of Immunity and Trust Fund: If a municipality loses immunity, the municipality is prohibited from expending trust funds.
 - ✓ Affordability controls for rental units shall be a minimum of 40 years and for for-sale shall be a minimum of 30 years.
- Bonus credits for affordable housing have been updated as follows:
 - Bonus credits are limited:
 - No more than one type of credit for any unit.
 - No more than 25% of the obligation shall be bonus credits.
 - One Full Bonus Credit:
 - Supportive and Special Needs Bedrooms.
 - 100% Affordable Projects: Units within 100% affordable housing project provided the municipality provide the land or a minimum of 3% of the project costs.
 - Market to Affordable Unit, which includes municipal site control of the property or an agreement between the municipality and the landowner.
 - Half Bonus Credit
 - Partnership with a non-profit developer.
 - The affordable housing units are within ½ mile of transit (rail, bus).
 - Age restricted units, but these types of bonuses are limited to 10% of the age-restricted units provided the age-restricted unit total is capped at 30% of the obligation.
 - Three-bedrooms units above the required three-bedroom distribution (min. 20%).
 - Units constructed on land that is or was previously developed and utilized for retail, office, or commercial space.
 - Redevelopment for units on land that is within a redevelopment zone.
 - Extension of affordability controls on rental housing only and the municipality funds the cost for the preservation.
 - Very Low-Income units above the 13% required.

The Housing Element and Fair Share Plan

In accordance with the 2024 Amended Fair Housing Act 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; and
- 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; and
- 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);
- 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. Wall Township is in Region 4, which includes Monmouth, Mercer, 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.

For 2025, New Jersey Housing and Mortgage Finance Agency (NJHMFA) updated income limits for all housing regions in New Jersey. 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
<i>Source: 2025 NJHMFA Income Requirements</i>					

The following tables provide illustrative sale prices and rents 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 DCA was required to calculate the Rehabilitation (Present Need) and the Prospective Need Obligations for municipalities within the State. The Amended FHA entitled municipalities to adjust the obligation if the information used in the DCA calculation was outdated or in error. After reviewing the DCA methodology for the present and prospective need obligations, the Township determined that the DCA calculation of 744 for prospective need was incorrect, and the Township Committee adopted Resolution 25-0154 on January 22, 2025, which set the Township's recalculated obligation at 492 units. The resolution and supporting report were submitted to the Program and the Superior Court on January 31, 2025.

Two parties filed objections to the Township's adoption of the recalculated obligation, Fair Share Housing Center (FSHC) and the New Jersey Builder's Association (NJBA). In accordance with the Amended FHA, the Program held mediation sessions between the parties, and as a result of the mediation process, the parties agreed to a Fourth Round Present Need Obligation of 224 and a Fourth Round Prospective Need Obligation of 650 units. See Appendix. The Settlement Agreement was executed on April 2, 2025 by the Township and FSHC, the Program approved the settlement and the adjusted Fourth Round obligations on March 31, 2025, and the Superior Court entered an Order on April 14, 2025 finalizing the Fourth Round numbers. Ibid. The NJBA did not object to the settlement between the Township and FSHC.

Each component of the Township's affordable housing obligations is identified as follows:

- Present Need (Rehabilitation) Obligation: 224 units
The Rehabilitation Obligation can be defined as an estimate of the number of deteriorated housing units existing in Wall Township occupied by low- and moderate-income households.
- Prior Round Obligation (1987-1999): 1,073
- Third Round Obligation (1999-2025): 1,250
- Prospective Need (New Construction) Obligation: 650 units
The prospective need obligation can be defined as the cumulative 2025 through 2035 new construction affordable housing obligation.

FAIR SHARE PLAN

Pursuant to the Amended FHA, the Fourth Round Fair Share Plan is required to provide an assessment of the degree to which the Township's Prior Round and Third Round fair share obligations have been met as established by prior Council on Affordable Housing ("COAH") or Court approval. The municipality is required to determine to what extent the obligation is unfulfilled or whether the municipality has excess credits.

If the Prior Round Obligation and/or Third Round Obligation remains unfulfilled the municipality shall address any Prior Round or Third 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 Third Round projects, the municipality must demonstrate how any sites that were not built in the prior rounds continue to present a realistic opportunity.

Prior Round Compliance Status

The Township's Prior Round Obligation of 1,073 has been fully satisfied and was approved by the Court when it entered the Township's Third Round JOR Order on March 4, 2024. See Appendix.

The Township's Prior Round Obligation was satisfied as follows:

Table 4: Summary of Credits from Prior Round (1987-1999)					
Program	Unit Type	Status	Units	Bonus Credits	Total Credits
Miller Group Home	Prior Cycle Credits	Completed	7	0	7

Table 4: Summary of Credits from Prior Round (1987-1999)

Program	Unit Type	Status	Units	Bonus Credits	Total Credits
Regional Contribution Agreement	Neptune Township City of Long Branch Bradley Beach Boro City of Asbury Park	Completed	542	0	542
Bearmore Mobile Home Park Expansion	Inclusionary Family For Sale/Rental	Completed	37	0	37
Collingwood Mews	100% Affordable Family Rental	Completed	110	110	220
Presbyterian Homes Waterford Glen (formerly Allaire Crossing)	100% Affordable Senior Rental	Completed	59	19	78
Scattered Sites	Municipally Sponsored Family For Sale	Completed	12	0	12
Spring Lake Garden Apartments	Market/Affordable Family Rental	Completed	33	33	66
Wexford at Wall	Assisted Living	Completed	43	43	86
AMIB	Supportive and Special Needs	Completed	4	4	8
New Horizons in Autism	Supportive and Special Needs	Completed	4	4	8
Presbyterian Homes Waterford Glen (formerly Allaire Crossing)	Supportive and Special Needs	Completed	7	7	14
Total			858	220	1,078

Third Round Compliance Status

The Township's Third Round obligation is 1,250. The following table provides the status of the projects that addressed the Third Round Obligation:

Table 2: Summary of Credits for the Third Round (1999-2025)					
Obligation: 1,250 units					
Unit Type	Project Name	Status	Units	Bonus Credits	Total Credits
Family Projects					
Prior Round Credit surplus	Scattered Sites	Completed	5	0	5
Municipally Sponsored For Sale	Habitat for Humanity	Completed	1	0	1
Inclusionary Rental	Glen Oaks	Completed	24	24	48
Inclusionary Rental (32) Market to Affordable(2)	American Properties	Completed	34	34	68
Inclusionary For Sale	Mack-Cali	Approved	68	0	68
Inclusionary For Sale	Quail Ridge	Completed	20	0	20
Inclusionary Rental	Long Meadow Commons	Zoned (Executed Developers Agreement)	50	50	100
Inclusionary Rental	Schwartz	Proposed (Adopted Zoning)	60	0	60
Inclusionary Rental	Edgewood Route 34/35	Zoned (Executed Developers Agreement)	80	80	160

Table 2: Summary of Credits for the Third Round (1999-2025)**Obligation: 1,250 units**

Unit Type	Project Name	Status	Units	Bonus Credits	Total Credits
Inclusionary Rental	Edgewood Route 34	Zoned (Executed Developers Agreement)	72	57	129
Inclusionary For-Sale With Off-Site Rental on Edgewood Route 34/35 and Route 34 Projects)	Edgewood 18 th Ave	Approved	-	-	-
Inclusionary Rental	Downtown Metro Project	Approved (Executed Developer's Agreement)	4	0	4
Inclusionary Rental	Economy Lodge Site Project	Zoned (Executed Developer's Agreement)	8	0	8
Inclusionary Rental	Budget Inn Site Project	Zoned (Executed Developer's Agreement)	10	0	10
Inclusionary Rental	Brick Recycling	SP Pending	18	0	18
Redevelopment Plan Rental/For-Sale	Route 33/34 and Motels Redevelopment Area	Zoned (Redevelopment Plan Adopted)	66	0	66
100%/Municipally Sponsored for Sale	Scattered Sites	Development Agreement With Habitat For Humanity Entered	19	0	19

Table 2: Summary of Credits for the Third Round (1999-2025)**Obligation: 1,250 units**

Unit Type	Project Name	Status	Units	Bonus Credits	Total Credits
		All Sites Zoned 1 unit Under Construction 1 unit Approved 17 units Proposed 2 additional sites transferred to Habitat			
Market to Affordable	Township Sponsored	Proposed	18	0	18
Inclusionary Family Rental	TRG	Approved	27	0	27
100%/Municipally Sponsored Family Rental	Project Freedom	Under Construction	52	52	104
Age-Restricted Projects					
Assisted Living	Sunnyside Manor	Completed	8	0	8
100% AH Rental	Allenwood Terrace	Completed	85	0	85
100% AH Rentals	Holly Boulevard Phase I	Under Construction	83	0	83
100% AH Rentals	Holly Boulevard Phase II	Under Construction	67	0	67

Table 2: Summary of Credits for the Third Round (1999-2025)**Obligation: 1,250 units**

Unit Type	Project Name	Status	Units	Bonus Credits	Total Credits
100%/Municipally Sponsored Rental	Colfax (Allaire Apts)	Completed	27	0	27
Inclusionary Rental	Mumford (Sea Glass)	SP Pending	10	0	10
Inclusionary For-Sale	Clayton	Approved	26	0	26
Inclusionary Rental Third Round Surplus	Clayton	Approved	7 of 38	0	7 of 38
Assisted Living Third Round Surplus	Care One	Zoned (Executed Developers Agreement)	0 of 32	0	0
Supportive and Special Needs					
Supportive and Special Needs	AWS	Completed	8	8	16
Supportive and Special Needs	Project Freedom	Under Construction	14	8	22
Total			971	313	1284
Surplus Units			34		34
Unfulfilled Units			-92		-92
Total units to be addressed in 4th Round			58		58

SATISFACTION OF FOURTH ROUND AFFORDABLE HOUSING OBLIGATIONS

The Township is addressing its Fourth Round Affordable Housing Obligations through a variety of mechanisms that include a Rehabilitation Program, inclusionary projects, and a one hundred percent (100%) municipally sponsored affordable housing project.

Fourth Round Rehabilitation (Present Need) Obligation: 224

Wall Township's Fourth Round Rehabilitation Obligation (present need) is 224 units. The rehabilitation obligation is not cumulative but is a recalculation based on the most recent census data. However, the Township may adjust the rehabilitation obligation based upon the findings of a Structural Conditions Survey in accordance with N.J.A.C. 5:93-5.2(a) and Appendix C. The Township Construction Official will perform a visual inspection of residential structures to determine the number of homes that are actually in fair or poor condition. The results of the survey may reduce the rehabilitation obligation. It is anticipated that this visual inspection and results of the Structural Conditions Survey will be completed before October 14, 2025.

The Township will continue to run the Township's Rehabilitation Program and participate in the Monmouth County Rehabilitation Program to address the rehabilitation obligation.

All rehabilitated units will comply with the definition of a substandard unit in N.J.A.C. 5:93-5.2(b), which states, "a unit with health and safety code violations that require the repair or replacement of a major system." Major systems include weatherization, roofing, plumbing, heating, electricity, sanitary plumbing, lead paint abatement and/or load bearing structural systems. All rehabilitated units shall meet the applicable construction code. Additionally, all rehabilitated units shall be occupied by very-low, low- or moderate-income households and subject to 10-year affordability controls, which shall be placed on the property in the form of a lien or deed restriction. The average hard cost for the rehabilitation of a major system will be at least \$10,000.

Fourth Round Prospective Need (New Construction) Obligation:

650 + 58 from Third Round (708 total)

The Township's proposed compliance mechanisms for satisfying its Fourth Round Prospective Need (New Construction) Obligation, as well as additional units to satisfy the gap in the current gap in the Township's Third Round Obligation, are summarized in the following table:

Table 3: Summary of Credits for the Fourth Round (2025-2035)

Project/Program	Unit Type	Status	Units	Bonus Credits	Total Credits
Peddlers Village	Family For-Sale	Proposed	45	22.5	67.5
West Hurley Pond Rd (Wall Owner)	Family (116) and Senior (56) For-Sale	Proposed	172	-	172
Mill Run @ Allaire Municipally Sponsored	100% Affordable (143)	Proposed	143	140	283
Mill Run @ Allaire	Inclusionary Family (47) and Senior (76)	Proposed	123	-	123
Clayton Redevelopment	Surplus Senior Rental 3 rd Round	Approved	31	-	31
Care One	Assisted Living	Zoned (Executed Developers Agreement)	32	-	32
Total			546	162.5	708.5

The affordable housing rules require municipalities to designate sites that are “suitable, approvable, available and developable”, as defined in N.J.A.C. 5:93-1. These terms are defined as follows:

- ***Suitable site*** means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.
- ***Approvable site*** means a site that may be developed for low- and moderate-income housing in a manner consistent with the rules and regulations of all agencies with jurisdiction over the

site. A site may be approvable although it is not currently zoned for low- and moderate-income housing.

- **Available site** means a site with clear title, free of encumbrances which preclude development for low- and moderate-income housing.
- **Developable site** means a site that has access to appropriate water and sewer infrastructure and is consistent with the applicable areawide water quality management plan (including the waste management plan) or is included in an amendment to the areawide water quality management plan submitted to and under review by the NJ Department of Environmental Protection.

Fourth Round Project Descriptions

SURPLUS CREDITS – THIRD ROUND

Clayton Redevelopment Plan: 31 age-restricted rental units

The site was found to be suitable for affordable housing in the Township's Court approved Third Round Housing Element and Fair Share Plan. The Planning Board approved two site plan applications (Resolution 2024-10 and 2024-11) in April and May 2024 for age-restricted development projects on a portion of the Clayton Redevelopment Plan site. The developer received approval to construct a total of 130 townhouse for-sale units and 187 apartment units, of which 26 townhouse units and 38 rental units (64 total age-restricted affordable units) will be deed restricted for low- and moderate-income households. Surplus credits are realized with this project because the Township maximized the age-restricted credits in the Third Round and can apply the surplus age-restricted credits toward the Fourth Round obligation. A total of 33 age-restricted credits from this project were applied to the Third Round obligation and the remaining 31 age-restricted credits from this project will be applied to the Fourth Round obligation.

ASSISTED LIVING – ZONED

Care One Assisted Living: 32 assisted living beds

The Township adopted Ordinance No. 17-2024 on December 4, 2024 permitting assisted living and skilled nursing facility on Block 745, Lots 4.01 and 16, located at 2621 and 2601 Highway 138. The assisted living facility will restrict 32 beds for low and moderate income households, consistent with NJ licensing requirements for assisted living facilities. Additionally, all applicable affordable housing requirements will be met, including, but not limited to affordability controls of not less than 40 years.

INCLUSIONARY DEVELOPMENT – PROPOSED

Peddlers Village: 45 family for-sale units + 22.5 bonus credits

The Peddlers Village site (Block 810, Lots 1 & 3) is 21.6 acres in area with access to Atlantic Avenue and frontage on Route 35. The subject parcel is the site of a vacant retail shopping center that has been vacant for 5 years.

The proposed development will consist of 217 family for-sale residential townhome units, of which 45 will be deed restricted for very-low, low- and moderate-income households.

The Township is eligible for 22.5 bonus credits as the FHA permits ½ bonus credit for each affordable unit created through the redevelopment of existing commercial parcels.

The site is suitable. The subject site contains a vacant building with existing access to Atlantic Avenue, which is an appropriate County highway to accommodate traffic from the proposed development. In addition, the developer will make improvements to the adjacent Route 35 traffic circle to improve the safety of the existing vehicle movements. The surrounding land uses include commercial uses to the north, a medical office and apartment units to the west. The Capitol to Coast multi-use recreational trail is adjacent to the parcel's southern property line. The 2001 Adopted State Plan Map, as well as the proposed new State Plan, both designate the property as being in Metropolitan Planning Area (PA1). 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 where infrastructure can support the development and support services such as open space, retail shopping, public transportation, and schools are within walking distance.

The site is approvable. The site will be developed consistent with the rules and regulations of all agencies with jurisdiction over the site including the State, Township and County. The Township will adopt an ordinance to permit the proposed development and require the minimum affordability control deed restrictions on the units in accordance with N.J.A.C. 5:93 et seq. and N.J.A.C. 5:80-26.1. In addition, the project will be compliant with Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no Category One streams or known contaminated sites on the property. There is a small vein of wetlands associated with the Judas Creek along the southwestern property boundary. However, the development of the property for affordable housing will not be impeded by the presence of the wetlands area.

The site is available. The site has no known legal encumbrances or deed restrictions that would preclude the development of affordable housing, and there are no known historic or architecturally important sites or buildings on the property or in the immediate vicinity that will affect the development of affordable housing.

The site is developable. The site is located in the South Monmouth Regional sewer service area. The Township Engineer confirmed that there is adequate sewer and water capacity to service the proposed development.

INCLUSIONARY DEVELOPMENT – PROPOSED

Wall Owner (West Hurley Pond Road): 172 Family and Senior For-Sale Units

The site (Block 922, Lot 5) is 263 acres in area with access to West Hurley Pond Road. The subject parcel is an active mining operation. The developer is proposing a mixed use site, with inclusionary residential

housing located along the western side of the site and commercial uses (warehouse and data center) located along Route 34 to the east of the site.

The proposed residential development will consist of a total of 856 units, of which 56 senior, and 116 family units will be deed restricted for very-low, low- and moderate-income households. The residential units will be mix of single-family detached residences, townhouses and apartments.

The site is suitable. The subject site has access to West Hurley Pond Road, a major collector Township road, which is an appropriate street to accommodate traffic from the proposed development. The developer will provide the necessary upgrades to West Hurley Pond Road needed to accommodate the traffic from the proposed development. The surrounding land uses include a private airport to the north (Monmouth Executive Airport), a historic vehicular racetrack to the east, Highway 195 to the south and single-family detached homes to the west.

The 2001 Adopted State Plan Map, as well as the proposed new State Plan, both designate the property as being in Suburban Planning Area (PA2). Pursuant to the SDRP, PA2 is the preferred location for redevelopment for compact growth. Pursuant to the SDRP, PA2 is the preferred location for redevelopment for compact growth. The development of affordable housing in PA2 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into PA2 areas as the intentions of the Suburban Planning Area are to provide for much of the state's future redevelopment, promote growth in compact forms, and redesign areas of sprawl.

The site is approvable. The site will be developed consistent with the rules and regulations of all agencies with jurisdiction over the site including the State, Township and County. The Township will adopt an ordinance to permit the proposed development and requires the minimum affordability control deed restrictions on the units in accordance with N.J.A.C. 5:93 et seq. and N.J.A.C. 5:80-26.1. In addition, the project will be compliant with Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no Category One streams or known contaminated sites on the property. Wetlands are centrally located on the site and create a natural divide between the residential units and commercial development. However, the development of the property for affordable housing will not be impeded by the presence of the wetlands area.

The site is available. The site has no known legal encumbrances or deed restrictions that would preclude the development of affordable housing, and there are no known historic or architecturally important sites or buildings on the property. The parcel to the east of the subject site contains a vehicular racetrack built in 1950 (Wall Stadium), which is identified as an individually listed historic resource. Development of the inclusionary residential project will not negatively impact this historic resource.

The site is developable. The site is located in the South Monmouth Regional sewer service area. The Township Engineer confirmed that there is adequate sewer and water capacity to service the proposed development.

INCLUSIONARY DEVELOPMENT – PROPOSED

Mill Run at Allaire: 123 Family and Senior Units

The subject site (Block 952, Lot 1) is 386 acres in area with access to Atlantic Avenue. The subject parcel is the site of a vacant children's mental institution complex that was constructed in the early 1900's and was occupied by the Arthur Brisbane Child Treatment Center. The building and grounds, owned by the State, have been vacant since 2005, and in 2021, the main house was destroyed by fire. A few vacant structures remain on the site, including a water tower. The Brisbane Lake is centrally located in the southeast quadrant of the property with the Mill Run streams traversing the property running from south to north.

The proposed development will consist of up to 615 residential housing units (total units depends on the final affordable housing setaside), of which 76 senior units and 47 family units will be deed restricted for very-low, low- and moderate-income families. The site is proposed as a planned unit development, and will provide for inclusionary housing, a one hundred percent (100%) affordable housing project, amenities for the residents such as a clubhouse and pool, retail and community gathering spaces (VFW hall), trails, active and passive open space, elementary school and the rehabilitation of the existing dam and lake for recreational and environmental educational purposes

The site is suitable. The subject site has frontage on Atlantic Avenue, a secondary arterial County road which is an appropriate street to accommodate traffic from the proposed development. The surrounding land uses include farmland to the north across Route 195 (Wall Owner site) and to the east, Allaire State Park to the south, and a few detached single-family homes to the southeast. The 2001 Adopted State Plan Map, as well as the proposed new State Plan, designate the property as being a State Park (PA 8) as it is State owned. The Township is working with the State to provide for an environmentally sensitive planned unit development on the site, which will partially address the Township's affordable housing obligation for the Fourth Round. It should be noted that the Planning Area to the north and east of the site are in PA2, which is the preferred location for redevelopment for compact growth. The development of affordable housing in PA2 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into PA2 areas as the intentions of the Suburban Planning Area are to provide for much of the state's future redevelopment, promote growth in compact forms, and redesign areas of sprawl. The Township will work with the Office of Planning Advocacy to change the planning area designation to PA2.

The site is approvable. The site will be developed consistent with the rules and regulations of all agencies with jurisdiction over the site including the State, Township and County. The Township will adopt an ordinance to permit the proposed development and require the minimum affordability control deed restrictions on the units in accordance with N.J.A.C. 5:93 et seq. and N.J.A.C. 5:80-26.1. In addition, the project will be compliant with Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. The Mill Run is a Category One stream. The development will comply with the required NJDEP regulations for buffers associated with a Category One stream. Wetlands are present and are associated with the Mill Run, its tributary and the existing lake. There are additional isolated pockets of wetlands located to the

southeast corner and the southwest along Atlantic Avenue. A concept plan has been developed to ensure the proposed project can be accommodated while also preserving the existing wetlands, lake and Category One stream corridors.

The site is available. The site has no known legal encumbrances or deed restrictions that would preclude the development of affordable housing, and there are no known historic or architecturally important sites or buildings on the property. The deserted village of Allaire Historic District is located to the south of the subject parcel across Atlantic Avenue. Development of the inclusionary residential project will not negatively impact this historic resource.

The site is developable. The existing Manasquan River Regional sewer service area for the site encompasses the developed portions of the site. The Wastewater Management Plan will need to be amended to include the proposed developed portions of the site. There is adequate sewer capacity at the Ocean County North Sewer Treatment Plant to accommodate the proposed development. The Township Engineer confirmed there is adequate sewer and water capacity to serve the proposed development.

100% AFFORDABLE DEVELOPMENT – PROPOSED

Mill Run @ Allaire: 143 family rental units + 140 bonus credits

The Township will work with an experienced affordable housing provider of one hundred percent (100%) affordable family rental housing to construct a one hundred percent (100%) affordable housing rental complex containing up to 143 family rental units located on the western half of the proposed planned unit development. The Township is working with the State and is actively pursuing the purchase of the land area needed to accommodate the proposed one hundred percent (100%) affordable housing project. The Township is eligible for 140 bonus credits as the FHA permits a full bonus credit for each unit that is created through a municipally sponsored one hundred percent (100%) affordable housing development provided the Township donates the land to the developer or commits to fund a minimum of 3% of the project cost.

COAH's Second Round rules at N.J.A.C. 5:93-1.3 and N.J.A.C. 5:93:5.5 for 100% affordable projects are addressed as follows:

- ✓ Site Control – The Township is actively pursuing purchase of the property.
- ✓ Suitable Site – The site is suitable as defined in COAH's regulations at N.J.A.C. 5:93-1.3, which indicates that a suitable site is one in which it is adjacent to compatible uses, has access to appropriate streets and is consistent with environmental policies in N.J.A.C. 5:93-4.
 - *The site has a clear title and is free of encumbrances that preclude development of affordable housing.* To our knowledge, the site has a clear title and no legal encumbrances that would preclude its development for affordable family rental housing.

- *The site is adjacent to compatible land uses and has access to appropriate streets.* The subject site has frontage on Atlantic Avenue, and a secondary arterial County road, which is an appropriate street to accommodate traffic from the proposed development. The surrounding land uses include farmland to the north across Route 195 (Wall Owner site) and to the east, Allaire State Park to the south, and a few detached single-family homes to the southeast.
- *Adequate sewer and water capacity is available.* The existing Manasquan River Regional sewer service area for the site encompasses the developed portions of the site. The Wastewater Management Plan will need to be amended to include the proposed developed portions of the site. There is adequate sewer capacity at the Ocean County North Sewer Treatment Plant to accommodate the proposed development. The Township Engineer confirmed there is adequate sewer and water capacity to serve the proposed development.
- *The site can be developed in accordance with R.S.I.S.* Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq.
- *The site is located in a "Smart Growth Planning Area."* The 2001 Adopted State Plan Map and the proposed new State Plan designate the property as being a State Park (PA 8) as it is State owned. The Township is working with the State to provide for an environmentally sensitive planned unit development on the site which will partially address the Township's affordable housing obligation for the Fourth Round. It should be noted that the Planning Area to the north and east of the site are in PA2, which is the preferred location for redevelopment for compact growth. The development of affordable housing in PA2 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into PA2 areas as the intentions of the Suburban Planning Area are to provide for much of the state's future redevelopment; promote growth in compact forms; and redesign areas of sprawl. The Township will work with the Office of Planning Advocacy to change the planning area designation to PA2.
- *The development is not within the jurisdiction of a Regional Planning Agency or CAFRA.* The site is outside of the Pinelands, Highland, CAFRA and Meadowlands planning areas.
- *The site will comply with all applicable environmental regulations.* The Mill Run is a Category One stream. The development will comply with the required NJDEP regulations for buffers associated with a Category One stream. Wetlands are present and are associated with the Mill Run, its tributary and the existing lake. There are additional isolated pockets of wetlands located to the southeast corner and the southwest along Atlantic Avenue. The site was studied to ensure the proposed project can be accommodated while also preserving the existing wetlands, lake and Category One stream corridors.

- *The site will not affect any historic or architecturally important sites and districts.* The deserted village of Allaire Historic District is located to the south of the subject parcel across Atlantic Avenue. Development of the inclusionary residential project will not negatively impact this historic resource.
- ✓ **Developable Site** – In accordance with N.J.A.C. 5:93-1.3, a developable site has access to appropriate sewer and water infrastructure and is consistent with the area wide water quality management plan. The existing Manasquan River Regional sewer service area for the site encompasses the developed portions of the site. The Wastewater Management Plan will need to be amended to include the proposed developed portions of the site. There is adequate sewer capacity at the Ocean County North Sewer Treatment Plant to accommodate the proposed development. The Township Engineer confirmed there is adequate sewer and water capacity to serve the proposed development.
- ✓ **Approvable Site** – Pursuant to N.J.A.C. 5:93-1.3, an approvable site may be developed for low- and moderate-income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. The site will be developed consistent with the rules and regulations of all agencies with jurisdiction over the site including the State, Township and County. The Township will adopt an ordinance to permit the proposed development and require the minimum affordability control deed restrictions on the units in accordance with N.J.A.C. 5:93 et seq. and N.J.A.C. 5:80-26.1.
- ✓ **Administrative Entity** – The future developer or developers of the site will own and operate the affordable units pursuant to the applicable state regulations. For the proposed Fourth Round affordable units, the developer(s) will affirmatively market the units, income qualify applicants, place a minimum of 40-year affordability control deed restrictions on the units and provide long-term administration of the units in accordance with applicable COAH's rules at N.J.A.C. 5:93 et seq. and UHAC rules per N.J.A.C. 5:80-26.1, or any successor regulation, with the exception that in lieu of 10% affordable units in rental projects being required to be at 35% of median income, 13% of affordable units in such projects shall be required to be at 30% of median income.
- ✓ **Low/Moderate Income Split** – At least half of all the affordable units developed at the site will be affordable to low-income households (13% of all affordable units will be very low-income) and an odd number of affordable units will always be split in favor of the low-income unit per N.J.A.C. 5:80-26.1.
- ✓ **Affirmative Marketing** – The developer will affirmatively market the units in accordance with UHAC per N.J.A.C. 5:80-26.1.
- ✓ **Controls on Affordability** – The Township's developers agreement and zoning ordinance will require a minimum 40-year affordability control deed restrictions on the units in accordance with N.J.A.C. 5:93 et seq. and N.J.A.C. 5:80-26.1.
- ✓ **Bedroom Distribution** – The units will be required to be developed in accordance with UHAC bedroom distribution requirements in accordance with N.J.A.C. 5:80-26.3.

- ✓ Funding –The developer of the one hundred percent (100%) affordable project will pursue funding from Federal, State, and County agencies, including Low Income Housing Tax Credits from the Housing, Mortgage, Finance Agency for support in the funding of the project. In addition, the municipality will utilize Affordable Housing Trust Funds to aid in a gap in funding.
- ✓ Construction Schedule – The developer will begin construction of the affordable family rental units within two (2) years of the Township receiving a Final Judgment of Compliance from Superior Court. The developer will be responsible for monitoring the construction and overall development activity.

OBLIGATION MICRO-REQUIREMENTS

Per the Amended FHA, the Township must address a variety of minimum or maximum credits in satisfying its Fourth Round fair share obligation. The Township must meet the rental obligation, total family unit obligation, the very low-income obligation and not exceed the maximum senior unit cap.

Maximum Bonus Credits = 162.5 credits

.25 (Obligation) = 162.5 units | .25 (650) = 162.5 units

The Township does not exceed the maximum number of bonus credits and is requesting bonus credits for the Peddlers Village redevelopment of a commercial use which permits ½ bonus credit per unit (22.5) and the Mill Run @ Allaire 100% affordable housing project (140).

Minimum Rental = 163 units

.25 (Obligation) = 163 units | .25 (650) = 162.5, round up to 163 units

This obligation is satisfied with 206 credits associated with Mill Run @ Allaire 100% Affordable Housing project (143), Clayton Redevelopment surplus credits (31) and Care One Assisted Living beds (32).

Maximum Senior = 195 units

.30 (Obligation) = 195 units | .30 (650) = 195 units

This maximum number of senior units is not exceeded as the proposed senior credits are attributed to Wall Owner (56 units), Mill Run @ Allaire inclusionary project (76 units), Clayton Redevelopment surplus credits (31 units) and Care One assisted living beds (32 units).

Minimum Family = 244 units

.50 (Obligation-bonus) = 244 units | .50 (650-162.5) = 243.75, round up to 244 units

This obligation is satisfied with 351 credits associated with Peddlers Village inclusionary project (45 units), Wall Owner inclusionary project (116 units) and the Mill Run @ Allaire 100% affordable housing and inclusionary project (190 units).

Minimum Family Rental: 82 units

.50 (rental obligation) = 82 units | .50 (162.5) = 81.25 units, round up to 82 units

This obligation is satisfied with 143 credits associated with the Mill Run @ Allaire 100% affordable housing project (143 units).

Minimum Very Low Income = 71 units

.13 (AH units)= 71 units | .13 (546) = 70.98, round up to 71 units

This obligation is satisfied with 90 credits including six (6) credits associated with the Peddlers Village Redevelopment project, 23 credits associated with the Wall Owner inclusionary project, 25 credits associated with the Mill Run @ Allaire project and 4 credits associated with the Clayton Redevelopment surplus units and 32 credits associated with the Care One assisted living beds.

Consideration of Affordable Housing Options

As part of this Plan, and as is required by the FHA, the Township has considered land that is appropriate for the construction of low- and moderate-income housing.

Several developers approached the Township with prospective inclusionary housing development proposals. Wall Township professionals, employees and representatives reviewed and/or met with all of the developers that expressed an interest in developing affordable housing in the Township for the Fourth Round. All projects were also reviewed in terms of suitability.

In addition to suitability, the Township considered projects on properties that represented redevelopment of past commercial and industrial activities, provided public benefits, reduced aesthetic impacts, utilized the least number of acres to accomplish the required affordable housing units and maximized bonus credits and affordable housing setasides. A decision was then made to work with certain developers and include those projects in the Plan that provided the most realistic opportunity to produce affordable housing.

The list of projects that were proposed and considered but not included in the Plan are below. In some instances, the developer proposed several concept plans and that case, the Township chose to include the concept plans with the greater quantity of affordable housing units:

Project Name	Type/Density	Affordable Housing Units	Bonus Credits Eligible
Pittenger West Hurley Pond Road Block 945, Lot 13 Townhomes	Senior 6.3 du/acre 23 acres	60 (145 total) 41% Setaside	No

Project Name	Type/Density	Affordable Housing Units	Bonus Credits Eligible
Pittenger Brinley Road Block 772, Lots 8, 22 & 23 Apartments & Townhomes	Supportive and Special Needs 3.4 du/acre 31 acres	34 (142 total) 24% Setaside	Yes, for Supportive and Special Needs
Ridgewood Road Block 806, Lots 4 & 5 Renaissance Properties Townhomes	Family Rental 18.6 du/acre 6 acres	24 (112 total) 21% Setaside	Yes, for Redevelopment
Toll Brothers 2905 West Hurley Pond Road Block 772, Lots 5 & 30 Townhomes	Family For Sale 5.2 du/acre 23 acres	24 (120 total) 20% Setaside	No
Toll Brothers 1718 Highway 34 Block 942, Lot 37 Townhomes	Family For Sale 4.6 du/acre 36 acres	42 (168 total) 25% Setaside	No
Ocean Road American Properties Block 733, Lots 6 & 8 Townhomes	Family For Sale 6.35 du/acre 17 acres	22 (108 total) 20% Setaside	No
1215 Sea Girt Avenue K Hovnanian Block Townhomes	Family For Sale 5 du/acre 5 acres	5 (25 total) 20 % Setaside	No
1014 Sea Girt Avenue Mumford Block 280, Lot 64 Townhomes	Family For Sale 4.2 du/acre 6 acres	4 (24 total) 16% Setaside	No
Allenwood Road Block 801, Lot 7 Townhomes	Family For Sale 5.7 du/acre 23 acres	45 (136 total) 33 % Setaside	No
5006 Marshall Road Block 909, Lot 1 Paytas	Residential Health Care Facility Assisted Living Units	44 units 100% Affordable	Possible for supportive and special needs

Project Name	Type/Density	Affordable Housing Units	Bonus Credits Eligible
WCR, LLC Wall Church Road Block 270 Lot 6	Family No Plans submitted 13.95 du/acre 1 acre	12 existing apartments in market to affordable 100% Affordable	Yes, but only for a market to affordable program
Laura Brinkerhoff/Ryan Homes Atlantic Ave. Block 819 Lot 12	Senior For Sale 11.49 du/acre 5 acres	11 (55 total) 20% Setaside	No
American Properties Block 774, Lot 5 2059 Allenwood Road	Family For Sale Townhomes 6.3 du/acre 47.6 acres No Concept Plan	75 (300 total) 25% Setaside	No
Khov Block 942, Lot 57.01 1730 Highway 34	Family For Sale Townhomes 2.5 du/acre 62 acres	39 (156 total) 25% Setaside	No

The Township believes that the projects, programs and mechanisms proposed in this Fourth Round Plan represent the best options for affordable housing in Wall Township, and that said mechanisms, projects and programs will satisfy any gap in the Township's Third Round Obligation, as well as satisfy the Township's Fourth Round Present and Prospective Need Obligations. While the Township 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 Township affordable housing obligations at this time.

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 Township'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 Township 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 Wall ordinances advance the multigenerational family continuity goal.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN CONSISTENCY

This Fourth Round Housing Element and Fair Share Plan is consistent with the 2001 State Development and Redevelopment Plan ("SDRP"), as well as the proposed SDRP that is currently in the cross acceptance process and will provide a realistic opportunity for the construction of affordable housing in the Township. Other than the Mill Run @ Allaire site, Peddlers Village and Wall Owner projects are located in State Planning areas designated as PA1 and PA2, which is the Metropolitan Planning Area and Suburban Planning Area, respectfully. Pursuant to the SDRP, PA1 and PA2 are the preferred locations for redevelopment for compact growth. The development of affordable housing in PA1 and PA 2 is consistent with the overall State Development and Redevelopment Plan goal to direct redevelopment and growth into PA1 and PA2 areas, as the intentions of the Metropolitan Planning Area and the Suburban Planning Area are to provide for much of the state's future redevelopment, promote growth in compact forms, and redesign areas of sprawl.

As previously indicated the State Plan designates the Mill Run @ Allaire property as being a State Park (PA 8) as it is State owned. The Township is working with the State to provide for an environmentally sensitive planned unit development on the site which will partially address the Township's affordable housing obligation for the Fourth Round. It should be noted that the Planning Area to the north and east of the site are in PA2, which is the preferred location for redevelopment for compact growth. The Township will work with the Office of Planning Advocacy to change the planning area designation to PA2.

AFFORDABLE HOUSING ADMINISTRATION & AFFIRMATIVE MARKETING

Wall Township adopted an Affordable Housing Ordinance in accordance with COAH's substantive rules and UHAC, which will be updated after UHAC regulations as amendments are adopted. The Affordable Housing Ordinance governs the establishment of affordable units in the Township as well as regulating the occupancy of such units. The Township's Affordable Housing Ordinance 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 Township has established the position of the Municipal Housing Liaison (MHL) and has appointed a staff member to the position. The Township relies on a consultant as the affordable housing administrator to conduct the administration and affirmative marketing of its affordable housing sites. However, the

Township will permit developers who demonstrate the appropriate experience and expertise to administer their own units as both are experienced affordable housing administrators. The affirmative marketing plans are designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to the affordable units located in the Township. Additionally, the affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units and who reside in the Township's housing region, Region 3, consisting of Somerset, Hunterdon and Middlesex counties.

The affirmative marketing plans include regulations for qualification of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance with N.J.A.C. 5:80-26.1 et seq. All newly created affordable units will comply with the 30-year affordability control required by UHAC at 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

An amended Development Fee Ordinance creating a dedicated revenue source for affordable housing was adopted by Wall Township in 2020.

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

- Rehabilitation program;
- 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.

However, the Township is required to fund eligible programs in a Court-approved Housing Element and Fair Share Plan, as well as provide affordability assistance.

A portion of the 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. Additionally, a portion of the affordability assistance must be expended on very-low income units. 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.

MONITORING

The Township will comply with monitoring provisions consistent with those required by the Fair Housing Act and similar. The monitoring requires regular tracking of progress toward meeting the affordable housing obligation and ensuring the affordable units and affordable housing trust fund are administered. On or before February 15th of each year, the Township will provide annual reporting of the status of all affordable housing activity and Affordable Housing Trust Fund activity, via the entry of this data in the DCA's Affordable Housing Monitoring System.

COST GENERATION

The Wall Township's Land Development Ordinance has been reviewed to eliminate unnecessary cost generating standards; it provides for expediting the review of development applications containing affordable housing. Such expedition may consist of, but is not limited to, scheduling of 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. Wall Township 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.