



HOUSING ELEMENT AND FAIR SHARE PLAN

Mendham Borough, Morris County

June 17, 2025

Prepared by:



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**2025 Housing Element and Fair Share Plan
Mendham Borough
Morris County, New Jersey**

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1. Introduction

1.1 Community Overview

The Borough of Mendham is located in south-central Morris County and has a land area of 6.0 square miles. Mendham had a population of 4,981 residents and 1,867 total housing units according to the 2020 US Census.

Mendham Borough is surrounded by Mendham Township to the north, east, and west in Morris County and the Borough of Bernardsville in Somerset County to the south. The Borough is known for its historic downtown where some of the oldest structures date back to the 18th Century. The downtown is also designated as a national, state, and local historic district.

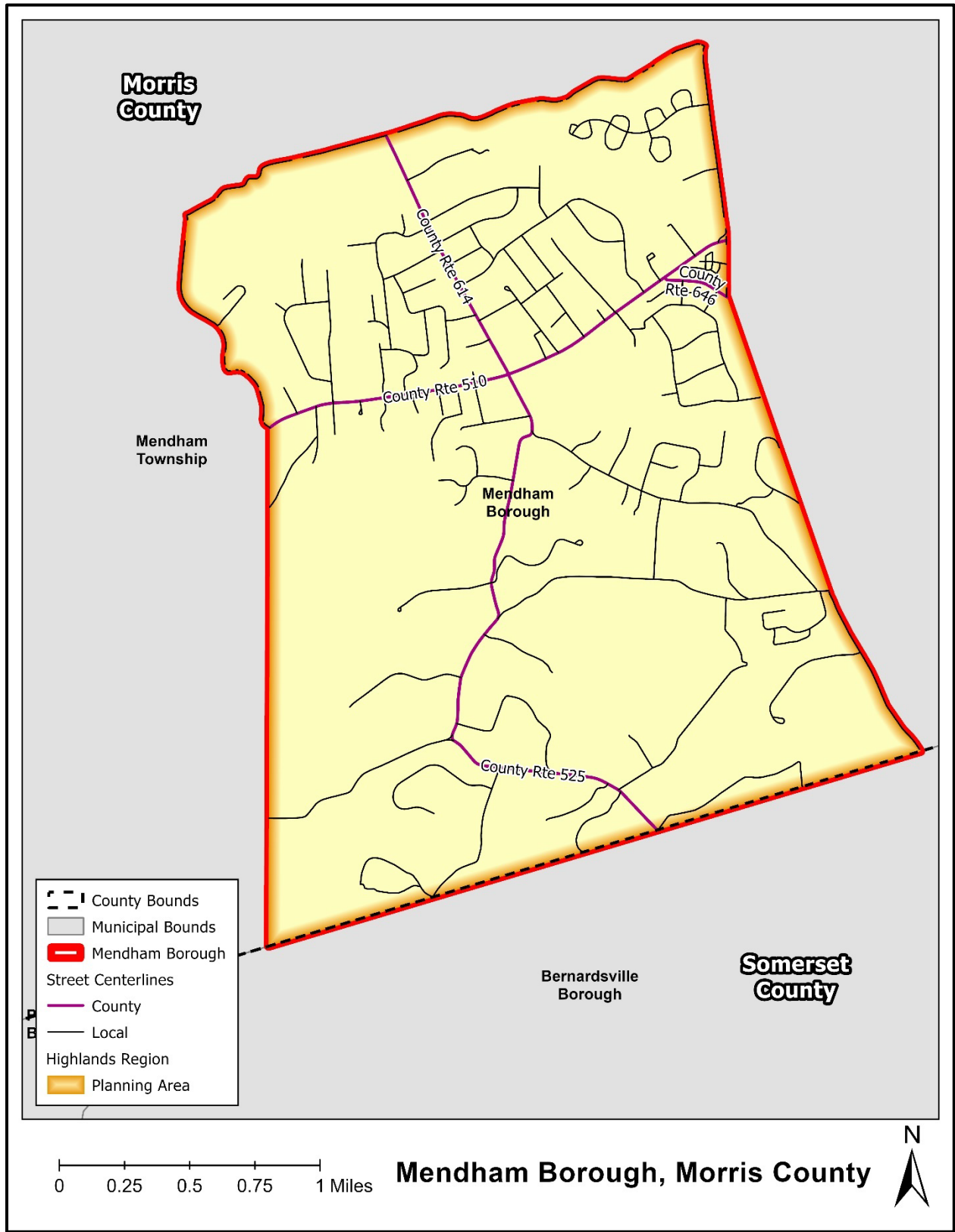
No Interstate, U.S., or state highways pass through the Borough; instead, County Route 510 and County Route 525 are the main thoroughfares. County Route 510 crosses the Borough from east to west, while County Route 525 crosses the Borough from north to south. Both roadways intersect in the historic downtown. Land use in the Borough is predominantly residential with commercial uses located in the historic downtown and along County Road 510. Recreational and open space uses are located throughout, along with agricultural land uses primarily along the fringes of the Borough.

Mendham Borough is located entirely within the Planning Area of the Highlands Region, where local conformance to the Highlands Regional Master Plan is entirely voluntary. The municipality completed a Highlands Initial Assessment Report in 2009; however, has not opted into Highlands Plan Conformance as of this date. In accordance with the State Development and Redevelopment Plan, (“SDRP”) the Borough of Mendham was designated as a “Village Center” within Planning Area 5 (PA5) – Environmentally Sensitive Planning Area¹ in 1995.

¹ According to the SDRP, Planning Area 5 (PA5) is defined as areas that contain large concentrations of environmentally sensitive features such as wetlands, steep slopes, critical wildlife habitats, and coastal areas. These areas are recognized for their ecological importance, including their role in water resource protection, biodiversity conservation, and their vulnerability to development impacts.

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Figure 1. Context Map



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1.2 Relationship to Other Plans

Municipal Master Plan

The first Borough of Mendham Master Plan was adopted by the Planning Board² in 1951. It was followed by major master plan reviews in 1978, 1988, and 1994, and a reexamination in 2000. In October 2006, the Planning Board adopted a comprehensive Master Plan update which laid the foundation for most of the Borough's subsequent planning and zoning activities including, land use, demographics, circulation, community facilities, recreation, historic preservation, open space, conservation ERI³, and public utilities plan elements. The Planning Board subsequently adopted Master Plan Reexamination Reports in 2016 and 2020.

The following goals and objectives which are of particular relevance to this Housing Element and Fair Share Plan are as follows:

1. To retain the small-town character of the community by implementing the Village Planning Criteria as adopted for Village Center Clusters to plan for new development within the Village boundary.
2. To maintain a reasonable balance and variety of housing options within an approved housing element.
3. To recognize and encourage preservation and designation of those historic properties and buildings that contribute to the unique atmosphere that is Mendham, particularly those in the Historic District and which are on the State and National Registers of Historic Places.
4. To integrate new development and redevelopment into the historic fabric of the Village Center area.
5. To maintain the quality and historic character of existing buildings, including all structures which contribute to the Borough's history.

State Development and Redevelopment Plan (2001)

At the time of the preparation of this Housing Element and Fair Share Plan (HEFSP), the update to the New Jersey State Development and Redevelopment Plan (SDRP) has not been adopted, but is expected to be considered for final adoption in late 2025. The last update to the SDRP was adopted in 2001 and identified several goals and objectives for housing, specifically as they relate to the PA5 Planning Area. These goals, objectives, and policies, which in part guide the preparation of this HEFSP, are as follows:

1. Housing: Provide for a full range of housing choices primarily in Centers at appropriate densities to accommodate projected growth. Ensure that housing in general – and in particular affordable, senior citizen, special needs and family housing – is developed with access to a range of commercial, cultural, educational, recreational, health, and transportation services and facilities. Focus multi-family and higher-density, single-family housing in Centers. Any housing in the Environs should be planned and located to

² The Borough of Mendham adopted a Joint Land Use Board via Ordinance No. 16-2020 on December 17, 2020, wherein the Board shall exercise both powers of a planning board, pursuant to N.J.S.A. 40:55D-25, and the powers of a zoning board of adjustment, pursuant to N.J.S.A. 40:55D-70. The Joint Land Use Board shall exercise the powers assigned to the Borough Planning Board, pursuant to §124-9 of the Borough Code, and the power assigned to the Borough Zoning Board of Adjustment, pursuant to §124-20 of the Borough Code.

³ ERI standards for Environmental Resource Inventory.

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maintain or enhance the cultural and scenic qualities and with minimum impacts on environmental resources.

2. **Natural Resource Conservation:** Protect and preserve large, contiguous tracts and corridors of recreation, forest, or other open space land that protects natural systems and sensitive natural resources, including endangered species, ground and surface water resources, wetland systems, natural landscapes of exceptional value, critical slope areas, scenic vistas, and other significant environmentally sensitive features.
3. **Redevelopment:** Encourage environmentally appropriate redevelopment in existing Centers and existing developed areas that have the potential to become Centers or in ways that support Center-based development to accommodate growth that would otherwise occur in the Environs. Redevelop with intensities sufficient to support transit, a range of uses broad enough to encourage activity beyond the traditional workday, efficient use of infrastructure, and physical design features that enhance public safety, encourage pedestrian activity, and reduce dependency on the automobile to attract growth otherwise planned for the Environs.
4. **Public Facilities and Services:** Phase and program for construction as part of a dedicated capital improvement budget or as part of a public/private development agreement the extension or establishment of public facilities and services, particularly wastewater systems, to establish adequate levels of capital facilities and services to support Centers; to protect large contiguous areas of environmentally sensitive features and other open spaces; to protect public investments in open space preservation programs; and to minimize conflicts between Centers and the Environs. Encourage private investments and facilitate public/private partnerships to provide adequate facilities and services, particularly wastewater systems, in Centers. Make community wastewater treatment a feasible and cost-effective alternative.
5. **Intergovernmental Coordination:** Coordinate efforts of state agencies, county and municipal governments to ensure that state and local policies and programs support environmental protection by examining the effects of financial institution lending practices, government regulation, taxation, and other governmental policies and programs.

Mendham Borough strives to ensure the implementation of this HEFSP is consistent with the above-mentioned policies and objectives while respecting existing community characteristics and natural resources.

Highlands Regional Master Plan

The Highlands Regional Master Plan (RMP) was adopted in 2008 in response to the Highlands Water Policy and Planning Protection Act (N.J.S.A. 13:20-1 et seq.) of 2004. This RMP has been updated several times, in 2018, 2019, and 2024. The entirety of the Borough is situated within the Planning Area of the Highlands Region, where conformance is optional. Mendham completed a Highlands Initial Assessment Report in 2009; however, did not go forward with Highlands Plan Conformance.

The Highlands Council adopted, “RMP Addendum 2024-3: Highlands Affordable Housing Guidelines” on July 18, 2024, which established standards for identifying locations for affordable housing and availability of land and resources in the region. This guidance was used as part of the preparation of this HEFSP. This HEFSP also supports the RMP’s Housing and Community

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Facilities Goal 60: “Market rate and affordable housing sufficient to meet the needs of the Highlands Region within the context of economic, social, and environmental considerations and constraints.”

County Comprehensive Plan

The Morris County Master Plan was updated in December 2020 to include a new Land Use Element. This HEFSP is consistent with the following goals and policy objectives outlined in the 2020 County Land Use Element:

1. The creation of balanced and diverse economic and housing opportunities;
2. The efficient use of land and resources;
3. The protection of natural, historic, agricultural, and scenic resources;
4. Development that proceeds only after careful analysis of environmental conditions;
5. Promote revitalization and redevelopment;
6. Support the creation of diverse housing types; and
7. Encourage higher density and mixed-use developments in downtown areas.

Surrounding Municipalities' Master Plans

Borough of Bernardsville

The Borough of Mendham's southern municipal border (approximately 2.61 miles) is shared with the Borough of Bernardsville in Somerset County. Bliss Road, Bernardsville Road, and Hardscrabble Road connect Mendham Borough to Bernardsville Borough. Bernardsville last prepared a Reexamination Report of its 2000 Master Plan in 2021 and is not significantly impacted by this HEFSP.

Township of Mendham

Approximately eight (8) miles of Mendham Borough's northern, eastern, and western borders are shared with Mendham Township. Several local roads connect these municipalities, including Pleasant Valley Road, Route 24, Mountainside Road, Mountain Road, Tempe Wick Road, Lowery Lane, and Cherry Lane. The Township's 2000 Master Plan was last reexamined in 2018 and the recommendations set forth in this HEFSP do not significantly impact Mendham Township's Master Plan.

1.3 History of Affordable Housing in Mendham

The New Jersey Supreme Court, in Mount Laurel I (1975) and Mount Laurel II (1983) required all New Jersey municipalities to take affirmative actions toward providing their “fair share” of the region's need for affordable housing for low- and moderate-income people. In response to the Mount Laurel II decision, the New Jersey Legislature adopted the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., (FHA) in 1985. This Act created the Council on Affordable Housing (COAH) to assess and calculate the statewide and regional need for affordable housing, allocate that need on a municipal fair share basis, and review and approve municipal housing plans aimed at implementing the local fair share obligation. Subsequently, the New Jersey Municipal Land Use

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Law (“MLUL”) was amended to require a housing element as a mandatory element of the municipal master plan.

This Housing Element and Fair Share Plan has been prepared in accordance with the MLUL, specifically N.J.S.A. 40:55D-28b(3), to address Mendham Borough’s cumulative housing obligation for the period commencing in 1987 and extending to June 30, 2025. This Plan has also been prepared pursuant to the New Jersey Fair Housing Act (N.J.S.A. 52:27D-310 et seq.) which outlines the mandatory requirements for a Housing Element and Fair Share Plan, including an inventory and projection of the municipal housing stock; an analysis of the demographic characteristics of the Borough’s residents and a discussion of municipal employment characteristics. As required by the New Jersey Fair Housing Act, municipalities that choose to enact and enforce a zoning ordinance are obligated to prepare a Housing Element as part of the community’s Master Plan.

The Borough of Mendham secured Substantive Certification of its First Round Housing Element and Fair Share Plan from the Council on Affordable Housing (COAH) on May 20, 1987. The Borough petitioned COAH for Second Round Substantive Certification, with its petition for a Second Round Housing Element and Fair Share Plan, on March 3, 1995 to meet a 31-unit obligation. COAH granted Substantive Certification on June 5, 1996. This Second Round plan included 28 prior cycle credits for Mendham Area Senior Housing (MASH) units completed in 1980, eight (8) MASH units completed in 1989, and three (3) units which had previously been rehabilitated pursuant to COAH’s rules for a total of 39 credits.

As part of its effort to provide opportunities to create affordable housing, Mendham Borough received a “Village Center” designation from the New Jersey State Planning Commission on February 24, 1995. In December of that year the Borough adopted an ordinance designating certain tracts as “Village Center Clusters” providing density bonuses linked to the inclusion of affordable units.

On May 11, 2005 COAH granted Mendham Borough extended Substantive Certification through December 20, 2005. The Borough has since prepared Third Round plans, first on August 2005 then in December 2008 and again on March 14, 2016 in response to the evolving nature of the Third Round rules.

COAH adopted the Third Round rules in 2004 (N.J.A.C. 5:94 Procedural and N.J.A.C. 5:95 Substantive) which subsequently were invalidated by an Appellate Division decision on January 25, 2007. COAH then adopted modified rules in June 2000 (N.J.A.C. 5:96 Procedural and N.J.A.C. 5:97 Substantive) which, in turn, were followed by additional legal challenges. Following adoption by the Mendham Borough Planning Board of a Housing Element and Fair Share Plan on December 9, 2008 based upon the revised “growth share” methodology established by COAH, a petition for substantive certification was submitted to COAH and deemed complete by the agency on July 16, 2009.

In a decision issued on October 8, 2010 the Appellate Division invalidated a number of provisions in N.J.A.C. 5:97 including its central component, the “growth share” methodology; a decision later upheld by the New Jersey Supreme Court on September 26, 2013. COAH again drafted revised third round rules (N.J.A.C. 5:98 Procedural and N.J.A.C. 5:99 Substantive) which were to apply to a period commencing on November 17, 2014, however; COAH deadlocked on a vote to officially adopt the current version of the rules at its October 20, 2014 meeting, which resulted in the March 15, 2015 decision by the New Jersey Supreme Court [In re Adoption of N.J.A.C. 5:96]

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and 5:97 by New Jersey Council on Affordable Housing] to remove COAH from the process and placing jurisdiction back with the courts.

Mendham Borough filed a Declaratory Judgement Action with Superior Court on July 2, 2015 entitled: In re Application of the Borough of Mendham, Docket No.: MRS-L-1637-15 (“2015 Action”). As part of the process, the Borough adopted its most recent Housing Element and Fair Share Plan on March 14, 2016. Fair Share Housing Center and V-Fee Realty Investments, LLC, the owners of the Kings Shopping Center, were both intervenors in the Borough’s court case. The Borough settled with V-Fee Realty Investments, LLC on December 23, 2019. The Borough also settled with FSHC on December 26, 2019.

Following the settlement agreement, the court ordered a Fairness Hearing on the terms of the settlement, which was held on January 24, 2020. The Honorable Michael C. Gaus held the hearing on January 24, 2020 and found the terms of the agreements to be fair and adequately protecting the interests of low- and moderate-income households in the region. Following same, Judge Gaus issued an Order on Fairness and Preliminary Compliance on February 3, 2020. Several compliance items were ordered at that hearing, including a requirement for the Borough to adopt a revised HEFSP that includes the terms of the HEFSP and the settlement agreements that must also be adopted by the Borough. The Borough had a compliance hearing on June 19, 2020, where compliance with this order was reviewed by the court. This HEFSP incorporates the terms of both settlement agreements.

On October 21, 2020, Judge Gaus issued an “Order Entering Final Judgment of Compliance and Repose to the Borough of Mendham.” By virtue of the Final Judgment of Compliance and Repose issued in the 2015 Action, the Borough is immune from exclusionary zoning and builder’s remedy litigation at the present time.

The Borough’s 2020 HEFSP was approved by the Court in the Borough’s 2015 Action.

In 2024, New Jersey Legislature passed into law amendments to the Fair Housing Act (N.J.S.A. 52:27D-304.1 et seq. via NJ A4/S50) (“FHA-2” or “P.L. 2024, c.2”) that abolished COAH and established the Affordable Housing Dispute Resolution Program (“the Program”), and set forth a new methodology for the calculating statewide and regional affordable housing obligations, and allocating such affordable housing obligations to municipalities for the Fourth Round and beyond. Subsequent to the adoption of FHA-2, the Highlands Council adopted an amendment to the RMP⁴ governing the potential location of affordable housing and availability of land and resources in the region.

In accordance with FHA-2, on January 27, 2025 the Borough Council of the Borough of Mendham timely adopted a Resolution committing to its Fourth Round affordable housing Present Need obligation of “0” and Fourth Round Prospective Need Obligation of “115” in accordance with P.L. 2024, c.2.

On January 29, 2025, the Borough filed a Complaint for Declaratory Relief and uploaded its Fourth Round Resolution to the Program in accordance with FHA-2 and Administrative Directive 14-24 of the Administrative Office of the Courts.

⁴ New Jersey Highlands Water Protection and Planning Council, RMP Addendum 2024-3: Highlands Affordable Housing Guidelines, adopted via Resolution 2024-24 on July 18, 2024.

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The New Jersey Builders Association subsequently filed a challenge to the Borough's Fourth Round Prospective Need Obligation calculation. On March 31, 2025, a combined settlement conference and session conducted before the Program. Following same, the Borough and the New Jersey Builders Association reached a settlement as to the Borough's Fourth Round Prospective Need Obligation at 124. The settlement was subsequently approved by the Morris/Sussex County Mount Laurel Judge by Order issued on May 2, 2025.

Therefore, the Borough's Fourth Round Present Obligation of "0" and Fourth Round gross Prospective Need Obligation of "124" has been established pursuant to N.J.S.A. 52:27D-304.1 of FHA-2.

Timeline of Affordable Housing

February 14, 2000	The Borough of Mendham adopts Housing Element and Fair Share Plan addressing the Borough's obligations for the years 1987 through 1999
June 26, 2000	Mendham Borough adopts a resolution petitioning COAH for substantive certification.
August 10, 2004	Highlands Water Protection and Planning Act becomes effective, greatly diminishing the Borough's availability to provide realistic opportunities for new development of affordable housing.
December 2004	COAH adopts Third Round Rules
January 19, 2005	Mendham Borough submits a resolution to COAH committing to petition for Third Round substantive certification.
October 26, 2005	The Borough of Mendham receives request for more information from COAH.
January 25, 2007	Appellate Division issued a decision requiring COAH revise Third Round Rules.
July 17, 2008	Highlands Regional Master Plan adopted by the Highlands Council.
September 5, 2008	Governor Corzine issues Executive Order 114, addressing the need for coordination between the Highlands Council and COAH.
November 12, 2008	COAH grants extension to December 31, 2008 deadline to December 8, 2009 for any Highlands municipality.
October 8, 2010	Appellate Division invalidates COAH's Rules – growth share methodology is invalid; COAH must adopt rules utilizing methodologies similar to those used in the First and Second Round Rules.
September 26, 2013	Supreme Court affirms October 2010 decision, remands COAH to undertake new rulemaking based on Prior Round Rules and Methodologies.
March 10, 2015	Supreme Court divests COAH of jurisdiction of affordable housing and municipalities must file declaratory judgment actions with the Court by July 8, 2015.
July 2, 2015	Mendham Borough files a Declaratory Judgment Action in the Superior Court and petitions the Court for temporary immunity from builder's remedy lawsuits.

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December 2019	Mendham Borough reaches a settlement agreement with intervenor V-Fee Realty Investments, LLC, on December 23, 2019. The Borough subsequently reaches a settlement agreement with intervenor FSHC on December 26, 2019.
January 24, 2020	A Fairness Hearing and Preliminary Compliance Hearing is conducted before the Honorable Michael C. Gaus, J.S.C. in the Borough's 2015 Action.
February 3, 2020	Designated Mount Laurel Judge, the Honorable Michael C. Gaus, J.S.C. issues an Order on Fairness and Preliminary Compliance to the Borough of Mendham in the Borough's 2015 Action, and directs the Borough to adopt an updated Housing Element and Fair Share Plan.
June-July 2020	Borough adoptions updated Third Round Housing Element and Fair Share Plan and related ordinances, and resolutions.
September 18, 2020	Final Compliance Hearing is held in the Borough's 2015 Action before Judge Gaus.
October 21, 2020	A Final Judgment of Compliance and Repose is issued by Judge Gaus in favor of the Borough of Mendham in the 2015 Action.
March 20, 2024	Governor Murphy signs Bill A4/S50 (P.L. 2024, c.2), which sets forth the rules for the Fourth Round of affordable housing in New Jersey and creates the Affordable Housing Dispute Resolution Program.
October 18, 2024	The NJ Department of Community Affairs publishes non-binding present and prospective need obligations.
January 27, 2025	Mendham Borough adopts Resolution #45-2025 adopting Fourth Round affordable housing obligations.
January 29, 2025	Mendham Borough files Declaratory Judgment in Superior Court to seeking approval from the Dispute Resolution Program of a Housing Element and Fair Share Plan to be submitted by June 30, 2025.

1.4 Purpose and Goals

The purpose of this Housing Element and Fair Share Plan is to provide a realistic opportunity to address the housing needs of Mendham Borough residents across all income levels in accordance with the Mount Laurel Doctrine, the FHA, and FHA-2. This plan proposes multiple opportunities to develop a variety of housing types to meet these needs, which can be integrated into the existing land use pattern and character of the Borough. This Plan has been prepared to meet the requirements of the Municipal Land Use Law (MLUL), Fair Housing Act (FHA), the New Jersey State Development and Redevelopment Plan (SDRP), and FHA-2 P.L. 2024, c.2 (FHA-2) and Administrative Directive #14-24.

This Housing Element and Fair Share Plan supports the goals of the Borough's 2020 Master Plan Reexamination, which affirmed the following goals from the 2006 Master Plan:

1. To retain the small-town character of the community by implementing the Village Planning Criteria as adopted for Village Center Clusters to plan for new development within the Village boundary.
2. To maintain a reasonable balance and variety of housing options within an approved housing element.

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3. To recognize and encourage preservation and designation of those historic properties and buildings that contribute to the unique atmosphere that is Mendham, particularly those in the Historic District and which are on the State and National Registers of Historic Places.
4. To integrate new development and redevelopment into the historic fabric of the Village Center area.
5. To maintain the quality and historic character of existing buildings, including all structures which contribute to the Borough's history.

1.5 Contents of the Plan

N.J.S.A. 40:55D-28 of the Municipal Land Use Law and N.J.S.A. 52:27D-310 of the Fair Housing Act (P.L. 1985, c.222), as amended by FHA-2 require that the Housing Element and Fair Share Plan include 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, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;
- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level, and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1);
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L. 2021, c. 273 (C.52:27D-329.20);

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- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L. 2004, c. 120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and
- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

2. Demographic Characteristics

2.1 Population

Population change, 1990-2020

Table 1 portrays the population trends between the Borough of Mendham, Sussex County, and New Jersey from 1990 through 2020. From 1990 to 2000 the population grew from 4,890 to 5,097 (4.2% increase), while from 2000 to 2010 the population declined slightly by 2.3%, and from 2010 to 2020 the population remained unchanged. Overall, Mendham's population has remained fairly stable over the past three decades, experiencing small increases and decreases but never significant changes. This relative stability could mean that housing demand and community services have stayed relatively consistent, although modest fluctuations might reflect changing housing preferences, limited available land, or shifts in household sizes. Mendham's relatively small, stable population suggests that it remains a desirable place to live but may be constrained by available land or zoning that limits large-scale growth.

Morris County saw significant growth in the 1990s, but that momentum slowed after 2010. This pattern often corresponds to regional economic shifts, housing affordability, or changes in commuting patterns. Slowing population growth poses challenges for local economies but might also reduce pressures on infrastructure and housing demand. Morris County's slow down in growth after 2010 could indicate economic or demographic outcomes such as fewer younger residents staying in the area, or shifting employment centers making other regions more attractive.

New Jersey's population has grown steadily, although more slowly after 2000. The increased population may reflect broader economic opportunities, in-migration, and overall suburban and urban development patterns. Steady growth at the state level generally drives demand for housing transportation, and other services.

Mendham Borough has shown steady but minor population shifts, Morris County experienced growth in the 1990s and early 2000s but a slight downturn after 2010, and New Jersey continues a long-term upward trajectory. These trends may influence local and regional planning decisions related to housing, infrastructure, and economic development.

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035*Table 1. Population Change, 1990 - 2020*

	1990	% Change	2000	% Change	2010	% Change	2020
Mendham Borough	4,890	4.2%	5,097	-2.3%	4,981	0.0%	4,981
Morris County	421,361	12%	470,212	5%	492,276	3%	509,285
New Jersey	7,730,188	9%	8,414,347	4%	8,791,894	6%	9,288,994

Sources:

1990 – 2010: U.S. Census Bureau. (2010). POPULATION AND HOUSING UNITS: 1990 TO 2010; AND AREA MEASUREMENTS AND DENSITY: 2010.

2020: U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. *Decennial Census, Profile of General Population and Housing Characteristics, Table DP1.*

Age

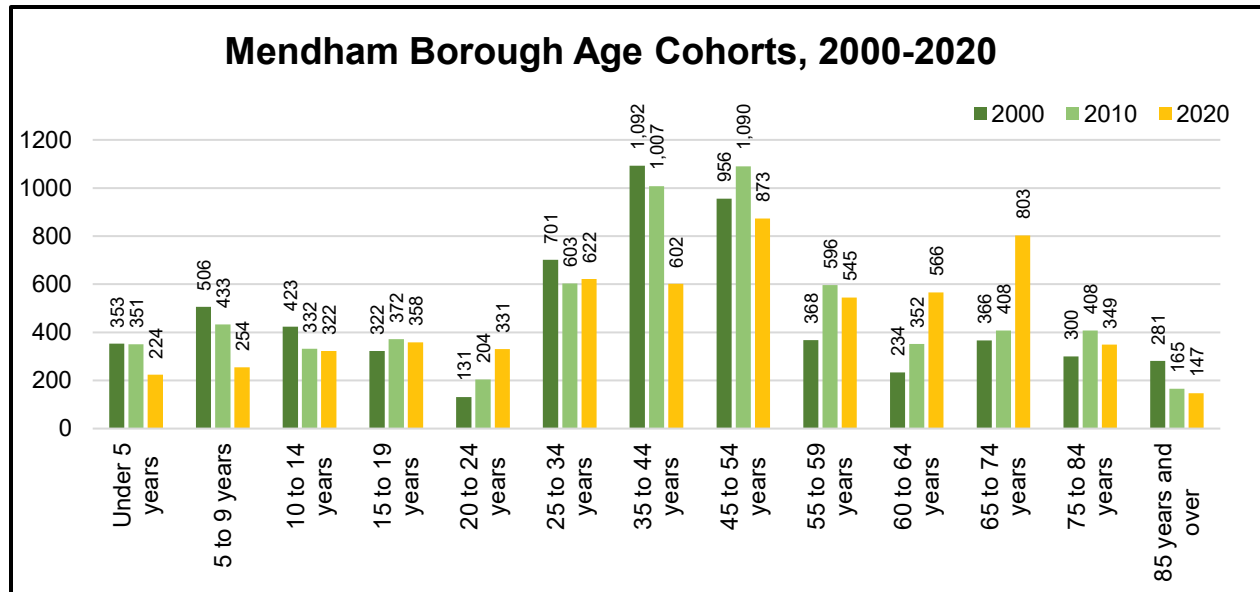
The US Decennial Census provides a breakdown of Mendham’s population by selected age groups for the years 2000, 2010, and 2020 (**Figure 2**). Although the total population in the Borough remained relatively stable over these two decades (ranging between roughly 4,900 and 5,100 residents), notable shifts occurred within specific age brackets.

The number of children under five fluctuated slightly from 2000 to 2020, reflecting small changes in birth rates and young families residing in the Borough. Slight fluctuations in this cohort suggest a relatively consistent demand for early childhood services, such as preschool programs and daycare. School-age population (5-19 years) may have seen a modest decrease between 2000 and 2010 followed by minor adjustments through 2020. The young adults (20-34 years) category often fluctuates based on economic conditions, higher education opportunities, resulting in a potential decrease in this cohort. Historically, middle-aged adults (35-54 years) represent the core of the Borough’s homeowner base. As the overall U.S. population ages, many municipalities see growth in the 55-64-year bracket. Mendham Borough will likely experience an increase in this group, reflecting broader demographic trends. Similar to state and county patterns, the Borough’s senior population grew over the 20-year period, both in absolute numbers and as a percentage of the total population.

The Borough’s total population remains relatively stable, but internal age group shifts point to a gradual aging trend and modest variations among younger cohorts. Growth in the 55+ and 65+ categories is consistent with statewide and national demographics, underscoring the importance of planning for senior services and potentially rethinking housing options. Changes in school-age populations can affect educational facilities, while increases in older adults may create new demands for senior services and housing. Mendham’s age distribution from 2000 to 2020 reflects broader demographic patterns in Morris County and the State (**Figures 3 & 4**), including an aging population and stable yet shifting numbers in younger age cohorts.

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Figure 2. Age Cohorts, 2000-2020 (Mendham)



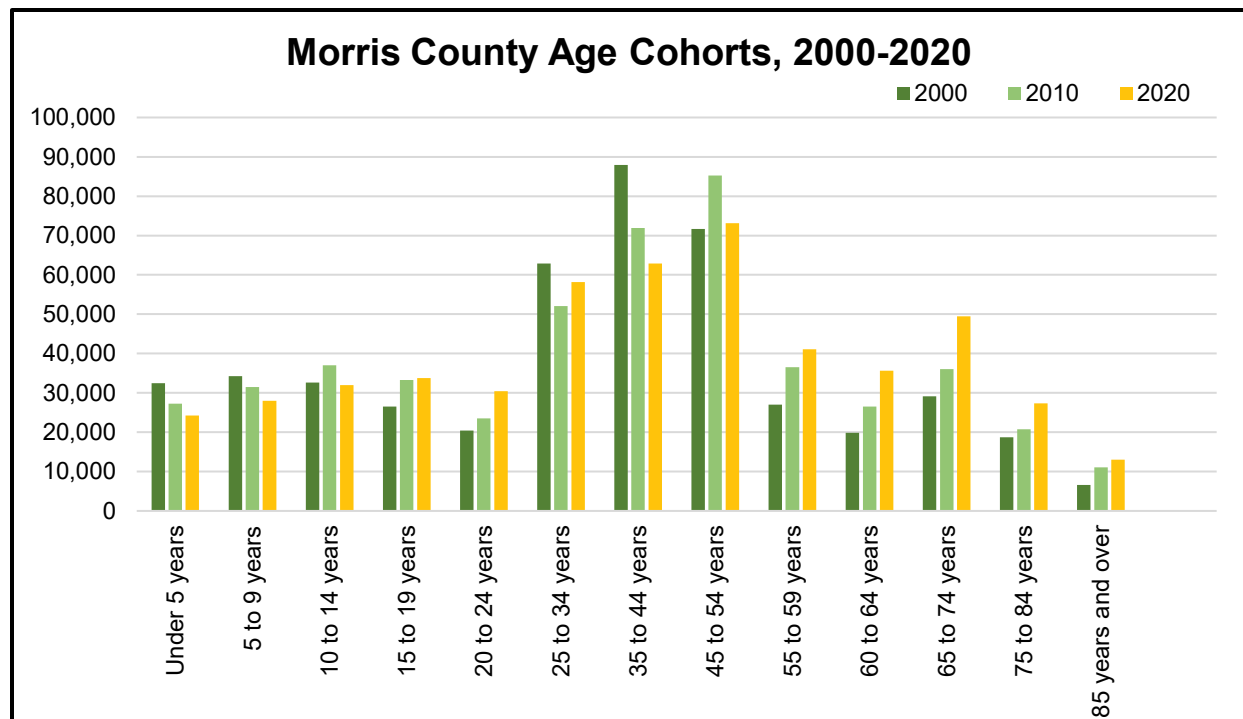
Sources:

U.S. Census Bureau. (2000). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. *Decennial Census, DEC Demographic Profile, Table DP1*.

U.S. Census Bureau. (2010). DEMOGRAPHIC AND HOUSING ESTIMATES. *American Community Survey, ACS 5-Year Estimates Data Profile, DP05*.

U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. *Decennial Census, DEC Demographic Profile, Table DP1*.

Figure 3. Age Cohorts, 2000-2020 (Morris County)



Sources:

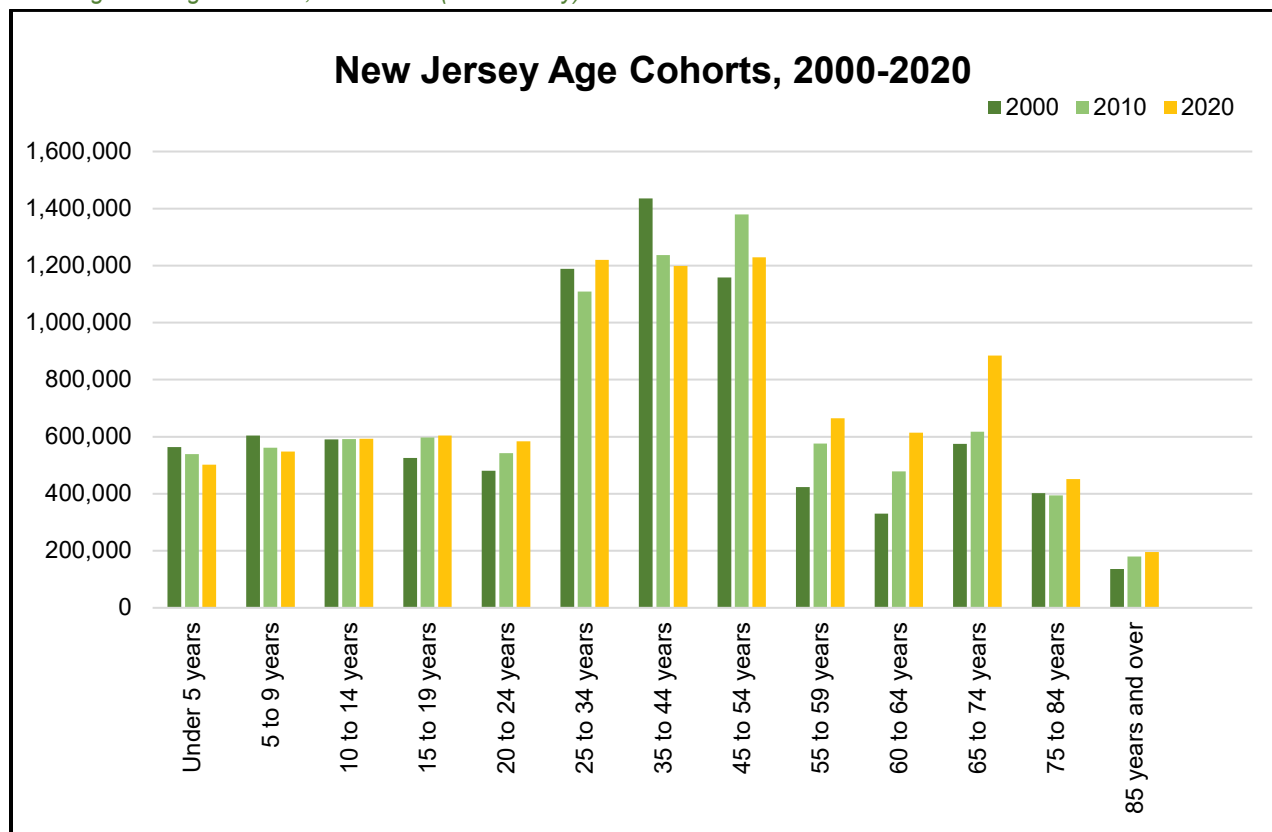
U.S. Census Bureau. (2000). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. *Decennial Census, DEC Demographic Profile, Table DP1*.

U.S. Census Bureau. (2010). DEMOGRAPHIC AND HOUSING ESTIMATES. *American Community Survey, ACS 5-Year Estimates Data Profile, DP05*.

U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. *Decennial Census, DEC Demographic Profile, Table DP1*.

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Figure 4. Age Cohorts, 2000-2020 (New Jersey)



Sources:

U.S. Census Bureau. (2000). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. *Decennial Census, DEC Demographic Profile, Table DP1.*

U.S. Census Bureau. (2010). DEMOGRAPHIC AND HOUSING ESTIMATES. *American Community Survey, ACS 5-Year Estimates Data Profile, DP05.*

U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. *Decennial Census, DEC Demographic Profile, Table DP1.*

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Household Size and Type

Households

The total number of occupied housing units declined slightly between 2000 and 2020, suggesting a reduction in housing formation and slight decline in population. The share of one-person households steadily increased and two-person households remained the largest category (557 in 2020); this cohort may include young couples. Three-person households held relatively steady around 16%, while households with four or more members increased over time, growing from 519 to 533 households. The Borough saw a slight decrease in the total number of households, suggesting relatively stable population dynamics. Across Morris County and New Jersey, there has been a gradual increase in the number of occupied housing units from 2000 to 2020 where 1-, 2-, and 3-person households grew while 4-or-more-person households increased. The growth in one-person, and (to a lesser extent) two-person households, points to changing lifestyles such as individuals living alone, young couples without children, and older adults staying in their homes longer. In summary, Mendham's household composition is evolving, with steady overall growth, a rise in smaller households, and a relative decline in larger families.

Table 2. Household Size, 2000-2020

Household Size	2000	%	2010	%	2020	%
Total Occupied Housing Units (Mendham)	1,781	100	1,722	100	1,762	100
1-person household	332	18.6	350	20.3	354	20.1
2-person household	655	36.8	572	33.2	557	31.6
3-person household	275	15.4	277	16.1	298	16.9
4-or-more-person household	519	29.1	523	30.4	553	31.4
Total Occupied Housing Units (Morris County)	169,711	100	180,534	100	188,496	100
1-person household	36,545	21.5	42,424	23.5	44,379	23.5
2-person household	53,865	31.7	55,285	30.6	58,173	30.9
3-person household	29,913	17.6	31,085	17.2	33,159	17.6
4-or-more-person household	49,388	29.1	51,740	28.7	52,785	28.0
Total Occupied Housing Units (State)	3,064,645	100	3,214,360	100	3,426,102	100
1-person household	751,353	24.5	811,221	25.2	876,661	25.6
2-person household	927,354	30.3	957,682	29.8	1,026,368	30.0
3-person household	531,987	17.4	558,029	17.4	592,617	17.3
4-or-more-person household	853,951	27.9	887,428	27.6	930,456	27.2

Source:

U.S. Census Bureau. (2000). HOUSEHOLD SIZE. Decennial Census, *DEC Summary File 1, Table H016*.

U.S. Census Bureau. (2010). HOUSEHOLD SIZE. Decennial Census, *DEC Summary File 1, Table H13*.

U.S. Census Bureau. (2020). HOUSEHOLD SIZE. Decennial Census, *Demographic and Housing Characteristics, Table H9*.

Income

The table below summarizes the percentage of households within various income brackets for 1999, 2010, and 2020. While dollar thresholds do not account for inflation over time, they still provide insight into how income patterns have evolved. The share of households earning \$200,000 or more grew substantially, from 18.9% in 1999 to 43.4% in 2020, while households with incomes of \$150,000 to \$190,000 declined, from 15.7% to 10.9% over the same period. This trend suggest that Mendham has experienced an influx of higher-income residents or existing households moving into higher brackets, likely influenced by factors such as rising property values, professional employment opportunities, and overall affluence in the region. Brackets such

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as \$50,000 to \$74,999 and \$75,000 to \$99,999 declined from 11% and 10.3% respectively in 1999 to 8.6% and 6.2% by 2020. This shift may reflect wage growth pushing some middle-income households into higher brackets or, conversely, the increased cost of living making it challenging for households in traditional middle-income ranges to remain in the Borough. Households earning under \$35,000 collectively dropped from 16.0% to 7.6. The Borough's household income distribution from 1999 to 2020 reveals a pronounced shift toward higher-income brackets and a reduction in both lower- and middle-income groups. Similarly, Morris County and New Jersey saw an increase in the median household income since 1999 (\$77,340 and \$55,146 respectively) to 2020 (\$117,298 and \$85,245 respectively). These estimated dollar amounts do not reflect inflationary effects. Real purchasing power for each bracket has changed significantly since 1999, which accelerates the apparent shift toward higher-income categories. Nonetheless, the strong growth in the top brackets remains a clear indicator of increased affluence.

Table 3. Income in the Past 12 Months, 2000 - 2020

Household Income	Percent of Households		
	1999	2010	2020
Total Households (Mendham)	1,781	1,379	1,736
Less than \$10,000	4.4	2.7	0.6
\$10,000 to \$14,999	1.9	1.0	1.5
\$15,000 to \$24,999	4.8	4.9	1.7
\$25,000 to \$34,999	4.9	2.7	3.8
\$35,000 to \$49,999	8.1	7.5	2.5
\$50,000 to \$74,999	11.0	9.6	8.6
\$75,000 to \$99,000	10.3	11.1	6.2
\$100,000 to \$149,999	20	16.2	20.9
\$150,000 to \$199,999	15.7	15.4	10.9
\$200,000 or more	18.9	28.9	43.4
Mendham Median Household Income	\$110,348	\$119,787	\$171,894
County Median Household Income	\$77,340	\$91,469	\$117,298
New Jersey Median Household Income	\$55,146	\$67,681	\$85,245

Source:

U.S. Census Bureau. (2000). PROFILE OF SELECTED ECONOMIC CHARACTERISTICS. Decennial Census, *DEC Summary File 4, Demographic Profile, Table DP3*.

U.S. Census Bureau. (2010). INCOME IN THE PAST 12 MONTHS (IN 2010 INFLATION-ADJUSTED DOLLARS). American Community Survey, *ACS 5-Year Estimates Subject Tables, Table S1901*.

U.S. Census Bureau. (2020). INCOME IN THE PAST 12 MONTHS (IN 2020 INFLATION-ADJUSTED DOLLARS). American Community Survey, *ACS 5-Year Estimates Subject Tables, Table S1901*.

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2.2 Employment Characteristics

Workforce

Approximately 2,244 residents of Mendham's population aged 16 and older was in the labor force in 2020,⁵ which suggests a moderate level of workforce engagement. Additionally, the unemployment rate of 2.8% is relatively low compared to the County (4.9%) and the State (5.8%), indicating that most individuals who wish to work are able to find employment. Low unemployment often corresponds with a robust local job market or strong commuting opportunities in nearby employment centers. About 42% of residents 16 and older are not in the labor force. This group could include retirees, full-time students, or individuals who are otherwise not seeking employment. Given Mendham's demographic trends, the proportion of non-participants may be driven by older adults choosing to remain out of the workforce. It should be noted that all individuals in the labor force are classified as civilian as there are no reported members of the Armed Forces, which is not unusual for a small, primarily residential community.

Table 4. Employment Status, 2020

Employment Status	Estimate	%
Population 16 years and older	3,883	
In labor force	2,244	58
Civilian labor force	2,244	58
Employed	2,181	2
Unemployed	63	31
Armed Forces	0	0
Not in labor force	1,639	42
Unemployment rate (Mendham)	2.8	
Unemployment rate (County)	4.9	
Unemployment rate (State)	5.8	

Source:
U.S. Census Bureau. (2020). SELECTED ECONOMIC CHARACTERISTICS. American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP03.

Mendham Borough's 2020 employment status data depict a community with a moderate labor force participation rate, low unemployment, and a significant number of residents not in the labor force. These factors suggest an economically stable environment, influenced by an aging population and limited labor pool growth.

⁵ According to the United States Census Bureau Glossary, "The labor force includes all people classified in the civilian labor force, plus members of the U.S. Armed Forces (people on active duty with the United States Army, Air Force, Navy, Marine Corps, or Coast Guard). The civilian labor force consists of people classified as employed or unemployed."

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Commuting Characteristics

The majority of commuters (79.7%) drive a car, truck, or van to work, with most driving alone. This indicates that personal vehicles remain the primary mode of transportation, consistent with suburban commuting patterns. Around 3.8% of commuters use public transportation, which suggests that rail or bus connections are not as accessible and valued by a portion of the workforce. Approximately 94.6% of residents work within New Jersey, with nearly two-thirds employed in the same county. This suggests that many find jobs relatively close to home, though a significant minority commutes to other counties (36.3%) or out of state (5.4%). Travel times range widely with 6.3% of commuters reaching work in under 10 minutes, while a substantial group (63.9%) spends 30 minutes or more commuting to work. The average commute time is around 40.2 minutes, indicating moderate overall travel.

Mendham Borough's 2020 commuting data highlights a community where personal vehicles remain the primary mode of travel. These patterns suggest both the importance of maintaining road infrastructure and the potential to expand transit options.

Table 5. Commuting Characteristics, 2020

Commuting Characteristics	Estimate
Workers 16 years and over	2,109
Did not work from home	1,786
Means of transportation to work	%
Car, truck, or van	79.7
Drove alone	76.1
Carpooled	3.6
Public transportation (excluding taxicab)	3.8
Walked	1.2
Bicycle	0.0
Taxicab, motorcycle, or other means	0.0
Place of work	%
Worked in state of residence	94.6
Worked in county of residence	58.3
Worked outside county of residence	36.3
Worked outside state of residence	5.4
Travel time to work	%
Less than 10 minutes	6.3
10 to 14 minutes	2.9
15 to 19 minutes	6.8
20 to 24 minutes	12.3
25 to 29 minutes	7.8
30 to 34 minutes	22.9
35 to 44 minutes	15.0
45 to 59 minutes	11.9
60 or more minutes	14.1
Mean Travel time to work (minutes)	40.2

Source:

U.S. Census Bureau. (2020). COMMUTING CHARACTERISTICS BY SEX. American Community Survey, ACS 5-Year Estimates Subject Tables, Table S0801.

Employment by Industry

The following table summarizes the industries employing Mendham Borough's 2,181 civilian workers age 16 and older that were in the labor force. According to the 2020 ACS 5-Year Estimates, 19.9% work in "professional, scientific, management, and administrative and waste management" services, and account for the largest share of the Borough's workforce. The strong representation of high-skill occupations suggests well-educated population and proximity to professional job centers. "Education services, and health care and social assistance" comprise 18.6% of the resident's employment, reflecting regional trends of steady growth in these essential service sectors. The third largest employment sector is "finance and insurance, and real estate, rental, and leasing" which had 13.1% of employed citizens. Industries such as "retail trade," "other services," "arts and entertainment," and "public administration" collectively contribute to approximately 21% of total employment. While smaller in scale, these sectors are vital for everyday goods, services, and community needs. The agriculture and transportation and warehousing sectors each account for a small fraction of the workforce, which is consistent with the Borough's suburban setting and limited farmland or large-scale logistics operations.

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In 2020, most (22.5%) Morris County residents worked in “educational services, health care, and social assistance,” followed by “professional, scientific, management, administrative and waste management services” (16.9%), and “manufacturing” (11.0%). Of New Jersey’s 4,426,619 employed residents, 24.1% and 13.7% worked in “educational services, health care, and social assistance” and “professional, scientific, management, administrative and waste management services.” “Retail trade” was the third largest employment sector with 10.7% of residents employed⁶.

Mendham Borough’s 2020 employment landscape is characterized by a strong presence of professional, scientific, management finance, and education/health sectors, alongside a notable manufacturing component. These patterns suggest a largely well-educated, high-income workforce with diverse service industries providing local support.

Table 6. Industries of Employment, 2020

Industry	Estimate	%
Civilian employed population 16 years and over	2,181	
Professional, scientific, and management, and administrative and waste management services	434	19.9
Educational services, and health care and social assistance	405	18.6
Finance and insurance, and real estate and rental and leasing	286	13.1
Manufacturing	184	8.4
Retail trade	174	8.0
Information	147	6.7
Wholesale trade	141	6.5
Other services, except public administration	136	6.2
Arts, entertainment, and recreation, and accommodation and food services	109	5.0
Construction	90	4.1
Public administration	39	1.8
Transportation and warehousing, and utilities	21	1.0
Agriculture, forestry, fishing and hunting, and mining	15	0.7

Source:

U.S. Census Bureau. (2020). SELECTED ECONOMIC CHARACTERISTICS. American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP03.

⁶ Source:

U.S. Census Bureau. (2020). SELECTED ECONOMIC CHARACTERISTICS.

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3. Housing Characteristics

3.1 Inventory of housing stock

Housing Occupancy and Tenure

Table 7 examines the Borough's housing occupancy and tenure data for 2020 from the U.S. Decennial Census. With 94.4% of all housing units occupied, Mendham Borough exhibits a strong housing demand. This level of occupancy suggests that the community remains attractive to both homeowners and renters. Owner-occupied units account for 80.5% of occupied housing, indicating that the Borough is primarily a community of homeowners. Such a high ownership rate can reflect stable neighborhoods, higher median incomes, and a preference for single-family homes. At 13.9%, the renter-occupied segment is relatively small compared to owner-occupied units. This may create challenges for prospective renters, particularly those seeking affordable or flexible housing options in the Borough. Overall, vacancy stands at 5.6%, while the homeowner vacancy rate is 1.6% and the rental vacancy rate is 8.9%. These lower rates typically signal a tight housing market, with high demand and limited turnover. Mendham Borough's 2020 housing occupancy and tenure data depict a high-occupancy market dominated by owner-occupied units, with relatively few rental options and low vacancy rates. While these indicators point to a stable, desirable community, they also raise questions about housing affordability and availability for a diverse range of households.

Table 7. Housing Occupancy and Tenure, 2020

Housing Occupancy and Tenure	Estimate	%
Mendham		
Total housing units	1,867	100
Occupied housing units	1,762	94.4
Owner-occupied	1,503	80.5
Renter-occupied	259	13.9
Vacant housing units	105	5.6
Homeowner vacancy rate	1.6	
Rental vacancy rate	8.9	
Morris County		
Total housing units	197,722	100
Occupied housing units	188,496	95.3
Owner-occupied	136,144	68.9
Renter-occupied	52,352	26.5
Vacant housing units	9,226	4.7
Homeowner vacancy rate	1.2	
Rental vacancy rate	5.5	
New Jersey		
Total housing units	3,761,229	100
Occupied housing units	3,426,102	91.1
Owner-occupied	2,098,500	55.8
Renter-occupied	1,327,602	35.3
Vacant housing units	335,127	8.9
Homeowner vacancy rate	1.5	
Rental vacancy rate	5.7	

Source: United States Census Bureau, 2020 DECENNIAL CENSUS, DP1, *Profile of General Population and Housing Characteristics*.

Vacancy Status

Out of all housing units, 5.6% are vacant, which is an indication of a relatively tight housing market. A low to moderate vacancy rate typically reflects ongoing demand for housing. Units "for rent" (24.8%) and units "for sale only" (23.8%) together make up nearly half of all vacant housing. These figures suggest that a portion of the market is in transition, potentially allowing for new renters or buyers to enter the Borough. Approximately 18.1% of vacant units are designated for seasonal, recreational, or occasional use. This share may indicate that Mendham Borough attracts second-homeowners or short-term occupants, contributing to periodic fluctuations in local population and economic activity.

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It should be noted that the “Other Vacant” vacancy status includes a variety of situations,⁷ as follows:

1. The owner does not want to rent or sell;
2. The owner is elderly and living in a nursing home or with family members;
3. The unit is being held for the settlement of an estate;
4. The unit is being renovated; or
5. The unit is being foreclosed

The Borough’s vacancy data reveal a moderate overall vacancy rate, with a notable share of units actively for rent or sale, which is similarly reflected by the County and State. A significant portion of vacancies is tied to seasonal or occasional use, reflecting the community’s appeal for part-time residency. By monitoring these trends and addressing potential barriers to occupancy, Mendham can maintain a balanced and dynamic housing market that accommodates diverse household needs.

Table 8. Vacancy Housing Unit Type, 2020

Vacancy Status	Count	%
Total vacant units	105	5.6
For rent	26	24.8
Rented, not occupied	8	7.6
For sale only	25	23.8
Sold, not occupied	2	2
For seasonal, recreational, or occasional use	19	18.1
Other vacant	25	23.8

Source:

U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. Decennial Census, DEC Demographic Profile, Table DP1.

Units in Structure

Table 9 provides an overview of Mendham Borough’s housing stock by unit type in 2020, based on data from the ACS 5-Year Estimates. Understanding how housing units are distributed across various structure types—such as single-family homes and multi-family buildings—provides insight into the housing stock for the community. One-unit, detached homes account for 75.6% of all housing units, and one-unit attached units make up an additional 16%. Together, these two categories comprise more than 90% of Mendham Borough’s housing stock, indicating a strong emphasis on single-family living.

Table 9. Units In Structure, 2020

Units In Structure	Estimate	%
Total housing units	1,790	
1-unit, detached	1,353	75.6
1-unit, attached	286	16.0
2-units	50	2.8
3 or 4 units	29	1.6
5 to 9 units	30	1.7
10 to 19 units	42	2.3
20 or more	0	0.0
Mobile home	0	0.0
Boat, RV, van, etc.	0	0.0

Source:

U.S. Census Bureau. (2020). UNITS IN STRUCTURE. American Community Survey, ACS 5-Year Estimates Data Profiles, Table B25024.

⁷ Kresin, M. “Other” Vacant Housing Units: An Analysis from the Current Population Survey/Housing Vacancy Survey.” U.S. Census Bureau, Social, Economic, and Housing Statistics Division. Retrieved from <https://www.census.gov/housing/hvs/files/qtr113/PAA-poster.pdf>

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Year Structure Built

Over 40% of the Borough's housing stock predates 1970. Notably, 16.3% of units were built before 1939, indicating a strong historic character in some parts of the Borough. The largest single decade for home construction was 1970 to 1979, accounting for 26.5% of the total housing stock. This suggests a major growth phase in the Borough during that period. Homes built between 1980 and 1999 comprise about 21.4% of the total indicating continued development through the late 20th century. Less than 5.4% of homes were built since 2000, and only 0.8% were constructed in 2014 or later. No homes were recorded as built between 2010 and 2013. This points to a slowdown in new housing development over the past two decades, similar to that of Morris County in which, the bulk of the County's housing stock was built before 1939 (12.9%) and between 1950 and 1999 (69.9% collectively). Mendham's housing stock spans a broad range of construction periods, with a pronounced concentration of homes built in the mid-20th century and a notable historic segment dating back before 1939. Recent decades have seen relatively new construction, reflecting a stable, mature community character.

Table 10. Age/Year Structure Built

Year Structure Built	Estimate	%
Total	1,790	
Built 2014 or later	14	0.8%
Built 2010 to 2013	0	0.0%
Built 2000 to 2009	82	4.6%
Built 1990 to 1999	124	6.9%
Built 1980 to 1989	260	14.5%
Built 1970 to 1979	475	26.5%
Built 1960 to 1969	291	16.3%
Built 1950 to 1959	175	9.8%
Built 1940 to 1949	78	4.4%
Built 1939 or earlier	291	16.3%

Source:
U.S. Census Bureau. (2020). YEAR STRUCTURE BUILT. American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B25034.

3.2 Costs and Value

There are numerous methods by which to view the value of the Borough of Mendham's housing stock. The ACS provided counts for the following items: Selected Monthly Owner Costs (SMOC), the values of owner-occupied and renter-occupied units, and mortgage characteristics.

Selected Monthly Owner Costs

SMOC is a figure which consists of all costs associated with homeownership.⁸ Nearly 78.8% of mortgage holders pay \$3,000 or more each month in total housing costs. The median SMOC for this group is \$3,796, reflecting a relatively high cost of living that aligns with an affluent housing market. There are no owner-occupied homes with a mortgage report monthly costs under \$1,500. This lack of lower-cost options underscores the limited affordability for prospective buyers seeking more moderate housing payments. Among the 473 homeowners without a mortgage, 93.7% pay at least \$1,000 per month in housing-related costs (e.g. taxes, insurance, utilities). The median monthly cost of \$1,500 for these owners indicates that property taxes and other expenses remain significant even after a mortgage is paid off. Mendham's SMOC demonstrates a housing market characterized by relatively high mortgage payments and notable non-mortgage costs. While this signals a robust, upscale community, it can also pose challenges for affordability and demographic diversity.

⁸ According to the United States Census Bureau Glossary, "Selected monthly owner costs are calculated from the sum of payment for mortgages, real estate taxes, various insurances, utilities, fuels, mobile home costs, and condominium fees. Listing the items separately improves accuracy and provides additional detail."

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035**Table 11. Selected Monthly Owner Costs (SMOC), 2020**

SMOC	Count (Mendham)	%	Count (County)	%	Count (State)	%
Housing units with a mortgage	1,059	100	91,505	100	1,382,654	100
Less than \$500	0	0.0	117	0.1	2,772	0.2
\$500 to \$999	0	0.0	786	0.9	34,504	2.5
\$1,000 to \$1,499	0	0.0	4,308	4.7	138,116	10.0
\$1,500 to \$1,999	42	4.0	10,696	11.7	253,824	18.4
\$2,000 to \$2,499	69	6.5	16,000	17.5	275,392	19.9
\$2,500 to \$2,999	114	10.8	16,632	18.2	231,946	16.8
\$3,000 or more	834	78.8	42,966	47.0	446,100	32.3
Median	\$1,500		\$2,916		\$2,476	
Housing units without a mortgage	473	100	44,482	100	711,773	100
Less than \$250	0	0.0	621	1.4	14,747	2.1
\$250 to \$399	0	0.0	713	1.6	18,836	2.6
\$400 to \$599	9	1.9	1,440	3.2	48,655	6.8
\$600 to \$799	9	1.9	3,505	7.9	96,262	13.5
\$800 to \$999	12	2.5	7,334	16.5	136,283	19.1
\$1,000 or more	443	93.7	30,869	69.4	396,990	55.8
Median	\$1,500		\$1,191		\$1,062	

Source:

U.S. Census Bureau. (2020). SELECTED HOUSING CHARACTERISTICS. American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04.

Value

A significant portion of owner-occupied units (939 units or 61.3%) are valued between \$500,000 and \$999,999, and another 17.8% exceed \$1 million. This distribution points to a predominantly high-value housing market. Only 2.6% of homes fall below \$100,000, and there are virtually no properties valued between \$100,000 and \$299,999. With a median home value of \$679,500, entry-level ownership opportunities may be scarce. The median home value for Morris County and New Jersey are \$462,100 and \$343,500 respectively which is significantly less than Mendham. Rents in the Borough vary from under \$500 (13.7% of renters) to \$2,500-\$2,999 (15.2%), with no units reporting rents of \$3,000 or more. The median rent is \$1,511 suggesting that while some lower-cost rentals exist, the market skews toward higher monthly costs.

Table 12. Value of Occupied Units, 2020

Value of Occupied Units	Estimate	%
Owner-occupied units	1,532	100
Less than \$50,000	0	0.0%
\$50,000 to \$99,000	40	2.6%
\$100,000 to \$149,999	0	0.0%
\$150,000 to \$199,999	0	0.0%
\$200,000 to \$299,999	10	0.7%
\$300,000 to \$499,999	270	17.6%
\$500,000 to \$999,999	939	61.3%
\$1,000,000 or more	273	17.8%
Median (dollars)	\$679,500	
Occupied Units Paying Rent	204	100
Less than \$500	28	13.7%
\$500 to \$999	53	26.0%
\$1,000 to \$1,499	20	9.8%
\$1,500 to \$1,999	46	22.5%
\$2,000 to \$2,499	26	12.7%
\$2,500 to \$2,999	31	15.2%
\$3,000 or more	0	0.0%
Median (dollars)	\$1,511	

Source:

U.S. Census Bureau. (2020). SELECTED HOUSING CHARACTERISTICS. American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04.

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3.3 Housing Units Capable of Being Rehabilitated

The ACS estimated that in 2020, Mendham Borough had no reported deficiencies in plumbing, kitchen facilities, or telephone service, indicating that basic housing quality standards are well-met.

Table 13. Housing In Need of Rehabilitation, 2020

Facilities	Estimate	%
Occupied housing units	1,736	
Lacking complete plumbing facilities	0	0.0%
Lacking complete kitchen facilities	0	0.0%
No telephone service available	0	0.0%

Source:

U.S. Census Bureau. (2020). SELECTED HOUSING CHARACTERISTICS. American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04.

3.4 Projection of Housing Stock

Housing Units Certified

Since 2004, 39 housing units have received certificates of occupancy, according to the New Jersey Department of Community Affairs (DCA) Construction Report. Of these 39 units, 36 units (over 90%) were one- and two-family homes. This pattern underscores Mendham's continued focus on low-density, single-family housing development. No multi-family units were certified, which suggests a consistent lack of multi-family projects, reflecting the Borough's traditional suburban character and zoning practice. Only 3 mixed-use units were recorded – one each in 2005, 2006, and 2018 – indicating sporadic, small-scale mixed-use development rather than a broader trend toward integrating residential and commercial space.

Table 14. Housing Units Certified, 2004 - 2024

	1&2 Family	Multi	Mixed-use	Total
2004	4	0	0	4
2005	12	0	1	13
2006	5	0	1	6
2007	1	0	0	1
2008	3	0	0	3
2009	2	0	0	2
2010	3	0	0	3
2011	0	0	0	0
2012	0	0	0	0
2013	1	0	0	1
2014	2	0	0	2
2015	0	0	0	0
2016	0	0	0	0
2017	1	0	0	1
2018	0	0	1	1
2019	0	0	0	0
2020	0	0	0	0
2021	0	0	0	0
2022	0	0	0	0
2023	2	0	0	2
Sept 2024 YTD	0	0	0	0
Total	36	0	3	39

Source:

New Jersey Department of Community Affairs, *Housing Units Certified, 2004 – 2024*.

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Housing Projects Through 2025

The Borough of Mendham Joint Land Use Board approved several residential projects that may not yet be reflected in the DCA's certificate of occupancy reporting as follows:

1. Project Name: MASH – 35 Units Affordable (**Complete**)
Mechanism: 100 Percent Affordable Developments
Location: 1 Heritage manor Drive
2. Project Name: MASH Extensions of Expiring Controls – 35 Units (**Complete**)
Mechanism: 100 Percent Affordable Developments
Location: 1 Heritage Manor Drive
3. Project Name: Various Inclusionary Apartments, 7 units Approved (**6 Units Completed**)
Mechanism: Inclusionary Zone (Density increases)
Locations:
 6 Main Street – 1 Unit Complete
 106 East Main Street – 1 Unit Complete
 25 East Main Street – 1 Unit Complete
 15 West Main Street – 1 Unit Complete
 12 E. Main Street – 1 Unit Approved
 21 West Main Street – 2 Units Completed
4. Project Name: V-Fee Inclusionary Zone – 15 Units (**Approved**)
Mechanism: Inclusionary Zone
Location: 84-88 East Main Street (before Land Use Board)
5. Project Name: Daytop Inclusionary Zone – 93 Units (**Not Complete**)
Mechanism: Inclusionary Zone (Overlay with Durational Adjustment)
Location: 80 West Main Street

In summary, 74 housing units were completed. The Borough has completed 70 Senior Affordable Units (35 new construction plus 35 extensions of expiring controls) and four (4) inclusionary apartments along Main Street; there are 17 units pending. Mendham Borough has seven (7) affordable apartments that were approved through various applications before the Land Use Board; all but one is completed. Likewise, the V-Fee application has been approved by the Borough Joint Land Use Board which, once construction is complete, will provide for 15 affordable rental units available to very-low income, low-income and moderate-income families. There are 93 durationally adjusted housing units. The Daytop / St. John the Baptist Zone was an overlay zone that was durationally adjusted for the Third Round period through 2025 due to a lack of available sewer capacity/infrastructure in the Borough.

Lands Available for New Construction and Redevelopment

The potential for large-scale new development in the Borough is restricted by a lack of developable land due to most of the Borough already being built out and utility constraints for available sanitary sewer capacity/infrastructure. The Highlands Planning Area covers the entire Borough which promotes development, however many of the developable lots greater than one acre are either largely built-out and/or there is a lack of sewer and water infrastructure to support new development.

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The municipality should also continue to support the rehabilitation of the existing housing stock for affordable housing opportunities by continuing to use Community Block Grants and other funding sources to achieve this.

Looking at historic trends combined with the limited availability of developable land in the Borough, it is unlikely that there will be any large increases in the number of new housing units within the Borough, and most new housing units will fall under Redevelopment Area Designations and the redevelopment of existing sites.

Utility Constraints

The MLUL requires that a Housing Element include consideration of the lands that are most appropriate for construction of low- and moderate-income housing. As part of the Highlands Regional Master Plan Conformance, Mendham Borough completed a Municipal Build-Out Report in 2009. This report included a Limiting Factor Analysis to examine three categories of constraints to consider on developable land: Land Based Capacity⁹, Resource Based Capacity¹⁰, and Utility Based Capacity¹¹. The results of this analysis are identified in the table below.

Table 15. Municipal Build-Out Results, 2009

Municipal Build-out Results with Resource and Utility Constraints			
	Preservation Area	Planning Area	Total
Residential Units – Sewered	N/A	0	0
Septic System Yield	N/A	61	61
Total Residential Units	N/A	61	61
Non-Residential Jobs - Sewered	N/A	0	0

Source:

NJ HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL, *Mendham Borough Municipal Build-out Report, August 2009.*

Residential Zones

The development of future housing stock is influenced by many factors, including availability of necessary infrastructure, such as sewer and water, zoning regulations, and environmental resource constraints.

The Borough of Mendham is situated entirely within the Highlands Planning Area under the Highlands Water Protection Act. Similarly, the New Jersey SDRP identifies the Borough within the Planning Area 5 (PA5) – Environmentally Sensitive Planning Area. The Borough is also identified as having areas that have existing communities that are constrained and areas of protection. Of Mendham Borough's 3,826 acres, 10.7% (approximately 351.74 acres) are comprised of Local, County, State, or non-profit open space. Approximately 59.2% of these lands are municipally-owned environmental recreation and conservation lands as well as recreational facilities while the remaining 40.8% are privately owned.

5-Acre, 3-Acre, 1-Acre, and ½-Acre Residential Zone

Single-family residential development in the Borough of Mendham consists primarily of areas designated for 5-Acre, 3-Acre, 1-Acre, and ½-Acre residential neighborhoods. Five-acre residential development occupies most of the southern half of the Borough's land area at a density of one dwelling unit per five acres or more land. Areas planned for one dwelling unit per three

⁹ Potential developed lands.

¹⁰ Septic system yield and net water availability.

¹¹ Public water and wastewater.

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acres of land occupy the northwest corner of the Borough, a smaller area on the east side of the Borough, adjacent to Mendham Township along Lowery Lane, and the Community of St. John Baptist and deNeufville properties in the west-central portion of the Borough. Areas slated for one dwelling unit per ½-acre of land surround the Village core area along with areas planned for ½-acre home sites within the Village Center area proper. The general pattern of development follows a lessening density as one moves outward from the Borough Center.

Permitted principal uses include single-family dwellings, playgrounds and parks, agricultural uses, and home occupations; while, permitted conditional uses involve clubs¹², nursery schools, and public, semi-public, and private libraries, excluding private proprietary use.

5-Acre Residence and Religious Campus Zone

Any principal use specified in the above-mentioned 5-Acre, 3-Acre, 1-Acre, and ½-Acre Residential Zone as well as religious campuses¹³ are permitted principal uses. Conditional uses consist of any accessory use permitted in the 5-Acre, 3-Acre, 1-Acre, and ½-Acre Residential Zone.

¼ -Acre Residential Zone

The ¼-Acre residential designation provides for higher density housing within the Borough's Village Center. This includes the Mendham Area Senior Housing (MASH) complex and the Mendham Commons. The ¼-acre residence areas also include two-family dwellings on lots of not less than ½-acre in size. Multi-family and senior housing complexes are also allowed, subject to various additional uses standards. These include lot sizes of four acres or more and other dimensional and setback requirements. Areas which have developed in this manner include portions of Mountain Avenue, East Main Street, and Hilltop Road, extending north, east, and south of the Historic Business District respectively. Additionally, any permitted principal use in the 5-Acre, 3-Acre, 1-Acre, and ½-Acre Zone are also permitted.¹⁴

Historic Business Zone

The purpose of the Historic Business Zone is to provide for a mix of residential uses and retail sales and service uses while recognizing, preserving and enhancing the unique and historic character of this area. Due to the density of the existing development and limited parking and access, the permitted retail sales and service uses are those required to meet the needs of the residents of the Borough and immediate area and not those attracting and generating large volumes of traffic.

Specifically permitted principal uses consist of retail stores, business and professional offices, personal service establishments, banks, eating establishments (excluding drive-throughs), funeral parlors, and tourist homes. There are no permitted conditional uses for this zone.

¹² The Borough of Mendham Zoning Code (§215-1) defines "Club" as, a non-profit corporation, organization or association of persons who are members thereof, which owns or leases a building or part thereof for the use of members or guests. Said club or lodge shall have been principally established for the promotion of a common objective and shall be distinctly not considered as a semi-public use. Food, meals, and alcoholic beverages may be served as an incidental function of this use, provided that adequate facilities are present, and further provided that all federal, state, and municipal laws are complied with.

¹³ Provided that living quarters for a religious order are included.

¹⁴ Two-family dwellings to be arranged so as to provide independent living units, provided that no such uses shall be permitted on a lot of less than ½-acre in size.

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035

East Business Zone

The purpose of the East Business Zone is to provide for retail sales and services to accommodate the general public, to promote compatible land uses of attractive buildings, to ensure the compatibility of the development within the zone with adjacent residential areas and to improve and provide for the efficient and safe flow of traffic.

Permitted principal uses include any use permitted in any residential zone and the Historic Business Zone. In addition, retail and service uses are permitted including automotive sales and services, automotive gasoline stations, automotive service stations, automotive sales lots, retail laundry only, retail dry-cleaning establishments, clinics, building supplies (retail only), and garden supplies (retail only). The East Business Zone also permits planned neighborhood shopping centers a conditional use.

East Business Affordable Housing Zone

The purpose of the East Business Affordable Housing (EB-AH) Zone is to provide for retail sales and services to accommodate the general public and to provide a location that creates a realistic opportunity for the construction of low- and moderate-income housing in the Borough of Mendham on land that is available for development, thereby addressing the Borough's fair share housing obligation under the New Jersey Fair Housing Act and constitutional obligations to provide affordable housing. The EB-AH Zone also promotes compatible land uses of attractive buildings, to ensure the compatibility of the development within the zone with adjacent residential areas and to improve and provide for the efficient and safe flow of traffic.

The EB-AH Zone boundary applies to Block 801, Lot 20.

Principal uses permitted within the zone include any use permitted in any residential zone and the Historic Business Zone. In addition, retail and service uses are permitted including automotive sales and services, automotive gasoline stations, automotive service stations, automotive sales lot, retail laundry only, retail dry-cleaning establishments, medical and dental clinics, building supplies (retail only), garden supplies (retail only), planner commercial development, and health clubs and recreational facilities. Furthermore, a maximum of 75 affordable units are permitted for the provision of inclusionary affordable housing, including market-rate units.

Limited Business Zone

The purpose of the Limited Business Zone is to provide for the development of a mix of office, banking, and public uses requiring direct access to major roadways, to promote compatible land uses of attractive buildings, to ensure the compatibility of the development within the zone with adjacent residential areas and to improve and provide for the efficient and safe flow of traffic.

Permitted principal uses include business, professional, and administrative office buildings, banks, savings, and loan associations and other financial institutions, public buildings such as public libraries, fire stations, and post offices, parks and open space, churches and other places of worship, including parish houses, Sunday school buildings and similarly related uses, and outdoor essential services, including electric substations, transformers, switches and similar equipment. Additionally, one accessory apartment per permitted commercial building, with required off-street parking affordable to a very-low, low- or moderate-income household is permitted in the zone.

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035

Village Center Cluster Option

The purpose of the village cluster development option is to provide standards pursuant to N.J.S.A. 40:55D-39 and 40:55D-65, or any amendments thereto, which encourage and promote flexibility, economy and environmental soundness in layout and design in order to implement the planning concept of a village center cluster as adopted in the 2006 Borough of Mendham Master Plan. A village center cluster is intended to stimulate development which reflects historic patterns in the Borough and which permits a mix of housing types and a variety of lot sizes. A village center cluster is a specified development node within the village center boundary of the Master Plan, which is intended to carry out the purposes and goals of the New Jersey SDRP as incorporated in the Borough Master Plan.

The following properties are specifically designated as village center cluster development:

Table 16. *Village Center Cluster Development Properties*

Block	Lot	Address	Approximate Lot Size (acres)
203 ¹⁵	79	Aster Terrace	18.6
1501	35	12 Hilltop Road	11.6
1801	16	West Main Street	91.4

Source:

BOROUGH OF MENDHAM ZONING CODE, ARTICLE IV, §215-14B.

Principal permitted uses contain single-family detached dwellings, single-family attached dwellings¹⁶, multi-family dwellings¹⁷, public parks, playgrounds, conservation areas and Borough facilities, common open space and facilities appurtenant thereto. It should be noted that no building shall contain more than six (6) dwelling units. Permitted conditional uses include public, semi-public, and private libraries, excluding private proprietary uses.

Affordable Housing Overlay Zone

The purpose of the Affordable Housing Overlay (AHO) Zone is to create a realistic opportunity for the construction of low-and-moderate-income housing in Mendham on land that is available for development, thereby addressing the Borough's fair share housing obligation under the New Jersey Fair Housing Act and constitutional obligations to provide affordable housing. This Overlay Zone is applied pursuant to N.J.A.C. 5:93-4.3(b) whereby a municipality granted a durational adjustment for lack of water or sewer shall be required to apply overlay zoning which permits inclusionary development if adequate water and/or sewer become available to serve the site.

The AHO Zone applies to Block 1801, Lot 5.

Multi-family and townhouse dwelling units for the provision of inclusionary affordable housing pursuant to "low- and moderate-income housing requirements" are permitted uses in the AHO Zone in addition to those uses already permitted by the underlying zone district, provided that sufficient sewer and water capacity is available to serve the units proposed. Inclusionary residential development may include townhouses, multi-family dwelling units, and a combination of townhouses and multi-family units. A minimum 20% set-aside is required in this AHO Zone.

¹⁵ Previously Block 201, Lot 79.

¹⁶ Townhouses and duplexes.

¹⁷ Apartments, triplex, and quadplex.

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035

Multigenerational Housing

P.L. 2021, c. 273 established the Multigenerational Family Housing Continuity Commission (the Commission) and assigned the Commission the responsibility of preparing and adopting, "...recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas" (N.J.S.A. 52:27D-329.20f[1]). Municipalities are now required to provide an analysis of the extent to which local ordinances advance or detract from these recommendations. At the time this Housing Element and Fair Share Plan is being prepared, no such recommendations have been published by the Commission. The Borough should consider multigenerational housing options for single family residential zones.

4. Fair Share Plan

4.1 Plan Purpose and Goals

The Fair Share Plan will describe specific projects, programs, strategies and funding sources to meet Mendham Borough's affordable housing obligation while also complying with the Fourth Round Regulations, Fair Housing Act, FHA-2, AOC Directive #14-24. The overriding goal of this Fair Share Plan is to present a framework for the Borough to provide for its fair share of the present and prospective regional need for low- and moderate-income housing for the Fourth Round period of July 1, 2025 through June 30, 2035.

4.2 Determination of Housing Need

Prior Round (1987-1999) & Third Round (1999-2025) Obligations

The First and Second Round obligation ("Prior Round obligation") was the municipal new construction obligation from 1987 to 1999 and the Third Round Obligation encompasses the time period of 1999 through 2025. The Borough's combined First and Second Round obligation was 25 units; the Borough's Third Round prospective need was 152 units, and the Third Round present/rehabilitation need was 9 units. The Prior Round obligation was satisfied through the development of the Mendham Area Senior Housing (MASH) site. The Third Round Obligation was met in part by carryover credits from the MASH site, extension of expiring controls for MASH units, several inclusionary apartments, an accessory apartment, an overlay zone on the King's Shopping Center, and rental bonus credits. The remainder of the Third Round prospective need was durationally adjusted due to a lack of available water and sewer infrastructure and capacity, which was satisfied through an overlay zoning ordinance on a property in the Borough known as the "Daytop property".

Table 17. Affordable Housing Obligations Summary

Prior Round (1987-1999)	25 units
Third Round (1999-2025) Obligation	152 units
Third Round Present Need (Rehabilitation Share)	9 units
Fourth Round Proposed Obligation (2025-2035)	124 units
Fourth Round Present Need (Rehabilitation Share)	0 units

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035**Table 18. Prior Round and Third Round Credits**

Prior Round and Third Round Credits
Mendham Borough, Morris County

Project	Type	Total Units	Proposed Units	Bonus Credits	Total Credits
Prior Round Obligation – 25 Units					
Mendham Area Senior Housing (MASH)	100% Affordable, Age-Restricted	35	22	3	25
Total Prior Round Credits					25
Third Round Present Need/Rehabilitation Obligation – 9 Units					
Rehabilitation Program	Rehabilitation	9	13		13
Total Rehabilitation Credits					13
Third Round Prospective Need Obligation – 152 Units					
King's Shopping Center (V-Fee)	Inclusionary Zoning, Family Rental	15	15	14	29
MASH Senior (Carryover from Third Round)	100% Affordable, Age-Restricted	13	13		13
MASH Extensions of Expiring Controls	Age-Restricted Senior Housing	35	9		9
Low/Mod Apartments 106 E. Main Street (1 unit) 25 E. Main Street (1 unit) 15 W. Main Street (1 unit) 6 Main Street (1 unit) 13 E Main Street (1 unit) 21 W. Main Street (2 units)	Inclusionary Apartments/ Mandatory Set-Aside	7	7		7
Subtotal		70	44	14	58
Durationally Adjusted		99*	94		94
Total Third Round Credits					152
Durationally Adjusted Obligation					94
Total					152

*A 99-unit durational adjustment was approved in the Borough's Round 3 Settlement Agreement.

Table 19. Microrequirements for Third Round

Microrequirements based on Third Round Prospective Need Obligation (58 Units)		Proposed
Maximum Senior Units (25%)	14 units	13
Minimum Family Housing (50%)	29 units	36
Minimum Rental Units (25%)	15 units	58
Minimum Family Rental (50% of Rental)	8 units	36
Maximum Bonus Credits (25%)	14 units	14

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035*100% Affordable Age-Restricted Rental Housing - Mendham Area Senior Housing (MASH)*

The Borough constructed 35 age-restricted rental units at 1 Heritage Manor Drive, Block 801, Lot 25 in 1985. The Borough applied 22 of these units toward its Prior Round obligation and applied the remaining 13 units toward its Third Round obligation.

MASH Senior Rental Housing Extension of Expiring Controls

The MASH Complex's 35 age-restricted rental affordable housing units had affordability controls which expired on February 1, 2000. Mendham Borough extended the affordability controls in 2020 on these units and applied nine (9) of the extension credits toward its Third Round obligation. The Borough proposes to apply the remaining 26 credits that have resulted from the extension of affordability controls towards the Borough's future rounds of affordable housing obligations.

Mandatory Set-Aside Low-Mod Income Apartments – Family Rental Apartments

As part of Round 3 compliance, the Borough adopted a mandatory set-aside ordinance. The Borough had several Board of Adjustment applications that resulted in a total of seven (7) low- and moderate-income family rental apartments.

East Business Affordable Housing Zone: Kings Shopping Center

The property located at 86 E Main Street, Block 81, Lot 20, contains an existing shopping mall with a variety of retail and service businesses as well as a Kings Super Market. The Borough adopted the East Business Affordable Housing Zone, which permitted multi-family development of 75 units at the site with a 20 percent set-aside, yielding 15 family rental affordable units. The project proposed by V-Fee Mendham Apartments, LLC, received Site Plan approval from the Joint Land Use Board, which was decided January 29, 2025 and a memorializing resolution was adopted on March 18, 2025.

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035

Fourth Round Obligation

Mendham Borough has a Fourth Round present/rehabilitation need obligation of **0 units** and a prospective need obligation of **124 units**. The remaining durationally adjusted units from Round 3 are carried over to the Round 4 obligation below.

Table 20. Fourth Round Fair Share Plan

Fourth Round Fair Share Plan Mendham Borough, Morris County

Project	Type	Total Units	Proposed Units	Bonus Credits	Total Credits
Fourth Round Present Need/Rehabilitation Obligation – 0 Units					
Rehabilitation Program	Rehabilitation	0		0	0
Total Rehabilitation Credits					0
Fourth Round Prospective Need Obligation – 124 Units					
Durationally Adjusted Round 3 Obligation – 94 units					
Vacant Land Adjustment - 55 units RDP					
Redevelopment RDP – 14 units					
Total RDP – 69 units – Round 4 Adjusted Obligation					
MASH Senior Housing	Extensions of Expiring Controls	26	26		26
Daytop Inclusionary Zone	Inclusionary Zoning, Family for-Sale	29	29	2*	31
MASH 100% Family Affordable	100% Affordable Family Units	24	24	24*	48
Subtotal		79	79	26	105
Fair Share Plan Total					105
<i>Fourth Round RDP - 55</i>					<i>55</i>
<i>Redevelopment RDP- 14</i>					<i>14</i>
<i>Additional Unmet Need</i>					<i>36</i>
Remaining Unmet Need					113

*0.5 unit bonus for redevelopment (capped at 25% of total)

** 1.0 unit bonus for 100% Affordable with land provided.

Table 17. Microrequirements for Fourth Round Obligation

Microrequirements based on Fourth Round Prospective Need Obligation (124 Units)	
Maximum Senior Units (30%)	37 units
Minimum Family Housing (50%)	62 units
Minimum Rental Units (25%)	31 units
Minimum Family Rental (50% of Rental)	16 units
Maximum Bonus Credits (25%)	31 units

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035**Table 22. Microrequirements for Fourth Round Proposed Units**

Microrequirements based on Fourth Round Proposed Units (105 units)		Proposed
Maximum Senior Units (30%)	31 units	26 Units
Minimum Family Housing (50%)	53 units	79 units
Minimum Rental Units (25%)	27 units	74 units
Minimum Family Rental (50% of Rental)	14 units	48 units
Maximum Bonus Credits (25%)	26 units	26 units

4.4 Proposed Mechanisms

Vacant Land Adjustment

The Borough conducted a vacant land adjustment pursuant to N.J.S.A. 52:27D-310.1 and N.J.A.C. 5:93-4.2, which resulted in an RDP of 55 units (see Appendix E). The Borough proposes to meet the requirements of N.J.S.A. 52:27D-310.1, which requires municipalities seeking a vacant land adjustment to adopt zoning that could provide for 25 percent of its adjusted prospective need as redevelopment. The adjusted prospective need, or RDP, is 55 units. The adjusted prospective need for redevelopment is 14 units. The total combined RDP is 69 units. The Borough proposes 105 units of affordable housing, exceeding the combined RDP.

The Borough proposes extension of expiring controls, one (1) inclusionary zoning site, and a 100% affordable housing project to meet the RDP and address unmet need as outlined below:

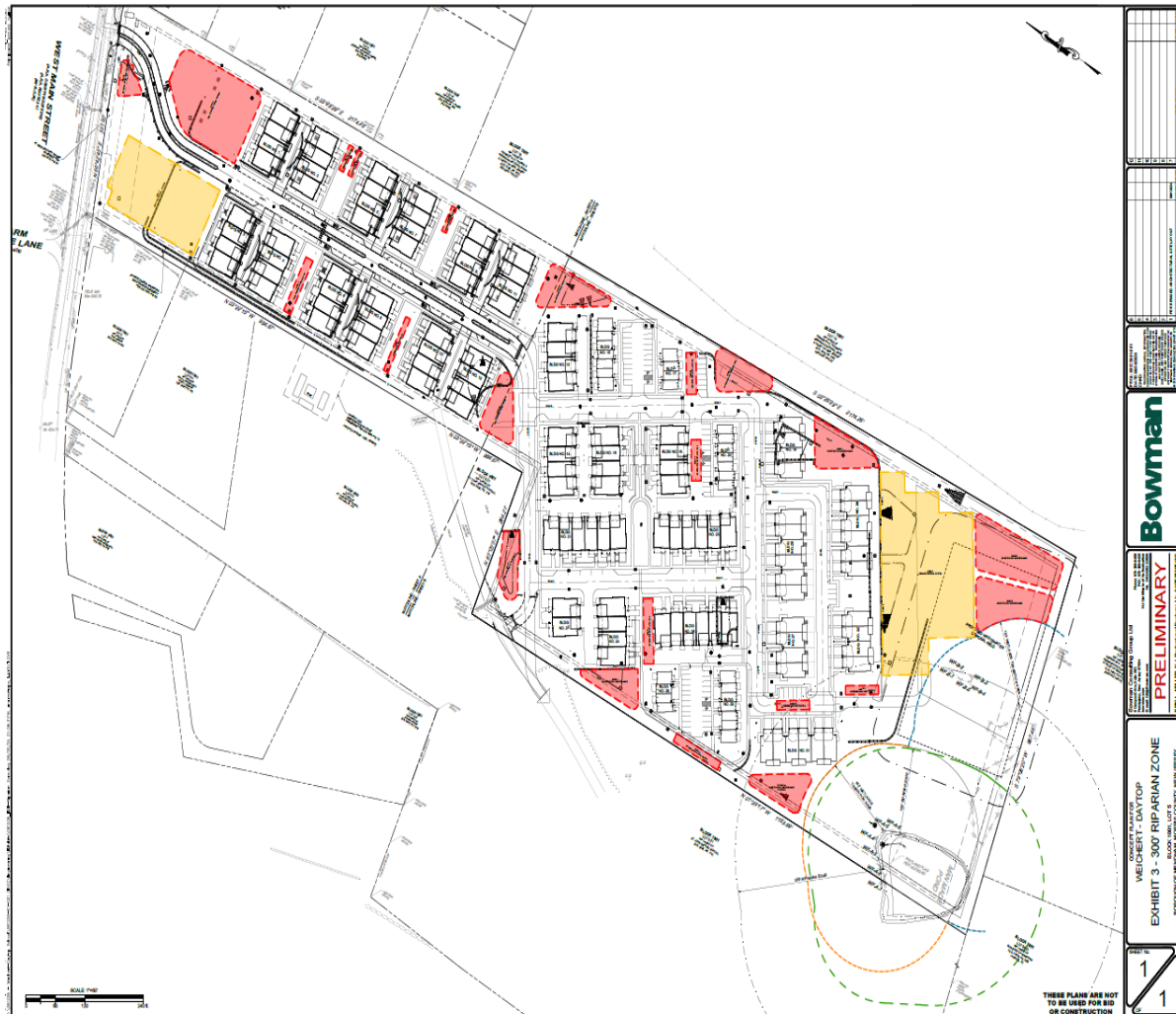
Inclusionary Zoning

Daytop Inclusionary Zone

The Daytop Inclusionary Zone is located at 80-88 West Main Street (Block 18.01, Lot 5) in the Borough. The property is approximately 25.94 acres of land and currently improved with the former Daytop School building and associated parking and driveway connections, as well as on-site septic system(s). The Daytop Inclusionary Zone is in the existing Affordable Housing Overlay (AHO) Zone, but the Borough will modify that ordinance to accommodate a concept plan prepared by a potential redeveloper. The project is proposed for 147 townhouse units at a density of six (6) du/acre. The site is anticipated to generate 29 affordable units with a 20% affordable housing set-aside.

Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035

Figure 5. Concept Plan for the Development of the Daytop Site, prepared by Bowman Consulting Group, LTD and dated August 13, 2024.



Borough of Mendham Housing Element and Fair Share Plan – Fourth Round 2025-2035

Extensions of Expiring Controls

MASH Senior Rental Housing Extension of Expiring Controls

The MASH Complex's 35 age-restricted rental affordable housing units had affordability controls which expired on February 1, 2000. Mendham Borough extended the affordability controls on these units and applied nine (9) of the extension credits toward its Third Round obligation. The Borough proposes to apply the remaining 26 credits that have resulted from the extension of affordability controls towards the Borough's Fourth Round affordable housing obligations.

Appendix A - Resolutions

**BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY**

RESOLUTION #045-2025

**RESOLUTION OF THE BOROUGH OF MENDHAM, COUNTY OF MORRIS AND STATE
OF NEW JERSEY, ADOPTING THE BOROUGH'S AFFORDABLE HOUSING PRESENT
AND PROSPECTIVE NEED OBLIGATIONS FOR THE PERIOD OF JULY 1, 2025 THRU
JULY 1, 2035 IN ACCORDANCE WITH P.L. 2024 C.2, AND RESERVING ALL RIGHTS.**

WHEREAS, the Borough of Mendham (hereinafter "Borough") has a demonstrated history of voluntary compliance with the Mount Laurel doctrine and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq. ("FHA"); and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), in July 2015, the Borough filed a Declaratory Judgment Action in Superior Court, Law Division, Morris County, under Docket No. MRS-L-1637-15 ("2015 Action") seeking, amongst other things, a judicial declaration that the Borough's Housing Element and Fair Share Plan (hereinafter "Fair Share Plan"), to be amended as necessary, satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the "Mount Laurel doctrine"; and

WHEREAS, the Borough's 2015 Action ultimately culminated in a Court-approved Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, entered on October 21, 2020, which entitles the Borough to immunity and precludes Mount Laurel lawsuits and exclusionary zoning litigation, including builder's remedy lawsuits and constitutional compliance lawsuits, from being filed against the Borough until after July 1, 2025; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law, P.L. 2024, c.2, which among other things, amended various provisions of the FHA, abolished the Council on Affordable Housing ("COAH") and established the Affordable Housing Dispute Resolution Program ("Program"); and

WHEREAS, P.L. 2024, c.2, sets forth that Fourth Round period of affordable housing obligations shall run from July 1, 2025 through June 30, 2035 ("Fourth Round" or "Round Four"); and

WHEREAS, pursuant to P.L. 2024, c.2, the Borough is located in Housing Region 2, which is comprised of Essex, Morris, Union and Warren counties; and

WHEREAS, the amendments to the FHA require the Department of Community Affairs ("DCA") to prepare and publish a report on the calculations of the regional need and each municipality's present and prospective need affordable housing obligations for the Fourth Round within seven months of March 20, 2024; and

WHEREAS, on October 18, 2024 the DCA published its report on the calculations with respect to Statewide regional need and municipal present and prospective need affordable housing obligations for the Fourth Round (the "DCA Report"); and

WHEREAS, pursuant to P.L. 2024, c.2, the DCA has calculated the total statewide prospective need obligation to be 84,698 units, which equates to a statewide new construction obligation of over 8,400 affordable units per year; and

WHEREAS, the DCA Report calculates the Borough's non-binding Round 4 obligations as follows: 1) a Present Need or Rehabilitation obligation of "0"; and 2) a Prospective Need or New Construction Obligation of "133"; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1e of the FHA, the calculations in the DCA Report are not binding on municipalities; and

WHEREAS, rather, pursuant to N.J.S.A. 52:27D-304.1 of the FHA, each municipality is required to determine its respective Fourth Round present and prospective need fair share obligations, and adopt a binding resolution describing the basis for the municipality's determination on or before January 31, 2025; and

WHEREAS, P.L. 2024, c.2, each municipality shall determine its Fourth Round present and prospective need fair share obligations, with consideration of the calculations in the DCA Report, and in accordance with the formulas established in N.J.S.A. 52:27D-304.2 and -304.3 of the FHA using "necessary datasets that are updated to the greatest extent practicable"; and

WHEREAS, the Borough's Planner and Municipal Attorney have reviewed the DCA Report along with the underlying data and data sets relied upon by the DCA in reaching its non-binding calculations for the Borough, and have carefully considered and analyzed the most up-to-date localized data pertaining to the Borough, including, amongst other verifiable data, local land use approvals, environmental constraints and other site specific information, construction permits, and MOD-IV data maintained and on file with the Borough with regard to the land capacity and equalized non-residential valuation allocation factors; and

WHEREAS, based upon same, the Borough has determined to accept the estimate set forth in the DCA Report with respect to the Borough's Present Need Obligation of "0" at this time; and

WHEREAS, however, based upon the above analysis, the Borough has further determined that the DCA's non-binding calculation of the Borough's prospective need obligation of "133" is incorrect and erroneous for multiple reasons; and

WHEREAS, in particular, the Borough Planner has confirmed that the DCA arrived at the Borough's land capacity factor using incorrect assumptions and inaccurate data to erroneously determine that approximately 21.26 acres of land within the Borough is "developable"; and

WHEREAS, using the most up-to-date localized verifiable data and information available to the Borough, the Borough Planner has determined that only 6.62 acres of land within the Borough is “developable” after consideration is given to the applicable, preserved land, deed restrictions, environmental constraints and restrictions (including wetlands, wetland buffers, and steep slopes), land use approvals, construction permit data, and MOD-IV data, amongst other updated verifiable localized data and information; and

WHEREAS, the Borough Planner has further independently calculated the Borough’s Fourth Round Prospective Need affordable housing obligation based on the formulas, criteria, methodology and datasets required by sections 6 and 7 of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.2 and -304.3, and has arrived at a Fourth Round Prospective Need Obligation that accurately reflects the most up-to-date pertinent factual data specific to the Borough; and

WHEREAS, based upon the calculations and analysis performed by the Borough Planner, the Borough has determined that its Fourth Round Prospective Need or New Construction obligation is “115”; and

WHEREAS, the Borough Planner has prepared a report setting forth this analysis, a summary of all relevant factors and considerations, and the basis for such conclusions, which are summarily incorporated by reference above and which is attached hereto as Exhibit “A”; and

WHEREAS, N.J.S.A. 52:27D-304.1f(1)(b) provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7 of P.L. 2024, c.2 ... [;]” and

WHEREAS, the Borough’s calculation of its Present Need and Prospective Need obligations is/are entitled to a “presumption of validity” because it complies with sections 6 and 7 of P.L. 2024, c.2; and

WHEREAS, the Borough, however, specifically reserves the right to adjust its Prospective Need Obligation, including for any of the foregoing adjustments: 1) a Structural Conditions Survey or similar exterior survey which accounts for a lower resolution of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon a lack of available sewer and/or available water infrastructure); and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including, but not limited to the Highlands Regional Master Plan and its build-out; and

WHEREAS, in addition to the foregoing, the Borough specifically reserves all rights to revoke this resolution and commitment in the event of: (1) a successful challenge to P.L. 2024, c.2 as a result of the pending litigation entitled: Borough of Montvale et al, v. State of New Jersey, et al., Docket No.: MER-L-1778-24; (2) any other successful challenge to P.L. 2024, c.2, or any directive or regulation adopted pursuant thereto; and/or (3) any subsequent legislative or

regulatory enactment which alters or changes the deadlines, calculations, methodology and/or other requirements of P.L. 2024, c.2; and

WHEREAS, the Borough further specifically reserves the right to take a position that its Fourth Round Present Need and/or Prospective Need Obligation(s) are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

WHEREAS, in addition to the foregoing, nothing in P.L. 2024, c. 2 requires or can require an increase in the Borough's Fourth Round Present Need and/or Prospective Need Obligation(s) based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of P.L. 2024, c.2, is to establish, for example, unchallenged numbers by default as of March 1, 2025; and

WHEREAS, in light of the above, the Mayor and Council of the Borough of Mendham finds that it is in the best interest of the Borough to declare its commitment to the above-listed Fourth Round obligations by resolution in accordance with P.L. 2024, c.2.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Mendham, in the County of Morris, and State of New Jersey as follows:

1. All of the Whereas Clauses set forth above are hereby incorporated into the operative clauses of this Resolution by reference.

2. The Borough hereby commits to a Fourth Round Present Need Obligation of "0" and a Fourth Round Prospective Need Obligation of "115," as described in this Resolution, and which such commitment to the Borough's Fourth Round Affordable Housing Obligations be and is hereby subject to the Borough's reservation of all rights it may have, as described in this Resolution or otherwise, to revoke, repeal, suspend, amend or modify this Resolution by further action of the Borough, including but not limited to, the following:

- a) The right to adjust, modify, cancel, withdraw or revoke the Borough's commitment to its Fourth Round Present Need and/or Prospective Need Obligations, and/or to otherwise revoke, repeal, suspend, amend, or modify this Resolution should additional information or evidence become available or discoverable to the Borough in the future;
- b) The right to adjust the Borough's Present Need Obligation based on the results of a structural conditions survey or similar exterior survey;
- c) The right to adjust the Borough's Present and/or Prospective Need Obligation based on lack of available vacant and developable land (vacant land adjustment); lack of available sewer and/or water infrastructure (durational adjustment); due to regional planning inputs, formulas or considerations,

including, but not limited to the Highlands Regional Master Plan and its build-out; any other “cap” or adjustment or recognized in the FHA, COAH’s regulations or Mount Laurel case law; or any combination of the above;

- d) All rights to revoke this Resolution in the event of a successful legal challenge to P.L. 2024, c.2, a legislative change to P.L. 2024, c. 2, or any successful challenge to any directive or regulation adopted pursuant to P.L. 2024, c.2, or any change or amendment to such directives or regulations;
- e) All rights to take a position that the Borough’s Fourth Round Present and/or Prospective Need Obligation(s) are lower than described herein in the event that a third party challenges the calculations provided for or relied upon in this Resolution; and/or
- f) All rights to take a position that the Borough’s Fourth Round Present and/or Prospective Need Obligation(s) is/are lower than described herein in the event a third-party claims the Borough’s Round 4 Present and/or Prospective Need Obligations require an increase based on a reallocation or modification of the Regional present or prospective Need Obligations allegedly due from successful reduction of the allocated present and prospective need obligations assigned to another municipality in the Region.

3. The Borough’s calculation of Present and Prospective Need Obligations is/are entitled to a “presumption of validity” because the calculations comply with sections 6 and 7 of P.L. 2024, c.2.

4. In accordance with N.J.S.A. 52:27D-304.1, the Borough hereby directs the Borough Attorney to file an action with the Affordable Housing Dispute Resolution Program along with this Resolution and to take all necessary and proper steps to address any challenges to same by any interested parties.

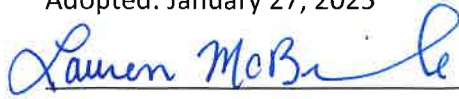
5. The Borough further commits to adopt its housing element and fair share plan pursuant to N.J.S.A. 52:27D-304.1f(2) based on this determination on or before June 30, 2025, and hereby further directs the Borough Attorney, Borough Planner and Borough Engineer to begin taking steps to prepare same.

6. A copy of this resolution, along with filing date of Borough’s action with the Program, shall be placed on the Borough’s website.

7. A copy of this resolution shall remain on file in the Borough Clerk’s office and available for public inspection.

8. This resolution shall take effect immediately, according to law.

Adopted: January 27, 2025



Lauren McBride, Acting Borough Clerk



Christine Serrano-Glassner, Mayor

Appendix B - Ordinances

Chapter 61**DEVELOPMENT FEES**

§ 61-1.	Purpose.	§ 61-6.	Affordable Housing Trust Fund.
§ 61-2.	Definitions.		
§ 61-3.	Residential development fees.	§ 61-7.	Use of funds.
§ 61-4.	Nonresidential development fees.	§ 61-8.	Monitoring.
		§ 61-9.	Ongoing collection of fees.
§ 61-5.	Collection procedures.		

[HISTORY: Adopted by the Mayor and Council of the Borough of Mendham 7-27-2020 by Ord. No. 07-2020. Amendments noted where applicable.]

§ 61-1. Purpose.

This chapter establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with COAH's regulations developed in response to P.L. 2008, c. 46, Sections 8 and 32 to 38 (N.J.S.A. 52:27D-329.2), and the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 40:55D-8.7). Fees collected pursuant to this chapter shall be used for the sole purpose of providing very-low-, low- and moderate-income housing in accordance with a Court-approved spending plan.

§ 61-2. Definitions.

The following terms, as used in this chapter, shall have the following meanings:

AFFORDABLE HOUSING DEVELOPMENT — A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable housing development.

COAH or THE COUNCIL — The New Jersey Council on Affordable Housing established under the Fair Housing Act.¹

DEVELOPER — The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT FEE — Money paid by a developer for the improvement of property as authorized by Holmdel Builder's Association v. Holmdel Township, 121 N.J. 550 (1990) and the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., and regulated by applicable COAH rules.

EQUALIZED ASSESSED VALUE — The assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c. 123 (N.J.S.A. 54:1-35a through 54:1-35c).

GREEN BUILDING STRATEGIES — Those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-

1. Editor's Note: See N.J.S.A. 52:27D-301 et seq.

maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

§ 61-3. Residential development fees.

A. Imposition of fees.

- (1) Within the Borough of Mendham, all residential developers, except for developers of the types of developments specifically exempted in Subsection B below and developers of developments that include affordable housing, shall pay a fee of 1.5% of the equalized assessed value for all new residential development provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
- (2) When an increase in residential density is permitted pursuant to a "d" variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a "bonus" development fee of 6.0% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

B. Eligible exactions, ineligible exactions and exemptions for residential developments.

- (1) Affordable housing developments and/or developments where the developer is providing for the construction of the requisite number of affordable housing units elsewhere within the municipality, and developments where the developer has made a payment in lieu of on-site construction of the required number of affordable units, if permitted by an ordinance approved by the Court as part of a judgment of compliance and repose, shall be exempt from the payment of development fees.
- (2) Developments that have received preliminary or final site plan approval prior to the adoption of this chapter shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where site plan approval is not applicable, the issuance of a zoning permit and/or construction permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the Development Fee Ordinance in effect on the date that the construction permit is issued.
- (3) Improvements or additions to existing one- and two-family dwellings on individual lots shall not be required to pay a development fee, but a development fee shall be charged for any new dwelling constructed as a replacement for a previously existing dwelling on the same lot that was or will be demolished, unless the owner resided in the previous dwelling for a period of one year or more prior to obtaining a demolition permit. Where a development fee is charged for a replacement dwelling, the development fee shall be calculated on the increase in the equalized assessed value of the new structure as compared to the previous structure.
- (4) Homes replaced as a result of a natural disaster (such as a fire or flood) shall be exempt from the payment of a development fee.

§ 61-4. Nonresidential development fees.**A. Imposition of fees.**

- (1) Within all zoning districts, nonresidential developers, except for developers of the types of developments specifically exempted below, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new nonresidential construction on an unimproved lot or lots.
- (2) Within all zoning districts, nonresidential developers, except for developers of the types of developments specifically exempted below, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.
- (3) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the preexisting land and improvements and the equalized assessed value of the newly improved structure, i.e., land and improvements, and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the nonresidential development fee shall be zero.

B. Eligible exactions, ineligible exactions and exemptions for nonresidential development.

- (1) The nonresidential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5% development fee, unless otherwise exempted below.
- (2) The 2.5% development fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within the existing footprint, reconstruction, renovations and repairs.
- (3) Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 40:55D-8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
- (4) A developer of a nonresidential development exempted from the nonresidential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy for the nonresidential development, whichever is later.
- (5) If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Borough of Mendham as a lien against the real property of the owner.

§ 61-5. Collection procedures.

- A. Upon the granting of a preliminary, final or other applicable approval for a development, the approving authority or entity shall notify or direct its staff to notify the Construction Official

responsible for the issuance of a construction permit.

- B. For nonresidential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the nonresidential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- C. The Construction Official responsible for the issuance of a construction permit shall notify the Borough Tax Assessor of the issuance of the first construction permit for a development which is subject to a development fee.
- D. Within 90 days of receipt of such notification, the Borough Tax Assessor shall prepare an estimate of the equalized assessed value of the development based on the plans filed.
- E. The Construction Official responsible for the issuance of a final certificate of occupancy shall notify the Borough Tax Assessor of any and all requests for the scheduling of a final inspection on a property which is subject to a development fee.
- F. Within 10 business days of a request for the scheduling of a final inspection, the Borough Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- G. Should the Borough of Mendham fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b of Section 37 of P.L. 2008, c. 46 (N.J.S.A. 40:55D-8.6).
- H. Except as provided in § 61-4A(3) hereinabove, 50% of the initially calculated development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of the certificate of occupancy.
- I. Appeal of development fees.
 - (1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by the Borough of Mendham. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - (2) A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Borough of Mendham. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax

Borough of Mendham, NJ

§ 61-5

DEVELOPMENT FEES

§ 61-7

Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§ 61-6. Affordable Housing Trust Fund.

- A. There is hereby created a separate, interest-bearing Affordable Housing Trust Fund to be maintained by the Chief Financial Officer of the Borough of Mendham for the purpose of depositing development fees collected from residential and nonresidential developers and proceeds from the sale of units with extinguished controls.
- B. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - (1) Payments in lieu of on-site construction of a fraction of an affordable unit, where permitted by an ordinance approved by the Court as part of a judgment of compliance and repose;
 - (2) Funds contributed by developers to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - (3) Rental income from municipally operated units;
 - (4) Repayments from affordable housing program loans;
 - (5) Recapture funds;
 - (6) Proceeds from the sale of affordable units; and
 - (7) Any other funds collected in connection with Mendham's Affordable Housing Program.
- C. In the event of a failure by the Borough of Mendham to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved spending plan and to expend funds within the applicable required time period as set forth in *In re Tp. of Monroe*, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs, Division of Local Government Services (LGS), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Borough of Mendham, or, if not practicable, then within the county or the housing region.
 - (1) Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the municipality a reasonable opportunity to respond and/or to remedy the noncompliant condition(s), and upon a finding of continuing and deliberate noncompliance, determine to authorize LGS to direct the expenditure of funds in the trust fund. The Court may also impose such other remedies as may be reasonable and appropriate to the circumstances.
- D. Interest accrued in the Affordable Housing Trust Fund shall only be used to fund eligible affordable housing activities approved by the Court.

§ 61-7. Use of funds.

- A. The expenditure of all funds shall conform to a spending plan approved by the Court. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by the Court to address the Borough of Mendham's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market to affordable program; Regional Housing Partnership programs; conversion of existing nonresidential buildings to create new affordable units; green building strategies designed to be cost saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by the Court and specified in the approved spending plan.
- B. Funds shall not be expended to reimburse the Borough of Mendham for past housing activities.
- C. At least 30% of all development fees collected and interest earned on such fees shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of the median income for Housing Region 2, in which Mendham is located.
 - (1) Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners' association or condominium fees and special assessments, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the spending plan.
 - (2) Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income. The specific programs to be used for very-low-income affordability assistance shall be identified and described within the spending plan.
 - (3) Payments in lieu of constructing affordable housing units on site, if permitted by ordinance or by agreement with the Borough of Mendham, and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- D. The Borough of Mendham may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including its programs for affordability assistance.
- E. No more than 20% of all revenues collected from development fees may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare a Housing Element and Fair Share Plan, and/or administer an affirmative marketing program or a rehabilitation program.
 - (1) In the case of a rehabilitation program, the administrative costs of the rehabilitation program shall be included as part of the 20% of collected development fees that may be expended on administration.
 - (2) Administrative funds may be used for income qualification of households, monitoring the

turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or related to securing or appealing a judgment from the Court are not eligible uses of the Affordable Housing Trust Fund.

§ 61-8. Monitoring.

The Borough of Mendham shall provide annual reporting of Affordable Housing Trust Fund activity to the State of New Jersey, Department of Community Affairs, Council on Affordable Housing or Local Government Services or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and nonresidential developers, payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the Borough), funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income from Borough-owned affordable housing units, repayments from affordable housing program loans, and any other funds collected in connection with Mendham's affordable housing programs, as well as an accounting of the expenditures of revenues and implementation of the spending plan approved by the Court.

§ 61-9. Ongoing collection of fees.

- A. The ability for the Borough of Mendham to impose, collect and expend development fees shall expire with the expiration of the repose period covered by its Judgment of Compliance unless the Borough of Mendham has first filed an adopted Housing Element and Fair Share Plan with the Court or with a designated state administrative agency, has petitioned for a Judgment of Compliance from the Court or for Substantive Certification or its equivalent from a state administrative agency authorized to approve and administer municipal affordable housing compliance and has received approval of its Development Fee Ordinance from the entity that will be reviewing and approving the Housing Element and Fair Share Plan.
- B. If the Borough of Mendham fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to Section 20 of P.L. 1985, c. 222 (N.J.S.A. 52:27D-320).
- C. The Borough of Mendham shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its Judgment of Compliance, nor shall the Borough of Mendham retroactively impose a development fee on such a development. The Borough of Mendham also shall not expend any of its collected development fees after the expiration of its Judgment of Compliance.

Appendix C – Spending Plan

AFFORDABLE HOUSING TRUST FUND SPENDING PLAN

BOROUGH OF MENDHAM MORRIS COUNTY, NEW JERSEY

June 2025

Prepared by: Jessica C. Caldwell, P.P., A.I.C.P.
NJPP License #5944

SPENDING PLAN

INTRODUCTION

Mendham Borough, Morris County, has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the present and prospective affordable housing need in accordance with the Municipal Land Use Law (MLUL), the Fair Housing Act (FHA), the regulations of the Council on Affordable Housing (COAH) and recent decisions by the Courts.

A development fee ordinance creating a dedicated revenue source for affordable housing following state guidelines was adopted in July 1995 and updated in 2009. The ordinance established a fee of 1.5% of equalized assessed value for new residential construction and 2.5% for new commercial construction. The ordinance established the need for a Borough of Mendham Affordable Housing Trust Fund. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by affordable housing fees are deposited in a separate-interest-bearing affordable housing trust fund account for the purposes of affordable housing.

Mendham Borough has prepared this Spending Plan (2025) to guide the allocation of funds within the Borough of Mendham Affordable Housing Trust Fund. As of December 31, 2024, the Borough of Mendham has no funds in its Affordable Housing Trust Fund. The funds shall be spent in accordance N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of Fourth Round substantive certification, Mendham Borough considered the following:

- (a) Development fees:
 - 1. Nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
 - 2. All nonresidential projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
 - 3. Future development that is likely to occur based on historical rates of development.
- (b) Payments in Lieu (PIL): Payments in Lieu of development into the Borough's Housing Trust are permitted in limited cases pursuant to Section 17-98 of Mendham Borough Code.
- (c) Other funding sources: The Borough reserves the option to pursue various public funding options to support its municipal rehabilitation program.
- (d) Projected interest: Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate is 0.5% based on prevailing interest rates for savings accounts.

Projected Revenue Schedule, 2025-2035
Borough of Mendham Affordable Housing Trust Fund

Source of Funds	Up to 12/31/2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
(a) Development Fees	\$309,898												
1. Approved Residential and Nonresidential Development Projects	NA	\$2,500	\$2,500	\$2,500									\$7,500
2. Projected Residential Development Projects Only	NA	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	\$99,000
3. Projected Non-Residential Development Projects (New construction only)	NA	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$55,000
(b) Payments in lieu of Construction	NA												
(c) Other Funds (specify source)	NA												
Subtotal	\$309,898	\$16,500	\$16,500	\$16,500	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$14,000	\$161,500
(d) Interest	NA	\$390	\$390	\$390	\$390	\$390	\$390	\$390	\$390	\$390	\$390	\$390	\$4,290
Total Revenue from Development Fees	\$309,898	\$16,890	\$16,890	\$16,890	\$14,390	\$14,390	\$14,390	\$14,390	\$14,390	\$14,390	\$14,390	\$14,390	\$475,688

Mendham Borough projects a total of **\$165,790** to be collected between January 1, 2025 and December 31, 2035 for residential and non-residential new construction. With an existing balance of \$309,898, the total amount projected is \$475,688. Projections are based on projected development as it relates to permits issued within the Borough over the last five years and revenues generated by the fund over the last six years.

ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

Mendham Borough will follow the process for the collection and distribution of development fee revenues detailed below.

- (a) Collection of development fee revenues: Mendham Borough will collect development fee revenues in a manner that is consistent with the Borough's development fee ordinance for both residential and nonresidential development and in accordance with applicable regulations.
- (b) Distribution of development fee revenues: Mendham Borough will distribute funds with the oversight of the Borough Council. The Council will work with the Borough Administrator and the Municipal Housing Liaison to manage the projects outlined in this spending plan.

DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

Mendham Borough proposes to use the monies in its Affordable Housing Trust Fund for the following purposes:

- (a) **Administrative Expenses** (N.J.A.C. 5:97-8.9) Mendham Borough will dedicate no more than 20 percent of revenue from the affordable housing trust fund to be used for administrative purposes. **The current budget for administrative expenses is \$50,000 subject to the 20 percent cap are as follows:**
 - Administration of affordable housing programs;
 - Legal fees associated with affordable housing administration;
 - Planning fees for any necessary updates and/or revision to the Housing Element and Fair Share Plan; and
 - Other expenses associated with the development and implementation of the Housing and Fair Share Plan and the monitoring of current and future affordable housing programs within Mount Arlington.
- (b) **Affordability Assistance** (N.J.A.C. 5:97-6.7): Mendham Borough will dedicate funds to affordability assistance. The budgeted amount is 30% of the projected total fund or \$150,000, depending on funds available at the time of the development. At least 30% of the affordability assistance, or \$43,000 will be dedicated to households with very low income.
- (c) **Supportive Living and Special Needs** (N.J.A.C. 5:97-6.10): Mendham Borough will dedicate **\$75,688** in funds to assist in the development and renovation of supportive and special needs homes as the budget permits.
- (d) **100% Affordable/Market to Affordable** (N.J.A.C. 5:97-6.7 & 6.10): Mendham Borough will dedicate **\$200,000+** to its 100% affordable, market to affordable program to assist non-profit developers in pursuing 100% affordable projects in Mendham Borough. Mendham will also

review its existing municipally owned properties to determine if land can be donated to a non-profit housing developer for 100% affordable projects.

- (e) **Excess Funds:** Any excess funds will be dedicated to rehabilitation of eligible housing units within the Borough, group homes or emerging projects or to the 100 Percent Affordable Housing Project.

SUMMARY

Mendham Borough intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the affordable housing programs outlined in the Borough 's Housing Element and Fair Share Plan dated June 17, 2025.

Spending Plan Summary Mendham Borough Affordable Housing Trust Fund

Trust fund balance as of 12/31/2024	\$309,898
Projected Revenue (2025-2035)	
Development fees	\$161,500
Payments in lieu of construction	
Other funds	
Interest	\$4,290
Total Revenue (Rounded)	\$475,688
Expenditures	
Administration	\$50,000
Affordability Assistance	\$150,000
Supportive Living	\$75,688
100% Affordable / Market to Affordable	\$200,000
Total Projected Expenditures	\$475,688

Appendix D – Marketing Plan

**BOROUGH OF MENDHAM
COUNTY OF MORRIS, STATE OF NEW JERSEY**

Affordable Housing

Affirmative Marketing Plan

Borough of Mendham Municipal Building
2 West Main Street
Mendham, NJ 07945
(973) 543-7152

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Overview

All affordable units are required to be affirmatively marketed using the Borough of Mendham's Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households 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 housing units which are being marketed by an Administrative Agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to target households who are least likely to apply for affordable housing, and to target households throughout the entire housing region in which the units are located.

The Borough of Mendham provides this Affirmative Marketing Plan for any affordable housing within the Borough. Individual projects may develop their own affirmative marketing plan in compliance with this plan.

Every Affirmative Marketing Plan must include all of the following:

1. Publication of at least one advertisement in a newspaper of general circulation within the housing region;
2. Broadcast of at least one advertisement by radio or television throughout the housing region; and
3. At least one additional regional marketing strategy such as a neighborhood newspaper, religious publication, organizational newsletter, advertisement(s) with major employer(s), or notification through community and regional organizations such as non-profit, religious, and civic organizations.

For each affordable housing opportunity within the municipality, the Affirmative Marketing Plan must include the following information:

1. The address of the project and development name, if any;
2. The number of rental units;
3. The price ranges of the rental units;
4. The name and contact information of the Municipal Housing Liaison, Administrative Agent, property manager, or landlord;
5. A description of the Random Selection method that will be used to select applicants for affordable housing; and
6. Disclosure of required application fees, if any.

Advertisements must contain the following information for each affordable housing opportunity:

1. Location of the units;
2. Directions to the units;
3. Range of prices for the units;
4. Size, as measured in bedrooms, of units;

5. The maximum income permitted to qualify for the housing units;
6. The locations of applications for the housing units;
7. The business hours when interested households may obtain an application for a housing unit; and
8. Application fees, if any.

Regional Preference

The Borough of Mendham has provided that households that live or work in Housing Region #2 (comprised of Essex, Morris, Union, and Warren Counties) shall be selected for an affordable housing unit before households from outside of this region. Units that remain unoccupied after households who live or work in the region are exhausted, may be offered to the households outside the region.

Implementation

The affirmative marketing process for affordable units shall begin at least four months prior to expected occupancy. In implementing the marketing program, the Administrative Agent shall undertake all of the strategies outlined in the Borough of Mendham's Affirmative Marketing Plan. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all the units have been sold. Applications for affordable housing shall be available in several locations in accordance with the Affirmative Marketing Plan. The time period when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

All newspaper articles, announcements and requests for applications for low- and moderate-income units will appear in the following daily regional newspapers/publications when units are available and there is no wait list for existing units and when any new units may be constructed in the future:

1. The Star Ledger
2. The Daily Record

The primary marketing will take the form of at least one (1) press release sent to the above publications and a paid display advertisement in each of the above newspapers. Additional advertising and publicity will be on an as-needed basis. The advertisement will include a description of the:

1. Location of the units;
2. Directions to the units;
3. Range of prices for the units;
4. Size, as measured in bedrooms, of units;
5. Maximum income permitted to qualify for the units;
6. Location of applications;
7. Business hours when interested households may obtain an application; and
8. Application fees.

All newspaper articles, announcements and requests for applications for low- and moderate-income housing will appear in the following neighborhood-oriented weekly newspapers, religious publications and organizational newsletters within the region:

1. The Star Ledger
2. The Daily Record

The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.

The following regional cable television stations or regional radio stations shall be used during the first month of advertising. The developer must provide satisfactory proof of public dissemination:

1. Station(s) Choose stations from Attachment A.

The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Essex, Morris, Union, and Warren Counties that will aid in the affirmative marketing program with particular emphasis on those contacts that are able to reach out to groups that are least likely to apply for housing within the region, including major regional employers identified in Attachment A, Part III, Marketing, Section 3d of COAH's Affirmative Fair Housing Marketing Plan for Affordable Housing in Region #2 (attached to and hereby made part of this Resolution) as well as the following entities:

1. Quarterly informational flyers and applications shall be sent to the Essex, Morris, Union, and Warren Counties' Boards of Realtors for publication in their journals and for circulation among their members; and
2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the municipalities and counties of Essex, Morris, Union, and Warren.

Applications will be mailed to prospective applicants upon request.

The following is the location of applications, brochure(s), signs and/or poster(s) used as part of the affirmative program, including specific employment centers within the region:

1. Municipal Building: 2 West Main Street, Mendham, NJ 07945
2. Municipal Library: 10 Hilltop Road, Mendham, NJ 07945

The following is the community contact person who will aid the affirmative marketing program:

Municipal Housing Liaison
2 West Main Street
Mendham, NJ 07945
(973) 543-7152

Additionally, quarterly informational circulars and applications for new units which may be constructed in the future will be sent to the chief administrative employees of each of the following agencies in the counties of Essex, Morris, Union, and Warren:

1. Welfare or Social Service Board;
2. Rental assistance office (local office of DCA);
3. Office on Aging.
4. Housing Agency or Authority.
5. County Library.
6. Area community action agencies.

Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:

1. Borough of Mendham Administrative Offices;
2. Borough of Mendham website;
3. Developer's Sales/Rental Offices;
4. Essex, Morris, Union, and Warren Counties' Administration Buildings;
5. Essex, Morris, Union, and Warren Counties' Libraries (all branches); and
6. Other public buildings and agencies as deemed appropriate by the Administrative Agent.

Applications shall be mailed by the Administrative Agent and Municipal Housing Liaison to prospective applicants upon request. Also, applications shall be available at the developer's sales/rental office and multiple copies of application forms shall be mailed to Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, County NAACP, Newark NAACP, East Orange NAACP, Housing Partnership for Morris County, Community Access Unlimited, Inc., Northwest New Jersey Community Action Program, Inc. (NORWESCAP), Homeless Solutions of Morristown, and the Supportive Housing Association for dissemination to their respective constituents. In addition, the foregoing entities shall be notified directly whenever an affordable housing unit(s) becomes available in the Borough of Mendham.

The following is a listing of community contact person(s) and/or organizations in Essex, Morris, Union, and Warren Counties that will aid in the affirmative marketing program and provide guidance and counseling services to prospective occupants of very low-, low-and moderate-income units:

1. Boonton Housing Authority: 125 Chestnut Street, Boonton;
<https://www.shelterlistings.org/details/32138>
2. Catholic Charities Diocese of Paterson: 777 Valley Road, Clifton,
<https://www.catholiccharities.org>

3. Community Hope, Inc.: (973) 463-9600; 959 Route 46 East, Suite 402, Parsippany
4. Eric Johnson House: (973) 326-9636; 44 South Street, Morristown
5. Family Promise of Morris County: P.O. Box 1494, Morristown;
<https://www.familypromise.org>
6. Homeless Solutions: 6 Dumont Place, Suite 3, Morristown;
<https://www.homelessolutions.org>
7. Hope House Catholic Charities: (973)895-3143; 11 Forrest Road, Randolph
8. Housing Partnership Neighborworks Home Ownership Center: 2 East Blackwell Street, Dover; <https://www.housingpartnershipnj.org>
9. Jersey Battered Women's Service, Inc.: P.O. Box 1437, Morristown, <https://www.jbws.org>
10. Madison Affordable Housing Corporation: 24 Central Avenue, Madison;
<https://affordablehousingonline.com/housing-authority/New-Jersey/Housing-Authority-of-the-Borough-of-Madison/NJ105>
11. Market Street Mission: 9 Market Street, Morristown; <https://www.marketstreet.org>
12. Morris County Affordable Housing Corp.: 99 Ketch Road, Morristown;
<https://housing.morriscountynj.gov/housingcorp>
13. Morris County Human Services: 340 West Hanover Avenue, Morristown;
<https://hs.morriscountynj.gov/services-list/>
14. Morris County Human Services Office of Community Development: P.O. Box 900, Morristown; <https://hs.morriscountynj.gov/community/>
15. Mrs. Wilson's Halfway House for Women: 7 Industrial Road, #301, Pequannock;
<https://newbridge.org>
16. Our Place Day Shelter: (973)539-9920; 51 Washington Street; Morristown
17. The Housing Partnership: 2 East Blackwell Street, Suite 12, Dover;
<https://www.housingpartnershipnj.org/>
18. Urban League of Morris County: 300 Madison Avenue, Suite A, Morristown;
<https://www.ulmcnj.org>

A random selection method to select occupants of very low-, low- and moderate-income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16 (I). The Affirmative Marketing Plan shall provide a regional preference for very low-, low- and moderate-income households that live and/or work in Housing Region #2, comprised of Essex, Morris, Union, and Warren Counties. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low-, low- and moderate-income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an agreement to this effect has been executed between the developer or landlord and the municipality prior to the affirmative marketing of the units.

The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low-, low- and moderate-income households; to place income-eligible households in very low-, low- and moderate-income units upon initial occupancy; to provide for the initial occupancy of very low, low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low-, low- and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26-1, et seq.

The Administrative Agent shall provide or direct qualified very low-, low- and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services. In addition, it shall be the responsibility of the Administrative Agent to inform owners of affordable units and prospective occupants of affordable units of the Borough's affordability assistance programs and to assist with the implementation of such programs.

All developers/owners of very low-, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.

The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and thereafter upon the re-sale or re-rental of an affordable unit for as long as an affordable unit remains deed restricted.

The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to the Borough's adopted Affordable Housing Ordinance.

An applicant pool will be maintained by the Administrative Agent for re-rentals.

1. When a re-rental affordable unit becomes available Administrative Agent will select applicants from the applicant pool and, if necessary, the unit will be affirmatively marketed as described above. The selection of applicants from the applicant pool is described in more detail in this manual under the section **Random Selection & Applicant Pool(s)**.

Sample Advertisement for Available Rental Units

The **Town/Township/Borough** of **municipality** hereby announces that **# affordable housing units** will be available for rent in the **name of development/project**. The housing is under development by **developer** and is available for **type of income** households. **Development** is located at **address, description**.

The affordable housing available includes rents from **\$/###/month** and includes **#-bedroom units**. Utilities are included (if applicable). Interested households will be required to submit **application, documentation if applicable, and any other requirements** in order to qualify. The maximum household incomes permitted are **\$41,471 for a one person household, \$47,395 for a two person household, \$53,320 for a three person household, \$59,244 for a four person household, \$63,984 for a five person household, and \$69,723 for a six person household**. Once certified, households will be matched to affordable units through a lottery system. All successful applicants will be required to demonstrate the ability to pay a security deposit (**requirements of security deposit**).

Applications are available at **Location(s), hours of operation**. Applications can also be requested via mail by calling **Realtor** at **Phone #**. Applications will be accepted until **mm/dd/yy** and there is a **\$5 fee for the credit check**.

Visit www.njhousing.gov or call 1-877-428-8844 for more affordable housing opportunities.

Although any income eligible households may apply, workers of **[Insert counties in the COAH Housing regional preference zone]**; Morris County will be selected before residents of other counties or states.

Sample Public Service Announcement

10 second slot:

Affordability priced homes available in Mayberry Borough. Income restrictions apply. Call (800) 555-1234 for information.

30-35 second slot:

Affordably priced, brand new two, three, and four-bedroom attractive homes with nice amenities are available at the Equality at Mayberry Development in desirable Mayberry Borough. Call A Home For You at (800) 555-1234 for information on sales prices and income limits and to get a pre-application. The deadline to submit a pre-application is August 1, 2020, so don't delay. These homes are in accordance with State requirements for low- and moderate-income housing.

Random Selection & Applicant Pool(s)

The following is a description of the random selection method that will be used to select occupants for low- and moderate-income housing:

There will be a period in which to complete and submit applications. Households that have completed applications in that timeframe and have been determined that they are income eligible will be randomly selected to establish an order (service list) in which they will be evaluated by the Administrative Agent for the available unit(s). A copy of the first page of the applications will be folded and placed in a container of sufficient size to allow the applications to be randomly mixed. Once mixed, all applications will be drawn one by one from the container until none are left. The first application drawn will be the first position on the service list, and so on.

At least two people will be present during a random selection and both will sign the resulting service list as having participated and/or witnessed the random selection. Once the applicant is placed on the service list, they shall remain in that position until they are served or asked to be withdrawn from the list. Applicants on the service list shall not be a part of any future random selections. If the household on the list is not of an appropriate household size, income or does not live or work in the Housing Region, that applicant will be skipped and the next applicant household with sufficient income will be evaluated for the available unit. This will continue until a properly sized household with sufficient income or purchase or rent the unit is reached.

The applicant household will be required to submit a complete application to establish their eligibility as defined by the Fair Housing Act. If the end of the service list is reached before an appropriately-sized household that lives or works in the New Jersey Housing Region is identified the Administrative Agent will review skipped households in the order of the random selection. Households that live or work in the Housing Region that are smaller than the ideal household size, as defined by the Borough's Affordable Housing Ordinance, will be considered next.

Any applicants that are skipped for size, income or regional preference will remain on the list and continue to be considered for future restricted units in the order in which they were selected in the random selection.

Unless applicants ask to be removed from the list or become ineligible for assistance, or are unresponsive to our communications, they will remain on the service list. Therefore, these applicants will not need to be in future random selections. Instead, the service order created by future random selections will be placed at the end of the service list set by all prior random selections.

If there are sufficient names remaining on the service list to fill two years of resales and rentals, the applicant pool may be closed by the Administrative Agent. The Administrative Agent will notify the Borough in writing if it intends to close the waiting list. Any households calling or writing to express their interest in an affordable home will be directed to call back on a future date determined by the Administrative Agent. When the applicant pool is being depleted to a point where there is not a sufficient number of people to fill two (2) years of re-sales or rentals, the Administrative Agent will re-open the pool and conduct a new random selection process after fulfilling the affirmative marketing requirements. The service list established by subsequent random selection shall be added to the end of the previous service list.

Initial Randomization

Applicants are selected at random before income-eligibility is determined, regardless of household size or desired number of bedrooms. The process is as follows:

1. After advertising is implemented, applications are accepted for 120 days.
2. At the end of the period, sealed applications are selected one-by-one through a lottery (unless fewer applications are received than the number of available units, then all eligible households will be placed in a unit).
3. Households are informed of the date, time and location of the lottery and invited to attend.
4. An applicant pool is created by listing applicants in the order selected.
5. Applications are reviewed for income-eligibility.
6. Ineligible households are informed that they are being removed from the applicant pool or given the opportunity to correct and/or update income and household information.
7. Eligible households are matched to available units based upon the number of bedrooms needed (and any other special requirements, such as [regional preference or] the need for an accessible unit).
8. If there are sufficient names remaining in the pool to fill future re-rental, the applicant pool shall be closed.
9. When the applicant pool is close to being depleted, the Administrative Agent will re-open the pool and conduct a new random selection process after fulfilling the affirmative marketing requirements. The new applicant pool will be added to the remaining list of applicants.

Randomization After Certification

Random selection is conducted when a unit is available, and only certified households seeking the type and bedroom size of the available unit are placed in the lottery. The process is as follows:

1. After advertising is implemented, applications are accepted for 120 days.
2. All applications are reviewed and households are either certified or informed of non-eligibility. (The certification is valid for 180 days, and may be renewed by updating income-verification information.)
3. Eligible households are placed in applicant pools based upon the number of bedrooms needed (and any other special requirements, such as regional preference or the need for an accessible unit)
4. When a unit is available, only the certified households in need of that type of unit are selected for a lottery.
5. Households are informed of the date, time, and location of the lottery and invited to attend.

6. After the lottery is conducted, the first household selected is given 3 days to express interest or disinterest in the unit. (If the first household is not interested in the unit, this process continues until a certified household selects the unit.)
7. Applications are accepted on an ongoing basis, certified households are added to the pool for the appropriate household income and size categories, and advertising and outreach is ongoing, according to the Affirmative Marketing Plan.

Matching Households to Available Units

1. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to implement the following policies:
 - a. Maximum of two person per bedroom;
 - b. Children of same sex in same bedroom;
 - c. Unrelated adults or persons of the opposite sex other than husband and wife in separate bedrooms;
 - d. Children not in same bedroom with parents;
 - e. Provide an occupant for each unit bedroom;
 - f. Provide children of different sex with separate bedrooms;
 - g. Require that all the bedrooms be used as bedrooms; and
 - h. Require that a couple requesting a two-bedroom unit provide a doctor's note justifying such request.

In no case shall a household be referred to an affordable housing unit that provides for more than one additional bedroom per household occupancy as stated in the policies above.

The Administrative Agent cannot require an applicant household to take an affordable unit with a greater number of bedrooms, as long as overcrowding is not a factor.

A household can be eligible for more than one unit category, and should be placed in the applicant pool for all categories for which it is eligible.

ATTACHMENT A

Affirmative Fair Housing Marketing Plan
For Affordable Housing in Region #2

AFFIRMATIVE FAIR HOUSING MARKETING PLAN

For Affordable Housing in **(REGION 2)**

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number		1b. Development or Program Name, Address	
1c. Number of Affordable Units: Number of Rental Units: Number of For-Sale Units:	1d. Price or Rental Range From To	1e. State and Federal Funding Sources (if any)	
1f. <input type="checkbox"/> Age Restricted <input type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates Advertising: Occupancy:		
1h. County Essex, Morris, Union, Warren		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (if any):			

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

II. RANDOM SELECTION

2. Describe the random selection process that will be used once applications are received.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

☐ White (non-Hispanic) ☐ Black (non-Hispanic) ☒ Hispanic ☐ American Indian or Alaskan Native

☒ Asian or Pacific Islander

☐ Other group:

3b. HOUSING RESOURCE CENTER (www.njhousing.gov) A free, online listing of affordable housing <input type="checkbox"/>			
3c. Commercial Media (required) (Check all that applies)			
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS ENTIRE HOUSING REGION 2			
Daily Newspaper			
<input type="checkbox"/>		Star-Ledger	
<input type="checkbox"/>		New York Times	
TARGETS PARTIAL HOUSING REGION 2			
Daily Newspaper			
<input type="checkbox"/>		Daily Record	Morris
<input type="checkbox"/>		Express Times	Warren
Weekly Newspaper			
<input type="checkbox"/>		Belleville Post	Essex
<input type="checkbox"/>		Belleville Times	Essex
<input type="checkbox"/>		Bloomfield Life	Essex
<input type="checkbox"/>		East Orange Record	Essex
<input type="checkbox"/>		Glen Ridge Paper	Essex
<input type="checkbox"/>		Glen Ridge Voice	Essex

<input type="checkbox"/>		Independent Press	Essex
<input type="checkbox"/>		Irvington Herald	Essex
<input type="checkbox"/>		Item of Millburn and Short Hills	Essex
<input type="checkbox"/>		Montclair Times	Essex
<input type="checkbox"/>		News-Record	Essex
<input type="checkbox"/>		Nutley Journal	Essex
<input type="checkbox"/>		Nutley Sun	Essex
<input type="checkbox"/>		Observer	Essex
<input type="checkbox"/>		Orange Transcript	Essex
<input type="checkbox"/>		Progress	Essex
<input type="checkbox"/>		Vailsburg Leader	Essex
<input type="checkbox"/>		Verona-Cedar Grove Times	Essex
<input type="checkbox"/>		West Essex Tribune	Essex
<input type="checkbox"/>		West Orange Chronicle	Essex
<input type="checkbox"/>		Atom Tabloid & Citizen Gazette	Middlesex, Union
<input type="checkbox"/>		Chatham Courier	Morris
<input type="checkbox"/>		Chatham Independent Press	Morris
<input type="checkbox"/>		Citizen of Morris County	Morris
<input type="checkbox"/>		Florham Park Eagle	Morris
<input type="checkbox"/>		Hanover Eagle	Morris

<input type="checkbox"/>		Madison Eagle	Morris
<input type="checkbox"/>		Morris News Bee	Morris
<input type="checkbox"/>		Mt. Olive Chronicle	Morris
<input type="checkbox"/>		Neighbor News	Morris
<input type="checkbox"/>		Randolph Reporter	Morris
<input type="checkbox"/>		Roxbury Register	Morris
<input type="checkbox"/>		Parsippany Life	Morris
<input type="checkbox"/>		Clark Patriot	Union
<input type="checkbox"/>		Cranford Chronicle	Union
<input type="checkbox"/>		Echo Leader	Union
<input type="checkbox"/>		Elizabeth Reporter	Union
<input type="checkbox"/>		Hillside Leader	Union
<input type="checkbox"/>		Leader of Kenilworth & Roselle Park	Union
<input type="checkbox"/>		Madison Independent Press, The	Union
<input type="checkbox"/>		Millburn and Short Hills Independent Press	Union
<input type="checkbox"/>		News Record	Union
<input type="checkbox"/>		Record-Press	Union
<input type="checkbox"/>		Scotch Plains Times (Fanwood Times)	Union
<input type="checkbox"/>		Spectator Leader	Union
<input type="checkbox"/>		Union Leader	Union

<input type="checkbox"/>		Warren Reporter	Warren
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 2			
<input type="checkbox"/>		2 WCBS-TV Cbs Broadcasting Inc.	
		3 KYW-TV Cbs Broadcasting Inc.	
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	
<input type="checkbox"/>		9 WWOR-TV Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		11 WPIX Wpix, Inc. (Tribune)	
<input type="checkbox"/>		13 WNET Educational Broadcasting Corporation	
<input type="checkbox"/>		25 WNYE-TV New York City Dept. Of Info Technology & Telecommunications	
<input type="checkbox"/>		31 WPXN-TV Paxson Communications License Company, Llc	
<input type="checkbox"/>		41 WXTV	

		Wxtv License Partnership, G.p. (Univision Communications Inc.)	
<input type="checkbox"/>		47 WNJU NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		50 WNJN New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		54 WTBV-TV Trinity Broadcasting Of New York, Inc.	
<input type="checkbox"/>		58 WNJB New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		62 WRNN-TV Wrnn License Company, Llc	
<input type="checkbox"/>		63 WMBC-TV Mountain Broadcating Corporation	
<input type="checkbox"/>		68 WFUT-TV Univision New York Llc	Spanish
TARGETS PARTIAL HOUSING REGION 2			
<input type="checkbox"/>		42 WKOB-LP Nave Communications, Llc	Essex
<input type="checkbox"/>		22 WMBQ-CA Renard Communications Corp.	Essex, Morris, Union
<input type="checkbox"/>		66 WFME-TV Family Stations Of New Jersey, Inc.	Essex, Morris, Union
<input type="checkbox"/>		21 WLIW Educational Broadcasting Corporation	Essex, Union

<input type="checkbox"/>		60 W60AI Ventana Television, Inc	Essex, Union
<input type="checkbox"/>		36 W36AZ New Jersey Public Broadcasting Authority	Morris
<input type="checkbox"/>		6 WPVI-TV American Broadcasting Companies, Inc (Walt Disney)	Morris, Union, Warren
<input type="checkbox"/>		65 WUVP-TV Univision Communications, Inc.	Morris, Union, Warren
<input type="checkbox"/>		23 W23AZ Centenary College	Morris, Warren
<input type="checkbox"/>		28 WBRE-TV Nexstar Broadcasting, Inc.	Morris, Warren
<input type="checkbox"/>		35 WYBE Independence Public Media Of Philadelphia, Inc.	Morris, Warren
<input type="checkbox"/>		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Morris, Warren
<input type="checkbox"/>		44 WVIA-TV Ne Pa Ed Tv Association	Morris, Warren
<input type="checkbox"/>		56 WOLF-TV Wolf License Corp	Morris, Warren
<input type="checkbox"/>		60 WBPH-TV Sonshine Family Television Corp	Morris, Warren
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Morris, Warren
<input type="checkbox"/>		10 WCAU NBC Telemundo License Co. (General Electric)	Warren
<input type="checkbox"/>		16 WNEP-TV New York Times Co.	Warren

<input type="checkbox"/>		17 WPHL-TV Tribune Company	Warren
<input type="checkbox"/>		22 WYOU Nexstar Broadcasting, Inc.	Warren
<input type="checkbox"/>		29 WTXF-TV Fox Television Stations, Inc. (News Corp.)	Warren
<input type="checkbox"/>		38 WSWB Mystic Television of Scranton Llc	Warren
<input type="checkbox"/>		48 WGTW-TV Trinity Broadcasting Network	Warren
<input type="checkbox"/>		49 W49BE New Jersey Public Broadcasting Authority	Warren
<input type="checkbox"/>		55 W55BS New Jersey Public Broadcasting Authority	Warren
<input type="checkbox"/>		57 WPSG Cbs Broadcasting Inc.	Warren
<input type="checkbox"/>		61 WPPX Paxson Communications License Company, Llc	Warren
	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA
TARGETS PARTIAL HOUSING REGION 2			
<input type="checkbox"/>		Cablevision of Newark	Partial Essex
<input type="checkbox"/>		Comcast of NJ (Union System)	Partial Essex, Union
<input type="checkbox"/>		Cablevision of Oakland	Partial Essex, Morris
<input type="checkbox"/>		Cable Vision of Morris	Partial Morris

<input type="checkbox"/>		Comcast of Northwest NJ	Partial Morris, Warren
<input type="checkbox"/>		Patriot Media & Communications	Partial Morris
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Morris, Warren
<input type="checkbox"/>		Cablevision of Elizabeth	Partial Union
<input type="checkbox"/>		Comcast of Plainfield	Partial Union
<input type="checkbox"/>		Cable Vision of Morris	Partial Warren
<input type="checkbox"/>		Service Electric Cable TV of Hunterdon	Partial Warren

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 2			
AM			
<input type="checkbox"/>		WFAN 660	
<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WABC 770	
FM			
<input type="checkbox"/>		WFNY-FM 92.3	
<input type="checkbox"/>		WPAT-FM 93.1	Spanish
<input type="checkbox"/>		WNYC-FM 93.9	
<input type="checkbox"/>		WFME 94.7	Christian
<input type="checkbox"/>		WPLJ 95.5	

<input type="checkbox"/>		WQXR-FM 96.3	
<input type="checkbox"/>		WQHT 97.1	
<input type="checkbox"/>		WRKS 98.7	
<input type="checkbox"/>		WAWZ 99.1	Christian
<input type="checkbox"/>		WHTZ 100.3	
<input type="checkbox"/>		WCBS-FM 101.1	
<input type="checkbox"/>		WKXW-FM 101.5	
<input type="checkbox"/>		WQCD 101.9	
<input type="checkbox"/>		WNEW 102.7	
<input type="checkbox"/>		WKTU 103.5	
<input type="checkbox"/>		WAXQ 104.3	
<input type="checkbox"/>		WWPR-FM 105.1	
<input type="checkbox"/>		WLTW 106.7	
TARGETS PARTIAL HOUSING REGION 2			
AM			
<input type="checkbox"/>		WWRL 1600	Essex
<input type="checkbox"/>		WXMC 1310	Essex, Morris
<input type="checkbox"/>		WWRV 1330	Essex, Morris (Spanish)
<input type="checkbox"/>		WZRC 1480	Essex, Morris (Chinese/Cantonese)
<input type="checkbox"/>		WMCA 570	Essex, Morris, Union (Christian)

<input type="checkbox"/>		WNYC 820	Essex, Morris, Union
<input type="checkbox"/>		WCBS 880	Essex, Morris, Union
<input type="checkbox"/>		WPAT 930	Essex, Morris, Union (Caribbean, Mexican, Mandarin)
<input type="checkbox"/>		WWDJ 970	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WINS 1010	Essex, Morris, Union
<input type="checkbox"/>		WEPN 1050	Essex, Morris, Union
<input type="checkbox"/>		WKMB 1070	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WBBR 1130	Essex, Morris, Union
<input type="checkbox"/>		WLIB 1190	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WMTR 1250	Essex, Morris, Union
<input type="checkbox"/>		WADO 1280	Essex, Morris, Union (Spanish)
<input type="checkbox"/>		WNSW 1430	Essex, Morris, Union (Portuguese)
<input type="checkbox"/>		WJDM 1530	Essex, Morris, Union (Spanish)
<input type="checkbox"/>		WQEW 1560	Essex, Morris, Union
<input type="checkbox"/>		WWRU 1660	Essex, Morris, Union (Korean)
<input type="checkbox"/>		WCTC 1450	Union
		WCHR 1040	Warren
		WEEX 1230	Warren

		WNNJ 1360	Warren
		WRNJ 1510	Warren
FM			
<input type="checkbox"/>		WMSC 90.3	Essex
<input type="checkbox"/>		WFUV 90.7	Essex
<input type="checkbox"/>		WBGO 88.3	Essex, Morris, Union
<input type="checkbox"/>		WSOU 89.5	Essex, Morris, Union
<input type="checkbox"/>		WKCR-FM 89.9	Essex, Morris, Union
<input type="checkbox"/>		WFMU 91.1	Essex, Morris, Union
<input type="checkbox"/>		WNYE 91.5	Essex, Morris, Union
<input type="checkbox"/>		WSKQ-FM 97.9	Essex, Morris, Union (Spanish)
<input type="checkbox"/>		WBAI 99.5	Essex, Morris, Union
<input type="checkbox"/>		WDHA -FM 105.5	Essex, Morris, Union
<input type="checkbox"/>		WCAA 105.9	Essex, Morris, Union (Latino)
<input type="checkbox"/>		WBLS 107.5	Essex, Morris, Union
<input type="checkbox"/>		WHUD 100.7	Essex, Morris, Warren
<input type="checkbox"/>		WPRB 103.3	Essex, Union, Warren
<input type="checkbox"/>		WMNJ 88.9	Morris
<input type="checkbox"/>		WJSV 90.5	Morris
<input type="checkbox"/>		WNNJ-FM 103.7	Morris, Warren

<input type="checkbox"/>		WMGQ 98.3	Union
<input type="checkbox"/>		WCTO 96.1	Union, Warren
<input type="checkbox"/>		WNTI 91.9	Warren
<input type="checkbox"/>		WSBG 93.5	Warren
<input type="checkbox"/>		WZZO 95.1	Warren
<input type="checkbox"/>		WAEB-FM 104.1	Warren
<input type="checkbox"/>		WHCY 106.3	Warren

3d. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that applies)

	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 2			
Monthly			
<input type="checkbox"/>	Sino Monthly	North Jersey/NYC area	Chinese-American
TARGETS PARTIAL HOUSING REGION 2			
Daily			
<input type="checkbox"/>	24 Horas	Bergen, Essex, Hudson, Middlesex, Passaic, Union Counties	Portuguese-Language
Weekly			
<input type="checkbox"/>	Arab Voice Newspaper	North Jersey/NYC area	Arab-American
<input type="checkbox"/>	Brazilian Voice, The	Newark	Brazilian-American

<input type="checkbox"/>		Catholic Advocate, The	Essex County area	Catholic
<input type="checkbox"/>		La Voz	Hudson, Union, Middlesex Counties	Cuban community
<input type="checkbox"/>		Italian Tribune	North Jersey/NYC area	Italian community
<input type="checkbox"/>		New Jersey Jewish News	Northern and Central New Jersey	Jewish
<input type="checkbox"/>		El Nuevo Coqui	Newark	Puerto Rican community
<input type="checkbox"/>		Banda Oriental Latinoamérica	North Jersey/NYC area	South American community
<input type="checkbox"/>		El Especialito	Union City	Spanish-Language
<input type="checkbox"/>		La Tribuna Hispana	Basking Ridge, Bound Brook, Clifton, East Rutherford, Elizabeth, Fort Lee, Greebrook, Linden, Lydenhurst, Newark, North Plainfield, Orange, Passaic, Paterson, Plainfield, Roselle, Scotch Plains, Union, Union City, West NY	Spanish-Language
<input type="checkbox"/>		Ukranian Weekly	New Jersey	Ukranian community

3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)

DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION
Essex County		
<input type="checkbox"/>	Newark Liberty International Airport	Newark Airport, Newark, NJ
<input type="checkbox"/>	Verizon Communications	540 Broad St Newark, NJ 07102
<input type="checkbox"/>	Prudential Financial, Inc.	751 Broad St Newark, NJ 07102
<input type="checkbox"/>	Continental Airlines	1 Newark Airport, Newark, NJ

<input type="checkbox"/>		University of Medicine/Dentistry	Office of Marketing & Media Relations 150 Bergen Street Room D347 Newark, NJ 07103
<input type="checkbox"/>		Public Service Enterprise Group	80 Park Plz Newark, NJ 07102
<input type="checkbox"/>		Prudential Insurance	751 Broad Street, Newark, NJ 07102-3777
<input type="checkbox"/>		Horizon Blue Cross & Blue Shield of NJ	3 Raymond Plz W Newark, NJ 07102
<input type="checkbox"/>		Newark Liberty International Airport	Newark Airport, Newark, NJ
<input type="checkbox"/>		Horizon Blue Cross & Blue Shield of NJ	540 Broad St Newark, NJ 07102
Morris County			
<input type="checkbox"/>		Atlantic Health System-Morristown Memorial Hospital	100 Madison Avenue Morristown, NJ 07962
<input type="checkbox"/>		AT&T	295 N Maple Ave, Basking Ridge, NJ and 180 Park Ave, Florham Park, NJ
<input type="checkbox"/>		US Army Armament R&D	21 Picatinny Arsenal, Picatinny Arsnl, NJ
<input type="checkbox"/>		Lucent Technologies	67 Whippany Rd, Whippany, NJ and 475 South St, Morristown, NJ and 5 Wood Hollow Rd, Parsippany, NJ and 24 Mountain Ave, Mendham, NJ
<input type="checkbox"/>		Pfizer	Morris Plains/Parsippany
<input type="checkbox"/>		Novartis Pharmaceutical	59 State Route 10, East Hanover, NJ
<input type="checkbox"/>		Kraft foods	200 Deforest Ave, East Hanover, NJ and 7 Campus Dr, Parsippany, NJ
<input type="checkbox"/>		Mennen Sports Arena	161 E Hanover Ave, Morristown, NJ
<input type="checkbox"/>		Honeywell	101 Columbia Rd Morristown, NJ 07960

<input type="checkbox"/>		Pfizer	5 Woodhollow Rd, Parsippany and 175 Tabor Rd, Morris Plains
<input type="checkbox"/>		St. Clare's Hospital	130 Powerville Road Boonton Township, NJ 07005 and 25 Pocono Road Denville, NJ 07834 and 400 West Blackwell Street Dover, NJ 07801 and 3219 Route 46 East, Suite 110 Parsippany, NJ 07054
Union County			
<input type="checkbox"/>		A&M Industrial Supply Co	1414 Campbell St Rahway
<input type="checkbox"/>		A.J. Seabra inc,	574 Ferry St Newark
<input type="checkbox"/>		Bristol-myers Products Research & Dev	1350 Liverty Ave Hillside
<input type="checkbox"/>		Cede Candy Inc	1091 Lousons Road PO Box 271 Union, NJ
<input type="checkbox"/>		Comcast Network	800 Rahway Ave Union, NJ
<input type="checkbox"/>		HoneyWell Inc.	1515 West Blancke Street Bldgs 1501 and 1525 Linden, NJ
<input type="checkbox"/>		IBM Corporation	27 Commerce Drive Cranford, nj
<input type="checkbox"/>		Howard Press	450 West First Ave Roselle,nj
<input type="checkbox"/>		Lucent Technologies	600 Mountain Ave Murray Hill,NJ
<input type="checkbox"/>		Merck & Co. Inc	1 Merck Drive PO Box 2000 (RY60-200E) Rahway, NJ
<input type="checkbox"/>		Rahway Hospital	865 Stone Street Rahway, NJ
<input type="checkbox"/>		Rotuba Extruders, Inc	1401 Park Ave South Linden
<input type="checkbox"/>		Union County College	1033 Springfield Ave Cranford,NJ
Warren County			

<input type="checkbox"/>		Masterfoods USA	800 High Street Hackettstown, NJ
<input type="checkbox"/>		Warren Hospital	185 Roseberry St Phillipsburg, NJ
<input type="checkbox"/>		Roche Vitamins	206 Roche Drive Belvidere, NJ
<input type="checkbox"/>		Hackettstown Hospital	651 Willow Grove St. Hackettstown, NJ
<input type="checkbox"/>		Pechiney	191 Route 31 North Washington, NJ
<input type="checkbox"/>		Lopatcong Care Center	390 Red School Lane Phillipsburg, NJ
<input type="checkbox"/>		Mallinckrodt/Baker, Inc	222 Red School Lane Phillipsburg, NJ

3f. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)			
Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:																
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)																
	<table border="1"> <thead> <tr> <th></th> <th>BUILDING</th> <th>LOCATION</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td>Morris County Library</td> <td>30 East Hanover Avenue, Whippany, NJ 07981</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Warren County Library Headquarters</td> <td>199 Hardwick Street, Belvidere, NJ 07823</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Essex County/Hall of Records</td> <td>465 Dr. Martin Luther King, Jr. Blvd, Newark, NJ 07102 (973)621-4400</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Union County/Administration Building</td> <td>Elizabethtown Plaza, Elizabeth, NJ 07207 (908)527-4100</td> </tr> </tbody> </table>		BUILDING	LOCATION	<input type="checkbox"/>	Morris County Library	30 East Hanover Avenue, Whippany, NJ 07981	<input type="checkbox"/>	Warren County Library Headquarters	199 Hardwick Street, Belvidere, NJ 07823	<input type="checkbox"/>	Essex County/Hall of Records	465 Dr. Martin Luther King, Jr. Blvd, Newark, NJ 07102 (973)621-4400	<input type="checkbox"/>	Union County/Administration Building	Elizabethtown Plaza, Elizabeth, NJ 07207 (908)527-4100
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<input type="checkbox"/>	Union County/Administration Building	Elizabethtown Plaza, Elizabeth, NJ 07207 (908)527-4100														
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)																
4c. Sales/Rental Office for units (if applicable)																

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI/CHOICE funding).

—

Name (Type or Print)

—

Title/Municipality

—

Signature

Date

Appendix E – Vacant Land Adjustment

Affordable Housing – Fourth Round

Vacant Land Analysis

April 8, 2025

Prepared for
Mendham Borough, Morris County

Prepared by



Vacant Land Analysis

Properties with the following property classes were selected:

1. 1 – Vacant
2. 3A and 3B – Farmland
3. 15A – Public School Property
4. 15C – Public Property
5. Properties without a property class associated in the MODIV data
6. Other properties potentially redevelopable in Round 4

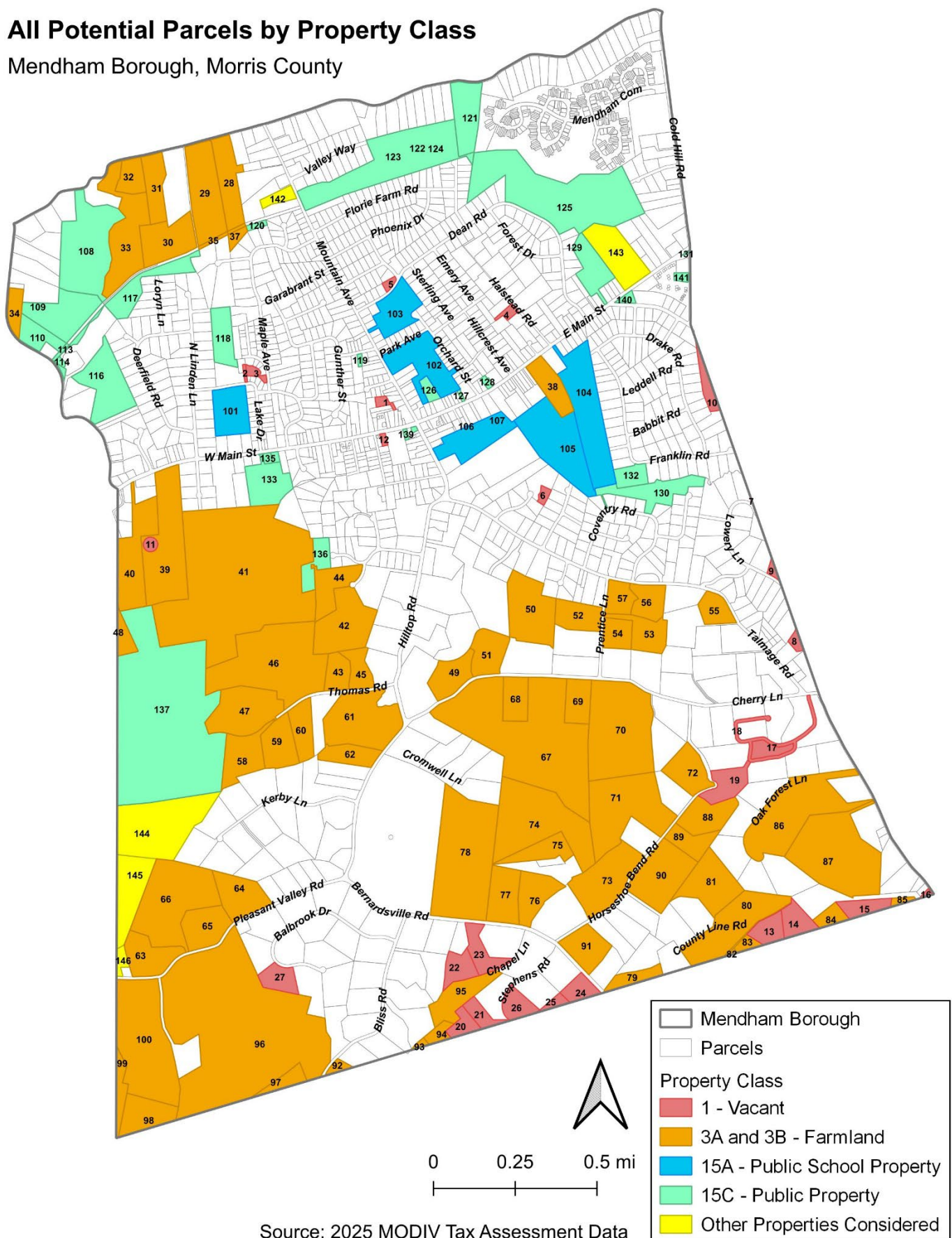
Properties, or portions of properties, were excluded from being potentially developable based on a review of the following constraints:

1. Wetlands and associated buffers
2. FEMA Special Flood Hazard Areas
3. Steep slopes > 20%
4. Category 1 Waterways/Riparian Areas
5. Critical Wildlife Habitats (land was excluded only if *a/so* outside of the existing Sewer Service Area)
6. Existing Sewer Service Areas
7. Deed Restrictions & Conservation Easements (Review of Borough Tax Maps)
8. Properties listed on the State or National Historic Registers
9. Preserved Farmland
10. Preserved Open Space
11. Properties with dedicated municipal uses
12. Existing Inclusionary Overlay Zones
13. Properties with site plan approval
14. Properties with existing development

After environmental constraints applied, properties were further removed/refined based on accessibility to the developable portion of the site. Three (3) parcels (or portions of parcels) and **45.053 acres** were identified as potentially developable or redevelopable. The **RDP is 54 units**.

All Potential Parcels by Property Class

Mendham Borough, Morris County



Map Key	Block	Lot	Prop. Class	Property Address	Owner Address	Total Ac.	Notes/Exclusions	Developable Ac.	Density	RDP
1	301	31	1	W MAIN ST	PO BOX 147, MENDHAM, NJ	0.890	inaccessible; small lot; wetlands (0.090 ac.); steep slope protection area (0.300 ac.)	0.000		
2	304	6	1	COSMA PL	ASTER TER, MENDHAM, NJ	0.330	small lot; riparian area on entire lot; steep slopes (0.044 ac.)	0.000		
3	304	13	1	ASTER TER	ASTER TER, MENDHAM, NJ	1.000	Riparian area on entire lot	0.000		
4	603	11.01	1	6 HALSTEAD RD	4 HALSTEAD RD, MENDHAM, NJ	1.000	Developable	1.000	6	1.2
5	702	14.02	1	97 DEAN RD	99 DEAN RD, MENDHAM, NJ	0.648	small lot; steep slopes (0.100 ac.)	0.000		
6	1401	15.01	1	WINDYMER LN REAR	WINDYMER LN REAR, MENDHAM, NJ	0.926	inaccessible; outside SSA; steep slope (0.100 ac.); critical wildlife habitat (Rank 5, 0.800 ac.)	0.000		
7	1401	67	1	17 LOWERY LN	17 LOWERY LN, MENDHAM, NJ	0.010	small lot; riparian area	0.000		
8	1601	27	1	81 LOWERY LN	19700 BEACH RD 6N, JUPITER ISLAND TEQUEST, FL	1.100	inaccessible; outside SSA; steep slope (0.024 ac.); critical wildlife habitat (Rank 5, 0.700 ac.)	0.000		
9	1602	5	1	58 LOWERY LN	58 LOWERY LN, MENDHAM, NJ	0.900	small lot; contains driveway of residence in Mendham Township	0.000		
10	1703	16	1	TEMPE WICK RD	17 TEMPE WICK RD, MENDHAM, NJ	2.300	inaccessible; irregularly shaped; outside SSA; 100% in critical wildlife habitat (Rank 5)	0.000		
11	1801	5	1	80-88 WEST MAIN ST	PO BOX 240, MENDHAM, NJ	1.000	Daytop Site Inclusionary Zone; part of Map Key 39 in Farmland	0.000		
12	1902	2	1	12 W MAIN ST	2984 SAINT BARNABAS CT, NAPLES, FL	0.440	small lot; recently demolished	0.000		
13	2401	8.01	1	BERNARDSVILLE RD	102 CARRIAGE HOUSE RD, BERNARDSVILLE, NJ	4.700	inaccessible; outside SSA; critical wildlife habitat (Rank 5, 3.3 ac.)	0.000		
14	2401	8.02	1	BERNARDSVILLE RD	99 CARRIAGE HOUSE RD, BERNARDSVILLE, NJ	4.700	inaccessible; outside SSA; 100% critical wildlife habitat (Rank 5)	0.000		
15	2401	9.02	1	WASHINGTON CORNER RD	95 MT. BETHEL RD, WARREN, NJ	3.914	Riparian area (2.512 ac.); outside SSA; 100% critical wildlife habitat (Rank 5)	0.000		
16	2401	10	1	HARDSCRABBLE RD	354 HARDSCRABBLE RD, BERNARDSVILLE, NJ	0.220	small lot; outside SSA; 100% within riparian area	0.000		
17	2401	26	1	SPRING HILL RD	54 SPRING HILL RD, MENDHAM, NJ	2.470	Spring Hill Road community open space; outside SSA; steep slopes (0.5 ac.)	0.000		
18	2401	26.01	1	SPRING HILL RD	30 SPRING HILL RD, MENDHAM, NJ	4.500	Spring Hill Road ROW; outside SSA	0.000		

19	2401	30	1	42 SPRING HILL RD	310 MAIN ST, WORCHESTER, MA	7.350	Outside SSA; critical wildlife habitat (Rank 5, 4.9 acres). CMVH situated so that development not feasible anywhere on tract.	0.000		
20	2501	9	1	STEVENS RD	130 CHAPIN RD, BERNARDSVILLE, NJ	2.800	Inaccessible; outside SSA; Critical wildlife habitat (Rank 2 & 5, 100%); steep slopes (2,000 ac.)	0.000		
21	2501	10	1	STEVENS RD	7 STEVENS RD, BERNARDSVILLE, NJ	3.111	Inaccessible; outside SSA; critical wildlife habitat (Rank 2 & 5, 100%); steep slopes (1,600 ac.)	0.000		
22	2501	12.02	1	5 CHAPEL LN	435 BERNARDSVILLE RD, MENDHAM, NJ	5.334	Outside SSA; critical wildlife habitat (Rank 2 & 5, 1,900 ac.); steep slopes (3,700 ac.)	0.000		
23	2501	13	1	3 CHAPEL LN	475 BERNARDSVILLE RD, MENDHAM, NJ	5.650	Outside SSA; Critical wildlife habitat (Rank 2 & 5, 2.1 ac.); steep slopes (2,600 ac.)	0.000		
24	2502	1.01	1	499 BERNARDSVILLE RD	450 MENDHAM RD, BERNARDSVILLE, NJ	3.770	Portion is developable; Outside SSA; critical wildlife habitat (Rank 5, 2,300 ac.)	1.470	6	1.8
25	2502	1.02	1	BERNARDSVILLE/ MENDHAM RD	450 MENDHAM RD, BERNARDSVILLE, NJ	1.270	Inaccessible; outside SSA; critical wildlife habitat (Rank 2 & 5, 100%)	0.000		
26	2502	1.05	1	6 STEVENS RD	4 STEVENS RD, MENDHAM, NJ	4.680	partially developed with single family home; outside SSA; critical wildlife habitat (Rank 2 & 5, 100%)	0.000		
27	2601	2.07	1	27 BALBROOK DR	23 BALBROOK DR, MENDHAM, NJ	5.105	Outside SSA; critical wildlife habitat (Rank 5, 4,700 ac.); steep slopes (4,400 ac.)	0.000		
28	101	13	3B	210 MOUNTAINSIDE RD	210 MOUNTAINSIDE RD, MENDHAM, NJ	10.000	preserved farmland; outside SSA; critical wildlife habitat (Rank 5, 7.7 ac.); steep slopes (2.5 ac.)	0.000		
29	101	14	3B	220 MOUNTAINSIDE RD	220 MOUNTAINSIDE RD, MENDHAM, NJ	18.000	preserved farmland; outside SSA; 100% critical wildlife habitat (Rank 5)	0.000		
30	101	16	3B	226 MOUNTAINSIDE RD	226 MOUNTAINSIDE RD, MENDHAM, NJ	9.769	In use - single family home; outside SSA rear of property in Zone AE (1.561 ac.) and 0.2% Annual Chance FHA (0.331 ac.); critical wildlife habitat (Rank 5, 8.343 ac.)	0.000		
31	101	17	3B	240 MOUNTAINSIDE RD	240 MOUNTAINSIDE RD, MENDHAM, NJ	7.680	In use - single family home; outside SSA; critical wildlife habitat (Rank 2 & 5, 6.2 ac.); steep slopes (1.1 ac.)	0.000		

32	101	18	3B	250 MOUNTAINSIDE RD	250 MOUNTAINSIDE RD, MENDHAM, NJ	3.510	In use - single family home; 100% critical wildlife habitat (Rank 2 & 5)	0.000		
33	101	19	3B	260 MOUNTAINSIDE RD	250 MOUNTAINSIDE RD, MENDHAM, NJ	18.980	2.909 ac. in SFHZ AE; 0.123 ac. in 0.2% Annual Chance; 3.032 total in FHA; 100% critical wildlife habitat (Rank 2 & 5)	0.000		
34	101	30	3B	127 IRONIA RD	8 SUNSET DR, RANDOLPH, NJ	2.700	In use - single family home; critical wildlife habitat (Rank 5, 0.435 ac.)	0.000		
35	102	5	3B	MOUNTAINSIDE RD	210 MOUNTAINSIDE RD, MENDHAM, NJ	0.600	outside SSA; 100% critical wildlife habitat (Rank 5); steep slopes (0.300 ac.)	0.000		
36	102	6	3B	MOUNTAINSIDE RD	210 MOUNTAINSIDE RD, MENDHAM, NJ	0.300	small lot; outside SSA; 100% critical wildlife habitat (Rank 5)	0.000		
37	201	63	3B	MOUNTAINSIDE RD	210 MOUNTAINSIDE RD, MENDHAM, NJ	1.600	preserved farmland; 100% critical wildlife habitat, steep slopes (0.300 ac.)	0.000		
38	1401	7	3B	63 E. MAIN ST	PO BOX 422, IRONIA, NJ	6.440	preserved farmland; critical wildlife habitat (Rank 5, 5.100 ac.)	0.000		
39	1801	5	3B	80-88 WEST MAIN ST	PO BOX 240, MENDHAM, NJ	26.500	Daytop Site Inclusionary Zone	0.000		
40	1801	5.01	3B	W MAIN ST	% REV MOTHER, PO BOX 240, MENDHAM, NJ	20.000	Outside SSA; 100% critical wildlife habitat (Rank 2 & 5)	0.000		
41	1801	16	3B	W MAIN ST	323 MAIN ST., 2ND FL., CHATHAM, NJ	101.961	inaccessible; outside SSA; 100% critical wildlife area (Rank 2 & 5); steep slopes (23.300 ac.)	0.000		
42	1801	36.02	3B	3 SPRING MEADOW LN	3 SPRING MEADOW LN, MENDHAM, NJ	13.335	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 11.400 ac.); steep slopes (5.200 ac.)	0.000		
43	1801	36.03	3B	4 THOMAS RD	323 MAIN ST., 2ND FL., CHATHAM, NJ	2.474	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 2.2 ac.); steep slopes (2.0 ac.)	0.000		
44	1801	36.04	3B	SPRING MEADOW LN	323 MAIN ST., 2ND FL., CHATHAM, NJ	8.842	welland conservation easement (0.391 ac.) in rear of lot; outside SSA; critical wildlife habitat (Rank 5, 7.700 ac.); steep slopes (2.1 ac.)	0.000		
45	1801	36.05	3B	2 THOMAS RD	323 MAIN ST 2ND FL, CHATHAM, NJ	5.056	Conservation easement in front of site (~0.383 ac.); outside SSA; critical wildlife habitat (Rank 2 & 5, 4.600 ac.); steep slopes (0.500 ac.)	0.000		

46	1801	37	3B	THOMAS RD	323 MAIN ST., 2ND FL., CHATHAM, NJ	33.128	riparian area in rear of property (12.375 ac.); outside SSA; 100% critical wildlife habitat (Rank 2 & 5); steep slopes (12.400 ac.)	0.000		
47	1801	38	3B	298 THOMAS RD	298 THOMAS RD, MENDHAM, NJ	8.970	In use - single family home; outside SSA; 100% critical wildlife habitat (Rank 2 & 5); steep slopes (4.9 ac.)	0.000		
48	1801	39	3B	W MAIN ST	% REV MOTHER, PO BOX 240, MENDHAM, NJ	2.500	on ROSI; outside SSA	0.000		
49	2001	1.02	3B	3 CHAROLAIS FARM RD	5 CHAROLAIS FARM RD, MENDHAM, NJ	7.974	Riparian area in front of property (0.569 ac.); outside SSA; critical wildlife habitat (Rank 5, 7.800 ac.); steep slopes (1.200 ac.)	0.000		
50	2001	1.05	3B	6 CHAROLAIS FARM RD	14854 BELLEZZA LN, NAPLES, FL	16.801	Inaccessible; outside SSA; critical wildlife habitat (Rank 5, 16.400 ac.); steep slopes (1.500 ac.)	0.000		
51	2001	1.07	3B	5 CHAROLAIS FARM RD	5 CHAROLAIS FARM RD, MENDHAM, NJ	5.480	In use - single family home; outside SSA; steep slopes (0.700 ac.)	0.000		
52	2001	23.02	3B	35 PRENTICE LN	35 PRENTICE LN, MENDHAM, NJ	5.000	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 4.900 ac.); steep slopes (0.100 ac.)	0.000		
53	2101	1.03	3B	44 PRENTICE LN	222 RIDGEDALE AV 2ND FL, CEDAR KNOLLS, NJ	5.000	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 0.800 ac.); steep slopes (1.2 ac.)	0.000		
54	2101	1.11	3B	48 PRENTICE LN	44 FAIRMONT RD W, CALIFON, NJ	5.036	Outside SSA; critical wildlife habitat (Rank 5, 4.100 ac.); steep slopes (0.100 ac.)	0.000		
55	2101	4.02	3B	147 TALMAGE RD	2 CRAMER LN, MENDHAM, NJ	5.080	Outside SSA; 100% critical wildlife habitat (Rank 5); Steep slopes (0.800 ac.)	0.000		
56	2101	5	3B	135 TALMAGE RD	135 TALMAGE RD, MENDHAM, NJ	6.354	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 2.900 ac.); steep slopes (0.900 ac.)	0.000		
57	2101	5.01	3B	135 TALMAGE RD	135 TALMAGE RD, MENDHAM, NJ	5.544	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 0.100 ac.)	0.000		
58	2201	3	3B	THOMAS RD	230 THOMAS RD, MENDHAM, NJ	10.272	In use - single family home; outside SSA; 100% critical wildlife habitat (Rank 2 & 5)	0.000		
59	2201	4	3B	230 THOMAS RD	230 THOMAS RD, MENDHAM, NJ	8.560	In use - single family home; outside SSA; 100% critical wildlife habitat (Rank 2 & 5)	0.000		

60	2201	4.02	3B	220 THOMAS RD	220 THOMAS RD, MENDHAM, NJ	5.940	In use - single family home; outside SSA; 100% critical wildlife habitat (Rank 2, 3, 5)	0.000		
61	2201	5	3B	275 HILLTOP RD	271 HILLTOP RD, MENDHAM, NJ	20.020	In use - single family home; outside SSA; 100% critical wildlife habitat (Rank 2 & 5); steep slopes	0.000		
62	2201	7	3B	291 HILLTOP RD	291 HILLTOP RD, MENDHAM, NJ	5.020	In use - single family home; outside SSA; 100% critical wildlife habitat (rank 2 & 5); steep slopes (3,500 ac.)	0.000		
63	2201	19	3B	279 PLEASANT VALLEY RD	279 PLEASANT VALLEY RD, MENDHAM, NJ	7.450	In use - single family home; outside SSA; Critical wildlife habitat (Rank 5, 5.632 ac.); steep slopes (1,100 ac.); Riparian Area	0.000		
64	2201	19.02	3B	95 PLEASANT VALLEY RD	95 PLEASANT VALLEY RD, MENDHAM, NJ	10.271	In use - single family home; outside SSA; critical wildlife habitat (Rank 2 & 5; 8,400 ac.); steep slopes (5,100 ac.)	0.000		
65	2201	19.04	3B	PLEASANT VALLEY RD	201 PLEASANT VALLEY RD, MENDHAM, NJ	8.600	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 7,200 ac.); steep slopes (2,400 ac.); Riparian area	0.000		
66	2201	19.05	3B	243 PLEASANT VALLEY RD	PO BOX 11300, FAIRFIELD, NJ	30.640	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 17,700 ac.); steep slopes (7,500 ac.)	0.000		
67	2301	2.01	3B	175-179 CHERRY LN	PO BOX 72, BROOKSIDE NJ	67.418	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 50,100 ac.); steep slopes (28.3 ac.); Riparian area	0.000		
68	2301	2.02	3B	175-179 CHERRY LN	PO BOX 72, BROOKSIDE NJ	5.772	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 2,800 ac.); steep slopes (1,400 ac.); Riparian area (1,700 ac.)	0.000		
69	2301	2.03	3B	175-179 CHERRY LN	PO BOX 72, BROOKSIDE NJ	6.777	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 5,600 ac.); steep slopes (2,900 ac.); Riparian area (4,8 ac.)	0.000		
70	2301	3	3B	375 CHERRY LN	46 ALLERTON RD, LEBANON, NJ	33.800	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 27,300 ac.); steep slopes (8,100 ac.); riparian area (22.4 ac.)	0.000		

71	2301	4.01	3B	7 HORSESHOE BEND RD	7 HORSESHOE BEND RD, MENDHAM, NJ	26.407	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 26,000 ac.); steep slopes (8,800 ac.); riparian area (17,300 ac.)	0.000		
72	2301	4.03	3B	3 HORSESHOE BEND RD	208 DAVIS PKWY, CLYDE, NY	8.832	Outside SSA; critical wildlife habitat (Rank 5, 8,600 ac.); steep slopes (5,200 ac.)	0.000		
73	2301	5	3B	11 HORSESHOE BEND RD	100 TOURNAMENT DR STE 250, HORSHAM, PA	12.324	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 8.7 ac.); steep slopes (1,800 ac.); riparian area (9.6 ac.)	0.000		
74	2301	6	3B	15 HORSESHOE BEND LN	100 TOURNAMENT DR STE 250, HORSHAM, PA	31.570	Inaccessible/in use - single family home; outside SSA; critical wildlife habitat (Rank 5, 26.7 ac.); steep slopes (5,100 ac.); riparian area (10.3 ac.)	0.000		
75	2301	7	3B	8 HORSESHOE BEND LN	8 HORSESHOE BEND LN, MENDHAM, NJ	5.616	Inaccessible; outside SSA; critical wildlife habitat (Rank 5, 3.047 ac.)	0.000		
76	2301	11	3B	460 BERNARDSVILLE RD	460 BERNARDSVILLE RD, MENDHAM, NJ	5.026	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 0.900 ac.); steep slopes (0.200 ac.)	0.000		
77	2301	12	3B	440 BERNARDSVILLE RD	460 BERNARDSVILLE RD, MENDHAM, NJ	8.980	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 6.2 ac.)	0.000		
78	2301	13	3B	350 BERNARDSVILLE RD	BERNARDSVILLE RD, MENDHAM, NJ	44.000	Portion is developable; wetlands + 50' buffer (1,819 ac.); steep slopes (5,19 ac.); critical wildlife habitat outside SSA (26,489 ac.)	17.511	6	21.0
79	2401	2	3B	1 COUNTY LINE RD	1 COUNTY LINE RD, MENDHAM, NJ	3.040	In use - single family home; outside SSA; irregular in shape; steep slopes (0.700 ac.)	0.000		
80	2401	5	3B	9 COUNTY LINE RD	6 COUNTY LINE RD, MENDHAM, NJ	20.100	Inaccessible; outside SSA; critical wildlife habitat (Rank 5, 18,000 ac.); steep slopes (1,100 ac.)	0.000		
81	2401	6.01	3B	10 HORSESHOE BEND RD	10 HORSESHOE BEND RD, MENDHAM, NJ	10.720	In use - single family home; outside SSA; landlocked	0.000		
82	2401	7	3B	BERNARDSVILLE RD	100 CARRIAGE HOUSE RD, BERNARDSVILLE, NJ	0.200	small lot; in accessible; outside SSA; 100% critical wildlife habitat (Rank 5)	0.000		
83	2401	8	3B	NICHOLS RD	100 CARRIAGE HOUSE RD, BERNARDSVILLE, NJ	1.500	Inaccessible; outside SSA; 100% critical wildlife habitat (Rank 5)	0.000		

84	2401	9.01	3B	WASHINGTON CORNER RD	95 MT. BETHEL RD, WARREN, NJ	2.752	inaccessible; outside SSA; 100% critical wildlife habitat (Rank 5)	0.000		
85	2401	9.03	3B	WASHINGTON CORNER RD	95 MT. BETHEL RD, WARREN, NJ	0.711	inaccessible; outside SSA; 100% critical wildlife habitat (Rank 5)	0.000		
86	2401	31	3B	2 OAK FOREST LN	11 WILRICH GLENN RD, MORRISTOWN, NJ	20.120	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 23,300 ac.); steep slopes (6,100 ac.); Riparian area (9,600 ac.)	0.000		
87	2401	31.06	3B	99 HARDCRABBLE RD	99 HARDCRABBLE RD, MENDHAM, NJ	30.390	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 28,600 ac.); steep slopes (1,800 ac.); Riparian area (19.2 ac.)	0.000		
88	2401	31.07	3B	6 HORSESHOE BEND RD	6 HORSESHOE BEND RD, MENDHAM, NJ	5.160	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 5,700 ac.); steep slope (0,200 ac.); Riparian area (0,700 ac.)	0.000		
89	2401	31.08	3B	8 HORSESHOE BEND RD	6 HORSESHOE BEND RD, MENDHAM, NJ	6.028	In use - single family home; outside SSA; 100% critical wildlife area (Rank 5)	0.000		
90	2401	32	3B	16 HORSESHOE BEND RD	16 HORSESHOE BEND RD, MENDHAM, NJ	14.410	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 10,800 ac.); steep slopes (0,500 ac.); Riparian Area (6,900 ac.)	0.000		
91	2401	36	3B	500 BERNARDSVILLE RD	500 BERNARDSVILLE RD, MENDHAM, NJ	8.000	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 3,00 ac.); steep slopes (0,300 ac.); Riparian area (0,100 ac.)	0.000		
92	2501	1	3B	BLISS RD	221 DRYDEN RD, BERNARDSVILLE, NJ	1.400	Outside SSA; 100% critical wildlife habitat (Rank 5); steep slopes (0,400 ac.)	0.000		
93	2501	6	3B	BERNARDSVILLE RD	130 CHAPIN RD, BERNARDSVILLE, NJ	0.450	small lot; outside SSA; 100% critical wildlife habitat (Rank 2 & 5); 100% steep slopes	0.000		
94	2501	8	3A	BERNARDSVILLE RD	130 CHAPIN RD, BERNARDSVILLE, NJ	1.060	inaccessible; outside SSA; 100% critical wildlife habitat (Rank 2 & 5); steep slopes (1,100 ac.)	0.000		

95	2501	12.03	3A	8 CHAPEL LN	8 CHAPEL LN, MENDHAM, NJ	9.315	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 7,800 ac.); steep slopes (5,900 ac.); riparian area (6,600 ac.)	0.000		
96	2601	3	3B	179 BLISS RD	PO BOX 278, MENDHAM, NJ	90.710	Portion is developable; 100% critical wildlife habitat (Rank 2 & 5); steep slopes (30.6 ac.); riparian area (41,000 ac.)	43.335	6	52.0
97	2601	4	3B	BLISS RD	P O BOX 573, BERNARDSVILLE, NJ	2.800	outside of SSA; 100% critical wildlife habitat (Rank 5)	0.000		
98	2601	5	3B	PLEASANT VALLEY RD	306 PLEASANT VALLEY RD, MENDHAM, NJ	7.540	preserved farmland; outside SSA; 100% critical wildlife habitat (Rank 2 & 5)	0.000		
99	2601	6	3B	PLEASANT VALLEY RD	306 PLEASANT VALLEY RD, MENDHAM, NJ	4.300	preserved farmland; outside SSA; 100% critical wildlife habitat (Rank 5)	0.000		
100	2601	7	3B	290 PLEASANT VALLEY RD	290 PLEASANT VALLEY RD, MENDHAM, NJ	34.000	In use - single family home; outside SSA; critical wildlife habitat (Rank 5, 30,100 ac.); steep slopes (8,200 ac.); riparian area (16.7 ac.)	0.000		
101	203	79	15A	ASTER TER	12 HILLTOP RD, MENDHAM, NJ	13.303	Outside SSA; critical wildlife habitat (Rank 5, 8,400 ac.); riparian area (0,400 ac.)	0.000		
102	601	16	15A	8 ORCHARD ST	2 WEST MAIN ST, MENDHAM, NJ	16.107	Borough Park; on ROSI	0.000		
103	703	16	15A	100 DEAN RD	100 DEAN RD, MENDHAM, NJ	9.780	Mountain View Middle School	0.000		
104	1401	8	15A	65-1/2 E MAIN ST	65-1/2 E MAIN ST, MENDHAM, NJ	23.160	West Morris Mendham High School	0.000		
105	1401	9	15A	E MAIN ST	E MAIN ST, MENDHAM, NJ	23.750	West Morris Mendham High School; outside SSA	0.000		
106	1501	9.01	15A	E MAIN ST R.O.W.	100 DEAN RD, MENDHAM, NJ	0.022	small lot	0.000		
107	1501	35	15A	12 HILLTOP RD	100 DEAN RD, MENDHAM, NJ	11.600	Hilltop School; on ROSI	0.000		
108	101	21	15C	MOUNTAINSIDE RD	2 W MAIN ST, MENDHAM, NJ	27.000	India Brook; on ROSI; outside SSA	0.000		
109	101	31	15C	IRONIA RD	2 WEST MAIN ST, MENDHAM, NJ	17.790	Borough Treatment Plant	0.000		
110	101	32	15C	IRONIA RD	2 WEST MAIN ST, MENDHAM, NJ	5.000	On ROSI; outside SSA	0.000		
111	102	1	15C	OLD RAILROAD BED	2 WEST MAIN ST, MENDHAM, NJ	3.480	access road/only entrance to to Block 101, Lot 31 (which is on ROSI); outside SSA	0.000		
112	201	1	15C	IRONIA RD	2 WEST MAIN ST, MENDHAM, NJ	1.000	exceptionally narrow lot not suitable for development; 100% critical wildlife habitat (Rank 5); steep slopes	0.000		

113	201	2	15C	IRONIA RD	2 W MAIN ST, MENDHAM, NJ	0.034	small lot; Patriots Path; on ROSI; outside SSA	0.000		
114	201	3	15C	IRONIA RD	2 W MAIN ST, MENDHAM, NJ	0.192	small lot; Patriots Path; on ROSI; outside SSA	0.000		
115	201	5	15C	IRONIA RD	2 WEST MAIN ST, MENDHAM, NJ	0.480	small lot; Patriots Path; on ROSI; outside SSA	0.000		
116	201	6	15C	IRONIA RD	2 WEST MAIN ST, MENDHAM, NJ	14.834	DPW garage; outside SSA	0.000		
117	201	42	15C	MOUNTAINSIDE RD	2 WEST MAIN ST, MENDHAM, NJ	9.660	Parkland; on ROSI; outside SSA; FEMA Flood Zone AE	0.000		
118	201	70	15C	NORTH LINDEN LN	2 WEST MAIN ST, MENDHAM, NJ	6.490	Deerfield; on ROSI; outside SSA	0.000		
119	301	22	15C	4 WILSON ST	2 WEST MAIN ST, MENDHAM, NJ	0.310	Grabrant Center (municipal building/community center)	0.000		
120	404	18	15C	MAPLE AVE	2 WEST MAIN ST, MENDHAM, NJ	0.679	Mt Ave Parkland; on ROSI	0.000		
121	501	23	15C	88 MOUNTAINSIDE RD	2 W MAIN ST, MENDHAM, NJ	10.560	Historic Stephen Cary House/Scott Farm Barn; on State and National Registers; outside SSA	0.000		
122	501	43	15C	MOUNTAINSIDE RD	2 WEST MAIN ST, MENDHAM, NJ	33.100	Mountain Valley; on ROSI; outside SSA	0.000		
123	501	43.01	15C	MOUNTAINSIDE RD	2 WEST MAIN ST, MENDHAM, NJ	0.014	small lot; outside SSA; Riparian Area	0.000		
124	501	43.01	15C	MOUNTAINSIDE RD	2 WEST MAIN ST, MENDHAM, NJ	0.014	small lot; outside SSA; Riparian Area	0.000		
125	501	44	15C	DEAN RD	2 W MAIN ST, MENDHAM, NJ	12.540	On ROSI; outside SSA	0.000		
126	601	5.02	15C	10 E MAIN ST	2 W MAIN ST, MENDHAM, NJ	1.608	Arboretum; recently acquired open space	0.000		
127	601	11	15C	24 E MAIN ST	2 WEST MAIN ST, MENDHAM, NJ	0.230	small lot; access drive to Mendham First Aid Squad building	0.000		
128	602	3.02	15C	34B EAST MAIN ST	6 W MAIN ST, MENDHAM, NJ	0.500	Tranquility Garden	0.000		
129	801	25	15C	A1-D8 HERITAGE MANOR DR	2 W MAIN ST, MENDHAM, NJ	7.680	developed with senior housing; wetlands present on undeveloped portion	0.000		
130	1401	37	15C	COVENTRY RD	2 WEST MAIN ST, MENDHAM, NJ	10.370	Skating Area; on ROSI	0.000		
131	1403	1	15C	COLD HILL RD & E MAIN ST	2 WEST MAIN ST, MENDHAM, NJ	0.430	small lot; On ROSI	0.000		
132	1707	3	15C	FRANKLIN RD	2 WEST MAIN ST, MENDHAM, NJ	4.080	Franklin Rd; on ROSI	0.000		
133	1801	16.02	15C	W MAIN ST	2 WEST MAIN ST, MENDHAM, NJ	9.854	All purpose fields; on ROSI	0.000		
134	1801	16.03	15C	W MAIN ST	2 WEST MAIN ST, MENDHAM, NJ	0.502	All purpose fields; on ROSI	0.000		
135	1801	16.04	15C	W MAIN ST	2 WEST MAIN ST, MENDHAM, NJ	0.482	small lot; All purpose fields; on ROSI	0.000		
136	1801	19	15C	HEATHER HILL WAY	2 WEST MAIN ST, MENDHAM, NJ	5.010	Heather Hill; on ROSI; outside SSA	0.000		
137	1801	38.01	15C	THOMAS RD	2 W MAIN ST, MENDHAM, NJ	96.477	Schiff Natural Lands Trust; on ROSI; outside SSA	0.000		
138	1902	24	15C	2 W MAIN ST	2 W MAIN ST, MENDHAM, NJ	0.216	small lot; municipal building	0.000		

139	1902	26	15C	6 W MAIN ST	6 W MAIN ST, MENDHAM, NJ	0.230	small lot; municipal building	0.000		
140	2701	1	15C	2 TEMPE WICK RD	33RD & 8TH AVE, NEW YORK, NY	0.810	USPS	0.000		
141	2701	4	15C	3 COLD HILL RD	2 WEST MAIN ST, MENDHAM, NJ	0.508	existing commercial development/uses	0.000		
142	101	2	2	74 MOUNTAIN AVE	74 MOUNTAIN AVE, MENDHAM, NJ	2.400	entire lot is in riparian area; FEMA Flood Zone AE; FEMA 0.2% Annual Chance	0.000		
143	801	20	4A	84-86-88 E MAIN ST	130 RT. 10, WHIPPANY, NJ	12.870	King's Shopping Center - development approvals	0.000		
144	2201	19.01	15F	PLEASANT VALLEY RD	339 PLEASANT VALLEY RD, MENDHAM, NJ	27.122	Schiff Natural Lands Trust; Not on ROSI; outside SSA; 100% critical wildlife area (Rank 5; 27.100 ac.); steep slopes (11.300 ac.); Riparian Area (21.700 ac.)	0.000		
145	2201	19.03	15F	PLEASANT VALLEY RD	339 PLEASANT VALLEY RD, MENDHAM, NJ	12.741	Schiff Natural Lands Trust; Not on ROSI; outside SSA	0.000		
146	2201	22	15F	PLEASANT VALLEY RD	339 PLEASANT VALLEY RD, MENDHAM, NJ	1.400	Schiff Natural Lands Trust; Not on ROSI; outside SSA; 100% critical wildlife habitat (Rank 5); steep slopes (5.600 ac.); riparian area (5.300)	0.000		
147	2301	13	15F	350 BERNARDSVILLE RD	350 BERNARDSVILLE RD, MENDHAM, NJ	68.000	Portion is developable; partially in SSA; critical wildlife habitat outside of SSA (Rank 5; 10.205 ac.); steep slopes outside CWH (3.803 ac.)	42.583	6	51.1
					Total	1,577.142	Total Developable:	45.053	RDP:	54.1

Summary of Available Vacant Land

Map Key	Block	Lot	Prop. Class	Property Address	Owner Address	Total Ac.	Notes/Exclusions	Developable Ac.	Density	RDP
4	603	11.01	1	6 HALSTEAD RD	4 HALSTEAD RD, MENDHAM, NJ	1.000	Developable	1.000	6	1.2
24	2502	1.01	1	499 BERNARDSVILLE RD	450 MENDHAM RD, BERNARDSVILLE, NJ	3.770	Portion is developable: Outside SSA; critical wildlife habitat (Rank 5, 2,300 ac.)	1.470	6	1.8
147	2301	13	15F	350 BERNARDSVILLE RD	350 BERNARDSVILLE RD, MENDHAM, NJ	68.000	Portion is developable: partially in SSA; critical wildlife habitat outside of SSA (Rank 5, 10,205 ac.); steep slopes outside CWH (3,803 ac.)	42.583	6	51.1
					Total (Ac.):	72.770	Total Developable Land (Ac.):	45.053	RDP (Units):	54.1

**Fourth Round: vacant and
Developable Parcels**

Mendham Borough, Morris County



Block 888
Lot 11.01

Block 2301
Lot 13

Block 2502
Lot 1.01

- Mendham Borough
- 2023 Parcels
- Developable Land

Appendix F – Deed Restrictions

To Be Provided