



# Fourth Round Housing Element & Fair Share Plan

**Mendham Township**

**Morris County, NJ**

*Prepared by:*



architects + engineers

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## Acknowledgements

### Mayor & Township Committee

Sarah Neilbart, Mayor  
Nick Monaghan, Deputy Mayor  
Amalia Duarte, Member  
Tracey Moreen, Member  
Lauren Spirig, Member

### Planning Board

Sante D'Emidio, Chair, Class IV  
Carl Perri, Vice Chair, Class IV  
Amalia Duarte, Class I  
Ross Johnson, Class II  
Tracey Moreen, Class III  
Bruce Flitcroft, Class IV  
Arjan Roghanchi, Class IV  
John Henri Mayer, Alternate 1  
Michael Rohal – Alternate 2  
Beth Foley, Planning Board Secretary

Planning Board Attorney:  
Andrew M. Brewer, Esq.

Consultant:  
H2M Associates, Inc.  
119 Cherry Hill Road, Ste. 110  
Parsippany, NJ 07054



Adopted by the Planning Board: \_\_\_\_\_  
Endorsed by the Council: \_\_\_\_\_

*The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.*

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Sanyogita S. Chavan, PP, AICP #33LJ00593300

## Housing Element and Fair Share Housing Plan |Mendham Township

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## INTRODUCTION

This Housing Plan addresses the Township's newly assigned fourth round affordable housing obligation. In accordance with the Fair Housing Act (FHA), New Jersey municipalities must adopt a Housing Element and Fair Share Plan (HEFSP) to plan for the provision of their "fair share" of affordable housing for low- and moderate-income persons and households.

Since the 1975 New Jersey Supreme Court decision known as "Mount Laurel I," New Jersey municipalities have had a constitutional obligation to provide opportunities for creation of low and moderate housing units. This 1975 decision led to a body of case law, legislative changes and rulemaking by a state agency that, collectively, is now referred to as the "Mount Laurel Doctrine." The Fair Housing Act of 1985 was the legislative response to the landmark *Mount Laurel* decisions and provided the basis for the establishment of the Council on Affordable Housing (COAH) to administer municipal compliance with the FHA. Through these actions, New Jersey municipalities have been assigned a specific number of affordable housing units that must be created or planned for creation to have "satisfied" their constitutional obligation, referred to as their affordable housing obligation. The purpose of this Housing Element and Fair Share Plan (hereinafter the "Plan") is to present how Mendham Township will satisfy its constitutional obligation in the fourth round.

Affordable housing in New Jersey is defined as housing units which are reserved for households with incomes not more than 80% of the regional median income. The state is divided into six housing regions with a median income established for each region along with the thresholds for moderate- and low-income households based upon the household size. Each affordable unit must be reserved for low- and moderate-income households for a period up to 40 years and this is enforced through a deed restriction. Apart from providing the minimum required affordable housing, the municipality must ensure diversity in the level of affordability and diversity in the size of affordable units.

Municipal participation in this process is voluntary. However, municipalities that do not participate may be vulnerable to exclusionary zoning litigation, and builder's remedy lawsuits. A builder's remedy is a litigation tool that grants a developer the right to construct what is typically a multi-family development on land that was not zoned to permit the use or the residential density desired by the developer, provided a "substantial" percentage of the units are reserved for low- and moderate-income households.

### New Jersey's Affordable Housing History

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

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

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"substantive certification" and it provided protection from builder's remedy litigation during the period which the housing element and fair share plan addresses (i.e. the round).

The table below summarizes the timeline of each affordable housing "round" in New Jersey.

Table 1: Affordable Housing Timeline		
Round (Release Date)	Period	Summary
Round 1 (1987)	1987 - 1993	COAH calculated affordable housing obligation for each NJ municipality
Round 2 (1994)	1993 - 1999	COAH calculated affordable housing obligation for each NJ municipality
Round 3 (2004)	Invalidated 2007	COAH introduced the "growth share" approach for calculating municipal obligations
Round 3 (2008)	Invalidated 2010, 2013	COAH revised the "growth share" methodology
Round 3 (2014)	Unadopted	COAH calculated affordable housing obligations for each NJ municipality based on Round 1 & Round 2 methodologies.
Round 3 (2015)	2015 - 2025	NJ Supreme Court declared COAH "moribund;" ordered Superior Courts to resume oversight of municipal compliance with FHA; and ordered municipalities to rely on Prior Round Rules to prepare their HEFSPs.
Round 4	2025-2035	A4/S50 is signed March 20, 2024, amending the affordable housing regulations. This amendment eliminated COAH and created new processes/calculations for Round 4. The NJ DCA provided non-binding calculations for each municipality's affordable housing obligations.

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

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

On December 20, 2004, COAH's first version of the third-round rules became effective some five years after the end of the second round in 1999. At that time, the third round was defined as the time from 1999 to 2014 but condensed into an affordable housing delivery period from January 1, 2004, through January 1, 2014. The third-round rules marked a significant departure from the methods utilized in COAH's earlier



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rounds by creating a "growth share" approach that linked the production of affordable housing to residential and non-residential development within a municipality.

The growth share approach and the rules in which it was created were subject to significant litigation and ultimately overturned by the New Jersey Appellate Court. On January 25, 2007, the New Jersey Appellate Court decision, *In re Adoption of N.J.A.C. 5:94 and 5:95*, 390 N.J. Super. 1, invalidated key elements of the first version of the third-round rules, including the growth share approach. COAH issued revised rules on June 2, 2008 (as well as a further rule revision effective on October 20, 2008). Included in the 2008 rules was a recalculation of the cumulative first and second rounds obligation to account for updated data addressing secondary sources (filtering, demolitions, and residential conversions). Just as various parties challenged COAH's initial third round regulations, parties challenged COAH's 2008 revised third round rules. On October 8, 2010, the Appellate Division issued its decision, *In re Adoption of N.J.A.C. 5:96 and 5:97*, 416 N.J. Super. 462, with respect to the challenge to the second iteration of COAH's third round regulations. The Appellate Division upheld the COAH regulations that assigned rehabilitation and first and second rounds obligations to each municipality but invalidated the regulations by which the agency assigned housing obligations in the third round, finding that the Agency continued to utilize growth share approach, albeit an amended approach.

COAH sought a stay from the NJ Supreme Court of the deadline to issue new third round housing rules set forth by the Appellate Division. Additionally, there were various challenges to the Appellate Division's 2010 decision. On September 26, 2013, the NJ Supreme Court upheld the Appellate Court decision in *In re Adoption of N.J.A.C. 5:96 and 5:97 by New Jersey Council On Affordable Housing*, 215 N.J. 578 (2013), and ordered COAH to prepare the necessary rules. Subsequent delays in COAH's rule preparation and ensuing litigation led to the NJ Supreme Court, on March 14, 2014, setting forth a schedule for adoption. Although ordered by the NJ Supreme Court to adopt revised new rules on or before October 22, 2014, COAH deadlocked 3-3 at its October 20th meeting and failed to adopt the draft rules it had issued on April 30, 2014. In response, Fair Share Housing Center (hereinafter "FSHC") filed a motion in aid of litigant's rights with the NJ Supreme Court.

On March 10, 2015, ("the March 10 Decision") in the *Matter of Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 221 N.J. 1 (2015), the Supreme Court declared COAH "moribund" and ordered the courts to provide a judicial remedy due to COAH's failure. The March 10th Decision stipulated that municipalities may initiate declaratory judgment actions and seek approval of their housing element and fair share plans through the courts.

The Supreme Court ordered that affordable housing obligations for municipalities be determined on a court-by-court basis using the methodologies from the First and Second Round rules pursuant to N.J.A.C. 5:91 and N.J.A.C. 5:93. The Court held that:

"In establishing a process by which towns can have their housing plans reviewed by the courts for constitutional compliance, the Court's goal is to provide a means by which towns can demonstrate compliance through submission of a housing plan and use of processes similar to those which would have been available through COAH for the achievement of substantive certification. The end result is to achieve adoption of a municipal housing element and implementing ordinances deemed to be presumptively valid if

In addition to the State agency activity and judicial decisions through 2015, the New Jersey Legislature amended the Fair Housing Act in 2008 (P.L. 2008, c. 46, often referred to as the "Roberts Bill", or "A500"). This amendment established a statewide 2.5% nonresidential development fee, prohibited new regional contribution agreements ("RCAs"), required that 13% of all new affordable housing units be restricted to



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very low-income households (30% of median income), and added a requirement that municipalities had to commit to spend development fees within four (4) years of the date of collection.

Additionally, the Fair Housing Act was amended in 2013 (P.L. 2013, c. 6) to permit municipalities to enter into an agreement with a developer or development owner to provide a preference for veterans who served in time of war or other emergency to occupy up to 50% of the affordable units in a particular development. The preference is applicable to the first 90 of the 120 days of initial marketing and thereafter may on a special waiting list for future available affordable units in the development. These amendments to the Fair Housing Act are not promulgated in any valid COAH regulations.

On March 30, 2024, Governor Phil Murphy signed the bill known as A4/S50 into law (P.L. 2024, c.2) which amended the Fair Housing Act to eliminate COAH and to create new processes to determine and satisfy the housing obligations for the Fourth Round of Affordable Housing. The Fourth Round is set for the period beginning on July 1, 2025, and terminating on June 30, 2035.

As part of the new process, the New Jersey Department of Community Affairs (DCA) was tasked with determining the affordable housing obligation for each municipality by October 20, 2024. Municipalities were required to declare their affordable housing obligation by binding resolution by Jan 31, 2025, and to adopt their HEFSP by June 30, 2025, along with draft implementing ordinances, adopted resolutions, and other supporting documents. Final ordinances must be adopted by March 16, 2026.

The bill also created a new body called the Affordable Housing Dispute Resolution Program which is responsible for reviewing plans for consistency with the Fair Housing Act and handling challenges to municipalities' stated housing obligations or to their affordable housing plans.

Overall, this amendment created significant changes to the fourth round of affordable housing, and all the subsequent rounds. Such changes include the process in which municipalities obtain protection from builder's remedy litigation – including but not limited to the elimination of COAH and the creation of the Affordable Housing Dispute Resolution Program, the methodology to calculate municipal prospective need obligations, and the administration of affordable housing units. However, the Fair Housing Act does not create or direct the creation of new rules that would provide further guidance, instead it states municipalities shall rely on rules adopted by COAH, unless contradicted by statute or binding court decisions, for municipal crediting, adjustments and compliance strategies. One notable example of contradiction is the generation of and use of bonus credits.

## Fourth Round Compliance Process

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

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

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The following provides an overview of the process, and the deadlines established for the fourth-round compliance:

#### Establishing the Affordable Housing Obligation

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

#### Affordable Housing Compliance Certification

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

#### Ongoing Compliance

Midpoint (2030): Action by municipality or interested party filed to seek a realistic opportunity review of any developments that have not moved forward.



## REQUIRED CONTENT OF A HOUSING ELEMENT & FAIR SHARE PLAN

In accordance with the Fair Housing Act at N.J.S.A. 52:27D-310, a municipality's housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing.

The housing element shall include the municipality's strategy for addressing its present and prospective housing needs and shall contain the following:

1. 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;
2. 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;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. 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;
6. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and 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.
7. An analysis of the extent to which municipal ordinances and other local factor advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission;
8. 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
9. 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.



## DEMOGRAPHIC, ECONOMIC & HOUSING CONDITIONS

This document includes the essential components of a housing element as specified in N.J.S.A. 52:27D-310 of the New Jersey Fair Housing Act.

### Municipal Demographic Conditions

The following discussion of municipal demographic conditions relies on the latest available Census data at the time of this report, and other sources of data, where available. The analysis uses the 2020 Decennial Census data and where possible, newer data from the 2023 5-Year American Community Survey (2023 5-Year ACS), published by the U.S. Census Bureau, was used.

#### Historic & Projected Population

Mendham Township had a period of rapid population growth between 1950 and 1980 and comparatively slower population growth in the following decades. In 1950, Mendham's population was 1,380 people but it increased by 63.5% by 1960 and another 63.9% by 1970. As such, by 1970, the population nearly doubled to 3,697 residents. By 1980, the population grew by 21.4% to 4,488 residents which is comparatively slower than the previous two decades. In 1990, the population grew very slightly, by 1.1% or 49 people. In the year 2000, the census reported that the population grew to 5,400 people by 19%. In 2010, Mendham Township's population grew by 8.7% to 5,869 people and then grew by 2.5% to its peak population of 6,016 people. The last three decades, the population grew but at a slower rate than the three decades following 1950. The 2023 5-Year ACS estimates the Township's population had declined slightly by 4.8% to 5,722 residents.

Table 2: Population Growth			
Year	Population	Change	Percent Change
1950	1,380	--	--
1960	2,256	876	63.5%
1970	3,697	1,441	63.9%
1980	4,488	791	21.4%
1990	4,537	49	1.1%
2000	5,400	863	19.0%
2010	5,869	469	8.7%
2020	6,016	147	2.5%

Source: US Decennial Census, New Jersey State Data Center

Table 3: Population Forecasts			
Year	Population	Change	Percent Change
2000	5,400	--	--
2015	5,856	456	8.4%
2050	5,926	70	12.1%

Source: NJTPA Population Forecast by County and Municipality

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The North Jersey Transportation Authority (NJTPA) forecasts in its "2050 Demographic Forecasts" that Mendham Township will continue to grow, gaining approximately 2.0 residents per year, between 2015 and 2050.

#### Age Distribution of Population

The median age of the Mendham Township resident is 46 years old (2023 ACS Census), which is three years older than the median age of Morris County at 43.1 years old and is six years older than that of the State at 40.1 years old. The median age of Township residents increased from 42.9 years old in 2010 to 46 years old in 2023.

As per the 2010 and 2020 Decennial Census data, presented in **Table 4** below, the increase in the median age of the Township may be attributed to children and younger adults, becoming a smaller share of the population when compared to older adults. The 5-9 and 10-14 age-cohorts declined by 55% and 27.5% respectively between 2010 and 2020. Comparatively the Under-5 age-cohort grew by 19% and the 15-19 age-cohort which grew by 27.5%. However, the age-cohorts under the age of 19 combined, per the table below, declined slightly from 32.1% of the population in 2010 to 27.6% of the population by 2020.

In the same period, young adults in the 20-24 age cohort and 25-34 age cohort have both increased by 105.3% and 29.8%, respectively. These cohorts combined increased their share of the population from 6.7% of the population in 2010 to 10.6% of the 2020. Comparatively the family aged-adults in 35-44 and 45-54 age-cohorts declined by 35.3% and 1.0% between 2010 and 2020, respectively. In 2020, these family-aged adults occupied a large share of the population at 29.1% in 2020, but this is lower than their share in 2010 at 34.3%. Additionally, older adults in the age cohorts over the age of 54 comprised of 32.9% of the population in 2020 as compared to the 26.8% of the population in 2010.

It can be inferred from the data, that in 2020, older adults and seniors have become a larger share of the population since 2010. The Township appears to retain older residents who are "aging in place" or are moving to the Township. Specifically, there appears to be an outmigration of young children between five-years old and nine-years-old, and family-age adults between 35 years-old and 54 years-old, even though all other age-cohorts have grown in the last decade. These factors align with a prevailing national trend of an aging population where older adults and seniors are increasingly representing larger shares of the total population.

Age	2010		2020		Percent Change
	Total	Percent	Total	Percent	
Under 5	315	5.4%	375	6.6%	19.0%
5-9	649	11.1%	292	5.1%	-55.0%
10-14	557	9.6%	404	7.1%	-27.5%
15-19	347	6%	501	8.8%	44.4%
20-24	131	2.2%	269	4.7%	105.3%
25-34	262	4.5%	340	5.9%	29.8%
35-44	929	15.9%	601	10.5%	-35.3%
45-54	1,074	18.4%	1,063	18.6%	-1.0%
55-64	821	14.1%	1,067	18.7%	30.0%
65 & Over	740	12.7%	810	14.2%	9.5%

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## Educational Attainment

Mendham is a well-educated township in a well-educated County, but the Township has higher percentage of education attainment as compared to Morris County. Of all residents that are 25 years of age or older, 42.3% have earned at least a bachelor's degree and 35.8% have earned a graduate or professional degree. This is higher than the County with 33.6% of Morris County's residents of at least 25 years of age earning their bachelor's degree and 23.7% possessing a graduate degree or professional degree. Less than 6% of Morris County's residents have not earned their high school diploma but only 0.8% of Mendham residents do not have a high school diploma.

Table 5: Educational Attainment

Highest Level of Education	Mendham Township	Morris County
Less than 9 <sup>th</sup> Grade	0.6%	2.3%
9 <sup>th</sup> to 12 <sup>th</sup> Grade, no diploma	0.2%	2.6%
High school graduate (includes equivalency)	8.1%	19.0%
Some college, no degree	7.2%	12.8%
Associate's degree	5.8%	6.1%
Bachelor's degree	42.3%	33.6%
Graduate or professional degree	35.8%	23.7%
<i>High school or higher</i>	<b>99.2%</b>	<b>95.1%</b>
<i>Bachelor's degree or higher</i>	<b>78.2%</b>	<b>57.2%</b>

Source: US Census Bureau, ACS, 2023 5-Year Estimates, S1501 Educational Attainment

## Race and Hispanic Origin

As shown in the below table, the Township became a slightly more diverse between 2010 and 2020 with the white population decreasing from 91.9% of the population to 88.9%. When compared to Morris County in which is 79.5% of the population identifies as White, the Township's population is slightly less diverse than that of the County. Persons of Black or African American descent, other races, and those of two or more races make up a greater portion of Morris County's (9.9%) population than the Township's (7%). Furthermore, in Morris County 13.5% of the population identifies as Hispanic or Latino, which is more than triple than that of the Township at 4.0%.



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Table 6: Persons by Race and Hispanic Origin

	Mendham		Percent Change (2010-2020)	Morris County		Percent Change (2010-2020)
	2020	Percent		2020	Percent	
White	5,088	88.9%	-5.00%	391,893	79.5%	-4.00%
Black or African American	68	1.2%	--	16,515	3.4%	9.00%
Asian	235	4.1%	-23.90%	51,874	10.5%	21.20%
Other	204	3.6%	325%	12,682	2.6%	-14.70%
Two or More Races	127	2.2%	10.40%	19,002	3.9%	155%
<b>Total</b>	<b>5,722</b>	<b>100%</b>	<b>-1.8%</b>	<b>492,715</b>	<b>100%</b>	<b>0.6%</b>
Hispanic or Latino (any race)	229	4.0%	-6.10%	66,311	13.5%	25.40%

Source: DP05, ACS Demographic and Housing Estimates 2010 and 2020

## Income and Poverty Status

Median household income, median family income and median non-family income are measures of the "middle income value" in an ordered list of each group's income values. Non-Family Incomes are those values that represent a householder either living alone or with non-relatives only, whereas a Family Income are those values that represent householders living with one or more individuals related to him by either birth, marriage, or adoption. The Median Household Income is a value represented by the household, regardless of whether it is a family or non-family household. Per Capita Income is determined by dividing the aggregate income of the Township's residents by its total population.

According to the 2023 ACS, the median household income for Mendham Township residents is \$250,000+ approximately \$81,569 higher than the county-wide median household income, and \$128,056 higher than statewide median household income. The table below presents income statistics for Mendham Township as per the 2023 ACS.

The Office of Management and Budget (OMB) sets poverty thresholds at a dollar value, which represents the poverty line and varies by family size and composition.<sup>1</sup> If a family's total income is less than the appropriate threshold, then that family and every individual in the same is considered to be "in poverty." According to the OMB, approximately 1.9% of persons and 0% of families in Mendham Township fall below the poverty line.

<sup>1</sup> Office of Management and Budget determines poverty thresholds specified by the Statistical Policy Directive 14. Poverty thresholds are determined by multiplying the base-year poverty thresholds (1982) by the monthly inflation factor based on the 12 monthly Consumer Price Index (CPI)s and base year CPI. Poverty Thresholds do not vary geographically.

## Housing Element and Fair Share Housing Plan |Mendham Township

Table 7: Median Income Characteristics

Income Type	Mendham Township	Morris County	New Jersey
Median Household Income	\$250,000+	\$134,929	\$99,781
Median Non-Family Income	\$165,412	\$75,340	\$58,033
Median Family Income	\$250,000+	\$168,431	\$121,944
Per Capita Income	\$129,179	\$75,340	\$52,583
Poverty Status (% of people)	1.9%	4.6%	9.7%
Poverty Status (% of families)	0%	2.9%	7.1%
Poverty status (% of children under 18)	0%	5.1%	12.9%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, DP03 Selected Economic Characteristics

Table 8: Household Income

	Mendham Township		Morris County		New Jersey	
Less than \$10,000	42	2.1%	5,289	2.8%	152,706	4.0%
\$10,000 to \$14,999	12	0.6%	2,711	1.4%	97,568	2.9%
\$15,000 to \$24,999	0	0.0%	5,398	2.8%	179,019	5.0%
\$25,000 to \$34,999	40	2.0%	7,383	3.8%	183,144	5.3%
\$35,000 to \$49,999	23	1.1%	10,491	5.5%	281,135	8.0%
\$50,000 to \$74,999	9	0.4%	19,409	10.1%	466,624	12.9%
\$75,000 to \$99,999	71	3.5%	19,283	10.1%	412,151	11.4%
\$100,000 to \$149,999	182	9.1%	35,184	18.3%	639,081	18.0%
\$150,000 to \$199,999	363	18.1%	26,911	14%	403,415	11.7%
\$200,000 or more	1267	63.1%	59,781	31.2%	723,614	20.7%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, DP03 Selected Economic Characteristics

## Municipal Employment Characteristics

The following discussion of the municipal employment characteristics relies on Census 2020 data and more current 5-Year 2023 American Community Survey data where possible, as well as NJ Department of Labor and Workforce Development data and other sources.

### Historic and Projected Employment

In the years leading up to the COVID-19 Pandemic, Mendham Township experienced an unemployment rate between 3.0% and 2.4%. Unemployment rose to 5.1% at the height of the pandemic in 2020. In recent years, unemployment rates have decreased, nearing pre-pandemic rates.

## Housing Element and Fair Share Housing Plan |Meridham Township

Table 9: Annual Average Unemployment Rate			
Year	Meridham Township	Morris County	North Jersey
2004	1	3.6	4.9
2005	1	3.3	4.4
2006	1	3.4	4.6
2007	.9	3	4.2
2008	1.1	3.9	5.4
2009	2.1	7.1	9
2010	3.9	7.5	9.7
2011	2.6	7.1	9.4
2012	5.4	7.1	9.4
2013	5.2	6.3	8.4
2014	4.2	5	6.7
2015	3.4	4.3	5.7
2016	3.2	3.9	4.9
2017	3	3.5	4.5
2018	2.6	3.1	4
2019	2.4	2.7	3.5
2020	5.1	7.5	9.4
2021	4.2	5.3	6.7
2022	2.8	3.2	3.9
2023	3.2	3.7	4.4

The North Jersey Transportation Authority (NJTPA) forecasts in its "2050 Regional Transportation Plan" that employment will increase by approximately 150 employees or 15.4% over the 35-year period between 2015 and 2050. Without redevelopment or business expansion taking place in the Township, it is not clear how the Township would meet this forecast of adding 4.3 new employees per year.

Table 10: Employment Forecast			
Year	Employment	Change	Percent Change
2015	973	—	—
2050	1,123	150	15.4%

Source: NJTPA Population Forecast by County and Municipality 2015-2050

### Occupational Characteristics

According to the 5-Year 2023 American Community Survey, 65% of workforce-eligible residents (16 years and over) are in the labor force, with most being private wage/salary workers. Nearly 8% of residents identify as "self-employed."



## Housing Element and Fair Share Housing Plan |Mendham Township

Township residents work in the industries listed on the following page. Over a quarter of residents (25.9%) are employed in the professional, scientific, management, administrative and waste management services. The next largest sectors that employ Township residents include educational services, health care and social assistance (22.3%) and finance, insurance, and real estate, rental and leasing (19.2%).

Table 11: Labor Force

	Number	Percent
In the Labor Force	3,059	64.9%
Not in the Labor Force	1,657	35.1%
Total Population (age 16+)	4,716	100%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Economic Characteristics

Table 12: Class of Worker

	Number	Percent
Private wage and salary workers	2360	79.40%
Government workers	378	12.70%
Self-employed	235	7.90%
Unpaid family workers	0	0%
Unemployed	86	1.80%
Total Labor Force	3,059	100%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Economic Characteristics

## Housing Element and Fair Share Housing Plan |Mendham Township

Table 53: Employment by Industry Sector (Age 16+)		
Industry	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	7	0.20%
Construction	67	2.30%
Manufacturing	277	9.30%
Wholesale trade	51	1.70%
Retail trade	269	9%
Transportation and warehousing, and utilities	48	1.60%
Information	13	0.40%
Finance and insurance, and real estate and rental and leasing	571	19.20%
Professional, scientific, and management, and administrative and waste management services	770	25.90%
Educational services, and health care and social assistance	662	22.30%
Arts, entertainment, and recreation, and accommodation and food services	102	3.40%
Other services, except public administration	124	4.20%
Public administration	12	0.40%
<b>Total Civilian Employed Population</b>	<b>2973</b>	<b>100%</b>

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Economic Characteristics

## In-Place Employment by Industry

According to the NJ Department of Labor and Workforce Development (NJDLWFD) data for 2023, there are approximately 24 businesses in Mendham Township that employ 105 employees. Construction and other services provide the most private sector jobs. Industries without data that do not meet publication standards are listed at the end of the table and were therefore suppressed by NJDLWFD.

Table 14: Employment by Industry Sector and Number of Employees (2023)					
Industry	Establishment		Employment		Annual Wages
Construction	8	33.3%	36	34.3%	\$57,792
Accommodations/Food	4	16.7%	40	38.1%	\$30,911
Other Services	12	50%	29	27.6%	\$49,490
Local Gov't Education	2	-	169	-	\$76,192
<b>Local Gov't Total</b>	<b>4</b>	<b>-</b>	<b>205</b>	<b>-</b>	<b>\$69,661</b>

Current sectors that do not meet the publication standards include Manufacturing, Wholesale Trade, Retail Trade, Transportation/Warehousing, Information, Finance/Insurance, Real Estate, Professional/Technical, Management, Admin/Waste Remediation, Education, Health/Social, and Arts/Entertainment.

Source: NJ Department of Labor and Workforce Development, Municipal Report by Sector (NAICS Based), 2023 Annual Report

## Housing Element and Fair Share Housing Plan | Mendham Township

## Travel Time to Work

Commuting times for the Township's workforce residents are shown in the table below. Approximately 52% of residents commute between 15 and 44 minutes, whereas 35.5% travel more than 45 minutes to get to their place of work. Commuting times for Township residents are comparable to those of Morris County and all of New Jersey. Furthermore, 19.9% of Township residents in the workforce also work in the Township.

Table 15: Commute Time				
Commute Time (in minutes)	Mendham Township		Morris County	New Jersey
	Number of Workers	Percent		
Less than 5	13	0.59%	1.49%	2.14%
5 to 14	271	12.34%	20.66%	19.32%
15 to 29	617	28.10%	32.91%	32.58%
30 to 44	515	23.45%	23.21%	21.87%
45 to 59	232	10.56%	8.84%	9.90%
60 to 89	215	9.79%	7.88%	9.53%
90+	333	15.16%	5.00%	4.65%
<b>Total</b>	<b>2,196</b>	<b>100.0%</b>	<b>100.00%</b>	<b>100.00%</b>

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Travel Time to Work (B08303)

Table 16: Place of Work		
	Number of Workers	Percent
Work in Mendham Township	144	19.9%
Work outside Mendham Township	579	80.1%
<b>Total</b>	<b>723</b>	<b>100.00%</b>

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Place of Work – Place Level (B09008)

## Municipal Housing Stock

There are approximately 1,986 households and 2,105 total housing units in Mendham Township, according to the 2020 Decennial Census. The following section describes the characteristics of the Township's housing stock and household characteristics.

## Household Size &amp; Type

According to 2020 ACS Data, the average household size in Mendham Township is 2.89 persons, greater than the 2.63 household size for Morris County. As seen in Table 17 below, almost half (45%) of Township households are 1- and 2-person households as of 2020.



## Housing Element and Fair Share Housing Plan |Mendham Township

Table 6: Household Size				
Size	Mendham Township		Monmouth County	
1-person	249	13%	44379	24%
2-person	635	32%	58173	31%
3-person	351	18%	33159	18%
4-person	460	23%	33087	18%
5-person	199	10%	13172	7%
6-person	60	3%	4364	2%
7+ person	32	2%	2162	1%

Source: US Census Bureau 2020, H9, Household Size

The Census Bureau defines family households as householders living with one or more individuals related by either birth, marriage, or adoption and non-family households as a householder either living alone or with non-relatives only. Family households make up approximately 76.1% of households in Mendham Township, where non-family households make up 23.9%. Of the Township's family households, 89.4% are married couple households. Approximately 49.7% of family households have children present. Out of all Township households, however, 62.2% of households do not have children present. Most non-family households are householders living alone.

Table 7: Household Size & Type		
	Total	Percent
<b>Family Households</b>		
Married-couple family	1,366	68%
With children of the householder under 18 years	676	33.6%
Cohabiting Couple Household	46	2.3%
With children of the householder under 18 years	16	0.9%
Male householder, no spouse present	352	17.5%
With own children under 18 years	33	1.6%
Female householder, no spouse present	245	12.2%
With own children under 18 years	32	1.6%
<b>Total Households</b>	<b>2,009</b>	<b>100%</b>
<b>Nonfamily Households</b>		
Householder living alone	422	-
Male householder, no spouse present	261	-
Female householder, no spouse present	161	-

Source: DP02, Selected Social Characteristics, 2023 ACS 5-Year Estimates Data Profiles

As indicated in the table below, single-family detached housing is the predominant housing type in Mendham Township (96.3%). The prevalence of apartments and other multi-family buildings throughout the Township account for the 77 units of housing in buildings.

## Housing Element and Fair Share Housing Plan | Mendham Township

Approximately 92.8% of the Township's housing stock contains three or more bedrooms, where 1- and 2-bedroom units make up approximately 7.2% of Township housing stock. In Morris County, 65.9% of units contain three or more bedrooms. There are relatively many units in the Township (775) with 5 or more bedrooms accounting for 36.8% of the housing stock. In Morris County, only 8.2% of units contain 5 or more bedrooms. In the Township, 4-bedroom units comprise 41.1% of the housing stock and in Morris County 3-bedroom units comprise 29.7%, making these the most common unit size respectively.

Table 19: Housing Type by Number of Units in Structure

Type	Mendham Township		Morris County	
	Total	Percent	Total	Percent
1-unit, detached	2028	96.30%	132,338	66.2%
1-unit, attached	0	0	16,730	8.4%
2 units	43	2%	7,576	3.8%
3 or 4 units	22	1%	6,283	3.1%
5 to 9 units	12	0.60%	7,183	3.6%
10 to 19 units	0	0	8,933	4.5%
20 or more units	0	0	20,180	10.1%
Mobile home	0	0	815	0.4%
Boat, RV, van, etc.	0	0	0	0

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

Table 20: Number of Bedrooms

Bedrooms	Mendham Township		Morris County	
	Total	Percent	Total	Percent
No bedroom	0	0.0%	2,622	1.3%
1 bedroom	11	0.5%	26,910	13.5%
2 bedrooms	141	6.7%	38,734	19.4%
3 bedrooms	313	14.9%	59,452	29.7%
4 bedrooms	865	41.1%	55,929	28.0%
5+ bedrooms	775	36.8%	16,391	8.2%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

## Occupancy Status

According to the 2010 and 2020 Census, the Township has had average vacancy rates in 2010 (6.2%) and 2020 (4.3%). In 2020, for example, the county-wide vacancy rate was 5.3%. The percentage of owner- and renter-occupied units did not change substantially during the same period, with owner-occupied units slightly increasing, accounting for a large majority of all units in both 2010 and 2020. The average household size in Mendham Township decreased from 2.95 in 2010 to 2.89 in 2020, consistent with the national trend of decreasing household sizes. Household sizes for renter-occupied units are much smaller than those of owner-occupied units. Renter-occupied units tend to be smaller and with fewer bedrooms.

## Housing Element and Fair Share Housing Plan |Mendham Township

**Table 21: Household Occupancy and Tenure**

	2010		2020	
	Total	P		
Occupied Units	1,977	93.8%	1,969	95.7%
Owner-Occupied	1,813	91.7%	1,881	95.5%
Renter-Occupied	164	8.3%	88	4.5%
Vacant Units	130	6.2%	89	4.3%

Source: US Census Bureau 2010 and 2020, DP04 Profile of General Demographic Characteristics

**Table 22: Household Size by Tenure**

	2010	2020
Avg. Household Size	2.95	2.89
Owner Occupied	2.92	2.91
Renter Occupied	3.26	2.57

Source: US Census Bureau 2010 and 2020, DP04 Profile of General Demographic Characteristics

**Purchase and Rental Value of Housing Stock**

Using the 2023 5-Year ACS data, approximately 39.8% of the 88 renters in the Township spend between \$1,000 and \$1,499 on gross rent. None of the renters in the Township spend less than \$1,000 monthly. The median gross rent in Mendham Township (\$1,641) is slightly higher than the median gross rent of the County (\$1,622). Compared to the median contract rent of all surrounding communities, (Chester Township \$2,276; Morristown \$2,171; Randolph Township \$1,775; Morris Plains \$2,686; Chatham Township \$2,707) Mendham Township is still the most affordable.

Federal and State standards state that households paying in excess of 30% of their income for housing are considered to be rent-burdened. According to these standards, rent-burdened households make up 52.3% of the Township's renter households, more than the percent of rent-burdened located in the County as a whole (42.3%).

According to the 2023 5-Year ACS estimates, the median value of owner-occupied housing in Mendham Township is \$426,900 more than the median home value for all of Morris County. Homes valued \$500,000 or more account for 84.7% of Mendham Townships' owner-occupied housing stock. Homes valued over \$500,000 account for 42.9% of Morris County's owner-occupied housing stock.



## Housing Element and Fair Share Housing Plan | Mendham Township

Table 23: Gross Rent of Renter-Occupied Housing Units

Gross Rent	Mendham Township		Morris County	
Less than \$500	0	0%	2,355	5%
\$500-\$999	0	0%	2,799	6%
\$1,000-\$1,499	35	39.8%	15,186	32.4%
\$1,500 or more	53	60.2%	26,481	56.6%
<b>Total</b>	<b>88</b>	<b>100%</b>	<b>46,821</b>	<b>100%</b>
<b>Median Gross Rent</b>	<b>\$1,641</b>		<b>\$1,622</b>	

Source: Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

Table 24: Renter-Occupied Housing as % of Income

Gross Rent as Percent of Income	Mendham Township		Morris County	
Less than 15%	9	10.2%	5,859	12.6%
15% to 19.9%	33	37.5%	8,298	17.9%
20% to 24.9%	0	0	7,373	15.9%
25% to 29.9%	0	0	5,272	11.4%
30% to 34.9%	0	0	3,558	7.7%
35% or more	46	52.3%	16,030	34.6%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

Table 8: Value of Owner-Occupied Housing

	Mendham Township		Morris County	
Less than \$50,000	0	0	1,120	0.8%
\$50,000 to \$99,999	66	3.5%	1,239	0.9%
\$100,000 to \$149,999	16	0.9%	1,232	0.9%
\$150,000 to \$199,999	26	1.4%	3,216	2.4%
\$200,000 to \$299,999	43	2.3%	16,004	11.8%
\$300,000 to \$499,999	137	7.3%	54,819	40.3%
\$500,000 to \$999,999	882	46.9%	50,010	36.8%
\$1,000,000 or more	711	37.8%	8,347	6.1%
<b>Median Value</b>	<b>\$889,000</b>		<b>\$462,100</b>	

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

## Housing Element and Fair Share Housing Plan |Mendham Township

## Condition of Housing Stock

The Census does not compile data on substandard housing. However, COAH's use of three (3) variables collected by the Census Bureau— old and over-crowded units, homes with incomplete plumbing, and homes with incomplete kitchens— have been upheld by the Appellate Division as satisfactory indicators or "proxies" of the amount of substandard housing within a municipality.

Homes considered 'old' are those homes that are at least 50 years old (built prior to 1970 for Census purposes). According to the 2023 ACS, 875 homes, or 42.6% of the Township's housing stock, was built prior to 1970.

COAH's rules state that "overcrowded units" are those with more than one person (1.01 persons) living in a room. Approximately 0% of households in Mendham Township may be considered overcrowded.

The second and third indicators for substandard housing are those units that lack plumbing and kitchen facilities. The 2023 5-Year ACS data indicates that 11 units in the Township lack complete kitchen facilities and 0 units lack complete plumbing facilities.

Table 26: Year Structure Built		
Built	Structures	Percent
2014 or later	0	0
2010 to 2013	9	0.4%
2000 to 2009	252	12.2%
1990 to 1999	365	17.7%
1980 to 1989	191	9.3%
1970 to 1979	366	17.8%
1960 to 1969	300	14.6%
1950 to 1959	218	10.6%
1940 to 1949	160	7.8%
1939 or earlier	197	9.6%

Source: US Census Bureau, American Community Survey 2023 5-Year Estimates, Selected Housing Characteristics

Table 27: Occupants per Room		
Size	Units	Percent
1.00 or less	1,969	100%
1.01 to 1.50	0	0.00%
1.51 or more	0	0.00%
Total	1,969	100.00%

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

## Housing Element and Fair Share Housing Plan |Mendham Township

Table 9: Condition of Housing Stock

	Units	Percent
Lack of complete plumbing	0	0.00%
Lack of complete kitchen	11	0.60%
Lack of telephone services	0	0.00%
Lack of adequate heat	0	0.00%
<b>Total</b>	<b>11</b>	<b>0.60%</b>

Source: US Census Bureau, American Community Survey, 2023 5-Year Estimates, Selected Housing Characteristics

## Projection of Housing Stock

The tables below represent Mendham Township's projection of housing stock, including the probable future construction of low- and moderate-income housing for the next ten years. N.J.S.A. 52:27D-310 requires that a housing element contain such a projection, including the probable future construction of low- and moderate-income housing for the next ten years. This projection takes into account, but is not limited, to construction permits issued, approvals of applications for development and probable residential development of lands.

**Table 29** shows the Township's historic development trends which contains building permit, certificate of occupancy (CO), and demolition data, sourced from the Jersey Construction Reporter made available by New Jersey's Department of Community Affairs' Division of Codes and Standards. According to NJDCA, between 2003 and 2024, 47 residential COs were issued, and 40 demolitions were recorded. Accounting for the 40 demolitions, there were seven housing units of net residential development during the 20-year period. Net residential development has fluctuated over this period with a range between -5 units and 11 units. Net residential development peaked in 2003 at 11 units of net development and has steadily declined to zero in 2006. In 2007, there was a slight uptick of ten COs issued accompanied by the demolition of four units which resulted in six units of net development. While there were no demolitions between 2008 and 2010, there were only five total COs issued in Mendham Township. After 2010, more housing units were demolished in Mendham Township than were constructed. As per the DCA data, between 2013 and 2024, there was a net loss of ten units or, an average loss of 0.9 units per year.



## Housing Element and Fair Share Housing Plan |Mendham Township

Table 10: Historic Trend of Residential Certificates of Occupancy & Demolition Permits			
	COs Issued	Demolitions	Net Development
2003	14	3	11
2004	4	6	-2
2005	2	0	2
2006	2	2	0
2007	10	4	6
2008	3	0	3
2009	2	0	2
2010	0	0	0
2011	0	2	-2
2012	0	2	-2
2013	0	5	-5
2014	1	0	1
2015	1	1	0
2016	0	0	0
2017	1	0	1
2018	1	1	0
2019	0	1	-1
2020	0	0	0
2021	2	0	2
2022	1	6	-5
2023	1	4	-3
2024	3	3	0
<b>Total</b>	<b>47</b>	<b>40</b>	<b>7</b>

Source: "New Jersey Construction Reporter" - New Jersey Department of Community Affairs's Division of Codes and Standards

## Housing Element and Fair Share Housing Plan | Mendham Township

The North Jersey Transportation Authority (NJTPA) forecasts in its "2050 Regional Transportation Plan" that Mendham Township will continue to grow, and over the next 27 years, will have an annual gain of about Two (2) households, eight (8) residents and six (6) employees.

Table 30: NJTPA 2050 Forecasts			
Year	Number	Change	Percent Change
Population Forecast			
2015	5,856	5,856	--
2023	5,722	-134	-2.34%
2050	5,926	204	3.44%
Household Forecast			
2015	1,958	1,958	--
2023	2,009	51	2.60%
2050	2,059	50	2.49%
Employment Forecast			
2015	973	--	--
2050	1,123	150	15.42%

Source: NJTPA Population Forecast by County and Municipality 2015-2040; 2023 ACS 5-year

Considering the lack of available environmentally unconstrained vacant land, it is difficult to see how this projected development could take place, except through a program of redevelopment. Any redevelopment program would also need to be attractive to developers who believe there is a market for additional housing development in the Township.

## HOUSING REGION, REGIONAL INCOME LIMITS AND LMI THRESHOLDS

### Housing Regions

The Fourth Round DCA methodology calculated affordable housing obligations for each "housing region," and then assigned fair share obligations to each of New Jersey's 565 municipalities. The Fair Housing Act defines a "Housing Region" as a geographical area established pursuant to subsection b. of section 6 of P.L.2024, c.2 (C.52:27D-304.2). The State of New Jersey is divided into six such geographical areas which are listed below:

1. Region 1 shall consist of the counties of Bergen, Hudson, Passaic, and Sussex;
2. Region 2 shall consist of the counties of Essex, Morris, Union, and Warren;
3. Region 3 shall consist of the counties of Hunterdon, Middlesex, and Somerset;
4. Region 4 shall consist of the counties of Mercer, Monmouth, and Ocean;
5. Region 5 shall consist of the counties of Burlington, Camden, and Gloucester; and
6. Region 6 shall consist of the counties of Atlantic, Cape May, Cumberland, and Salem.

Mendham Township is located within **Housing Region 2**.

### Income Limits

Affordable housing in New Jersey is housing that is rented or sold and occupied by, or reserved for occupancy by, "low and moderate income" (LMI) households. In accordance with the Fair Housing Act and affordable regulations, LMI households are those that have a median gross household income limited to the following:

Table 31: Income Limits	
LMI Type	Household Income Limit:
Moderate Income:	More than <b>50%</b> but less than <b>80%</b> of the Region's Median Income
Low Income:	Less than <b>50%</b> of the Region's Median Income
Very low income:	Less than <b>30%</b> of the Region's Median Income

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

The income limits for Mendham are based on the median income established for Region 2. Historically, COAH has relied on US Department of Housing and Urban Development (HUD) estimates of median income for New Jersey's housing regions. The recent amendment P.L. 2024, Chapter 2, has continued to use the HUD estimates to determine income limits for those of moderate incomes, low incomes, and very



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low incomes. Therefore, the median household income for household sizes 1 through 7+ in Region 2 will be determined using the most recent HUD estimates. The following table reflects the 2025 affordable housing regional income limits for Region 2, prepared by Affordable Housing Professionals of New Jersey (AHPNJ).

Table 32: 2025 Region 2 Income Limits by Household Size					
Household Income	Household Size				
	1-Person	2-Person	3-Person	4-Person	5-Person
Median	\$94,800	\$108,300	\$121,800	\$135,300	\$146,200
Moderate	\$75,840	\$86,640	\$97,440	\$108,240	\$116,960
Low	\$47,400	\$54,150	\$60,900	\$67,650	\$73,100
Very Low	\$28,440	\$32,490	\$36,540	\$40,590	\$43,860

Source: Affordable Housing Professionals of NJ

## LMI Monthly Home Costs

Housing costs for LMI households are restricted to a percent of their household's eligible monthly income.

- For home ownership units, the maximum initial purchase price shall be calculated so that the monthly carrying costs (including principal and interest- based on a mortgage equal to 95% of the purchase price and the Federal Reserve H15 rate of interest, taxes, homeowner and private mortgage insurance, and condominium/homeowner association fees) do not exceed 28 percent of an eligible household's income.
- For rental units, the initial rent for a restricted rental unit, including all utilities, shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size.

Table 33: 2024 Region 2 Gross Rent Limits			
	1-Bedroom (1.5-bedroom Household)	2-Bedroom (3-Person Household)	3-Bedroom (4.5-Person Household)
Moderate (60% RMI)	\$1,456	\$1,747	\$1,851
Low	\$1,213	\$1,456	\$1,682
Very Low	\$728	\$874	\$1,009

Source: Affordable Housing Professionals of NJ/FSHC 2024 Rent Calculator

## AFFORDABLE HOUSING OBLIGATION

On March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' fourth round affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the State's Fair Housing Act. In that the legislation requires a housing plan to examine the prior round compliance, along with the present need or "rehabilitation obligation" and the "prospective need obligation" or the Fourth Round obligation. The purpose of this section of the Plan is to set forth the Township's approach to satisfying the Fourth Round Obligation.

### Prior Round Compliance

The Township of Mendham has fulfilled the prior round obligation and has built units that satisfied the prior round obligation. A plan was prepared and certified by COAH. The plan included three affordable housing projects for a total of 38 units and an RCA of three units with the City of Orange. This was before the adoption of the Highlands Water and Protection and Planning Act in 2004, which established the Highlands Region. Additionally, the entire township is in the Environmentally Sensitive (PA-5) area. Any new development is expected to be served by individual wells, onsite septic systems and existing road systems. The limited capacity of this base limits the ability for higher density development not to mention the environmental constraints in the Township. There are limitations to the provision of drinking water and areas in the Township proximate to existing water lines make public water hook-ups impossible. For instance, the Randolph Water Department, which partially supplies Mendham Township, has put a moratorium on any extension of the system to Mendham Township properties. As a result, most residential developments in the Township are serviced by private, on-site wells. Similarly, the Township does not have publicly accessible sewer infrastructure. Two neighborhoods are serviced by way of small package treatment plants, which are at full capacity. These are landlocked with no adjacent land available for expansion. Thus, these systems cannot be expanded, which would also be a contravention of the planning objectives for PA-5 areas in the State Plan. Most importantly the Township is within the Highlands Area and approximately 98% of all land in Mendham Township is constrained by one or more of Highlands environmental resources such as open water protection areas, riparian areas, moderate and severe slopes, critical habitats, carbonate rock areas, prime ground water resource areas, wellhead protection areas, lake management areas, forest resource areas, and agricultural resource areas.

Like every community in the state, Mendham Township recognizes the constitutional responsibility to provide its fair share of the region's affordable housing need. This responsibility needs to be balanced against the practical limitations of development in Mendham Township. With no publicly accessible sanitary sewer and potable water infrastructure in the Township, constructing any housing that is medium density residential or higher is a challenge both physically and financially. Major capital projects for infrastructure are unlikely to occur over time due to these constraints. Nevertheless, the Township continues to provide opportunities wherever it is practicable without impact to the environmental resources as noted within this plan. The fourth-round plan intends to address this.

### Present Need

A municipality's present need obligation, pursuant to the Fair Housing Act (N.J.S.A. 52:27D-304.3.b.), is determined by estimating the number of existing deficient housing units currently occupied by low- and moderate-income households within the municipality. The DCA calculated this number by using the methodology comparable to that used to determine the third-round present need, using datasets made



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available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset.

The DCA calculated municipal present need obligations in *Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background*, released on or about October 18, 2024. This DCA Report calculated a rehabilitation obligation of zero (0) units for the Township.

## Prospective Need

The DCA assigned Mendham Township a 120-unit Prospective Need, which is also known as the new construction obligation, reflecting the number of units that must be created or zoned for by 2035. The amended statutes required a municipality to either accept DCA's number or present an analysis of its present and prospective fair share obligation in accordance with the formulas established pursuant to N.J.A.C.52:27D-304.2 and N.J.A.C.52:27D-304.3. The Township questioned DCA's calculations and in accordance with the requirements of N.J.S.A. 52:27D-301, the Township filed a resolution of participation before the Affordable Housing Dispute Resolution Program. The Township's resolution was challenged by one intervenor, the New Jersey Builders Association (NJBA), who filed an objection on February 28, 2025. The intervenor's objection contended that Mendham's Prospective Need should remain at 120 units. The court on May 12, 2025, adjudged and ordered that the Municipality's Prospective Need to be fixed at 120 units.

Table 34: Present and Prospective Need	
Component	Obligation
Present Need Obligation	0
Prospective Obligation (2025-2035)	120
<b>Total Obligation</b>	<b>120</b>

## Vacant Land Adjustment

The legislation, pursuant to N.J.A.C.52:27D-310.1.1, allows the municipality to request an adjustment due to available land capacity. The regulations require that as part of the process of adopting and implementing its housing element and fair share plan, a municipality must identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so. The statutes are not clear as to what constitutes the "25% adjusted prospective obligation."

### Process

A study of vacant and public lands provides a closer look at existing development and the potential for future development of vacant land and public land based on such factors as lot size, environmental constraints, and accessibility.

This data set was reviewed for completeness and accuracy with respect to property class codes and, where necessary, updated based on local information and/or current aerial images. Data was then compared with local information to eliminate recently developed parcels, parcels in active use for municipal government or



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utilities purposes, parcels used for open space and recreation (ROSI and Non ROSI properties) and parcels owned by other municipalities, the County or the State.

Section 1 of P.L. 1995, c.231, (C.52:27D-310.1) amends the vacant land adjustment procedures to allow excluding the following as vacant land:

1. Land owned by a government entity that is utilized for a public purpose other than housing.
2. Land listed on a masterplan as being dedicated for the purposes of conservation, park lands or open space that is owned, leased, or operated by a county, municipality, or tax-exempt non-profit organization.
3. Any vacant contiguous parcels of privately-owned land which are too small, when aggregated, to support five (5) or more units based on appropriate standards pertaining to housing density.
4. Historic and architecturally important sites listed on the State Register of Historic Places or National Register of Historic Places.
5. Agricultural lands when the development rights to these lands have been purchased or restricted by covenant.
6. Sites designated for active recreation that are designated for recreational purposes in the municipal master plan.
7. Environmentally sensitive lands where development is prohibited by any State or federal agency, including, but not limited to, the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), for lands Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities.

#### Fourth Round Vacant Land Adjustment

If a municipality seeks a vacant land adjustment, they are required to calculate the Realistic Development Potential (RDP), or the portion of the fair share obligation that can realistically be addressed with inclusionary development.

Environmentally sensitive lands where development is prohibited or severely limited by the Highlands Water Protection and Planning Council were identified in the Vacant Land Analysis prepared for the Fourth Round. Lands where development is prohibited by the Highland's Water Protection and Planning Council include designated Open Water Protection Areas, Riparian areas, Severely and Moderately Constrained Slopes, Wellhead Protection areas, and Agricultural Resource Area. Furthermore, environmentally sensitive lands including land within 100-year floodplains, wetlands, and Category One (C-1) waterways were also identified in the vacant land analysis. Data for these environmental constraints were overlaid on existing parcel maps to identify constrained portions of the vacant properties in question. Parcels that have environmental constraints were not included in the inventory of vacant land with realistic development potential (RDP) but are included in the vacant land inventory. Additionally, any parcel on State Register of Historic Places or National Register of Historic Places were removed from the RDP. All remaining parcels were included in the Township's land capacity calculation with a 20% low and moderate-income housing requirement applied to the Township's estimated build-out.

Maps were created to graphically show how the final list of developable properties were determined. A complete description of the Vacant Land Analysis (VLA) process, as well as maps and data tables are included in **Appendix A**. As part of this effort, the Township has prepared a Vacant Land Analysis to assess

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current development potential, using an approach consistent with affordable housing regulations as amended by N.J.S.A. 52:27D-310.1 et seq. The vacant land analysis includes one (1) parcel that contained a former boarding house use. Most of the parcel is unconstrained. The Township designated this parcel as an area in need of redevelopment in 2024, which was accepted by the Department of Community Affairs. As per the Township Engineer, a septic system on the site can accommodate a maximum of five units. As per the statutes, 20% of the total units would be affordable (20% of 5 = 1). Therefore, the vacant land analysis estimates that the Township has a Fourth Round Realistic Development Potential **(RDP) of one (1) unit** and an **Unmet Need of 119 units**.

## New Jersey Highlands Region

The Township is located within the New Jersey Highlands Region (Highlands Region) which is comprised of 88 municipalities. These municipalities are in seven counties namely, Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren. The Highlands Region is known for its scenic views and natural beauty, but it is also an important resource for the state and a source of drinking water for over half of New Jersey residents. The Highlands Water and Protection and Planning Act (Highlands Act) has designated two specific boundaries within the Highlands Region—the Planning Area and the Preservation Area. The main distinction between the Planning Area and the Preservation Area is that municipal and county conformance with the Highlands Regional Master Plan is mandatory in the Preservation Area but not in the Planning Area, where plan conformance is voluntary. Mendham Township in Morris County has 11,527 acres in the Planning Area of the Highlands Region. However, much of the Township contains protected environmental resources. The Township has participated in the conformance process and became a Highlands conforming community on June 19, 2025.

Within the Highlands Planning Area there are three distinct land use capability zones: Protection Zone, Conservation Zone, and Existing Community Zone. The goal of these zones is to address the requirements of the Highlands Act and provide regional guidance for the implementation of the policies contained within the Regional Master Plan. These zones also have subzones, which includes the Wildlife Management Subzone (within the Protection Zone), the Conservation Zone-Environmentally Constrained Subzone (within the Conservation Zone), the Existing Community Zone-Environmentally Constrained Subzone, and the Lake Community Subzone (within the Existing Community Zone). These zones break down the land within Highlands Region based on various factors, including geography, natural resources, and the overall carrying capacity of such land for development. Land use capability zones are intended to act like overlay zones, built on the underlying municipal zoning designation and designed to add additional standards to address specific issues that may not be considered in a standard municipal zone, such as watershed management areas, historic preservation, and open space preservation.

The entirety of the Township is in the Planning Area but 73.8% of Mendham Township is in the Protection Zone, 2.9% is in the Conservation Zone, and the remaining 16.3% is in the Existing Community Zone. The following section highlights the purpose of each of these zones as per the Highlands Act.

- **Protection Zone:** The Protection Zone (PZ) consists of the highest quality natural resource value lands that are essential to maintaining water quality, water quantity, and sensitive ecological resources and processes. Land acquisition is a high priority for lands in the PZ and development activities will be extremely limited. Any development will be subject to stringent limitations on consumptive and depletive water use, degradation of water quality, and impacts on environmentally sensitive lands and natural resources.



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- **Conservation Zone:** The Conservation Zone (CZ) consists of areas with a high concentration of agricultural lands and associated woodlands and environmental features. In this zone, development potential may be constrained by limited available infrastructure to support development (e.g., water availability, the existence of concentrated environmental resources that are easily impaired by development, or the protection of important agricultural resources).
- **Existing Community Zone:** The Existing Community Zone (ECZ) consists of areas of concentrated development representing existing communities. These areas tend to have limited environmental constraints due to previous development patterns and may have existing infrastructure that can support additional development and/or redevelopment. The Alcott Manor Redevelopment Area is within the ECZ.

Overall, approximately 98% of all land in Mendham Township is constrained by one or more of Highlands environmental resources such as open water protection areas, riparian areas, moderate and severe slopes, critical habitats, carbonate rock areas, prime ground water resource areas, wellhead protection areas, lake management areas, forest resource areas, and agricultural resource areas. In fact, the 2020 Morris County Hazard Mitigation Plan recognizes that The Township is strategically located at the headwater of three major river basins in northern New Jersey which are the sources of potable water: the Passaic which drains directly into the Great Swamp National Wildlife Refuge, the Raritan, and the Whippany. All the numerous rivers and streams in the Township are currently classified by NJDEP as "trout production" or "trout maintenance", the highest quality classifications. The high quality of these watershed resources in the Township directly influences water quality downstream in the basins and the Refuge. Furthermore, the hazard mitigation plan also notes that the types of wetlands typically found in Mendham are among the most environmentally important for maintaining downstream water quality.

## Consistency with the State Development and Redevelopment Plan

The Township is located in the Planning Area 5 – Environmentally Sensitive (PA-5) as per the 2001 New Jersey State Development and Redevelopment Plan (SDRP), where the State's intent is to protect environmentally sensitive areas from the adverse impacts of development by means of preserving low density (or center-based) land use patterns, promoting open space preservation, and protecting natural resources. The numerous streams found in the Township are the headwaters of the Clyde Potts Reservoir (an important potable water source for the region) and to three important river systems (Raritan, Passaic, and Whippany). Together these are important sources of potable water supply for the region. The Passaic River flows directly into the Great Swamp National Wildlife refuge.

## Consideration of Lands Most Appropriate for Affordable Housing

### Sanitary Sewer

Sewer Service Area is defined at N.J.A.C. 7:15 as the land area identified in an areawide Water Quality Management Plan from which wastewater generated is conveyed to, or has been determined to be eligible, to pursue a permit to connect to a domestic treatment works or industrial treatment works. Inclusion in a sewer service area does not guarantee that capacity exists or will exist to provide treatment for all flow from that area. The Sewer Service Area includes areas that are currently served (connected to) by permitted wastewater treatment facilities as well as areas of permitted discharges to surface or groundwater. As per the Highlands Council Environmental Resource Inventory, a total of 469.8 acres or 4.1% of Mendham Township contains wastewater treatment facilities, which are not publicly accessible. These include facilities



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such as Mendham Middle School, Mendham Elementary School, Drakewick, Mountain View, and Brookrace.

As mentioned earlier, Mendham Township does not have publicly accessible sewer infrastructure. Public sanitary sewer system made up of small "package plants" serve few isolated developments. These package plants are at full capacity and landlocked with no adjacent land available for expansion. Thus, these systems cannot be expanded, which would also be a contravention of the planning objectives for PA-5 areas in the State Plan. Furthermore, the entire Township is located in the Planning Area 5 – Environmentally Sensitive (PA-5) as per the 2001 New Jersey State Development and Redevelopment Plan (SDRP), where the State's intent is to protect environmentally sensitive areas from the adverse impacts of development by means of preserving low density (or center-based) land use patterns, promoting open space preservation, and protecting natural resources. Thus, these package treatment plants are at full capacity and cannot be expanded, which would be a contravention of the planning objectives for PA-5 areas in the State Plan.

#### Water

As noted in the 2021 Land Use Plan, which in turn draws references from other studies, the Township's low-density residential development makes the extension of a public water system impractical and inappropriate in most areas. As per the Highlands ERI, there are few areas that are served by public water; however, there are limiting factors that prevent public water hook ups. For example, the Randolph Water Department, which partially supplies Mendham Township, has put a moratorium on any extension of the system to Mendham Township properties. Nearly all future development is expected to be served by individual wells, onsite septic systems and the existing road system. The limited capacity of this base requires that an overall very low density of development be maintained in the Township. This is in addition to the environmental resources mentioned earlier in this document.

The Township has identified the Alcott Manor Site, which was designated as an Area in Need of Redevelopment as a potential site to contain affordable housing. This is described in detail later in this document. This site will be able to accommodate a maximum of five dwelling units as per the correspondence from the Township Engineer.

### Multigeneration Family Housing Requirements

The Multigenerational Family Housing Continuity Commission was established by the State of New Jersey in 2021. Pursuant to N.J.S.A. 52:27D-310(g), the Fourth Round HEFSP is required to provide 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." Furthermore, as noted in N.J.S.A. 52:27D-329.20, one of the primary duties of the Commission is to "prepare and adopt 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." As of the date of this HEFSP, the Multigenerational Family Housing Continuity Commission has not yet adopted any recommendations.

## FOURTH ROUND FAIR SHARE PLAN

Municipalities must demonstrate how they will address their Present Need and Prospective Need obligations in the form of a Fair Share Plan.

### Present Need Compliance

According to the DCA, the Township of Mendham has a present need of **zero** units. Therefore, the Township does not require to have any mechanisms in place.

### Credit / Bonus Requirements for the Fourth Round Prospective Need

There are extensive requirements that municipalities must ensure their affordable housing strategies satisfy to be eligible for a Compliance Certification. Furthermore, those requirements vary by round. The following section provides a summary of the requirements as per the amended legislation.

#### Crediting Requirements

The following crediting requirements apply:

- A maximum of 30% of obligation can be age-restricted housing
- A minimum of 50% of the obligation must be family housing
- A minimum of 25% of the obligation must be through rental housing
  - Half of that number available to families with children
- A minimum of 50% of obligation must be low-income housing
- A minimum of 13% of obligation must be met with very low income housing (part of low income housing component)

#### Credit Bonuses

The regulations have changed the bonus structure since the Round I, Round II, and Round III regulations. The following are the bonuses that are permitted pursuant to C.52:27D-311.11,k as follows:

- One bonus credit for each unit of low- or moderate-income housing for individuals with special needs or permanent supportive housing.
- One-half bonus credit as follows:
  - For each low- or moderate-income ownership unit created in partnership sponsorship with a non-profit housing developer.
  - For each unit of low- or moderate-income housing located within a one-half mile radius, or one-mile radius for projects located in a Garden State Growth Zone, as defined in section 2 of P.L.2011, c.149 (C.34:1B-243).
  - For a unit of age-restricted housing, provided that a bonus credit for age-restricted housing shall not be applied to more than 10 percent of the units



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- For each unit of low- or moderate-income family housing with at least three bedrooms above the minimum number required by the bedroom distribution.
- For a unit of low- or moderate-income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space.
- For each existing low- or moderate-income rental housing unit for which affordability controls are extended for a new term of affordability, in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency, and the municipality contributes funding towards the costs necessary for this preservation.
- For each unit of low- or moderate-income housing in a 100 percent affordable housing project for which the municipality contributes toward the costs of the project.
- For each unit of very low-income housing for families above the 13 percent of units required to be reserved for very low-income housing
- \* One bonus credit for each unit of low- or moderate-income housing created by transforming an existing rental or ownership unit from a market rate unit to an affordable housing unit.

Bonus limitations are as follows:

- \* Bonuses may not exceed 25% of the obligation.

## Affordable Housing Compliance

### Fourth Round Compliance Approach and Strategy

Mendham Township is a residential community with extremely limited vacant unconstrained land available for development as is evident by its vacant land adjustment and the RDP of one unit. This Plan addresses the Fourth Round RDP of one unit and the unmet need.

As explained in previous sections of this Plan, the court order has set the Township's prospective need obligation at 120 units.

### Vacant Land Adjustment

The Township has prepared a Vacant Land Analysis (VLA) for the Fourth Round of Affordable Housing (2025-2035) attached in Appendix A. The Fourth Round VLA returned a realistic development potential of one unit as there are no parcels of vacant land in the Township that are unconstrained and developable. This one-unit RDP was generated by including the Alcott Manor Redevelopment Area in the calculations. Thus, the Township has an unmet need of 119 units.

### Credits Towards the Fourth Round RDP

The Township will apply one (1) credit from the Alcott Manor Redevelopment towards satisfying the RDP. The remaining four units will be applied towards the unmet need as described below.

### Credits Towards the Unmet Need

The amended legislation does not provide guidance towards the fulfillment of unmet need. However, as per N.J.A.C. 5:93-4.2(h) and N.J.A.C. 5:93-5.1, the following are the few mechanisms:

1. Zoning amendments that permit apartments or accessory apartments.



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2. Overlay zoning requiring inclusionary development or the imposition of a development fee consistent with N.J.A.C.5:93-8. In approving an overlay zone, the existing use may be allowed to continue and expand as a conforming use, but where the existing use on the site is proposed to be changed, the site shall produce low- and moderate-income housing or a development fee; or
3. Zoning amendments that impose a development fee consistent with N.J.A.C. 5:93-8.
4. Rehabilitation of substandard units.
5. Municipally sponsored and 100% affordable construction.
6. Zoning for Inclusionary Development.
7. Alternative living arrangements (i.e., group homes).
8. Purchase of existing homes.
9. Write-down/buy-down (Market to Affordable) programs.
10. Assisted living residences.

The Township is proposing to satisfy the unmet need through the following mechanisms for a total of 30 units. The Borough's compliance towards its unmet need is broken down in Table 36.

Table 36: Credits towards Unmet Need		
Mechanisms for RDP		<b>1</b>
No.	Mechanism	Units
1	Alcott Manor Redevelopment	1
Unmet Need		<b>30</b>
1	Alcott Manor Redevelopment	4
2	Expansion of controls	21
3	Allegro Special Needs	6
Total (sum of above)		<b>31</b>

The unmet need, as shown in the above table, will be addressed through the following mechanisms:

- 1) The Township will apply the remaining four credits (4) from the Alcott Manor Redevelopment Site.
- 2) The Township will apply 21 credits from the expansion of expiring controls.
- 3) The Township will address nine (9) credits through the Allegro special needs housing.

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## Zoning for Affordable Housing:

*Alcott Manor Site*

The Township has identified the Alcott Manor Site, which contains the former boarding house, as appropriate for redevelopment. The site is identified in the municipal tax maps as Block 143, Lot 1 and has an area of 1.39 acres and is located on the southerly side of Mendham Road East. The site is surrounded by low density single family residential. Based on the preliminary analysis conducted by the Township Engineer, the septic system on the site can accommodate a maximum of five units. All the five units will be affordable, one unit will address the RDP and the remaining four will address the unmet need. The site is illustrated in the figures below and described in **Table 37** below:

Table 37: Site 1	
Block and Lot:	Block 143, Lot 1
Location:	161 Mendham Road
Owner:	ZHANG & CHEN, JINGHE/LINA/WEINA
Size:	1.39 acres
Zone district:	R-1 One Family Residential District
Tax class:	Class 4A Commercial
Constraints:	Wetlands, Riparian Areas, Severely Constrained Slopes, Open Water Protection Areas

There are some environmental constraints on the property. As illustrated in **Figure 1** below, this site is within the Highlands Existing Community Zone, and therefore, appropriate for the development of affordable housing. As seen in Figure 2 below, a small area along the southerly property line appears to contain wetlands and is located within Highlands Open Water Protection Area. Additionally, a small portion to the southwest contains steep slopes. The Department of Community Affairs has approved the Township's designation of the property as an Area in Need of Redevelopment.

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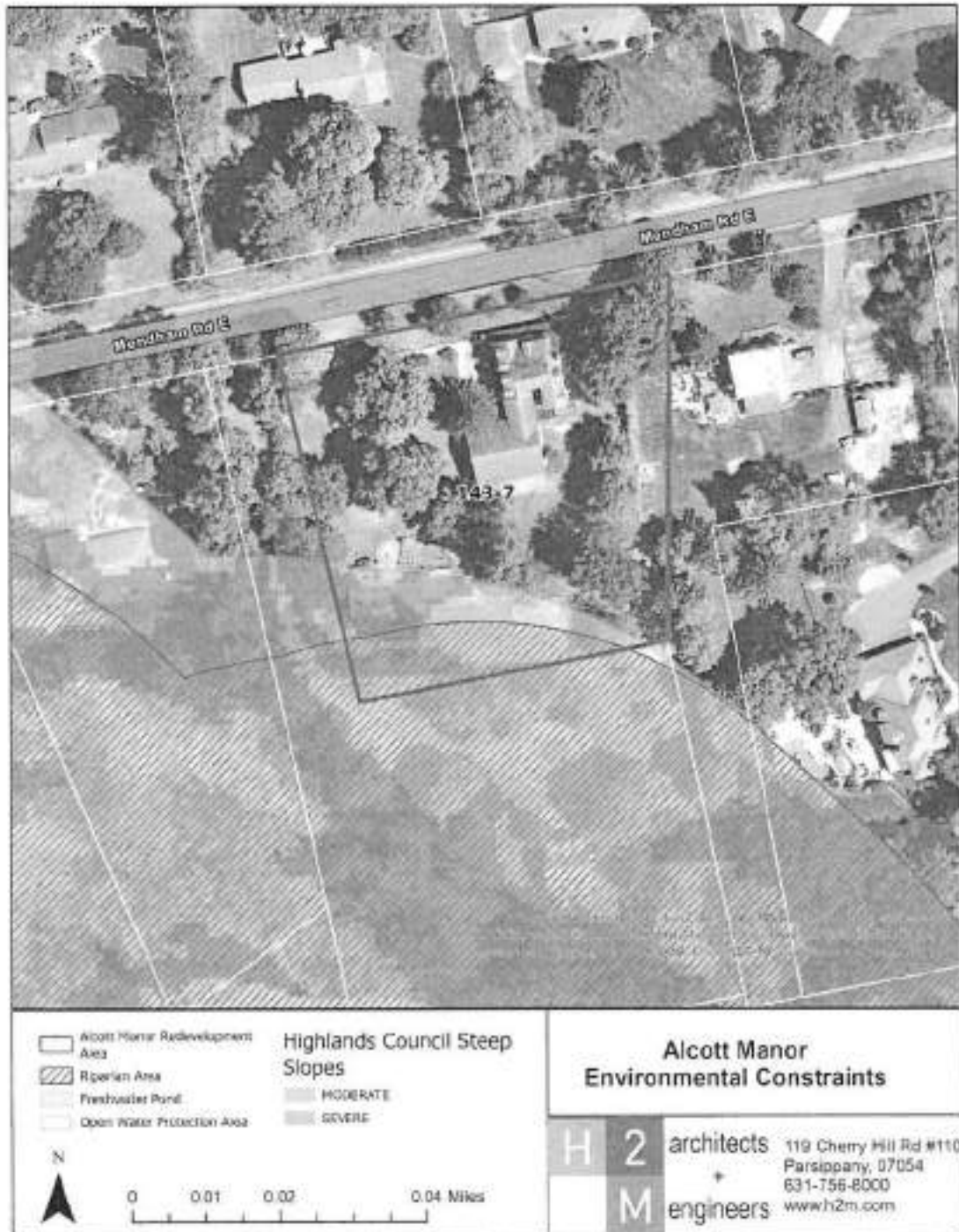
Figure 1





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Figure 2



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*Special Needs Housing*

The Allegro school has a special needs housing for adults on 5 Franklin Drive in Mendham Township. The site is identified as Block 127, Lot 44 as per the Township's Tax Maps. The house contains a total of six bedrooms. Based on the information provided by Allegro School to the Township, this facility is certified under the NJ's Division of Developmental Disabilities and the Township can avail of six credits.

Figure 3



Table 38: Site 2

Block and Lot:	Block 127, Lot 44
Location:	5 Franklin Drive
Owner:	Allegro School Inc.
Size:	0.3 acres
Zone district:	R One Family Residential District
Tax class:	Class 15B Other School Property

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*Extension of Expiring Controls*

The Township is proposing to address 21 credits of the unmet need through extension of expiring controls pursuant to N.J.A.C. 5:80-26.25(a), which provides that "a municipality shall have the right to determine that the most desirable means of promoting an adequate supply of low- and moderate- income housing is to prohibit the exercise of the repayment option and maintain controls on lower income housing units sold within the municipality beyond the period required by N.J.A.C. 5:93-9.2." The Township adopted an ordinance in 2019 to continue to extend the affordability controls on the 14 low- and moderate- units at The Corners at Mendham. These are located on Devonshire Lane within Block 1401 as noted below:

ADDRESS	BR/CLASS	BLOCK	LOT
2-1A DEVONSHIRE LANE	1 LOW	145.04	40
2-1B DEVONSHIRE LANE	2 LOW	145.04	40
2-1C DEVONSHIRE LANE	1MOD	145.04	40
2-1D DEVONSHIRE LANE	2LOW	145.04	40
2-2E DEVONSHIRE LANE	1LOW	145.04	40
2-2F DEVONSHIRE LANE	2MOD	145.04	40
2-2G DEVONSHIRE LANE	1MOD	145.04	40
2-2H DEVONSHIRE LANE	2MOD	145.04	40
2-3I DEVONSHIRE LANE	1LOW	145.04	40
2-3J DEVONSHIRE LANE	2LOW	145.04	40
2-3K DEVONSHIRE LANE	3MOD	145.04	40
2-3L DEVONSHIRE LANE	1MOD	145.04	40
2-3M DEVONSHIRE LANE	1MOD	145.04	40
2-3N DEVONSHIRE LANE	3LOW	145.04	40

The remaining seven units, the Township intends to satisfy by extending the controls on the affordable housing units on Sawmill Village development on Pleasant Valley Road identified within Block 104.01 and Lot 104.01 as per Mendham Township's Tax Maps.



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**APPENDICES**

# **APPENDIX A:**

## **Vacant Land Adjustment & Supporting Documents**

**Contents:**

- Attachment     1: Vacant Land Adjustment Process
- Attachment     2: Vacant Land Adjustment Maps and Table

# APPENDIX A:

## ATTACHMENT #I

**Date:** Prepared June 11, 2025

**Author:** H2M architects + engineers

**Title:** Vacant Land Adjustment Process

**Type of Document:** Explanatory Document

**Substance:** A document explaining how staff at H2M conducted the Vacant Land Adjustment in accordance with rules of the Fourth Round of Affordable Housing.

**Persons Receiving Document(s):** N/A

**Present Location:** On file with Mendham township



# Vacant Land Analysis

## Vacant Land Analysis – Procedure

A complete description of the 2025 Vacant Land Analysis (VLA) process, as well as maps and data tables are included herein. The vacant land analysis shows that there is no unconstrained vacant developable land available in the Township that can accommodate inclusionary residential development with a 20% set-aside. The vacant land analysis includes the Alcott Manor Redevelopment Area, which contains the former boarding house. The property was designated by the Township Committee as an Area in Need of Redevelopment. As per the Township Engineer, the limiting factor on a property with septic is 2,000 gallons/day. So, a maximum of six dwelling units can be accommodated on the site, resulting in a density of about 5.2 dwelling units/acre. As seen in Table 1, below, this results in a Realistic Development Potential (RDP) of one (1) unit.

**Table 1: Summary of VLA Sites with RDP**

Summary of VLA with RDP							
Block	Lot	Property Class	Location	Buildable Acres	Units/Acre	Total Capacity	Capacity RDP/ 20% Set-aside
143	7	4A	161 MENDHAM RD EAST	1.03	5.2	5	1
1 Unit RDP							

The following document explains the process used by H2M, on behalf of Mendham Township, to conduct its vacant land analysis, in accordance with P.L. 2024, Chapter 2 (A4).

## Step 1: Identifying Vacant Land – P.L 2024, Chapter 2 (A4), C.52:27D-310.1 (a-c)

When computing a municipality's adjustment regarding available land resources as part of the determination of a municipality's fair share of affordable housing, the municipality may exclude the following:

1. Any land that is owned by a local government entity that as of January 1, 1997, has adopted, prior to the institution of a lawsuit seeking a builder's remedy or prior to the filing of a petition for substantive certification of a housing element and fair share plan, a resolution authorizing an execution of agreement that the land be utilized for a public purpose other than housing.
2. Any land listed on a master plan of a municipality as being dedicated, by easement or otherwise, for purposes of conservation, park lands or open space and which is owned, leased, licensed, or in any manner operated by a county, municipality or tax-exempt, nonprofit organization including a local board of education, or by more than one municipality by joint agreement pursuant to P.L.1964, c.185 (C.40:61-35.1 et seq.), for so long as the entity maintains such ownership, lease, license, or operational control of such land.
3. Any vacant contiguous parcels of land in private ownership of a size which would accommodate fewer than five housing units based on appropriate standards pertaining to housing density.
4. Historic and architecturally important sites listed on the State Register of Historic Places or National Register of Historic Places prior to the date of filing a housing element and fair share plan pursuant to

section 3 of P.L.2024, c.2 (C.52:27D-304.1) or initiation of an action pursuant to section 13 of P.L.1985, c.222 (C.52:27D-313).

5. Agricultural lands when the development rights to these lands have been purchased or restricted by covenant.
6. Sites designated for active recreation that are designated for recreational purposes in the municipal master plan.
7. Environmentally sensitive lands where development is prohibited by any State or federal agency, including, but not limited to, the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), for lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities.

No municipality shall be required to utilize for affordable housing purposes land that is excluded from being designated as vacant land.

#### *H2M Methodology*

H2M downloaded the most recent 2024 MOD-IV parcel dataset from the New Jersey Geographic Information Network (NJGIN) and the most recent 2024 property tax data from NJ Property Tax. H2M then identified parcels that may be excluded as identified above by identifying all parcels that were classified as "Class 1 - Vacant Land" or "Class 15C - Public Property" in the 2024 property tax data from NJ Property Tax. Each parcel was further categorized by land use and ownership in a Land Use Map attached herewith. Parcels were verified using Google Aerial Imagery, and aerial imagery provided by Nearmap, and the Property Explorer interactive map published by NJ Office of GIS (NJOGIS). Parcels with a Public Purpose were excluded from the inventory. An example of Public Purpose includes:

- Open Space as identified through the NJDEP's Recreation and Open Space Inventory (ROSI);
- Parks
- Conservation Easements
- Sewer/Drainage Easements
- Future Roadways
- Public Service Buildings (Municipal Buildings, Department of Public Works Buildings, Libraries, etc.)
- Public Parking Areas
- Utilities and Utility Easements.

### Step 2: Additional Lands Excluded from Inventory - P.L 2024, Chapter 2 (A4), C.52:27D-310.1 (d-g)

A municipality may partially exclude the following areas from the inventory:

1. Preserved agricultural lands.
2. Environmentally Sensitive Lands including:
  - a. Wetlands
  - b. Flood Hazard Areas
  - c. 300-foot buffer around Category 1 waterways, as adopted by the State legislature
  - d. Lands where development is prohibited by the Highland's Water Protection and Planning Council which includes Open Water Protection areas, riparian areas, Severely and Moderately Constrained Slopes, Wellhead Protection areas, and Agricultural Resource Areas
3. Historic and architecturally important sites listed on the State Register of Historic Places.
4. Sites for active recreation that are designated for recreational purposes in the municipal master plan.



### *H2M Methodology*

H2M downloaded various datasets to identify the aforementioned areas within the Township. This is illustrated in **Map 3: Vacant Land Analysis and Environmental Constraints** and **Map 4: Vacant Land Analysis and Highlands Land Use Capability Zones**.

- **50-Foot Buffer for Wetlands:** H2M identified wetlands using data downloaded the most recent "Land Use/Land Cover of New Jersey 2020" dataset published by the NJDEP Bureau of GIS. In accordance with NJDEP regulations, a buffer of 50 feet is required to create a transition area adjacent to freshwater wetlands of intermediate resource value. As such, wetlands and lands within the appurtenant 50-foot buffer area were excluded from the inventory.
- **Flood Hazard Areas:** H2M accessed the "USA Flood Hazard Reduced Set" feature layer which displays the Flood Hazard Areas from the Flood Insurance Rate Map provided by the Federal Emergency Management Agency (*Service Item ID # 2b245b7f816044d7a779a61a5844be23*). The areas in the Township in 1% annual chance flood or also known as the 100-year Flood Zone were identified as being within the Special Flood Hazard Area (SFHA). Areas of the Township within the regulatory flood way of waterbodies were also identified using this dataset.
- **300 - Foot Buffer for Category 1 Waters:** A 300-foot or Category One (C1) is required by the Stormwater Management Act (N.J.A.C 7L8 and the Flood Hazard Area Control Act rules (FHACA; N.J.A.C. 7:13) for certain activities proposed adjacent to waters designated as C1 in the Surface designated as C1 in the Surface Water Quality Standards (N.J.A.C 7:9B). The listing of C1 water is located at N.J.A.C 7:9B (1.1599(c) - (i)). H2M downloaded the most recent, Category One (C1) Waters of New Jersey dataset published by the NJDEP. This dataset is derived from the Surface Water Quality Standards (SWQS) which reflects stream classifications adopted as of December 21, 2009.
- **Historic Sites:** H2M verified historic sites listed on the NJ Register of Historic Places by reviewing the list provided by the NJDEP Historic Preservation Office. Mendham Township contains several historic districts and historic sites within its boundaries. In the vacant land analysis conducted by H2M, only two parcels were identified as listed on the NJ Register of Historic Places. These are Block 107, Lot 21 (Ralston Historic District) and Block 147, Lot 42.15 (Locally identified, Hardscrabble Road district).
- **Preserved Farmland:** H2M verified the location of preserved farmland using the most up-to-date New Jersey Farmland Preservation Program (NJFPP) dataset which was developed as a geospatial inventory of farms preserved by the State Agriculture Development Committee (SADC) and its partners. The dataset represents the current configuration the preserved farms reflecting approved and completed post preservation subdivisions and lot consolidations.
- **Sites for Active Recreation:** Mendham Township contains a number of parks and recreational open space that are classified as Class 15C – Public Properties. These lands were included in the inventory but are not included in the inventory of lands with Realistic Developable Potential (RDP).

As seen in the attached tables and maps, there is no unconstrained vacant land available resulting a zero RDP. However, the below property identified as the Alcott Manor Redevelopment Area, containing a former boarding house, was designated as an area of need of redevelopment by the Township in 2024. This parcel was considered in the vacant land analysis as a potential site to contain redevelopment.



Table 2: RDP Site					
Site	Block	Lot	Property Class	Location	Use
Alcott Manor Redevelopment Area	143	7	Class: 4A - Commercial	161 MENDHAM RD EAST	Non-conforming Commercial Property/ Boarding House

The RDP site identified through Steps 1 and 2, are identified in the tables entitled **2025 Mendham Township Vacant Land Analysis**.

### Step 3 – P.L 2024, Chapter 2 (A4), C.52:27D-310.1 (1)(c) – Density Analysis

Sites or parts of sites not eliminated from the above procedure shall be considered for inclusionary development. The character of the area surrounding each site shall be considered in establishing densities and set asides for each site. The minimum presumptive density according to C.52:27D-310.1(1) (c) is “any vacant contiguous parcels of land in private ownership of a size which would accommodate fewer than five housing units based on appropriate standards pertaining to housing density.” The maximum presumptive affordable housing set-aside shall be 20%. The sum of these resulting outputs results in the Township’s RDP.

#### *H2M Methodology*

H2M conducted a density analysis for the above site listed in the RDP inventory to determine the character of the area and average surrounding density. A 0.25-mile buffer around each site was used to determine the area’s “neighborhood”. Within the 0.25-mile neighborhood, the most recent, 2024 MOD-IV parcel data from NJGIN was used to calculate a parcel’s acreage and municipal zoning regulations were used to determine the true density for each parcel. An average density for the 0.25-mile neighborhood was used to determine an appropriate density for the RDP site. Supplemental data from 2024 NJ Property Fax, Nearmap aerial Imagery, and Google Aerial Imagery were used as additional verification for the average number of units on each of the surrounding properties.

The average density for the neighborhood surrounding Alcott Manor, Block 143, Lot 7 is 0.72 dwelling units per acre (DUA). The 0.25-mile neighborhood around Alcott Manor has single-family homes in R-1 Zone and the R-3 zone which permits densities of one (1) DUA and one-third (0.33) DUA, respectively. Furthermore, the Alcott Manor Redevelopment Area is currently within the R-1 zone but, due to the redevelopment process it is appropriate to increase the density for this site. As such, although Alcott Manor is not vacant land (Class 1) or public property (Class 15C), it is appropriate to include in the VLA as a site with Realistic Development Potential.

**Table 3: Density Analysis Summary**

<b>Density Analysis Summary: Average Density of Residential Parcels in 0.25-mile buffer surrounding RDP Site</b>			
<b>0.25-mile Neighborhood around RDP Parcel</b>	<b>Residential Zone District</b>	<b>Average of Density (DUA)</b>	<b>Number of Residential Parcels</b>
<b>Block 143, Lot 7</b>			
	R-1	0.79	87
	R-3	0.30	14
<b>Block 143, Lot 7 Neighborhood Avg. Density</b>		<b>0.72</b>	<b>101</b>

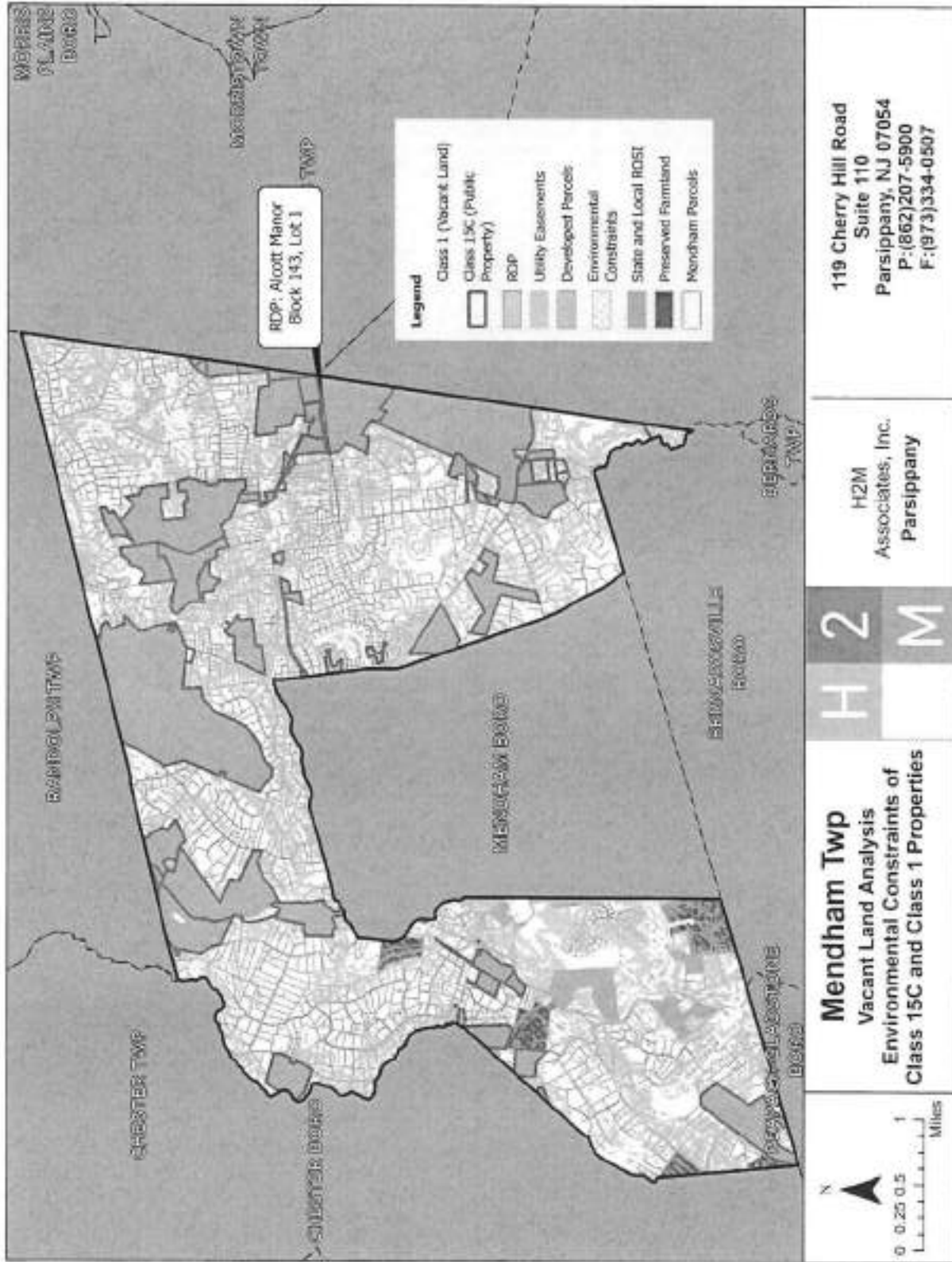
Map 1: Density Analysis of Block 143, Lot 7 (Alcott Manor Redevelopment Area)



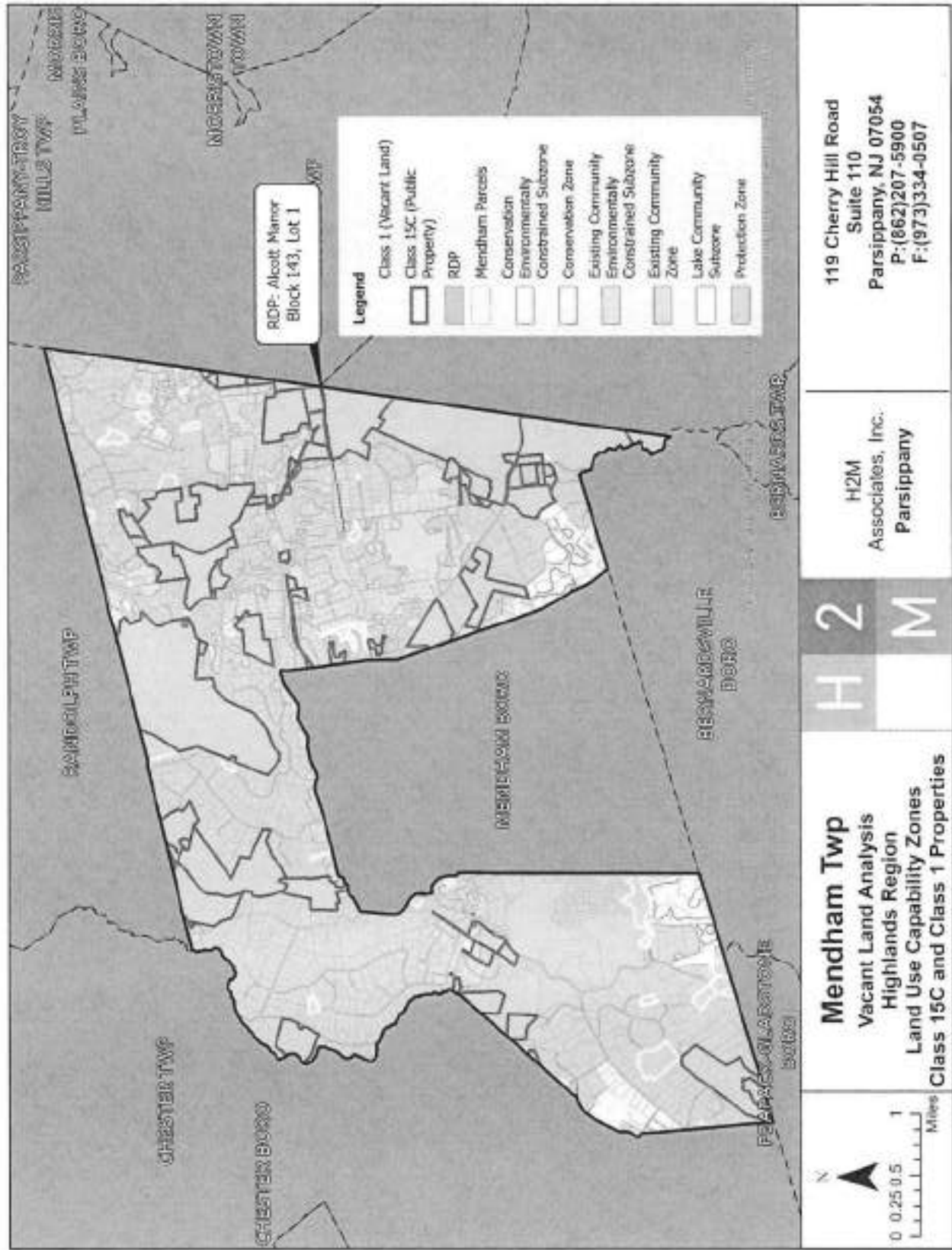




Map 3: Vacant Land Analysis and Environmental Constraints

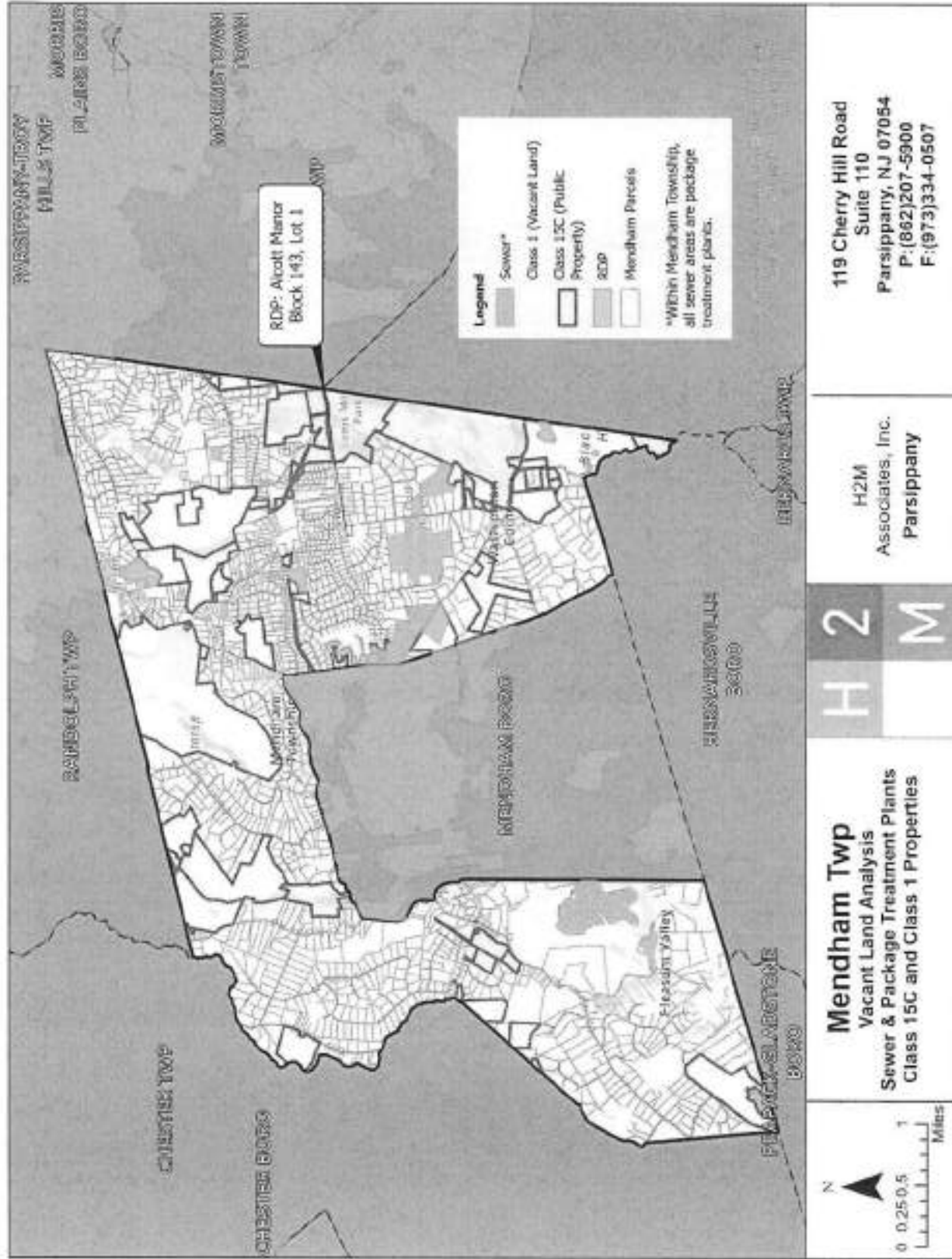


Map 4: Vacant Land Analysis and Highlands Region Land Use Capability Zones





Map 5: Vacant Land Analysis and Sewer Service Area



## ATTACHMENT #2

**Date:** Prepared June 6, 2025

**Author:** H2M architects + engineers

**Title:** Vacant Land Adjustment Tables and Maps

**Type of Document:** Vacant Land Adjustment

**Substance:** A Vacant Land Adjustment showing a Realistic Development Potential (RDP) of 1 unit.

**Persons Receiving Document(s):** N/A

**Present Location:** On file with Mendham Township

Block	Lot	Property Class	Zone	Location	GIS Acres	Constrained Area	Buildable Acres	Units/Acre	Total Capacity	RDP200% Set-aside	Highlands Land Use Capability Zone	Constraint Description
100	8	1	R-5	ROXTICUS RD	1.77	1.74	0.02	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Highlands Protection Zone, Moderate and Severe Steep Slope, Agricultural Resource Areas
100	9	1	R-5	ROXTICUS RD	0.42	0.42	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Highlands Protection Zone, Agricultural Resource Areas
100	10	1	R-5	ROXTICUS RD	0.21	0.07	0.14	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Highlands Protection Zone, Moderate and Severe Steep Slope, Agricultural Resource Areas
100	11	1	R-10	ROXTICUS RD	0.13	0.09	0.13	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Highlands Protection Zone, Agricultural Resource Areas
100	17.01	1	R-5	PENPACK RD	0.60	0.15	0.65	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Highlands Protection Zone, Moderate and Severe Steep Slope, Agricultural Resource Areas
100	17.02	15C	R-10	9 CARRIDGE HILL DR	112.92	112.34	0.58	6	0	0	Protection Zone	Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Wetland Protection Area, Agricultural Resource Areas, Multiple Preserve Highlands Protection Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
100	26.02	1	R-10	125 MOSLE RD	12.11	7.87	4.25	6	0	0	Protection Zone	Highlands Protection Zone, Moderate and Severe Steep Slope, Agricultural Resource Areas
100	34.01	1	R-5	3 RAINETREE RDG	5.05	1.38	3.67	6	0	0	Protection Zone	Highlands Protection Zone, Moderate and Severe Steep Slope, Agricultural Resource Areas
100	52	1	R-5	11 WRIGHT LN	36.53	11.90	27.64	7	0	0	Protection Zone	Highlands Protection Zone, Moderate and Severe Steep Slope, Agricultural Resource Areas
101	1		R-5	MOSLE RD	0.67	0.64	0.03	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Highlands Protection Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
101	2	1	R-5	120 MOSLE RD	3.95	3.05	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
102	2.03	1	R-10	128 MOSLE RD	10.93	7.63	3.33	6	0	0	Protection Zone	Highlands Protection Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
102	3	1	R-5	STEVENS LN	0.49	0.49	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
103	8.01	1	R-10	PRIVATE RD	1.27	1.27	0.00	6	0	0	Conservation Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
104	23.01	1	CR-1	PLEASANT VALLEY RD	3.63	2.50	1.12	6	0	0	Protection Zone	Highlands Conservation and Protection Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
104.01	3	1	CR-1	PLEASANT VALLEY RD	6.44	6.35	0.11	6	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
104.02	18	1	CR-1	BROOKRACE DR	33.49	32.70	0.79	6	0	0	Protection Zone	Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
104.04	1.01	1	CR-1	BROOKRACE DR	0.42	0.39	0.03	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
104.04	29	1	CR-1	BROOKRACE DR	1.08	0.00	1.08	6	0	0	Protection Zone	Highlands Conservation and Protection Zone, Moderate and Severe Steep Slope, Agricultural Resource Areas
105	8.09	1	R-5	4 OSAGE LN	5.85	0.19	5.45	6	0	0	Conservation Zone	Highlands Conservation and Protection Zone, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas



Block	Lot	Property Class	Zone	Location	GIS Area	Constrained Area	Buildable Acres	Units/Acre	Total Capacity	RDP/20% Set-aside	Highlands Land Use Capability Zone	Constraint Description
106	8.08	1	R-5	2 OSAGE LN	5.10	1.80	3.20	6	0	0	Conservation Zone	Highlands Conservation and Protection Zone, Open Water Protection Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
106	8.10	1	R-5	6 OSAGE LN	14.91	7.02	7.89	6	0	0	Conservation Zone, Protection Zone	Highlands Conservation and Protection Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
107	1	15C	R-5	336 MENDHAM RD WEST	3.89	3.89	0.00	6	0	0	Existing Community Zone, Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
107	10	15C	R-1	338 MENDHAM RD WEST	10.65	30.65	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
107	19	15C	R-1	MENDHAM RD WEST	15.01	14.37	0.64	6	0	0	Existing Community Zone, Protection Zone	Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
107	21	1	R-1	328 MENDHAM RD WEST	1.66	0.03	1.63	6	0	0	Existing Community Zone	Developed, Private property of a single-family home, Riparian Areas, Agricultural Resource Areas, Historic District
107	23	15C	R	320 MENDHAM RD WEST	9.75	0.75	0.00	6	0	0	Existing Community Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
107	33	15C	R	322 MENDHAM RD WEST	15.24	25.08	0.17	6	0	0	Existing Community Zone, Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
107	35	15C	R-5	MENDHAM RD WEST	9.17	9.17	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
107	64	15C	R-10	ROXTICUS RD	3.17	3.17	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Moderate and Severe Steep Slope, Agricultural Resource Areas
107	65	1	R-10	MOUNT PAUL RD	0.82	0.80	0.02	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Moderate and Severe Steep Slope, Agricultural Resource Areas
107	67	15C	R-10	MOUNT PAUL RD	23.74	23.73	0.01	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
107	68	1	R-10	MOUNT PAUL RD	0.52	0.50	0.02	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Moderate and Severe Steep Slope, Agricultural Resource Areas
107	73	1	R-5	LAUREL WOOD DR	0.56	0.52	0.54	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Moderate and Severe Steep Slope, Agricultural Resource Areas
108	1	15C	R-1	313 MENDHAM RD WEST	0.04	0.04	0.00	6	0	0	Existing Community Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Agricultural Resource Areas, Historic District
108	15	1	R-1	303-B MENDHAM RD WEST	1.52	0.98	0.57	6	0	0	Existing Community Zone, Protection Zone	Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
108	16	1	R-1	303-A MENDHAM RD WEST	1.20	0.83	0.37	6	0	0	Protection Zone	Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas
109	26	1	R-3	22 IRONIA RD	4.25	3.57	0.68	6	0	0	Protection Zone	Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
109	27	15C	R-3	IRONIA RD	6.41	0.41	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
109	35	15C	R-1	317 MENDHAM RD WEST	1.28	1.91	0.08	6	0	0	Existing Community Zone, Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Agricultural Resource Areas, Historic District
112	12	1	R-5	9 CROSS WAY	5.24	5.00	0.24	6	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope

## 3005 Meethuan Township - Vacant Land Analysis

Block	Lot	Property Class	Zone	Location	GIS Acres	Constrained Area	Buildable Acres	Units/Acre	Total Capacity	RDP/25% Set-aside	Highlands Land Use Capacity Zone	Constraint Description
112	48	15C	R-1	OAK KNOLL RD	0.06	0.06	0.00	0	0	0	Existing Community Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Agricultural Resource Areas, Historic District
113	4	15C	R-10	OLD MILL RD	48.75	48.67	0.07	6	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope
113	6	1	R-10	61 OLD MILL RD	5.45	5.45	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope
116	2	15C	R-15	IRONIA RD	0.85	0.89	0.00	6	0	0	Existing Community Zone Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope
116	6	15C	R-10	97 IRONIA RD	69.36	65.88	3.50	6	0	0	Existing Community Zone Protection Zone	Only 0.02 Acres in Existing Community Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
116	7.01	15C	R-10	14 CALAIS RD	172.47	172.33	0.15	6	0	0	Protection Zone	Highlands Protection Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
116	8.01	1	R-10	CALAIS RD	0.86	0.61	0.25	6	0	0	Protection Zone	Open Water Protection Areas, Moderate and Severe Steep Slope, Historic District
116	8.02	1	R-10	CALAIS RD	0.71	0.71	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
116	8.03	1	R-10	CALAIS RD	0.42	0.42	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
116	8.04	1	R-10	CALAIS RD	0.20	0.20	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
116	8.05	15C	R-10	CALAIS RD	5.43	5.39	0.05	6	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
116	9.01	15C	R-10	COMBS HOLLOW RD	45.75	45.70	0.06	6	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
116	9.05	1	R-10	COMBS HOLLOW RD	3.61	3.61	0.00	6	0	0	Protection Zone	Subdivision, Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
116	45.02	1	R-3	MOUNTAINSIDE RD	1.25	0.06	1.20	6	0	0	Existing Community Zone Protection Zone	Excessive narrowness, Moderate and Severe Steep Slope, Historic District
116	52	15C	R-10	MOUNTAINSIDE RD	58.34	58.33	0.00	6	0	0	Existing Community Zone Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Historic District
118	3	1	R-1	10 OLD BROOKSIDE RD	2.19	1.34	1.05	6	0	0	Existing Community Zone Protection Zone	Developed, Part of private property for single family home, Open Water Protection Areas, Moderate and Severe Steep Slope
118	9	15C	R-1	48 WOODLAND RD	554.78	408.74	146.04	6	0	0	Existing Community Zone Protection Zone	Only 0.01 Acres in Existing Community Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Wetlands
118	9	15C	R-10	WOODLAND RD	1.18	1.16	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Wetlands
118	10.01	15C	R-10	COLD HILL RD	4.16	0.50	3.66	6	0	0	Protection Zone	Highlands Protection Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope
118	74	1	R-10	39 HORIZON DR	5.78	1.33	5.45	6	0	0	Protection Zone	Highlands Protection Zone, Moderate and Severe Steep Slope
119	13	1	R-10	60 CALAIS RD	23.05	17.39	5.66	6	0	0	Protection Zone	Highlands Protection Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slope, Wetlands
120	5	1	R-1	5 OLD BROOKSIDE RD	2.58	0.41	0.17	6	0	0	Existing Community Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Wetlands
123	25.02	1	R-3	3 TUFTS LN	3.48	0.70	2.78	6	0	0	Protection Zone	Moderate and Severe Steep Slope



Block	Lot	Property Class	Zone	Location	GIS Acres	Constrained Area	Buildable Acres	Units/Acre	Total Capacity	RDP/25% Set-aside	Highlands Land Use Capacity Zone	Constrained Description
124	12	1	R-3	DFF MOUNT PLEASANT RD	0.04	0.04	0.00	0	0	0	Existing Community Zone, Protection Zone	Undersized, part of a home in Randolph, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas
126	9	1	R-3	4 WASHINGTON VALLEY RD	0.24	0.24	0.25	0	0	0	Existing Community Zone	Undersized, part of neighboring property in Morris TWP.
126	21	1	R-3	5 OLD ORCHARD RD	1.36	0.17	1.19	0	0	0	Existing Community Zone	Developed, Part of Private Property for single-family home, Open Water Protection Areas, Riparian Areas
127	19	15C	R-1	STONY HILL RD	15.97	15.74	0.23	0	0	0	Existing Community Zone, Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands
127	20	15C	R-10	WOODLAND RD	77.41	76.34	1.06	0	0	0	Protection Zone	Highlands Protection Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands
127	21	1	R-10	WOODLAND RD	0.62	0.62	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope
127	80	1	R	67 WOODLAND RD	0.40	0.23	0.18	0	0	0	Existing Community Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas
127	71	15C	R-10	WOODLAND RD	48.04	47.74	0.31	0	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands
127	73	15C	R-10	40 MOUNT PLEASANT RD	15.96	15.74	0.22	0	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands
127	74.01	1	R-10	34 MOUNT PLEASANT RD	4.66	0.12	4.54	0	0	0	Protection Zone	Highlands Protection Zone, Moderate and Severe Sleep Slope
127	94.04	1	R-3	15 WILKINSON GLEN	3.77	3.27	0.49	0	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope
127	94.07	1	R-3	9 WILKINSON GLEN	3.02	0.50	2.52	0	0	0	Protection Zone	Moderate and Severe Sleep Slope
127	119	1	R-3	3 OLD ORCHARD TER	1.68	1.58	0.10	0	0	0	Existing Community Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands
127	136	1	R-3	11 HAMILTON DR	4.24	4.24	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands
127	169	1	R-10	60 TINGLEY RD	5.40	5.47	0.07	0	0	0	Protection Zone	Highlands Protection Zone, Moderate and Severe Sleep Slope
127	171	15C	R	TINGLEY RD	216.41	215.32	1.08	0	0	0	Protection Zone	Only 0.08 in Existing Community Zone, Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands, Historic District
127	179	15C	R	EAST MAIN ST	8.44	8.44	0.00	0	0	0	Existing Community Zone, Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands, Historic District
130	7.02	15C	R-10	COLD HILL RD	47.34	47.25	0.09	0	0	0	Existing Community Zone, Protection Zone	Park, Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands
130	8.12	1	R-2	12 MICHAEL RD	7.91	1.39	1.52	0	0	0	Existing Community Zone, Protection Zone	Open Water Protection Areas, Moderate and Severe Sleep Slope
131	23	15C	R-1	KNOLLWOOD TRL	6.02	5.98	0.04	0	0	0	Existing Community Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands, Historic District
131	51.01	1	CR-2	BALLANTINE RD	15.88	8.92	6.96	0	0	0	Existing Community Zone	Developed, HOA assessment, Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands
131.01	1.01	15C	CR-2	1 COLD HILL RD	7.10		7.10	0	0	0	Existing Community Zone	ROSI - Historical Park at Pitney Farm
131	17.01	15C	R-10	2 WEST MAIN ST	3.82	3.69	0.13	0	0	0	Existing Community Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Wetlands, Historic District
131	47	15C	R-10	KNOLLWOOD TRL	5.44	5.44	0.00	0	0	0	Existing Community Zone	ROSI, Pathway Path and Swimming Pond
131	49	15C	R	18 WEST MAIN ST	4.96	4.38	0.58	0	0	0	Existing Community Zone	ROSI, Pathway Path and Swimming Pond
131	50	15C	R	KNOLLWOOD TRL	0.31	0.31	0.00	0	0	0	Existing Community Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Wetlands, Historic District
131	2	1	R-10	12 EAST MAIN ST	0.50	0.10	0.40	0	0	0	Existing Community Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Sleep Slope, Historic District



Block	Lot	Property Class	Zone	Location	GIS Acres	Constrained Area	Buildable Acres	Units/Acre	Total Capacity	RDP/20% Set-aside	Highlands Land Use Capability Zone	Constraint Description
139	15	15C	R	EAST MAIN ST	3.88	0.00	0.00	0	0	0	Existing Community Zone/Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
139	20	15C	R-10	TINGLEY RD	2.57	0.00	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
139	21	15C	R-10	EAST MAIN ST	1.94	0.00	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Historic District
139	22	1	R-10	34 TINGLEY RD	0.29	0.00	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Historic District
139	30	15C	R	TINGLEY RD	3.64	0.00	0.00	0	0	0	Existing Community Zone/Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
139	30.01	1	R	TINGLEY RD - PEAR	0.92	0.00	0.00	0	0	0	Existing Community Zone/Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
139	32	1	R	TINGLEY RD	1.96	0.00	0.00	0	0	0	Existing Community Zone/Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
139	41	15C	R-10	TINGLEY RD	1.40	0.00	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
139	42	15C	R-1	MENDHAM RD EAST	16.86	0.00	0.00	0	0	0	Existing Community Zone/Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
139	50	15C	R-10	GLENGARY DR	2.30	0.00	0.00	0	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
139	51	15C	R-10	GLENGARY DR	0.12	0.00	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Wetlands, Historic District
139	52	15C	R-10	GLENGARY DR	0.44	0.00	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Historic District
141	34	15C	R-10	WASHINGTON VALLEY RD	4.18	0.00	0.00	0	0	0	Existing Community Zone/Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
141	35	15C	R-10	WASHINGTON VALLEY RD	2.56	0.00	0.00	0	0	0	Existing Community Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
141	37	15C	R-10	WASHINGTON VALLEY RD	17.10	0.00	0.00	0	0	0	Existing Community Zone/Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
141	38	15C	R-10	MENDHAM RD EAST	18.63	0.00	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes, Wetlands, Historic District
141	39	15C	R-10	MENDHAM RD EAST	50.51	0.00	0.00	0	0	0	Existing Community Zone/Protection Zone	Morris County Park Commission, Park
141	40	15C	R-10	MENDHAM RD EAST	18.36	0.00	0.00	0	0	0	Protection Zone	Morris County Park Commission, Park
141	41	15C	R-10	MENDHAM RD EAST	18.76	0.00	0.00	0	0	0	Protection Zone	Morris County Park Commission, Park
142	29	15C	R-10	MENDHAM RD EAST	143.88	142.70	1.18	0	0	0	Protection Zone	Morris County owned, Park
142	31	1	R-3	THACKERY LN	0.38	0.00	0.00	0	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Slope Slopes
142	63	15C	R-10	TEMPER WICK RD	338.24	338.65	1.59	0	0	0	Protection Zone	Morris County owned, Park
142	65	15C	R-10	COREY LN	3.40	0.00	0.00	0	0	0	Protection Zone	Morris County owned, Park
142	68	15C	R-10	COREY LN	10.13	9.15	0.98	0	0	0	Protection Zone	Morris County owned, Park
142	70	15C	R-10	COREY LN	12.83	12.79	0.04	0	0	0	Protection Zone	Morris County owned, Park

Block	Lot	Property Class	Zone	Location	GIS Acres	Constrained Area	Buildable Acres	Units/Acre	Total Capacity	RDP/20% Set-aside	Highlands Land Use Capability Zone	Constraint Description
143	7	4A	R-1	151 MENDHAM RD EAST	1.38	0.35	1.03	5.2	5	1	Existing Community Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands
143	12	1	R-1	COREY LN	4.52	4.52	0.00	0	0	0	Existing Community Zone Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands
145.02	26	15C	CR-2	TEMPE WICK RD	9.62	8.60	1.02	6	0	0	Existing Community Zone	Developed, HMA Easement, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Historic District
145.04	41	15C	CR-2	8 DEVONSHIRE LN	5.90	1.10	4.80	0	0	0	Existing Community Zone	Residential Open Space Easement, Riparian Areas, Moderate and Severe Steep Slopes
145.04	42	1	CR-2	TEMPE WICK RD	3.06	2.17	1.69	6	0	0	Existing Community Zone	Developed, Open Space Easement, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Historic District
148	4	15C	R-10	TEMPE WICK RD	51.23	51.23	0.00	6	0	0	Existing Community Zone Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Agricultural Resource Areas, Historic District
146	11	15C	R-10	TEMPE WICK RD	73.73	73.67	0.06	6	0	0	Conservation Zone/Existing Community Zone Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Agricultural Resource Areas, Historic District
146	26	1	R-5	COREY LN	4.48	4.48	0.00	6	0	0	Existing Community Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Agricultural Resource Areas, Historic District
146	30	1	R-5	79 LOWERY LN	1.24	0.51	0.62	6	0	0	Existing Community Zone	Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Agricultural Resource Areas
146	34	1	R-5	10 LOWERY LN	1.67	1.62	0.05	6	0	0	Existing Community Zone	Open Water Protection Areas, Riparian Areas, Wetlands, Agricultural Resource Areas
147	16	15C	R-10	TEMPE WICK RD	48.13	48.07	0.06	6	0	0	Conservation Zone Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Agricultural Resource Areas
147	17	15C	R-5	TEMPE WICK RD	11.08	11.08	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Agricultural Resource Areas, Historic District
147	22	15C	R-10	13 LEDDELL RD	7.82	2.27	5.34	6	0	0	Protection Zone	Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Agricultural Resource Areas, Historic District
147	23	15C	R-5	1 COBBLEFIELD DR	5.03	2.75	2.28	6	0	0	Protection Zone	Morris County owned - Park
147	24	15C	R-10	3 COBBLEFIELD DR	5.05	3.44	1.81	6	0	0	Protection Zone	Morris County owned - Park
147	41	1	R-5	70 BEVERLY DR	3.07	1.15	1.92	6	0	0	Conservation Zone Protection Zone	Open Water Protection Areas, Moderate and Severe Steep Slopes, Agricultural Resource Areas
147	43	1	R-5	100 HARDCRABBLE RD	0.77	0.20	0.58	6	0	0	Conservation Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Agricultural Resource Areas, Historic District
149	3	15C	R-5	LEDDELL RD	9.60	9.60	0.00	6	0	0	Protection Zone	Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Agricultural Resource Areas, Historic District
149	5	1	R-10	8 LEDDELL RD	2.09	2.09	0.00	6	0	0	Protection Zone	Undersized, Land is Entirely Encumbered, Open Water Protection Areas, Riparian Areas, Moderate and Severe Steep Slopes, Wetlands, Agricultural Resource Areas
149	8	15C	R-10	OFF LEDDELL RD	33.25	20.82	2.43	6	0	0	Protection Zone	Morris County owned - Park