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# 2025 Housing Element & Fair Share Plan

Borough of Lakehurst, Ocean County, NJ

June 19, 2025

Prepared for:

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# 2025 Housing Element & Fair Share Plan

Borough of Lakehurst

Ocean County, New Jersey

Adopted by the Land Use Board: **June 30, 2025**

Endorsed by the Mayor and Council: \_\_\_\_\_

Project No. 23009734G

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

# Table of Contents

<b>I. Introduction .....</b>	<b>1</b>
Municipal Summary.....	1
Lakehurst Affordable Housing Goal .....	1
Affordable Housing History .....	2
Affordable Housing Obligation .....	4
<b>HOUSING ELEMENT.....</b>	<b>7</b>
<b>II. Required Content of Housing Element .....</b>	<b>7</b>
<b>III. Lakehurst's Population Demographics.....</b>	<b>8</b>
Population Growth .....	8
Age Distribution of Population .....	8
<b>IV. Lakehurst's Housing Demographics .....</b>	<b>10</b>
Housing Type .....	10
Occupancy Status .....	10
Value & Rent of Housing Stock .....	11
Condition of Housing Stock.....	12
<b>V. Lakehurst's Employment Demographics.....</b>	<b>14</b>
Working Class .....	14
Occupational Characteristics .....	14
Employment Projections .....	14
In-Place Employment by Industry .....	15
Travel Time to Work .....	18
<b>VI. Projection of Housing Stock .....</b>	<b>19</b>
<b>VII. Capacity for Fair Share .....</b>	<b>20</b>
Land Capacity .....	20
Utility Capacity .....	20
Appropriate Locations for Affordable Housing.....	21
Potential Affordable Housing Developers.....	21
Anticipated Development Patterns .....	21
Multigenerational Family Continuity Evaluation.....	24
State Development & Redevelopment Plan Consistency .....	24
<b>FAIR SHARE PLAN .....</b>	<b>26</b>
<b>VIII. Required Content of Fair Share Plan .....</b>	<b>26</b>
<b>IX. Regional Income Limits .....</b>	<b>27</b>
<b>X. Affordable Requirements .....</b>	<b>28</b>
<b>XI. Lakehurst's Affordable Housing Obligation .....</b>	<b>29</b>

Present Need (Rehabilitation) • 18 Units (Third Round) & 0 Units (Fourth Round).....	29
Prior Round Obligation • 66 Units.....	29
Third Round Obligation • 45 Units.....	29
Fourth Round Obligation • 21 Units.....	29
Combined New Construction Obligation • 132 Units.....	29
Adjustments.....	29
<b>XII. Existing Affordable Credits.....</b>	<b>30</b>
<b>XIII. Proposed Mechanisms .....</b>	<b>30</b>
Rehabilitation Mechanisms .....	30
Prior Round RDP Mechanisms.....	31
Third Round RDP Mechanisms.....	31
Fourth Round RDP Mechanisms.....	31
Unmet Need Mechanisms.....	31
<b>XIV. Appendix .....</b>	<b>33</b>

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# I. Introduction

According to the New Jersey Fair Housing Act of 1985 (L. 1985, c. 222, s. 1, eff. July 2, 1985), a Housing Plan 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.

This report is the Borough of Lakehurst's Housing Element and Fair Share Plan ("HEFSP") for the period between 1999 and 2025 (known as the Third Round) and the period between 2025 and 2035 (known as the Fourth Round). Lakehurst seeks to voluntarily comply with its constitutional obligation to provide a realistic opportunity for affordable housing. This HEFSP is prepared utilizing the Prior Round Rules<sup>1</sup>, Third Round Rules<sup>2</sup> (as applicable), and the amendments implemented in P.L. 2024, c.2. Each municipality in the State has a four-part obligation:

1. Rehabilitation Obligation
2. Prior (First and Second Round) Obligations (1987-1999)
3. Third Round Obligation (1999-2025)
4. Fourth Round Obligation (2025-2035)

## Municipal Summary

The Borough of Lakehurst is approximately one square mile (631.5 acres) located in Ocean County in central New Jersey. The Borough is situated in the north-central portion of Ocean County and is surrounded by the Township of Manchester. The Borough is traversed by State Route 70 (John D Rockefeller Memorial Highway) in an east-west direction and the western terminus of State Route 37 is located in the eastern corner of the Borough. Ocean County Route 3 is also located in the Borough along Center Street. The Borough does not have any public transportation options available.

Lakehurst is largely developed with residential uses with commercial and other non-residential uses concentrated along State Route 70, Union Avenue, and Center Street. The Borough is surrounded by vacant, wooded land and the Joint Base McGuire-Dix-Lakehurst Air Force Base. The Borough of Lakehurst is located fully within the Pinelands National Reserve. The portion of the Borough west of the former railroad line is located within the Pinelands Management Area and is designated as a Pinelands Town under the jurisdiction of the New Jersey Pinelands Commission.

## Lakehurst Affordable Housing Goal

It is the overall goal of the HEFSP to provide the planning context in which access to low- and moderate-income housing can be provided in accordance with the requirements of the Fair Housing Act, the laws of the State of New Jersey, the Pinelands Comprehensive Management Plan, and the natural limitations of the environs within the Borough of Lakehurst.

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<sup>1</sup> NJAC 5:91 (Procedural) and NJAC 5:93 (Substantive) Rules. They can be found at: [New Jersey Department of Community Affairs | Second Round Regulations](#)

<sup>2</sup> NJAC 5:96 (Procedural) and NJAC 5:97 (Substantive) Rules, which can be found at: <https://nj.gov/dca/dlps/hss/thirdroundregs.shtml>



## Affordable Housing History

### Mount Laurel Doctrine

Affordable housing planning in New Jersey dates back to 1975, when the New Jersey Supreme Court ruled in Southern Burlington County NAACP v. the Township of Mount Laurel, 67 N.J. 151 (1975), 336 (Mount Laurel I), that each municipality within New Jersey has a constitutional obligation to provide a realistic opportunity for the construction of their fair share of affordable housing. Mount Laurel I is the landmark decision that created what is commonly referred to as the “Mount Laurel Doctrine”. The Supreme Court found that Mount Laurel Township’s zoning ordinance only permitted one type of housing—single-family detached dwellings, while all other types of multi-family housing, such as garden apartments, townhomes, or mobile home parks, were prohibited, which the court determined resulted in economic discrimination and exclusion of substantial segments of the area population, and therefore the zoning ordinance was unconstitutional and invalid.

In 1983, the New Jersey Supreme Court issued Southern Burlington County NAACP v. Township of Mount Laurel, 92 N.J. 158 (1983), another monumental decision which became known as the “Mount Laurel II” decision. In this case, the Supreme Court upheld and expanded upon the Mount Laurel I decision. Mount Laurel II clarified that the constitutional obligation applies to all municipalities, not just the “developing” municipalities as referenced in Mount Laurel I. Each municipality is required to establish zoning that provides a realistic opportunity for the construction of affordable housing to comply with the municipality’s fair share obligation. Mount Laurel II established the “Builder’s Remedy” as a judicial mechanism to enforce the Mount Laurel Doctrine. A Builder’s Remedy lawsuit allows a plaintiff (typically a developer) to challenge a municipality’s zoning ordinance if it fails to create a realistic opportunity to provide affordable housing units to meet the constitutional fair share obligation.

In 1985, the Fair Housing Act (“FHA”) was enacted in response to the court decisions, which provided an administrative process for municipal compliance. The FHA also created the New Jersey Council on Affordable Housing (“COAH”), which was the governmental agency responsible for promulgating municipal obligations, adopting regulations, and administering the compliance process.

### Prior Rounds (1993-1999)

Under COAH, the First Round of affordable housing spanned from 1987 to 1993, followed by the Second Round from 1993 to 1999. The First Round Substantive Rules were enacted under N.J.A.C. 5:92 and the Second Round Substantive Rules were enacted under N.J.A.C. 5:93.

The Borough of Lakehurst did not participate in the First Round or the Second Round of affordable housing. This HEFSP will address the Prior Round obligations.

### Third Round (1999-2025)

The Third Round of affordable housing commenced in 1999, which was supposed to end in 2014; however, due to numerous legal challenges and court orders, the Third Round was ultimately extended through 2025.

The first version of COAH’s Third Round Substantive Rules was enacted under N.J.A.C. 5:94 in 2004. This version of the rules was challenged and in January 2007 the Appellate Court issued a decision requiring COAH to revise its rules.

In October 2008, COAH adopted numerous amendments to its substantive and procedural regulations to address the Third Round fair housing requirements. The Third Round methodology, adopted in September 2008, required that a municipality's fair share consist of three elements: the 1) rehabilitation share, 2) any remaining Prior Round obligation that was not provided for, and 3) the Growth Share or Third Round, which is based upon one affordable housing unit for every four market-rate units built and one affordable unit for every 16 new jobs created. In addition to these new rules, COAH assigned new rehabilitation, Prior Round and Third Round obligation numbers to each municipality. Additionally, the State legislature passed Assembly Bill A-500 (now P.L. 2008), which made significant changes to COAH's rules.

In 2009, appeals were filed regarding the new Third Round Rules' growth share methodology. The case worked its way through the Appellate Division and finally went before the Supreme Court. The Supreme Court issued a decision on September 26, 2013, finding that the key set of rules establishing the growth share methodology as the mechanism for calculating "fair shares" was inconsistent with the FHA and the Mount Laurel Doctrine. The Supreme Court instructed COAH "to adopt new third round rules that use a methodology for determining prospective need similar to the methodologies used in the first and second rounds," within five months, which was later extended to November 2014.

In July 2014, COAH proposed new Third Round under N.J.A.C. 5:98 and 5:99. However, the new rules were never formally adopted by COAH.

After COAH failed to promulgate its revised rules by the November 2014 deadline, the Supreme Court made a ruling on March 10, 2015 entitled In re Adoption of N.J.A.C. 5:96 & 5:97 by the N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (Mount Laurel IV), which allows for judicial review for constitutional compliance, as was the case before the FHA was enacted. The ruling allowed low- and moderate-income families and their advocates to challenge exclusionary zoning in court, rather than having to wait for COAH to issue rules that may never come. The process provided a municipality that had sought to use the FHA's mechanisms the opportunity to demonstrate constitutional compliance to a court's satisfaction before being declared noncompliant and then being subjected to the remedies available through exclusionary zoning litigation, including a builder's remedy.

The transitional process created by the Supreme Court tracked the FHA procedures for compliance. In this regard, the process permitted municipalities to file a Declaratory Judgment Action during a 30-day window between June 8 and July 8, 2015 that sought an adjudication as to their fair share. This would enable the municipality to comply voluntarily with its constitutional obligation to provide a realistic opportunity for the construction of its fair share of the regions' low- and moderate-income households.

On January 18, 2017, the Supreme Court decided In Re Declaratory Judgment Actions Filed by Various Municipalities, County of Ocean, Pursuant to The Supreme Court's Decision In In re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015) ("Mount Laurel V"), which held that municipalities are responsible for obligations accruing during the so-called "gap period," the period between 1999 and 2015. However, the Court stated that the gap obligation should be calculated as a never-before calculated component of Present Need (also referred to as Rehabilitation Obligation), which would serve to capture Gap Period households that were presently in need of affordable housing as of the date of the Present Need calculation (i.e. that were still income eligible, were not captured as part of traditional present need, were still living in New Jersey and otherwise represented a Present affordable housing need).

Between 2015 and 2024, municipalities that elected to voluntarily comply with their constitutional obligation participated in mediation sessions, reached settlement agreements, adopted Third Round Housing Element and Fair Share Plans, and most municipalities concluded the process with a Third Round Judgment of Compliance and Repose (“Third Round JOR”) from the courts. As a result of COAH’s inability to function, the Third Round period spanned from 1999 to 2025, a 26-year long period as opposed to the 6-year periods for the first and second rounds. The Third Round is set to expire on June 30, 2025.

The Borough of Lakehurst did not participate in the Third Round of affordable housing. This HEFSP will address the Third Round obligations.

#### Fourth Round (2025-2035)

On March 20, 2024, Governor Murphy signed legislation that dramatically modified the State’s affordable housing regulations. The 75-page bill, known as A4, abolished COAH, modified the process of affordable housing compliance, amended bonus credits, and, among other changes, set forth several important deadlines. P.L. 2024, c.2 (“Amended FHA”) charged the Department of Community Affairs (“DCA”) with the preparation of Fourth Round obligations and set forth aggressive timelines for compliance. In October 2024, DCA published a report on its calculations of regional need and municipal present need (Rehabilitation Obligation) and prospective fair share obligations (Fourth Round Obligation). The report is entitled “Affordable Housing Obligation of 2025-2035 (Fourth Round) Methodology and Background”.

The DCA calculated Lakehurst’s present need obligation as **0 units** and its Fourth Round prospective need obligation as **21 units**. Municipalities were required to adopt a binding resolution outlining their present and prospective fair share obligations by January 31, 2025. On January 16, 2025, the Borough Council adopted Resolution 25-064 accepting the DCA’s calculations of the Borough’s present need and prospective need obligations, subject to any vacant land and/or durational adjustment. The Borough also filed a “Complaint for a Declaratory of Compliance with the Fair Housing Act” as part of the compliance certification process outlined in the Director of the Administrative Office of the Courts Directive #14-24.

During the 30-day challenge window, the Borough of Lakehurst did not receive any challenges to its Fourth Round obligations.

This document represents the Borough’s first HEFSP, which will address the Prior Round, Third Round, and Fourth Round obligations.

#### Affordable Housing Obligation

To date, the only case that has thoroughly adjudicated Third Round affordable housing obligations in the State of New Jersey was in Mercer County. Judge Mary Jacobson held a 41-day trial in 2017 on affordable housing obligations for the Rehabilitation Obligation and the Third Round Obligation for the two unsettled towns – West Windsor and Princeton. On March 8, 2018, Judge Jacobson issued her 217-page decision for the two communities. The decision only provides West Windsor and Princeton’s Rehabilitation and Third Round Obligation. However, the decision provides extensive detail on the methodology to determine the obligations. Following the issuance of the decision, Econsult Solutions extrapolated what has been named the “Jacobson Methodology” and prepared obligations for the rest of the state in their report entitled “Statewide and Municipal Obligations Under Jacobson Opinion” dated March 28, 2018. The Econsult report indicates Lakehurst’s



Rehabilitation Obligation (Present Need) is 18 units, its Prior Round Obligation for the period between 1987 and 1999 is 66 units, and its Third Round Obligation is 45 units, which includes the gap period between 1999 and 2015 and the extrapolated obligation.

However, the Jacobson Methodology does not consider the impact of the Pinelands Management Area ("PMA"), which was supposed to be added into the methodology. This is important, as Lakehurst is largely within the PMA. However, only the portion of the Borough within the PMA is regulated by the Pinelands Commission; the Pinelands National Reserve is not regulated by the Pinelands Commission.

According to the Pinelands Commission, the Borough is designated as a Pinelands Town. Approximately 552.5 acres of the Borough are within the PMA and designated as a Pinelands Town, while 79 acres are not within the PMA. It should be noted that the area outside of the PMA is subject to the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et. seq. ("CAFRA") under jurisdiction of the New Jersey Department of Environmental Protection ("NJDEP").

To date, no entity or Court has attempted to calculate the impact of the PMA on the Third Round obligation since the 2018 Econsult Solutions report. This leaves Lakehurst in a bit of a quandary. There are very few firms with the expertise to perform the calculation and furthermore, to hire such firm to prepare the calculation would be quite costly. Lakehurst recognizes that it has a Third Round obligation that encompasses the gap period between 1999 and 2015, and it acknowledges the extrapolated Third Round obligation of 45, but the Borough does not accept or endorse the number.

For the Fourth Round, Lakehurst accepted the DCA's calculations for the Present Need of 0 units and Fourth Round Prospective Need obligation of 21 units.

Therefore, Lakehurst's four-part obligation is as follows:

1. Present Need (Rehabilitation Obligation): 18 units
2. Prior Round Obligation: 66 units
3. Third Round Obligation: 45 units
4. Fourth Round Obligation: 21 units

### **Vacant Land Adjustment**

This office has prepared a Vacant Land Adjustment ("VLA") analysis in accordance with the requirements of N.J.A.C. 5:93-4.2. The results of the VLA can be found in the Appendix. An exhaustive analysis of all vacant properties<sup>3</sup> was conducted, which utilized 2014 MOD-IV tax data from the New Jersey Geographic Information Network ("NJGIN"), which was the most reliable up-to-date source for determining vacant properties in the State of New Jersey in 2015. Next, the environmental constraint layers were added to the Geographic Information Systems (hereinafter "GIS") map to determine the area, if any, of vacant parcels that is environmentally constrained. Environmental constraints reviewed include the following:

- NJDEP water bodies.
- NJDEP wetlands with a 300-foot buffer in the PMA and a 150-foot buffer outside the PMA.
- NJDEP C-1 waters.

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<sup>3</sup> Vacant land includes Class 1 Vacant, Class 3A Farm, Class 3B Qualified Farm, Class 15C Public Land owned by the municipality that is not developed and not open space.

- FEMA Special Flood Hazard Area (Preliminary Flood Hazard Zones A, AO, AE, V and VE) from Flood Insurance Rate Map ("FIRM") panels 34029C0164F and 34029C0168F, effective September 29, 2006.
- Steep slopes (15%) interpolated from U.S. Geological Survey 10-foot contours by Colliers Engineering & Design using ArcGIS 3D Analyst.

Environmentally constrained areas are removed from a parcel, with the remainder of the parcel resulting in vacant and buildable acres. For example, if Lot A contained 35 acres, but 20 acres were encumbered by wetlands and a C-1 waterway, then Lot A would have 15 buildable acres. Based on this, Lot A is developable and included in the VLA.

Once each parcel's buildable acreage was determined, the analysis identified properties that could be developed with at least five housing units at a minimum presumptive density. Within the PMA, the presumptive density is one dwelling unit per acre since residential development within a Pinelands Town is required to be located on parcels of at least one acre, pursuant to N.J.A.C. 7:50-5.27(b). Therefore, five residential housing units are required to be located on a parcel of 5 acres or greater. The minimum presumptive density outside of the PMA and within the CAFRA Zone, is 6 dwelling units per acre, which equates to lots with at least 0.833 acres. Properties that could be developed with less than five dwelling units at these presumptive densities are identified as potential infill development.

As shown by the maps and excel chart in the Appendix, the Borough of Lakehurst contains 60 vacant parcels. Of those, the majority of parcels are undersized due to the large lot requirement in the PMA or constrained by environmental features that result in a buildable acreage of less than 5 acres in the PMA or less than 0.833 acres in the CAFRA Zone. Environmental constraints within the Borough of Lakehurst include Horicon Lake, streams, wetlands, FEMA special flood hazard area, and steep slopes or 20% or greater. There are two properties that are identified as "potential infill". Within the PMA, infill lots are between 1 and 5 acres in size and could potentially be developed in the future with something like a single-family home. It should be noted that the two properties labeled as infill are both less than 1 acre. Although they have the same property owner and could be developed together, the combined lot area is still not large enough to accommodate 5 units at the presumptive density. This property was also recently developed with a convenience store, making it unavailable for housing.

Only one property in Lakehurst is vacant and contains at least 0.833 acres of developable land in the CAFRA Zone. However, the property, Block 72, Lot 15 located along Route 70, is owned by the New Jersey Department of Transportation ("NJDOT") making it unavailable and unlikely to be developed. Therefore, despite being vacant, the property would not generate a Realistic Development Potential ("RDP"). Based on the parcel-by-parcel VLA analysis, the Borough of Lakehurst has a 0-unit RDP.

## HOUSING ELEMENT

### II. Required Content of Housing Element

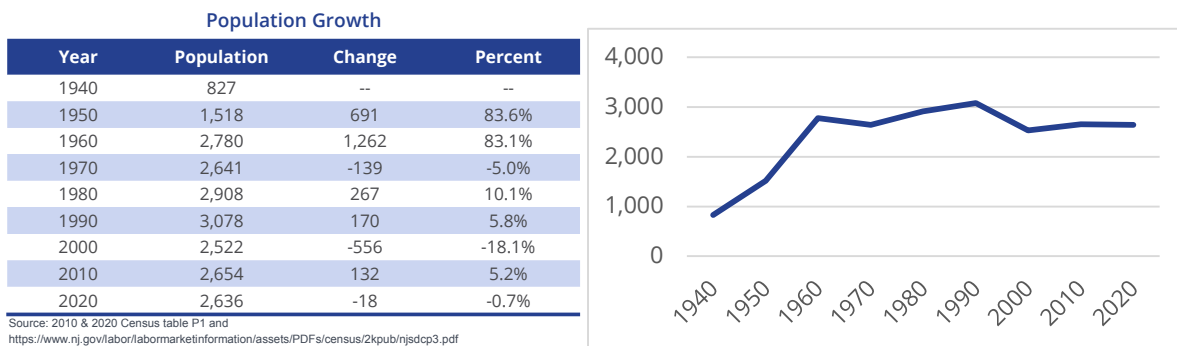
The Fair Housing Act, as amended by P.L. 2024, c.2, requires that “the housing element be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing”. As per the Municipal Land Use Law (“MLUL”), specifically N.J.S.A. 52:27D-310, a housing element must contain at least the following items:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose conducting this inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;
- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52-27D-304.1);
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multi-generational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52D-329.20); and
- h. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

### III. Lakehurst's Population Demographics

#### Population Growth

The population of the Borough of Lakehurst has fluctuated since 1940. Between 1940 and 1960, the Borough saw an exponential rise in population from 827 residents to 2,780 residents, an increase of over 236%. From 1960 to 2020 the Borough has seen minor fluctuations in population, which is typical of a community that is built-out with little new development occurring. During the 1960s, Lakehurst's population receded by 139 residents to 2,641. Between 1970 and 1990, the Borough saw a small increase in population (437 residents or 16.5%) before a dropping off by 556 residents by 2000. Similarly, there was a small population increase during the 2000s followed by a minimal loss during the 2010s. See the table below for details.



The American Community Survey ("ACS") replaced the long-form questionnaire of the Census between the 2000 and 2010 Decennial Census. The ACS collects the more detailed population, housing and economic data, previously found on the long-form questionnaire, on a rotating basis to a percentage of the population every year to provide yearly estimates. Therefore, the 2021 five-year ACS data, collected during 2017 through 2021, is utilized in the following sections, as well as Chapters IV and V, unless otherwise stated.

According to the 2021 ACS, the population of the Borough of Lakehurst was 2,629 residents. This is 7 residents less than what was reported by the 2020 Census.

The North Jersey Transportation Planning Authority ("NJTPA") projects the population of Lakehurst to increase from 2,651 residents in 2015 to 2,985 residents in 2050.<sup>4</sup> This translates to an increase of 334 residents, or 4.9%, over this 30-year period. The Borough would have to achieve an annual population growth rate of roughly 12 residents per year to reach the projected population. This would result in a total population similar to the Borough population in 1980. The Borough includes the projections for information purposes but has not endorsed this population projection.

#### Age Distribution of Population

The 2021 ACS estimates that just over 20% of the population was 19 years old or younger while over 25% of the population was 65 years old or more. School-aged children of between 5 and 19 years old comprised 15.4% of the population or 404 residents. The largest age cohort of the Borough was estimated to be residents aged 30 to 34 years old with 250 residents or 9.5% of the population. The

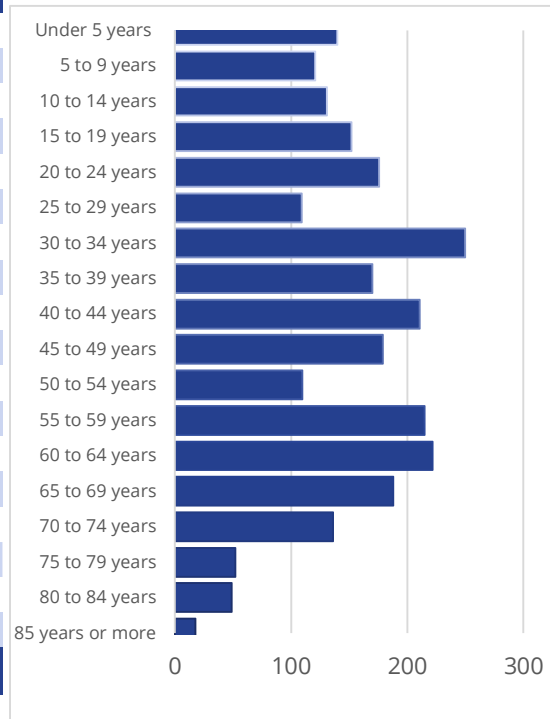
<sup>4</sup> <https://apps.njtpa.org/plan2045/docs/Demographic%20Appendix.pdf>

second largest cohort was estimated to be residents aged 60 to 64 years with 222 residents or 8.4% of the population followed by those aged 55 to 59 years with 215 residents or 8.2% of the population. It should be noted that the 2021 ACS estimated 18 residents to be 85 years or older. Additionally, the Borough's median age was estimated at 41 years old. See the table below for additional information.

**Population by Age Cohort**

Age	Residents	Percent
Under 5 years	140	5.3%
5 to 9 years	121	4.6%
10 to 14 years	131	5.0%
15 to 19 years	152	5.8%
20 to 24 years	176	6.7%
25 to 29 years	109	4.1%
30 to 34 years	250	9.5%
35 to 39 years	170	6.5%
40 to 44 years	211	8.0%
45 to 49 years	179	6.8%
50 to 54 years	110	4.2%
55 to 59 years	215	8.2%
60 to 64 years	222	8.4%
65 to 69 years	188	7.2%
70 to 74 years	136	5.2%
75 to 79 years	52	2.0%
80 to 84 years	49	1.9%
85 years or more	18	0.7%
<b>Total</b>	<b>2,629</b>	<b>100%</b>

Source: 2021 ACS Table S0101





## IV. Lakehurst's Housing Demographics

### Housing Type

The 2021 ACS estimates that the Borough's housing stock comprised of 1,090 dwelling units. A majority of these dwellings were in the form of single-family detached homes (644 units or 59.1%). There were an estimated 218 units (20%) single-family attached dwelling units (e.g. townhomes) and 49 two-family dwelling units reported in 2021. Multi-family dwellings with three to 19 units in one structure were estimated at 102 units, a majority of which were three- or four-family dwellings (83 units). It should be noted that 77 dwelling units (7.1%) were reported to be mobile homes. The table to the right breaks down the Borough's housing stock estimated in the 2021 ACS.

Housing Units in Structure

Number of Units	Total	Percent
1, Detached	644	59.1%
1, Attached	218	20.0%
2	49	4.5%
3 or 4	83	7.6%
5 to 9	14	1.3%
10 to 19	5	0.5%
20 or more	0	0.0%
Mobile Home	77	7.1%
Other	0	0.0%
<b>Total</b>	<b>1,090</b>	<b>100%</b>

Source: 2021 ACS table DP04

### Occupancy Status

Of the 1,090 dwelling units estimated in 2021, 94.4%, or 1,029 units, were occupied. 64.9% of the occupied units were owner-occupied while an estimated 37.1% of the units were rented. The remaining 61 units were vacant, and all classified as "other" vacant units.

Housing Occupancy

	Total	Percent
Occupied Total	1,029	94.4%
Owner Occupied	647	62.9%
Renter Occupied	382	37.1%
Vacant Total	61	5.6%
For rent	0	0.0%
Rented, not occupied	0	0.0%
For sale	0	0.0%
Sold, not occupied	0	0.0%
Seasonal, Recreational, or Occasional Use	0	0.0%
Other	61	100.0%
<b>Total</b>	<b>1,090</b>	<b>100%</b>

Source: 2021 ACS tables DP04 & B25004

According to the 2021 ACS, Lakehurst had an estimated 1,029 households, which represents the occupied dwelling units detailed above. Of those households, nearly half were married-couple families. Additionally, almost 30% were designated as female householders with no spouse. Households with their own children under 18 years old were estimated to be in 240 households (23.3%). See the table on the following page for additional details.

## Household Type

Type	Total	Percent
Married-couple Family	509	49.5%
<i>with children under 18</i>	114	11.1%
Cohabiting Couple	57	5.5%
<i>with children under 18</i>	15	1.5%
Male Householder, no spouse	156	15.2%
<i>with children under 18</i>	5	0.5%
Female Householder, no spouse	307	29.8%
<i>with children under 18</i>	106	10.3%
<b>Total</b>	<b>1,029</b>	<b>100%</b>

Source: 2021 ACS table DP02

The table below details the estimated household sizes within the Borough of Lakehurst according to the 2021 ACS. Most households were determined to be two-person households, which comprised 372 households or 36.2%. Three-person households comprised over a quarter of the 1,029 households in the Borough, while one-person households comprised 20.7%. It should be noted that 41 six-person households were estimated in 2021. The ACS also estimated the average household size in the Borough to be 2.55 persons per households. Comparing tenure, owner-occupied units had an average household size of 2.68 people, while renter-occupied units had an average household size of 2.34 people. The average family size in the Borough was estimated to be 2.93 people.

## Household Size

Number of People	Households	Percent
1-person	213	20.7%
2-person	372	36.2%
3-person	259	25.2%
4-person	116	11.3%
5-person	28	2.7%
6-person	41	4.0%
7+ person	0	0.0%
<b>Total</b>	<b>1,029</b>	<b>100%</b>

Source: 2021 ACS table B11016

## Value &amp; Rent of Housing Stock

The ACS also estimated the value of owner-occupied units and the cost of rent. The 647 owner-occupied dwelling units in Lakehurst were noted to have a median value of \$194,200. Dwellings valued at \$200,000 to \$299,999 comprised 236 units (36.5%). Similarly, dwellings valued at \$150,000 to \$199,999 comprised 217 units (33.5%). Only seven dwellings were estimated to be valued between \$500,000 and \$999,999, while no dwellings were valued over \$1 million. See the table on the following page for details.

### Value of Owner-Occupied Units

Value	Units	Percent
Less than \$50,000	17	2.6%
\$50,000 to \$99,999	50	7.7%
\$100,000 to \$149,999	61	9.4%
\$150,000 to \$199,999	217	33.5%
\$200,000 to \$299,999	236	36.5%
\$300,000 to \$499,999	59	9.1%
\$500,000 to \$999,999	7	1.1%
\$1,000,000 or more	0	0.0%
<b>Total</b>	<b>647</b>	<b>100%</b>

Source: 2021 ACS table DP04

Lakehurst's rental stock is evenly distributed. Of the 378 rental units in the Borough, 180 cost between \$1,000 and \$1,499 a month to rent, 162 cost between \$1,500 and \$1,999, 17 units were reported to cost between \$500 and \$999, and 19 were reported to cost between \$2,000 and \$2,499. No units were able to be rented for less than \$500 or for more than \$2,500 per month. The 2021 ACS estimated the median rent to be \$1,476.

### Cost of Rentals

Rent	Units	Percent
Less than \$500	0	0.0%
\$500 to \$999	17	4.5%
\$1,000 to \$1,499	180	47.6%
\$1,500 to \$1,999	162	42.9%
\$2,000 to \$2,499	19	5.0%
\$2,500 to \$2,999	0	0.0%
\$3,000 or more	0	0.0%
No rent paid	0	0.0%
<b>Total</b>	<b>378</b>	<b>100%</b>

Source: 2021 ACS table DP04

## Condition of Housing Stock

The Census does not classify housing units as standard or substandard, but it can provide an estimate of the substandard housing units that are occupied by low- and moderate- income households. The Appellate Division upheld COAH's use of three indicators to determine substandard housing in the State. The first indicator is houses more than 50 years old. Additionally, overcrowded housing units with more than one person per room is the second indicator. The third indicator is homes lacking complete plumbing and the third indicator is homes lacking kitchen facilities.

Research has demonstrated that units built 50 or more years ago (i.e. approximately 1969 or earlier) are much more likely to be in substandard condition. Included in the rehabilitation calculation are overcrowded units and dilapidated housing. Overcrowded units are defined by the U.S. Department of Housing and Urban Development as those with more than one person per room.

The table below depict the 2021 ACS estimates for the age of the Borough's housing stock. Approximately 666 of the Borough's 1,090 dwelling units were constructed in 1969 or earlier. It should be noted that residential development in the Borough lost momentum after the 1970s, which saw 193 new dwelling units. The 2021 ACS did not report any of the Borough's occupied housing units as having more than one person per room. Additionally, none of the occupied homes in the Borough lack complete plumbing, a complete kitchen, telephone service or adequate heat. Therefore, the information included in the 2021 ACS, the Borough's housing stock is sound based on the three indicators. See the tables below for the occupants per room and housing condition data.

#### Age of Housing

Year Built	Units	Percent
1939 or earlier	195	17.9%
1940 to 1949	132	12.1%
1950 to 1959	171	15.7%
1960 to 1969	168	15.4%
1970 to 1979	193	17.7%
1980 to 1989	122	11.2%
1990 to 1999	31	2.8%
2000 to 2009	44	4.0%
2010 to 2019	34	3.1%
2020 or later	0	0.0%
<b>Total</b>	<b>1,090</b>	<b>100%</b>

Source: 2021 ACS table DP04

#### Occupants Per Room

Occupants	Units	Percent
1.00 or less	0	0.0%
1.01 to 1.50	0	0.0%
1.51 or more	0	0.0%
<b>Total</b>	<b>1,029</b>	<b>100%</b>

Source: 2021 ACS table DP04

#### Housing Condition

Indicator	Units	Percent
Lack of complete plumbing	0	0.0%
Lack of complete kitchen	0	0.0%
Lack of telephone service	0	0.0%
Lack of adequate heat	0	0.0%
<b>Total</b>	<b>1,029</b>	<b>100%</b>

Source: 2021 ACS table DP04

## V. Lakehurst's Employment Demographics

### Working Class

The 2021 ACS estimates that Lakehurst had 1,324 residents over the age of 16 in the workforce in but only 1,250 were employed. Therefore, there was an estimated 5.6% unemployment rate in Lakehurst in 2021. Nearly 73% of workers, or 963 residents, were private wage and salary workers. Additionally, almost 20% of residents were employed by the government and almost 2% were self-employed.

**Class of Worker**

Class	Residents	Percent
Employed Residents	1,250	94.4%
Private wage and salary workers	963	72.7%
Government workers	262	19.8%
Self-employed workers	25	1.9%
Unpaid family workers	0	0.0%
Unemployed Residents	74	5.6%
<b>Total Residents in Workforce</b>	<b>1,324</b>	<b>100%</b>

Source: 2021 ACS table DP03

### Occupational Characteristics

Of the 1,250 employed residents in Lakehurst, 449 or 35.9% were employed in sales and office occupations. Residents employed in service occupations comprised 20.2% (252 residents), while management, business, science, and arts occupations comprised 18.6% of the employed residents. See the table below for additional details.

**Occupation of Employed Residents**

Occupation	Residents	Percent
Management, business, science, and arts occupations	232	18.6%
Service occupations	252	20.2%
Sales and office occupations	449	35.9%
Natural resources, construction, and maintenance occupations	161	12.9%
Production, transportation, and material moving occupations	156	12.5%
	<b>1,250</b>	<b>100%</b>

Source: 2021 ACS table DP03

### Employment Projections

The NJTPA estimates that the number of employed residents in Lakehurst will increase by 137 workers, from 1,350 in 2015 to 1,487 in 2050. Employment of the Borough's residents will need to increase by roughly five jobs per year to reach the projection. The Borough includes the projections for information purposes but has not endorsed this employment projection.



### NJTPA Employment Projection

Year	Employment	Change	Percent
2015	1,350	--	--
2050	1,487	137	10.1%

Source: NJTPA Plan 2050, Appendix E

The 2021 ACS also reports on the industry the Borough's residents are employed in. Many residents are employed in the educational services, health care, and social assistance industry (293 residents or 23.4%). The second largest industry of employed residents was estimated to be the retail trade industry, which comprised 167 residents (13.4%). The third largest industry was the arts, entertainment, recreation, accommodation, and food service industry, which employed 157 residents (12.6%). See the table below for additional details.

### Industry of Employed Residents

Industry	Residents	Percent
Agriculture, forestry, fishing, hunting, & mining	7	0.6%
Construction	116	9.3%
Manufacturing	117	9.4%
Wholesale trade	20	1.6%
Retail trade	167	13.4%
Transportation, warehousing, & utilities	84	6.7%
Information	15	1.2%
Finance, insurance, real estate, & rental/leasing	55	4.4%
Professional, scientific, management, administrative, & waste management services	90	7.2%
Educational services, health care, & social assistance	293	23.4%
Arts, entertainment, recreation, accommodation, & food services	157	12.6%
Other services, except public administration	19	1.5%
Public administration	110	8.8%
	<b>1,250</b>	<b>100%</b>

Source: 2021 ACS table DP03

### In-Place Employment by Industry

New Jersey's Department of Labor and Workforce Development ("DLWD") is the entity that reports on employment and wages within the State of New Jersey. The most recent municipal-level report indicates that 62 employers provided an average of 550 private-sector jobs within the Borough of Lakehurst. Note that these are the jobs within Lakehurst – the daytime working population regardless of where the employee lives.

The accommodations/food industry was reported to have the largest number of employers at 13 or 21% of the 62 total private-sector employers. However, the average number of employees was second to the transportation/warehousing industry at only 138 employees (25.1%) compared to 160 (29.1%). There were only six transportation/warehousing employers, which is the second lowest industry reported by the DLWD. The second largest industry was reported to be the health/social industry, which had 12 employers and but an average of only 42 employees. "Other Services" was

the third largest industry at 10 employers but the second smallest average employee count at 39. The professional/technical private-sector industry comprised eight employers (12.9%) with an average of 127 employees (23.1%) and had the highest average annual wage at \$103,179.

Reviewing the public-sector industries reveals that there are six federal government employers, which had an average of 2,052 employees. This is likely attributed to the Joint Base McGuire-Dix-Lakehurst Air Force Base partially located within the Borough and adjacent Manchester Township. There were two state and local government employers each, which employed seven and 118 people on average, respectively. Within the local government industry, there was one local public education employer with an average of 69 employees. The federal government workers had the highest average public- or private-sector wages at \$115,637. See the table below for additional information.

**Employment by Industry (2022)**

Industry	Establishments		Employees		Annual Wages
	Number	Percent	Number	Percent	
Construction	5	8.1%	6	1.1%	\$38,569
Wholesale Trade	-	-	-	-	-
Retail Trade	8	12.9%	38	6.9%	\$28,088
Transp/Warehousing	6	9.7%	160	29.1%	\$80,606
Information	-	-	-	-	-
Finance/Insurance	-	-	-	-	-
Real Estate	-	-	-	-	-
Professional/Technical	8	12.9%	127	23.1%	\$103,179
Admin/Waste Remediation	-	-	-	-	-
Education	-	-	-	-	-
Health/Social	12	19.4%	42	7.6%	\$50,928
Arts/Entertainment	-	-	-	-	-
Accommodations/Food	13	21.0%	138	25.1%	\$22,313
Other Services	10	16.1%	39	7.1%	\$20,766
Unclassifieds	-	-	-	-	-
<b>Private Sector Total</b>	<b>62</b>	<b>100%</b>	<b>550</b>	<b>100%</b>	<b>\$49,207</b>
Federal Government	6	54.5%	2,052	91.4%	\$115,637
State Government	2	18.2%	7	0.3%	\$70,477
Local Government	2	18.2%	118	5.3%	\$55,717
Local Public Education	1	9.1%	69	3.1%	\$66,452
<b>Public Sector Total</b>	<b>11</b>	<b>100%</b>	<b>2,246</b>	<b>100%</b>	<b>\$77,071</b>

Note: The table values above are sourced from the NJ Department of Labor and Workforce Development's Quarterly Census of Employment and Wages 2022 Annual Report. It is noted that the Annual Report has redacted the multiple industries for not meeting the publication standard. The Private Sector Totals in the Report note 91 establishments and an average of 839 employees. However, the Private Sector Totals row in this table has been calculated by this office using the published numbers.

Source: NJ Department of Labor and Workforce Development, Employment and Wages, 2022 Annual Report

The Borough of Lakehurst had an estimated median household income of \$64,432 according to the 2021 ACS. This is over \$12,000 less than Ocean County's and over \$25,000 less than the State's. Similarly, the median family income in the Borough was estimated to be \$72,981, which is almost \$24,000 less than the County's and over \$37,000 less than the State's. The Borough's per capita income follows this same trend of being lower than the County and State.

The ACS also reports on poverty rates at the municipal, County, and State level. According to the date, the Borough's poverty rate for individuals is 10.7%, which is less than 1% more than the County and State rates. However, the poverty rate of families is 8.3%, which is 1.8% more than the County's and 1.3% more than the State's. See the table below for additional information.

#### Income Characteristics

Income Type	Borough of Lakehurst	Ocean County	New Jersey
Median Household Income	\$64,432	\$76,644	\$89,703
Median Family Income	\$72,981	\$96,972	\$110,115
Per Capita Income	\$29,106	\$39,035	\$46,691
Poverty Status (Percent of People)	10.7%	10.5%	9.8%
Poverty Status (Percent of Families)	8.3%	6.5%	7.0%

Source: 2021 ACS table DP03

A detailed breakdown of household income within the Borough estimated in the 2021 ACS is provided in the table on the following page. Over 78% of households made less than \$100,000 annually, which is compared to 62.3% in Ocean County and 54.6% in the State. This is in line with the median household income trend discussed above. The largest income household category was those making \$50,000 to \$74,999 annually, which comprised 270 households or 26.2%. This is compared to 18.1% of the County's households and 17.9% of the State's households earning \$100,000 to \$149,000. The 2021 ACS estimated only 39 households made over \$200,000 annually.

#### Household Income

Range	Borough of Lakehurst		Ocean County		New Jersey	
	Households	Percent	Households	Percent	Households	Percent
Less than \$10,000	100	9.7%	8,889	3.7%	147,115	4.3%
\$10,000 to \$14,999	23	2.2%	7,276	3.1%	109,383	3.2%
\$15,000 to \$24,999	54	5.2%	17,279	7.3%	207,976	6.1%
\$25,000 to \$34,999	47	4.6%	18,592	7.8%	210,606	6.2%
\$35,000 to \$49,999	102	9.9%	25,670	10.8%	296,929	8.7%
\$50,000 to \$74,999	270	26.2%	38,693	16.3%	473,048	13.9%
\$75,000 to \$99,999	212	20.6%	31,747	13.4%	410,984	12.1%
\$100,000 to \$149,999	131	12.7%	43,114	18.1%	609,135	17.9%
\$150,000 to \$199,999	51	5.0%	22,672	9.5%	369,660	10.9%
\$200,000 or more	39	3.8%	23,797	10.0%	562,320	16.6%
	<b>1,029</b>	<b>100%</b>	<b>237,729</b>	<b>100%</b>	<b>3,397,156</b>	<b>100%</b>

Source: 2021 ACS table DP03

## Travel Time to Work

The 2021 ACS reported that 1,151 employed residents did not work from home, while 95 did. Of those commuting, nearly 30% traveled for less than 15 minutes to their place of work. This is compared to only 13% commuting for an hour or more. However, the largest commute travel time of employed residents was the 45-to-49-minute range, which included 158 residents (13.7%).

Commute Time

Travel Time (minutes)	Residents	Percent
Less than 5	28	2.4%
5 to 9	123	10.7%
10 to 14	193	16.8%
15 to 19	72	6.3%
20 to 24	119	10.3%
25 to 29	56	4.9%
30 to 34	132	11.5%
35 to 39	60	5.2%
40 to 44	61	5.3%
45 to 59	158	13.7%
60 to 89	140	12.2%
90 or more	9	0.8%
<b>Total</b>	<b>1,151</b>	<b>100%</b>

Source: 2021 ACS table B08303

## VI. Projection of Housing Stock

As per the MLUL, specifically N.J.S.A 53:27D-310, a housing element must contain 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.

The Department of Community Affairs' Division of Codes and Standards website provides data on Certificates of Occupancy ("COs") and demolition permits for both residential and non-residential development. Within the Division of Codes and Standards website is the New Jersey Construction Reporter, which contains COs and demolition data that is submitted by the municipal construction officials within the state each month. The New Jersey Construction Reporter has information dating back to 2000, which can be used to show the Borough's historic development trends.

As shown in the table below, residential development within the Borough is sparse and does not occur on a frequent basis. During the 22-year period, only 10 new homes were issued COs, while four demolition permits were issued. The seven COs issued in 2013 appear to be associated with the townhome development located along Fays Lane and Bove Lane. Based on historic aerial imagery, seven units were completed in 2013. Additionally, 16 units in three buildings appear to have been developed between 2013 and 2018. However, the Construction Reporter data does not reflect these new units. By including the 16 units not reported, the Borough saw 26 new homes during the 22-year period, which translates to a net development of only 22 units or an average of one new unit per year.

**Historic Trend of Residential Certificates of Occupancy and Demolition Permits**

	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	'19	'20	'21	'22	Total
COs Issued	1	0	0	0	0	0	0	0	0	0	0	1	0	7	0	0	0	0	0	0	0	0	1	10
Demolitions	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	4
<b>Net Development</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-1</b>	<b>0</b>	<b>0</b>	<b>-1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>-1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-1</b>	<b>0</b>	<b>1</b>	<b>6</b>

Source: <https://www.nj.gov/dca/codes/reporter/index.shtml>

Projecting into the future, the Borough of Lakehurst does not currently have any pending residential applications anticipated to create new homes. Based on historic trends, the Borough does not anticipate any new residential or commercial development by the end of the Third Round in 2025.



## VII. Capacity for Fair Share

This chapter of the HEFSP provides the following information as required by the rules:

- The Borough's capacity to accommodate its housing needs.
- A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing.
- Lands of developers who have expressed a commitment to provide low- and moderate-income housing.
- The location and capacities of existing and proposed water and sewer lines and facilities relevant to the proposed affordable housing sites.

### Land Capacity

Lakehurst's capacity to accommodate its present and prospective affordable housing need is determined by three components: available land, water capacity, and sewer capacity. Note that land development is limited by wetlands, flood plains, easements (conservation, sewer, water, etc.), parcel size, and municipal regulations.

Additionally, the requirements of the Pinelands Comprehensive Management Plan for Pinelands Towns restricts residential development to large one-acre parcels. According to GIS data utilized for the VLA, of the Borough's 879 total parcels, only 57 (6.5%) are greater than one acre including properties within and outside the PMA. Within the PMA, 46 of the 836 parcels (5.5%) are one acre or greater.

As previously discussed, the Borough has conducted a VLA analysis that indicates 0 affordable units can be realistically constructed on the lands that are vacant and developable within the Borough.

### Utility Capacity

Sewer service in the Borough of Lakehurst is provided by Ocean County Utilities Authority ("OCUA"). Potable water is provided by the Lakehurst Water Department. The Ocean County Board of Commissioners is the designated Wastewater Quality Management Planning Agency for Ocean County and portions of Monmouth County within the Metedeconk River Basin. The Board of Commissioners has designated the Ocean County Department of Planning as the entity in charge of preparing and maintaining its Wastewater Management Plan ("WMP"). The current WMP was approved by the NJDEP on December 30, 2015. Ocean County has divided its sewer service area into three regions: the Northern Planning Area, Central Planning Area, and Southern Planning Area. The Borough of Lakehurst is located in the Central Planning Area and is served by the Central Water Pollution Control Facility ("CWPCF"). According to Table 3 on page 10 of the WMP, Volume 1, the facility has a capacity of 32 million gallons per day ("GPD"), a present flow of 21.546 MGD and a projected flow of 29.284 MGD based on the Plan's 2035 build out.<sup>5</sup>

Chapter 13 of Volume 2 of the WMP, which is the municipal chapter for the Borough of Lakehurst, provides a detailed discussion of utility service in the Borough. All of the development in the

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<sup>5</sup> Information sourced from Volume 1 of the Ocean County WMP, <https://planning.co.ocean.nj.us/frmEPWastewaterManagement>, accessed November 10, 2023.

Borough is connected to the sewer system, while a majority of the Borough's area is connected to or permitted to connect to the water system. According to the document, the Borough of Lakehurst has a present wastewater flow of 0.213 MGD and a projected wastewater flow of 0.257 MGD, which accounts for less than 1% of the CWPCF's present and projected flows. The document indicates the Borough's seasonal fluctuations and projected population are not likely to stress the Borough's wastewater infrastructure. Additionally, the capacity of the Lakehurst Water Department is 0.432 MGD and the peak demand is 0.303 MGD, which translates to a 0.129 MGD surplus (29.9%). Based on these flows, the Borough's existing potable water infrastructure is capable of accommodating future development.<sup>6</sup>

### Appropriate Locations for Affordable Housing

As previously discussed, the Borough's VLA analysis revealed there are no buildable, available, and vacant properties for the development of affordable housing. Therefore, it is likely that any future affordable housing development would be associated with the redevelopment of existing improved properties. As for structures suitable for rehabilitation, according to the Borough's Rehabilitation Obligation, 18 homes within Lakehurst are in need of a major system repair (e.g., roof, electric, plumbing, etc.).

### Potential Affordable Housing Developers

No developer has expressed interest in building affordable housing in the Borough of Lakehurst at this time.

### Anticipated Development Patterns

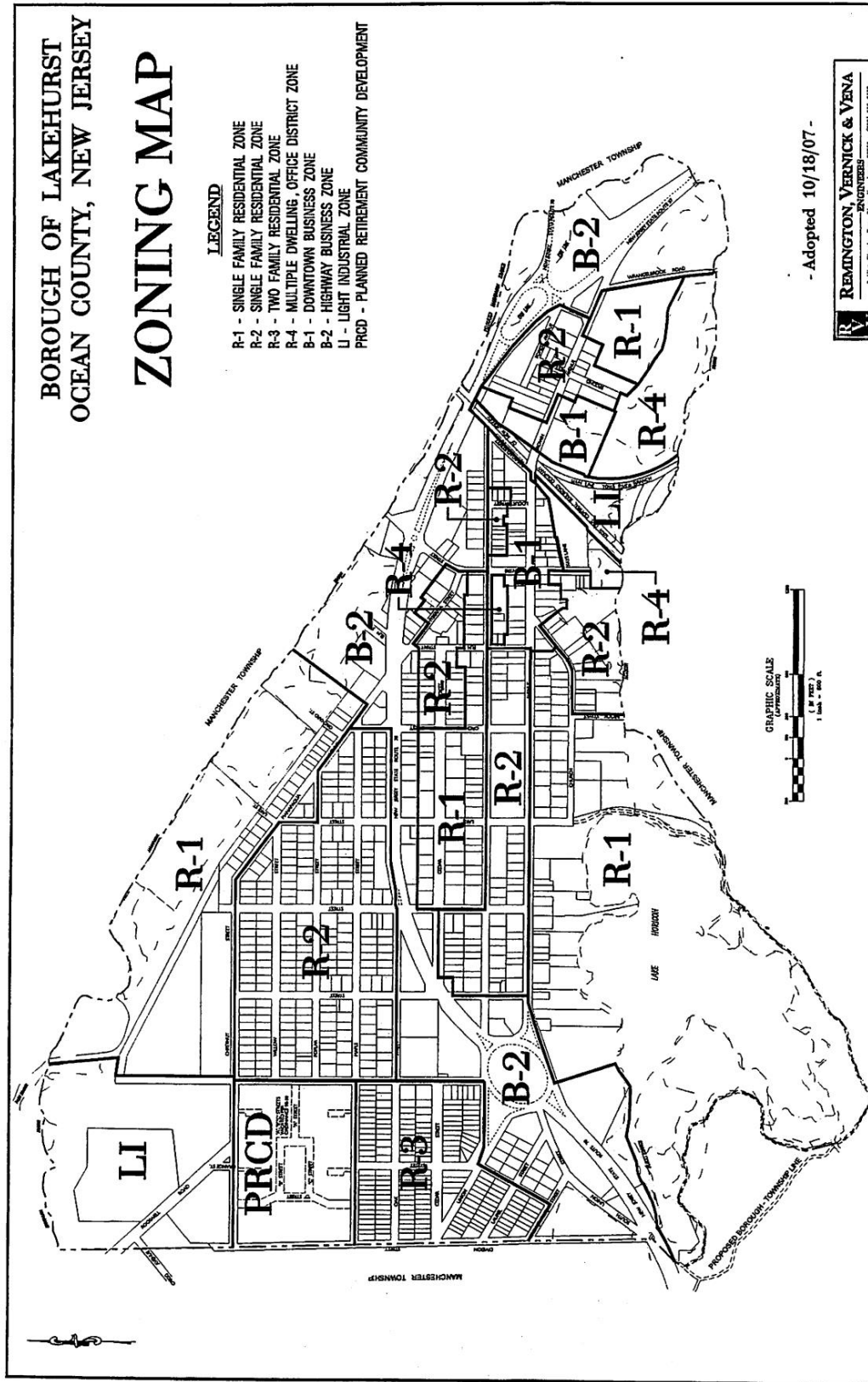
Anticipated land use patterns within the Borough of Lakehurst will most likely follow the established zoning map. Lakehurst has four residential zones, one planned retirement community zone, two business zones, and a light industrial zone. Additionally, the Borough has designated three Redevelopment Areas, which include the following:

- Western Gateway
  - Block 12, Lot 1
  - Block 13, Lots 2 and 3
  - Block 30, Lot 1
  - Block 31, Lots 1 and 2
- Intermodal Transportation Center
  - Block 62, Lot 23
  - Block 67, Lot 14
  - Block 70, Lots 12 and 13
  - Block 71, Lots 1, 1.01, 1.02, 2, 3, 4, and 5
  - Block 72, Lots 1, 2, 3, and 4
- Brownfields
  - Block 23, Lot 1.01
  - Block 71, Lot 5

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<sup>6</sup> Information source from Volume 2 of the Ocean County WMP, <https://planning.co.ocean.nj.us/frmEPWastewaterManagement>, accessed November 10, 2023.

However, Redevelopment Plans have only been prepared for Block 31, Lots 1 and 2 and for Block 23, Lot 1.01. The Borough is also designated as a Pinelands Town and has 552.5 acres subject to the PMA and 79 acres subject to CAFRA. See the Zoning Map on the following page for details.



## Multigenerational Family Continuity Evaluation

P.L. 2024, c.2 amended the Fair Housing Act to include a new requirement for housing elements to include “an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c. 273 (C.52:27D-329.20)” (N.J.S.A. 52:27D-310g).

P.L. 2021, c.273 took effect on November 8, 2021. The law established the Multigenerational Family Housing Continuity Commission, which consists of a body of nine members. The duties of the Commission include the preparation and adoption of 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. The Law requires the Commission to report annually to the Governor on its activities, findings, and recommendations, if any, for State and local government. The DCA is required to provide staff services as may be needed for the Commission to carry out its responsibilities, including assembly of necessary information and statistics, and preparation of draft reports, analyses, and recommendations.

The State of New Jersey's website was reviewed on May 6, 2025. A search of the website revealed no webpage for the Multigenerational Family Housing Continuity Commission. As DCA is required to provide staff and research for the Commission, DCA's website was reviewed on May 6, 2025. DCA's website makes no reference to the Commission, its required annual reports, studies, or recommendations. Without any information available from the Commission, Lakehurst is unable to conduct an analysis of its ordinances and other local factors affecting multigenerational family continuity. Despite the absence of State recommendations, it should be noted that there is nothing in Lakehurst's zoning ordinance that prohibits senior citizens from residing at the home of their extended families. The Lakehurst Land Development Ordinance defines family as “any number of persons living together as a single family or housekeeping, nonprofit, unit and using certain rooms and housekeeping facilities in common, such persons shall be related by blood, marriage, or adoption” (§ 25-3.4).

## State Development & Redevelopment Plan Consistency

P.L. 2024, c.2 amended the Fair Housing Act to include a new requirement for housing elements to include “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” (N.J.S.A. 52:27D-310i).

The Draft State Development and Redevelopment Plan was approved by the State Planning Commission (“SPC”) on December 4, 2024 and was released on December 6, 2024. The Office of Planning Advocacy (“OPA”) conducted public hearings in each of New Jersey's 21 Counties between February 12, 2025 and April 16, 2025. Municipalities are tasked with completing Cross-Acceptance Response Template forms to determine a municipality's consistency with the Draft State Plan. The OPA anticipates collecting all Cross-Acceptance Response Template forms in the Summer of 2025. During this time, the OPA is accepting comments on the Draft Plan. The OPA anticipates releasing a



Final Draft Plan and holding six additional public hearings in the Summer/Fall of 2025. The expected adoption of the Final Plan by the SPC is anticipated to be in the Winter of 2025.

As the document is draft, the Borough of Lakehurst cannot opine on consistency until the final version is adopted. Lakehurst has not received guidance concerning water, wastewater, or multi-modal transportation from the State Planning Commission.

## FAIR SHARE PLAN

### VIII. Required Content of Fair Share Plan

The Fair Share Plan contains the following information:

- Outline of the four-part affordable obligation;
- Explanation of existing mechanisms and credits intended to satisfy the obligation;
- Description of mechanisms that will be used to meet any outstanding obligation; and
- An implementation schedule that sets forth a detailed timetable for units to be provided.

In adopting its housing element, a municipality may provide for its fair share of low- and moderate-income housing by means of any technique or combination of techniques that provide a realistic opportunity for the provision of the fair share. As per N.J.A.C. 5:93, these potential techniques include but are not limited to:

- Rehabilitation of existing substandard housing units;
- ECHO units (as a Rehabilitation credit);
- Municipally-sponsored and 100% affordable developments;
- Zoning for inclusionary development;
- Alternative living arrangements;
- Accessory apartment program;
- Purchase of existing homes;
- Write-down/buy-down programs; and
- Assisted living residences.

## IX. Regional Income Limits

Dwelling units are affordable to low- and moderate-income households if the maximum sales price or rental cost is within their ability to pay such costs, based on a specific formula. The State provides income limits based upon the median gross household income of the affordable housing region in which the household is located. A moderate-income household is one with a gross household income equal to or more than 50%, but less than 80%, of the median gross regional household income. A low-income household is one with a gross household income equal to 50% or less of the median gross regional household income. Very-low-income households are those with a gross household income equal to 30% or less of the median gross household income. The Borough of Lakehurst is located in Region 4, which contains Mercer, Monmouth, and Ocean Counties.

Using the 2023 regional income limits<sup>7</sup>, a four-person household with annual income between \$65,027 and \$104,043 would be considered moderate. A two-person household making between \$52,022 and \$83,234 would be a moderate-income household, but would be a very-low-income household if making less than \$31,213. See the table on the following page for greater detail.

**2023 Regional Income Limits for Region 4**

Income	Household Size			
	1-person	2-person	3-person	4-person
Median	\$91,038	\$104,043	\$117,048	\$130,053
Moderate (80%)	\$72,830	\$83,234	\$93,639	\$104,043
Low (50%)	\$45,519	\$52,022	\$58,524	\$65,027
Very Low (30%)	\$27,311	\$31,213	\$35,115	\$39,016

Source: [https://ahpnj.org/member\\_docs/Income\\_Limits\\_2023.pdf](https://ahpnj.org/member_docs/Income_Limits_2023.pdf)

<sup>7</sup> Note that these are the latest available income limits published by the Affordable Housing Professionals of New Jersey and are not officially adopted by the State of New Jersey.

# X. Affordable Requirements

The four components that must be addressed by this plan are contained in the table below.

Four-Part Obligation			
	Obligation	RDP	Unmet Need
Rehabilitation	18	N/A	N/A
Prior Round	66	0	66
Third Round	45	0	45
Fourth Round	21	0	21

## XI. Lakehurst's Affordable Housing Obligation

Lakehurst's Fair Share Plan describes the project and strategies the Borough proposes to address its affordable housing obligation. The three components addressed by this plan are as follows:

### Present Need (Rehabilitation) • 18 Units (Third Round) & 0 Units (Fourth Round)

For the Third Round, the Mount Laurel IV Supreme Court Decision directs that that the Prior Round methodology be used to calculate municipal Present Need. This methodology was utilized by Econsult Solutions in the report entitled "Statewide and Municipal Obligations Under Jacobson Opinion" and is dated March 28, 2018". For Lakehurst, the report calculates a Present Need of 18 units in need of rehabilitation. Lakehurst accepts this 18-unit obligation and is not pursuing a structural conditions survey to evaluate the housing stock at this time.

For the Fourth Round, the DCA calculated Lakehurst's present need obligation as 0 units.

### Prior Round Obligation • 66 Units

The Borough of Lakehurst has not previously participated in the State's affordable housing process and therefore, did not receive a Substantive Certification for the First or Second Round. The Mount Laurel IV Supreme Court Decision directed municipalities to use the Prior Round Obligation that COAH established in 1993. According to the Econsult Solutions Report, Lakehurst has a Prior Round obligation of 66 units.

### Third Round Obligation • 45 Units

According to the Econsult Solutions Report, Lakehurst has a Third Round obligation of 45 units, consisting of 28 units for the Gap Period (1999-2015) and 17 units for the Prospective Need (2015-2025).

### Fourth Round Obligation • 21 Units

According to the Econsult Solutions Report, Lakehurst has a Fourth Round obligation of 21 units.

### Combined New Construction Obligation • 132 Units

The Borough's Prior Round, Third Round, and Fourth Round Obligations can be combined into a New Construction Obligation of 132 units.

### Adjustments

Lakehurst Borough has prepared a Vacant Land Inventory for a downward adjustment of the Borough's combined 132-unit New Construction Obligation based on a realistic development potential (RDP) of 0 units. The 0-unit New Construction RDP subtracted from the 132 combined New Construction Obligation results in an Unmet Need of 132 units.

## XII. Existing Affordable Credits

The Borough of Lakehurst did not participate in the First or Second Round and has not previously prepared a Housing Element and Fair Share Plan. Therefore, there are no existing credits the Borough can apply to its Rehabilitation, Prior Round, or Third Round Obligations.

## XIII. Proposed Mechanisms

The following sections detail the proposed mechanisms to address the Borough's four-part obligation.

### Rehabilitation Mechanisms

There are two mechanisms to address the Rehabilitation Obligation, the following sections detail each program.

#### Ocean County Housing Rehabilitation Program

The Ocean County Planning Department offers a rehabilitation program, which is known as the HOME Investment Partnership Program ("HOME"). The Affordable Housing Alliance is contracted with Ocean County to administer the HOME Rehabilitation Program, which provides "moderate and substantial rehabilitation to owner-occupied low and moderate-income households." Ten-year deferred loans ranging from \$1,000 to \$24,999 for moderate rehabilitation and from \$25,000 to \$50,000 for substantial rehabilitation can be acquired to rehabilitate dwellings to meet local and state building codes.<sup>8</sup> The Borough will participate in HOME Rehabilitation Program for owner-occupied units. Lakehurst will advertise the County program through a variety of mediums each year until July 1, 2035.

Based on the above, the program will be eligible for crediting pursuant to N.J.A.C. 5:93-5.2.

#### Borough Rehabilitation Program

The purpose of a rehabilitation program is to rehabilitate substandard housing units occupied by low- and moderate-income households. A substandard housing unit is defined as a unit with health and safety code violations that require the repair of a major system. A major system includes weatherization, a roof, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), and/or a load bearing structural system. Upon rehabilitation, housing deficiencies must be corrected, and the house must be brought up to code. The standard for evaluating rehabilitation activity shall be the local property maintenance code, or, if none is available, the BOCA Property Maintenance Code, in effect at the time of evaluation. The rehabilitation activity shall not include luxury improvements, the purchase of appliances (with the exception of stoves) or improvements that are strictly cosmetic. A rehabilitated unit is considered complete at the date of final inspection.

The Borough will retain an affordable housing administrator to operate a Borough-sponsored Rehabilitation Program that complies with the requirements of N.J.A.C. 5:93-5.2. Funding for the program will come from the Affordable Housing Trust Fund account.

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<sup>8</sup> Information obtained from <https://planning.co.ocean.nj.us/frmCEFairHousing>, accessed November 10, 2023.

N.J.A.C. 5:93-5.2(g) and (h) requires a minimum of \$8,000 for rehabilitation work (not including \$2,000 in administration fees) to be spent per unit and a 10-year control on affordability for owner-occupied or rental units.<sup>9</sup> Additionally, a major system<sup>10</sup> must be repaired in order for a home to qualify as a credit.

It is anticipated that the Borough's Rehabilitation Program will be structured to encourage rehabilitation and continued occupancy with a zero percent (0%) forgivable loan after 10 years, if the owner complies with the program requirements. If the municipality recaptures money, the recaptured money shall be used for another low- and moderate-income housing purpose or to repay a municipal bond issued to finance a low- and moderate-income housing activity.

Based on the above, the Borough Rehabilitation Program would be eligible for crediting pursuant to N.J.A.C. 5:93-5.2.

### Prior Round RDP Mechanisms

Since the Borough's VLA resulted in an RDP of zero, no mechanisms are proposed to address the Prior Round RDP. The 66-unit Prior Round obligation will be deferred to the Borough's Unmet Need.

### Third Round RDP Mechanisms

Since the Borough's VLA resulted in an RDP of zero, no mechanisms are proposed to address the Third Round RDP. The 45-unit Third Round obligation will be deferred to the Borough's Unmet Need.

### Fourth Round RDP Mechanisms

Since the Borough's VLA resulted in an RDP of zero, no mechanisms are proposed to address the Fourth Round RDP. The 21-unit Fourth Round obligation will be deferred to the Borough's Unmet Need.

### Unmet Need Mechanisms

To address the 132-unit Unmet Need, the Borough of Lakehurst will implement the following mechanism:

#### **Borough-wide Mandatory Affordable Housing Set-Aside**

The Borough will adopt an Ordinance requiring a mandatory affordable housing set-aside for all new residential developments of five or more units. The affordable set-aside will be a minimum of 20% regardless of tenure. The Borough-Wide Set-Aside Ordinance will not include residential expansions, additions, renovations, replacement, or any other type of development that does not result in a net increase of five or more residential units.

Based on the information above, this mechanism may yield affordable housing credits, which would be credited towards the Prior Round, Third Round, and Fourth Round obligation Unmet Need.

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<sup>9</sup> The rules specifically require a minimum of \$2,000 per unit to be spent on administration and \$8,000 per unit to be spent on the rehabilitation activity, which totals at least \$10,000.

<sup>10</sup> A major system is defined by N.J.A.C. 5:93-5.2(b) as weatherization, a roof, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems) and/or a load bearing structural system.



**Redevelopment Requirement**

P.L. 2024, c.2 amended the Fair Housing Act to include a new requirement that “any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on a lack of vacant land shall as part of the process of adopting and implementing its housing element and fair share plan 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” (Section 1 of P.L.1995, c.231 (C.52:27D-310.1)).

Accordingly, the 21 unit Fourth Round obligation requires the Borough to identify parcels likely to develop between 2025 and 2035 to address 6 units. The only parcel the Borough has identified as being suitable for redevelopment is Lot 1.01 in Block 23, which is zoned Light Industrial and is planned to be redeveloped for a Cannabis Manufacturer. The site is not suitable for affordable housing. The Borough does not have any other properties at this time that are suitable to be redeveloped for affordable housing.

## XIV. Appendix

Borough of Lakehurst  
Vacant Land Analysis  
November 2, 2023



Block	Lot	Address	Owner	Property Class	Planning Area	Zone District	Total Acres	Constrained Acres	Buildable Acres	Constraint Description	Notes	Include in RDP	Potential Units	RDP
9	5	808 Cedar St	Lakehurst Borough	15C	Pinelands	R-3	0.359	0.000	0.359		Undersized Lot	No	0	0
12	1	So Union Ave	FCM Land Mgmt, Inc.	1	Pinelands	B-2	4.355	4.355	0.000	SFHA, Wetlands w/ 300' Buffer	Undevelopable Due to Environmental Constraints	No	0	0
13	2	Route 70	Lakehurst Borough	15C	Pinelands	B-2	0.172	0.172	0.000	Wetlands w/ 300' Buffer	Undersized Lot	No	0	0
13	3	Route 70	Shinn, William W Jr.	1	Pinelands	B-2	0.353	0.353	0.000	Wetlands w/ 300' Buffer	Undersized Lot	No	0	0
16	19	Orange St	Reilly, Douglas & Carol	1	Pinelands	R-3	0.110	0.000	0.110		Undersized Lot	No	0	0
16	20	Union Ave	Reilly, Douglas & Carol	1	Pinelands	R-3	0.108	0.000	0.108		Undersized Lot	No	0	0
22	1	Rockwell Rd	Lakehurst Borough	15C	Pinelands	LI	0.190	0.000	0.190		Undersized Lot	No	0	0
23	1,01	Rockwell Rd	Lakehurst Borough	15C	Pinelands	LI	12.310	12.083	0.226	Wetlands w/ 300' Buffer	Undevelopable Due to Environmental Constraints	No	0	0
23,01	1	Myrtle St	Lakehurst Borough	15C	Pinelands	R-1	2.098	2.098	0.000	300' Wetlands Buffer	Undevelopable Due to Environmental Constraints	No	0	0
23,01	5	Chestnut Street Rear	Cummings, Barbara	1	Pinelands	R-1	0.477	0.477	0.000	300' Wetlands Buffer	Undersized Lot & No Street Frontage	No	0	0
25	13	605 Poplar St	Jans, Edward & Mary	1	Pinelands	R-2	0.175	0.000	0.175		Undersized Lot	No	0	0
25	16	617 Poplar St	Torluccio, Charles Jr	1	Pinelands	R-2	0.085	0.000	0.085		Undersized Lot	No	0	0
25	16,01	615 Poplar St	Owner Unknown	1	Pinelands	R-2	0.083	0.000	0.083		Undersized Lot	No	0	0
25	17	621 Poplar St	Torluccio, Charles Jr	1	Pinelands	R-2	0.347	0.000	0.347		Undersized Lot	No	0	0
29	1,01	Cedar St	Lakehurst Borough	15C	Pinelands	B-2	0.039	0.000	0.039		Undersized Lot	No	0	0
31	1	Route 70	Eisenhower Properties, LLC	1	Pinelands	B-2	0.343	0.000	0.343		Potential Infill Development (with Lot 2)	No	0	0
31	2	604 Pine St	Eisenhower Properties, LLC	1	Pinelands	B-2	0.913	0.000	0.913		Potential Infill Development (with Lot 1)	No	0	0
33	2	518 Cedar St	Goodstein, Bruce % Statewide Mod	1	Pinelands	R-2	0.173	0.000	0.173		Undersized Lot	No	0	0
44	6,01	Cedar St	Barker, Danny J & Susan	1	Pinelands	R-1	0.216	0.000	0.216		Undersized Lot	No	0	0
47	1	Lake Horicon & Route 70	Lakehurst Borough	15C	Pinelands	B-2	2.455	2.455	0.000	SFHA, Wetlands w/ 300' Buffer, Water, Stream	Undevelopable Due to Environmental Constraints	No	0	0
47	2	Route 70	Lakehurst Borough	15C	Pinelands	B-2	3.834	3.834	0.000	SFHA, Wetlands w/ 300' Buffer, Water	Undevelopable Due to Environmental Constraints	No	0	0
47	14,01	Horicon Lake Border	Shumaker, Eleanor L	1	Pinelands	R-1	0.131	0.131	0.000	Wetlands w/ 300' Buffer, Water	Undersized Lot & No Street Frontage	No	0	0
47	14,04	Horicon Lake Border	Oglesby, Candace	1	Pinelands	R-1	1.475	1.396	0.079	Wetlands w/ 300' Buffer, Water	Undevelopable Due to Environmental Constraints	No	0	0
47	22	Union Ave	Lakehurst Borough	15C	Pinelands	R-1	53.970	53.970	0.000	SFHA, Wetlands w/ 300' Buffer	Undevelopable Due to Environmental Constraints	No	0	0
47	24,01	Horicon Lake Border	Heritage Minerals Inc % Hovsons Inc	1	Pinelands	R-1	8.098	8.098	0.000	SFHA, Wetlands w/ 300' Buffer	Undevelopable Due to Environmental Constraints	No	0	0
47	24,02	Horicon Lake Border	Heritage Minerals Inc % Hovsons Inc	1	Pinelands	R-1	0.481	0.481	0.000	SFHA, Wetlands w/ 300' Buffer	Undersized Lot	No	0	0
47	25	Horicon Lake Border	Heritage Minerals Inc % Hovsons Inc	1	Pinelands	R-1	18.572	18.572	0.000	SFHA, Wetlands w/ 300' Buffer, Stream, Water	Undevelopable Due to Environmental Constraints	No	0	0
47	26	Horicon Lake Border	Heritage Minerals Inc % Hovsons Inc	1	Pinelands	R-1	0.625	0.625	0.000	Wetlands w/300' Buffer	Undersized Lot	No	0	0
47	27	Route 70	Lakehurst Borough	15C	Pinelands	B-2	0.346	0.346	0.000	SFHA, Wetlands w/ 300' Buffer, Stream, Water	Undersized Lot	No	0	0
48	2,02	Lake Horicon	Lillie, Candace A	1	Pinelands	R-1	1.435	1.435	0.000	SFHA, Wetlands w/ 300' Buffer, Stream	Undevelopable Due to Environmental Constraints	No	0	0
48	5	Lake St	Unknown	1	Pinelands	R-1	5.206	5.206	0.000	SFHA, Wetlands w/ 300' Buffer, Stream	Undevelopable Due to Environmental Constraints	No	0	0
56	1	Manapaqua Ave	Applegate, John Jr	1	Pinelands	R-1	8.627	8.627	0.000	Wetlands w/ 300' Buffer, Stream	Undevelopable Due to Environmental Constraints	No	0	0
56	8	Manapaqua Ave	Standhope, Charles D	1	Pinelands	R-1	0.122	0.122	0.000	Wetlands w/ 300' Buffer, Stream	Undevelopable Due to Environmental Constraints	No	0	0
58	8	304 Elm St	Baile, Rejeta	1	Pinelands	B-2	0.167	0.000	0.167	300' Wetlands Buffer	Undersized Lot	No	0	0
62	10	210 Church St	Demetriades, George	1	Pinelands	R-2	0.243	0.243	0.000	Wetlands w/ 300' Buffer	Undersized Lot	No	0	0
62	14	112 Union Ave	Scuotto, Pietro & Salvatore	1	Pinelands	B-1	0.570	0.570	0.000	Wetlands w/ 300' Buffer	Undersized Lot	No	0	0
62	17	104 Union Ave	Eastern Vacation Properties, LLC	1	Pinelands	B-1	0.240	0.240	0.000	300' Wetlands Buffer	Undersized Lot	No	0	0
62	23	2 Center St	Lakehurst Borough	15C	Pinelands	R-4	1.367	1.367	0.000	SFHA, Wetlands w/ 300' Buffer, Stream	Undevelopable Due to Environmental Constraints	No	0	0
62	25	Center St	Unknown	1	Pinelands	R-2	0.785	0.785	0.000	SFHA, Wetlands w/ 300' Buffer, Stream	Undersized Lot & No Street Frontage	No	0	0
63	9	112 Center St	Center Development, LLC	1	Pinelands	B-1	0.141	0.000	0.141		Undersized Lot	No	0	0
63	9,01	112 Center St	Center Development, LLC	1	Pinelands	B-1	0.141	0.007	0.134	300' Wetlands Buffer	Undersized Lot	No	0	0
65	7	105 Hibernia Ave	Future Land Investments, Inc.	1	Pinelands	R-2	0.175	0.130	0.045	300' Wetlands Buffer	Undersized Lot	No	0	0

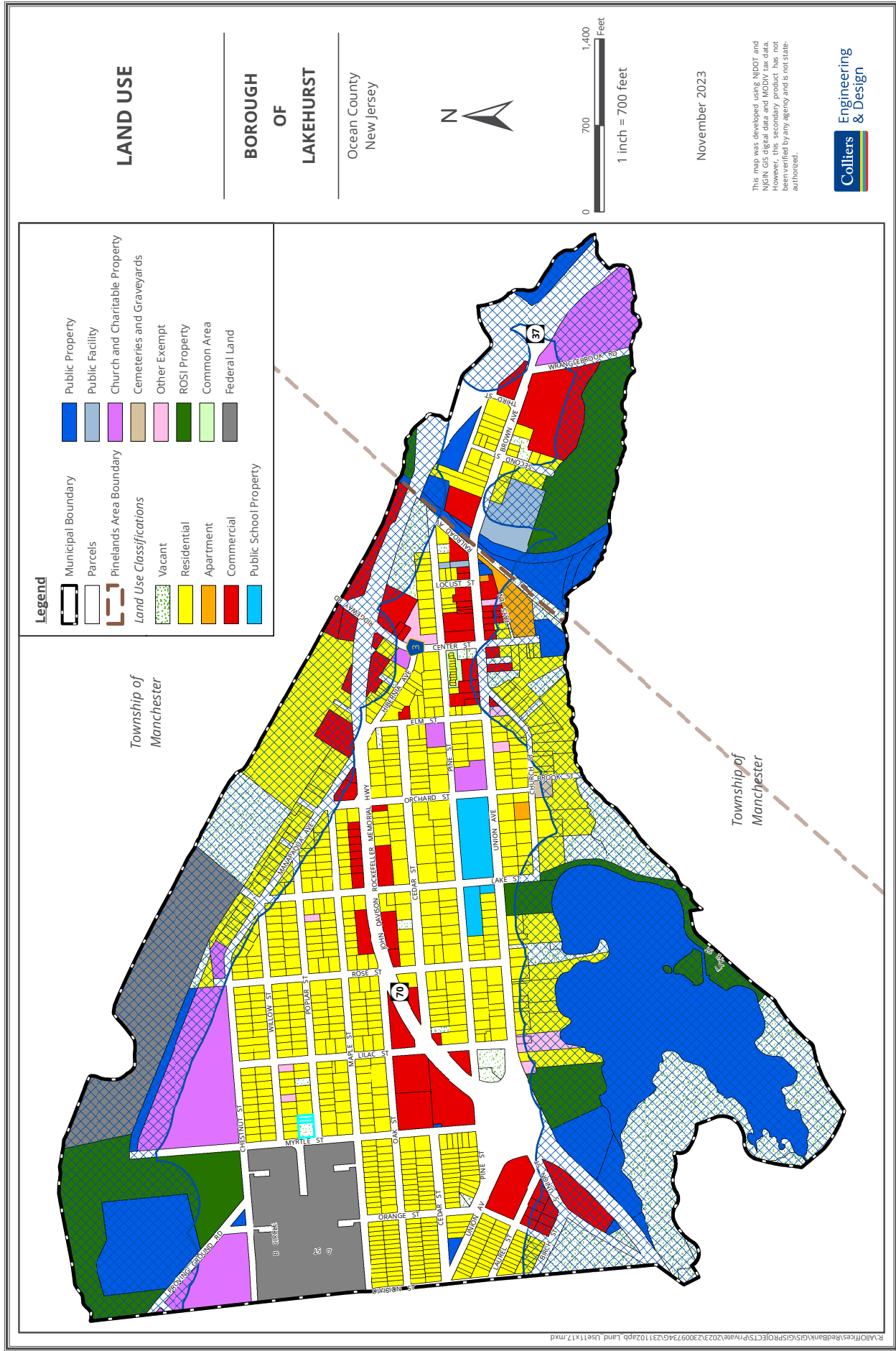
Borough of Lakehurst  
Vacant Land Analysis  
November 2, 2023

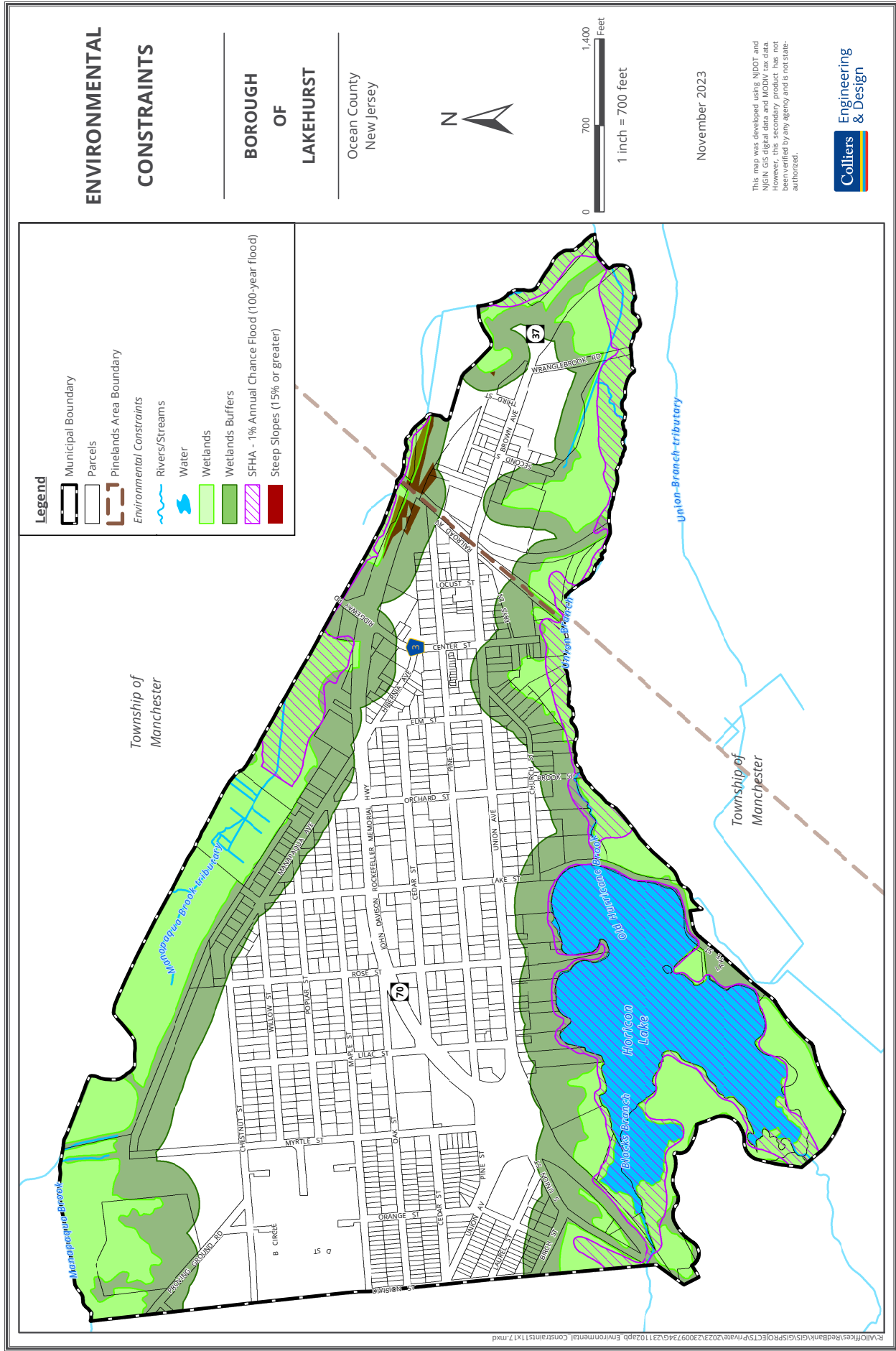


Block	Lot	Address	Owner	Property Class	Planning Area	Zone District	Total Acres	Constrained Acres	Buildable Acres	Constraint Description	Notes	Include in RDP	Potential Units	RDP
65	12	102 Route 70	Gannett Outdoor Co	1	Pinelands	B-2	0.050	0.050	0.000	300' Wetlands Buffer	Undersized Lot	No	0	0
66	2	CRR Of NJ	Central RR Of NJ	15C	Pinelands	B-2	0.159	0.159	0.000	SFHA, Steep Slopes, Wetlands w/ 150' Buffer, Stream	Undersized Lot	No	0	0
67	14	96 Route 70	Outdoor Systems Inc	1	Pinelands	B-2	3.196	2.881	0.316	Steep Slopes	Undevelopable Due to Environmental Constraints	No	0	0
69	5.02	14 Pine St	Ford, Beatrice	1	Pinelands	B-1	0.174	0.000	0.174		Undersized Lot	No	0	0
70	11	4 Union Ave	Lakehurst Borough	15C	Pinelands	B-1	0.190	0.000	0.190		Undersized Lot	No	0	0
70	12	Union Ave	Lakehurst Borough	15C	Pinelands	B-1	0.020	0.000	0.020		Undersized Lot	No	0	0
71	1	Main Line RR	Clayton Sand Company	1	Pinelands	LI	1.311	0.917	0.393	SFHA, Wetlands w/ 150' Buffer, Stream	Undevelopable Due to Environmental Constraints	No	0	0
71	1.01	CRR of NJ	Clayton Sand Company	1	Pinelands	R-4	0.447	0.447	0.000	SFHA, Wetlands w/ 300' Buffer	Undersized Lot & No Street Frontage	No	0	0
71	1.02	CRR of NJ	Ocean County Utilities Authority	15C	CAFRA	LI	2.880	2.521	0.359	SFHA, Wetlands w/ 150' Buffer, Stream	Irregular Shape	No	0	0
71	2	CRR of NJ	Ocean County Utilities Authority	15C	CAFRA	LI	0.722	0.722	0.000	SFHA, Wetlands w/ 150' Buffer, Stream	Undevelopable Due to Environmental Constraints & No Street Frontage	No	0	0
71	3	CRR of NJ	Lakehurst Borough	15C	CAFRA	LI	1.047	1.047	0.000	SFHA, Wetlands w/ 150' Buffer, Stream	Undevelopable Due to Environmental Constraints	No	0	0
71	4	CRR of NJ	Central RR of NJ	15C	CAFRA	LI	2.174	1.425	0.749	SFHA, Wetlands w/ 150' Buffer, Stream	Irregular Shape	No	0	0
71	14.02	Second St	Busch, Frank & Robin	1	CAFRA	R-2	0.148	0.000	0.148		Undersized Lot	No	0	0
72	1	CRR of NJ	Central RR of NJ	15C	Pinelands	LI	0.765	0.287	0.478	Steep Slopes	Undersized Lot	No	0	0
72	2	CRR of NJ	Central RR of NJ	15C	CAFRA	LI	0.152	0.000	0.152		Undersized Lot	No	0	0
72	4	Route 70	Lakehurst Borough	15C	CAFRA	B-1	0.881	0.753	0.128	Steep Slopes	Undevelopable Due to Environmental Constraints	No	0	0
72	14	Route 70	NJDOT	15C	CAFRA	R-2	1.438	0.018	1.420	300' Wetlands Buffer	Owned by the State, Undevelopable	No	0	0
75	2	Route 37	Lakehurst Borough	15C	CAFRA	B-2	1.963	1.963	0.000	SFHA, Wetlands w/ 150' Buffer, Stream	Undevelopable Due to Environmental Constraints	No	0	0
Total							149.831	141.370	8.460					

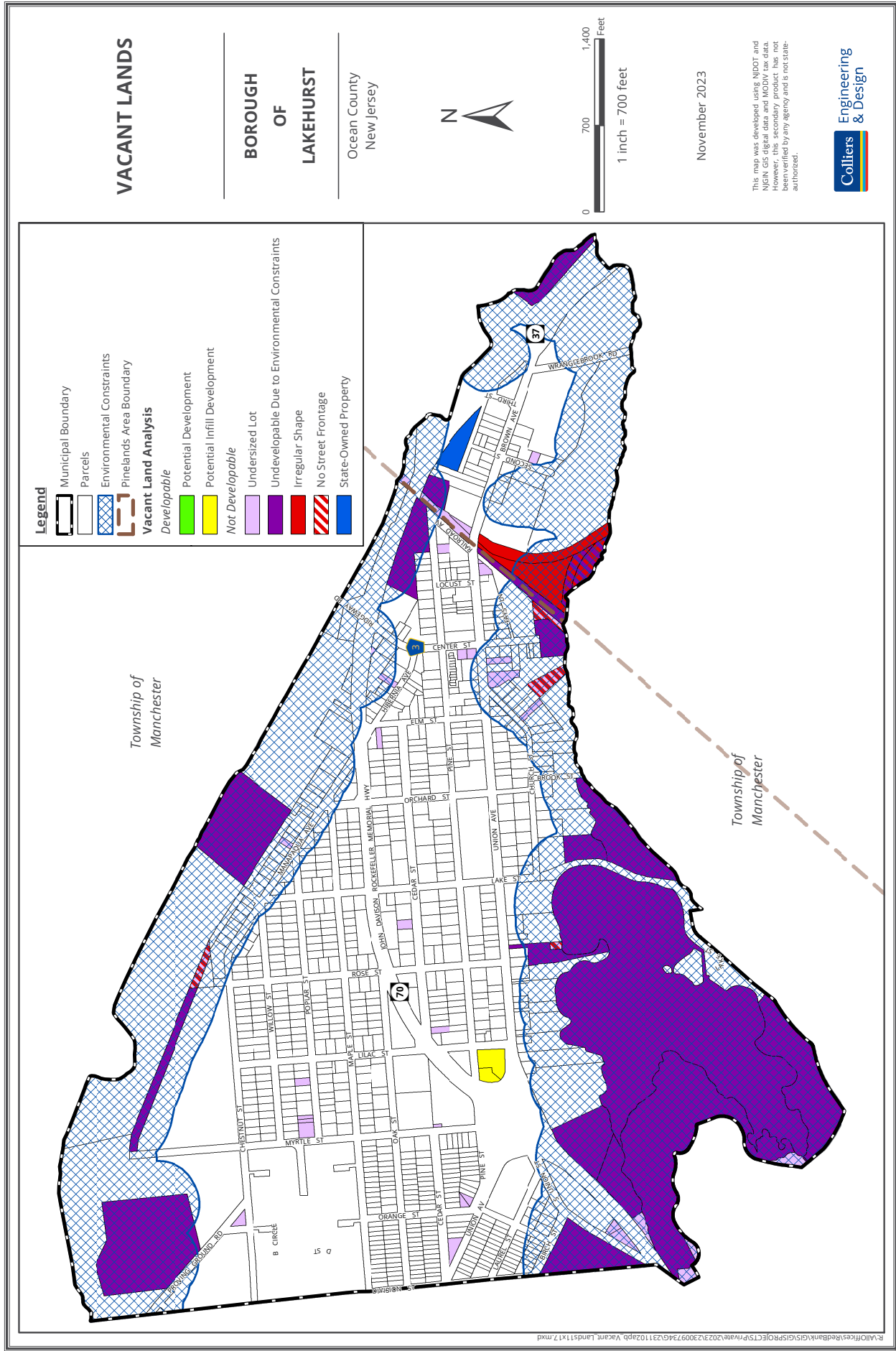
Notes:

Property Class 1 - Vacant  
Property Class 38 - Farmland  
Property Class 15C - Public Land  
SFHA - FEMA Special Flood Hazard Area  
Wetlands Buffer within the Pinelands Area - 300 feet  
Wetlands Buffer outside of the Pinelands Area - 150 feet  
Development Density within the Pinelands Area - 1 unit per acre per N.J.A.C. 7:50-5.27  
Development Density outside of the Pinelands Area - 6 units per acre  
Undersized properties within the Pinelands Area - 0 to 1 acres  
Undersized properties outside of the Pinelands Area - 0 - 0.167 acres  
Potential Infill Development within the Pinelands Area - 1 - 5 acres  
Potential Infill Development outside of the Pinelands Area - 0.167 - 0.833 acres  
Potential Development within the Pinelands Area - 5 acres or more  
Potential Development outside of the Pinelands Area - 0.833 acres or more











**The Hon. Sean D. Gertner, J.S.C.**  
Superior Court of New Jersey  
Law Division – Civil Part  
Ocean County  
Ocean County Courthouse  
118 Washington Street, 2<sup>nd</sup> Floor  
Chambers/Courtroom 2  
Toms River, NJ 08753

**PREPARED BY THE COURT:**

**IN THE MATTER OF THE  
DECLARATORY JUDGMENT  
ACTION OF THE BOROUGH  
OF LAKEHURST, OCEAN  
COUNTY PURSUANT TO P.L.  
2024, CHAPTER 2 (N.J.S.A.  
52:27D-304.1, et seq.)**

**Petitioner.**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – CIVIL PART  
OCEAN COUNTY  
DOCKET NO. OCN-L-189-25

Civil Action

Mt Laurel Program

**ORDER FIXING MUNICIPAL  
OBLIGATIONS FOR “PRESENT NEED”  
AND “PROSPECTIVE NEED” FOR THE  
FOURTH ROUND HOUSING CYCLE**

**THIS MATTER**, having come before the Court on its own motion, *sua sponte*, on the Complaint for Declaratory Judgment filed on January 17, 2025 (“DJ Complaint”) by the Petitioner, **Borough of Lakehurst** (“Petitioner” or “Municipality”), pursuant to N.J.S.A. 52:27D-304.2, -304.3, and -304.1(f)(1)(c) of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, *et seq.* (collectively, the “FHA”), and in accordance with Section II.A of Administrative Directive #14-24 (“Directive #14-24”) of the Affordable Housing Dispute Resolution Program (the “Program”), seeking a certification of compliance with the FHA;

**AND IT APPEARING**, that on October 18, 2024, pursuant to the FHA (as amended), the New Jersey Department of Community Affairs (“DCA”) issued its report entitled *Affordable*

*Housing Obligations for 2025-2035 (Fourth Round)*,<sup>1</sup> therein setting forth the present need and prospective need obligations of all New Jersey municipalities for the Fourth Round housing cycle (the “DCA’s Fourth Round Report”);

**AND IT APPEARING** that, pursuant to the DCA’s Fourth Round Report, the “**present need**” obligation of the Petitioner has been calculated and reported as 0 affordable units, and its “**prospective need**” obligation of the Petitioner has been calculated and reported as 21 affordable units, and which calculations have been deemed presumptively valid for purposes of the FHA;

**AND THE COURT**, having determined that no interested party has filed a challenge to the Petitioner’s DJ Complaint by way of an Answer thereto as provided for and in accordance with Section II.B of Directive #14-24 of the Program;

**AND THE COURT**, having found and determined, therefore, that the present need and prospective need affordable housing obligations of the Petitioner for the Fourth Round housing cycle as calculated and reported in the DCA’s Fourth Round Report have been committed to by the Petitioner and are uncontested, and for good cause having otherwise been shown:

**IT IS, THEREFORE**, on this 27<sup>th</sup> day of **MARCH 2025 ORDERED AND ADJUDGED** as follows:

1. That the present need obligation of the Municipality, be, and hereby is fixed as zero (0) affordable units for the Fourth Round housing cycle.
2. That the prospective need obligation of the Municipality, be, and hereby is fixed as twenty-one (21) affordable units for the Fourth Round Housing cycle; and
3. That the Petitioner is hereby authorized to proceed with preparation and adoption of its proposed Housing Element and Fair Share Plan for the Fourth Round, incorporating therein


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<sup>1</sup> See [https://nj.gov/dca/dlps/pdf/FourthRoundCalculation\\_Methodology.pdf](https://nj.gov/dca/dlps/pdf/FourthRoundCalculation_Methodology.pdf)

the present need and prospective need allocations aforesaid (and which plan shall include the elements set forth in the “Addendum” attached to Directive #14-24), by or before June 30, 2025, as provided for and in accordance with Section III.A of Directive #14-24, and without further delay.

**IT IS FURTHER ORDERED**, that a copy of this Order shall be deemed served on the Petitioner and Petitioner’s counsel.

SO ORDERED:

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**HON. SEAN D. GERTNER, J.S.C.**  
*Designated Mt. Laurel Judge – Ocean Vicinage*

(X) Uncontested.

**ROTHSTEIN, MANDELL, STROHM, HALM & CIPRIANI, P.A.**

98 East Water Street

Toms River, NJ 08753

(732) 363-0777

Attorneys for **Borough of Lakehurst**

**ROBIN LA BUE, ESQ. ATTY ID# 021872009**

<b>IN THE MATTER OF THE APPLICATION OF THE BOROUGH OF LAKEHURST, a municipal corporation of the State of New Jersey</b>	<b>SUPERIOR COURT OF NEW JERSEY OCEAN COUNTY LAW DIVISION</b>  DOCKET NO: OCN-L- -25  <b>COMPLAINT FOR DECLARATORY JUDGMENT</b>
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Petitioner, the Borough of Lakehurst (the “Borough”), a Municipal Corporation of the State of New Jersey with principal offices located at 5 Union Avenue, Lakehurst, New Jersey, by way of complaint for Declaratory Judgment hereby says as follows:

1. Petitioner, Borough of Lakehurst is a body politic and corporate organized under the laws of the State of New Jersey located in Ocean County in Housing Region 4 as established pursuant to the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.
2. The Fair Housing Act (“FHA”) N.J.S.A. 52:2D-301 et seq. was enacted in 1985, codifying the Mount Laurel judicial doctrine and creating the Council on Affordable Housing (COAH) as the administrative alternative to the courts. COAH was also charged with the responsibility to establish housing regions, estimate low and moderate income housing needs, establish criteria and guidelines for municipalities to determine and address their fair share numbers and to review and process municipal petitions for approvals of their housing elements and fair

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share plans.

3. On March 10, 2015 the New Jersey Supreme Court issued its decision finding that the COAH was “moribund” and returned primary jurisdiction over affordable housing matters to the trial courts. In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. (2015) (the “2015 Decision”).
4. In 2024, the New Jersey Legislature enacted P.L. 2024, c. 2 amending the Fair Housing Act and establishing regulations for the Fourth Round of Affordable Housing from July 1, 2025 through June 30, 2035.
5. Under the new law, municipalities may file an action either with the Affordable Housing Alternative Dispute Resolution Program which has been established within the Judiciary for resolving disputes under the Fair Housing Act, or through the filing of a Declaratory Judgment Action with the Courts.
6. The Department of Community Affairs was tasked with the responsibility of providing non-binding calculations of municipalities Affordable Housing Obligations for the Fourth Round utilizing the methodology set forth at N.J.S.A. 52:27-304.3.
7. The Department of Community Affairs published the findings for the Fourth Round setting forth the estimated present and prospective need for each municipality in the State of New Jersey.
8. Pursuant to the Fair Housing Act, N.J.S.A. 52:27-304.1, municipalities shall determine by binding resolution their determination of the present and prospective need for the municipality for the Fourth Round and file an action regarding the resolution either with the Program, or before a county-level housing judge as part of a declaratory judgment action.
9. The DCA calculation of the Borough’s present need is 0 units and prospective need is 21 units.
10. On January 15, 2025 the Borough Council of the Borough of Lakehurst adopted Resolution 25-64 accepting the DCA’s calculation of its affordable housing need. Resolution 25-64 is

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attached hereto as Exhibit A.

11. In light of the foregoing, the Borough of Lakehurst and its experts are currently in the process of preparing a revised Housing Element and Fair Share Plan in order to ensure the Borough's compliance with its constitutional affordable housing obligations.

**COUNT ONE**  
**(DECLARATORY RELIEF)**

12. The Borough of Lakehurst repeats and realleges each and every allegation set forth in Paragraphs 1-11 of this Complaint as if set forth at length herein.
13. Pursuant to the Declaratory Judgments Act, N.J.S.A. 2A:16-50 et seq., and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., the Borough of Lakehurst has a right to a declaratory judgment verifying and confirming the Borough's compliance with its constitutional affordable housing obligations

**WHEREFORE**, Petitioner, the Borough of Lakehurst respectfully seeks that the Court grant the following relief:

- A. An Order exercising jurisdiction over the compliance by the Borough of Lakehurst with its constitutional affordable housing obligations; and
- B. An Order declaring that the Borough of Lakehurst has fully discharged its constitutional affordable housing obligations and is granted protection and repose against exclusionary zoning litigation.
- C. A Judgment of Compliance and Repose for a period of ten (10) years from its date of entry.
- D. Order granting such additional relief as the Court deems equitable and just.

**COUNT TWO**  
**(PREPARATION OF HOUSING ELEMENT AND FAIR SHARE PLAN)**

14. The Borough of Lakehurst repeats and realleges each and every allegation as set forth in Paragraphs 1-13 as if set forth at length herein.

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15. The Borough of Lakehurst is entitled to the opportunity to prepare and adopt a Housing Element and Fair Share Plan by June 30, 2025.

**WHEREFORE**, Petitioner, the Borough of Lakehurst respectfully seeks that the Court grant the following relief:

- A. An Order granting the Borough of Lakehurst a period through June 30, 2025 to prepare a constitutionally compliant Housing Element and Fair Share Plan that incorporates the formula and methodology approved by the Legislature.
- B. An Order granting such additional relief as the Court deems equitable and just.

**COUNT THREE**  
**(REQUEST FOR IMMUNITY)**

16. The Borough of Lakehurst repeats and realleges each and every allegation as set forth in Paragraphs 1-15 as if set forth at length herein.

17. N.J.S.A. 52:27D-304.1 provides that, following the expiration of the 3<sup>rd</sup> Round on July 1, 2025, a municipality that complies with the deadlines set forth in N.J.S.A. 52:27D-301 et seq. shall have immunity from exclusionary zoning litigation.

18. The Borough of Lakehurst, by virtue of the filing of the within action is eligible to seek and obtain immunity from third party lawsuits while pursuing its Declaratory Judgment action.

**WHEREFORE**, Petitioner, the Borough of Lakehurst respectfully seeks that the Court grant the following relief:

- A. An Order granting temporary immunity from third party lawsuits against the Borough of Lakehurst from the date of the filing of the instant Declaratory Judgment action until this Court issues a Final Judgment of Compliance and Repose to the Borough of Lakehurst for its Housing Element and Fair Share Plan, adopted and approved in accordance with the applicable formula and methodology established by this Court.
- B. An Order granting such additional relief as the Court deems equitable and just.

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**ROTHSTEIN, MANDELL, STROHM, HALM & CIPRIANI**

Attorneys for Plaintiff, Borough of Lakehurst

  
\_\_\_\_\_  
ROBIN LA BUE  
For the Firm

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to Rule 4:25-4, Robin La Bue Esq., has been designated as trial counsel in connection with this matter.

**CERTIFICATION**

Pursuant to Rule 4:5-1 upon belief and based on information known to the undersigned at the time of the filing of this pleading, it appears that there are no other actions or arbitrations related to this suit which are pending or presently contemplated and it appears that there are no other persons who should be joined as parties.

**ROTHSTEIN, MANDELL, STROHM, HALM & CIPRIANI**

Attorneys for Plaintiff,  
**BOROUGH OF LAKEHURST**  
**A Municipal Corporation of the State of**  
**New Jersey**

By   
\_\_\_\_\_  
**ROBIN LA BUE, ESQ.**  
For the Firm.

Dated: January 17, 2025

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**RESOLUTION NO. 25-064****RESOLUTION ACCEPTING THE DCA'S FOURTH ROUND AFFORDABLE HOUSING PRESENT NEED AND PROSPECTIVE NEED NUMBERS**

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 *et seq.*) (hereinafter "Amended FHA"); and

**WHEREAS**, the Amended FHA requires the Department of Community Affairs ("DCA") to produce non-binding estimates of fair share obligations on or before October 20, 2024; and

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

**WHEREAS**, the DCA Report calculates Lakehurst's Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 0 and a Prospective Need or New Construction Obligation of 21; and

**WHEREAS**, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Round 4 affordable housing obligations; and

**WHEREAS**, the Amended FHA further provides that "[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or biding court decisions" (N.J.S.A. 52:27D-311(m)); and

**WHEREAS**, COAH regulations authorize vacant land adjustments as well as durational adjustments; and

**WHEREAS**, based on the foregoing, the Borough of Lakehurst accepts the DCA calculations of Lakehurst's fair share obligations and commits to its fair share of 0 units present need and 21 units prospective need subject to any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

**WHEREAS**, the Borough notes that the DCA report notes the Borough has a land capacity factor of 0.05%, reflecting the complete lack of vacant, developable, suitable and approvable land available for affordable housing in the Borough, due to factors such as environmentally constrained lands and lack of infrastructure; and

**WHEREAS**, the Borough of Lakehurst reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

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**WHEREAS**, the Borough of Lakehurst also reserves the right to adjust its position in the event of any rulings in the *Montvale* case (MER-L-1778-24) or any other such action that alters the deadlines and/or requirements of the Amended FHA; and

**WHEREAS**, in the event that a third party challenges the calculations provided for in this Resolution, the Borough of Lakehurst reserves the right to take such position as it deems appropriate in response thereto, including that its Round 4 Present or Prospective Need Obligations should be lower than described herein; and

**WHEREAS**, in light of the above, the Borough Council the Borough of Lakehurst finds that it is in the best interest of Lakehurst to declare its commitment to the obligations reported by the DCA on October 18, 2024 subject to the reservations set forth herein; and

**WHEREAS**, in addition to the above, the Acting Administrative Director issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and

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

**WHEREAS**, Lakehurst seeks a certification of compliance with the FHA and, therefore, directs the Affordable Housing Attorney to file a declaratory relief action within 48 hours of the adoption of this resolution in Ocean County.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.

2. The Borough of Lakehurst hereby accepts the DCA Round 4 Present Need Obligation of 0 units and the Round 4 Prospective Need Obligation of 21 units described in this resolution, subject to all reservations of rights set forth above.

3. The Borough of Lakehurst hereby authorizes its Affordable Housing Attorney to file a declaratory judgment complaint in Ocean County, within 48 hours after adoption this resolution, and/or to file this resolution with the Program or any other such entity as may be determined to be appropriate.

### **CERTIFICATION**

I, Maryanne Capasso, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Lakehurst at a meeting held on the 16<sup>th</sup> day of **January, 2025**.


**r|m|s|h|c**

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**MARYANNE CAPASSO, RMC**  
Municipal Clerk, Borough of Lakehurst

**r|m|sh|c**

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## Civil Case Information Statement

### Case Details: OCEAN | Civil Part Docket# L-000189-25

**Case Caption:** IN THE MATTER OF LAKEHURST BORO

**Case Initiation Date:** 01/17/2025

**Attorney Name:** ROBIN LA BUE

**Firm Name:** ROTHSTEIN MANDELL STROHM HALM &  
CIPRIANI

**Address:** 98 E. WATER ST

TOMS RIVER NJ 08753

**Phone:** 7323630777

**Name of Party:** PETITIONER : In The Matter of Lakehurst

**Name of Defendant's Primary Insurance Company**

(if known): None

**Case Type:** AFFORDABLE HOUSING

**Document Type:** Complaint

**Jury Demand:** NONE

**Is this a professional malpractice case?** NO

**Related cases pending:** NO

**If yes, list docket numbers:**

**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO

**Does this case involve claims related to COVID-19?** NO

**Are sexual abuse claims alleged by:** In The Matter of Lakehurst?  
NO

### THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

**Do parties have a current, past, or recurrent relationship?** NO

**If yes, is that relationship:**

**Does the statute governing this case provide for payment of fees by the losing party?** NO

**Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:**

**Do you or your client need any disability accommodations?** NO

**If yes, please identify the requested accommodation:**

**Will an interpreter be needed?** NO

**If yes, for what language:**

**Please check off each applicable category:** Putative Class Action? NO Title 59? NO Consumer Fraud? NO  
Medical Debt Claim? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

01/17/2025

Dated

/s/ ROBIN LA BUE

Signed

