

Master Plan Amendment Housing Plan Element and Fair Share Plan

Borough of South Toms River, Ocean County, New Jersey

Prepared:
June 9, 2025

Revised:
August 20, 2025

Prepared for:
Borough of South Toms River Land Use Board



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Adopted on 8/19/25 by the Borough of South Toms River Land Use Board.
Endorsed on _____ by the South Toms River Borough Council.

*The original of this document has been signed
and sealed in accordance with New Jersey Law.*

*Housing Plan Element and Fair Share Plan
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Housing Plan Element

The Borough of South Toms River, Ocean County, has prepared this Housing Plan Element and Fair Share Plan as an amendment to the municipal master plan in accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-310 et seq.).

The Municipal Land Use Law requires that a municipal master plan include a housing plan element to enable the municipality to exercise the power to zone and regulate land use. The housing plan element is adopted by the municipal planning board and endorsed by the municipal governing body and is drawn to achieve the goal of meeting the municipal obligation to provide for a fair share of the regional need for affordable housing.

This Housing Plan Element and Fair Share Plan amends the Borough's master plan to address current affordable housing planning requirements. It addresses the Borough's cumulative fair share obligation for the period from 2025 through 2035.

The rules and regulations that have been followed to prepare this plan are the applicable provisions of the substantive rules of the New Jersey Council on Affordable Housing (COAH) for the periods beginning on June 6, 1994 (N.J.A.C. 5:93-1.1 et seq.) and on June 2, 2008 (N.J.A.C. 5:97-1.1 et seq.), as impacted and influenced by the March 10, 2015 decision of the New Jersey Supreme Court In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by COAH., 221 N.J. 1 (2015) ("Mount Laurel IV"), In re Declaratory judgment Actions Filed By Various Municipalities, and a Settlement Agreement, dated October 6, 2016, between the Borough and the Fair Share Housing Center (hereinafter "FSHC Agreement"), which was approved by Hon. Mark A. Troncone, J.S.C. on November 18, 2016.

Mandatory Contents of the Housing Plan Element

The Municipal Land Use Law (N.J.S.A. 40:55D-1, et. seq.) provides that a municipal master plan must include a housing plan element as a prerequisite for the adoption of zoning ordinances and zoning amendments. This Housing Plan Element and Fair Share Plan was prepared in accordance with N.J.S.A. 40:55D-28. Pursuant to Section 10 of the Fair Housing Act (N.J.S.A. 52:27D-310), a municipal housing plan element is to be designed to achieve the goal of providing access to affordable housing to meet present and prospective housing needs, with particular attention to "low" and "moderate" income housing.

The New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 to -136 (MLUL) and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329 (FHA) require every municipal planning board to adopt a housing plan element as part of its master plan and permit the board to adopt a fair share plan as a component to the housing plan element. Once adopted, the fair share plan may be endorsed by the governing body and thereafter filed with COAH or the courts for review and approval. To be approved, the fair share plan must address the municipal present and prospective housing needs, "with particular attention to low- and moderate-income housing."

The Borough of South Toms River has prepared this Housing Plan Element and Fair Share Plan in response to Mount Laurel IV, and at the direction of the Ocean County Superior Court. This Housing Plan Element and Fair Share Plan has been prepared in accordance with the provisions of N.J.A.C. 5:93, as outlined in the Mount Laurel IV decision, and with the provisions of the FSHC Agreement and the order approving same entered by the Court on November 14, 2016.

In accordance with the Fair Housing Act at N.J.S.A. 52:27D-310, a housing plan element shall contain at least the following:

- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;
- A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years subsequent to the adoption of the housing plan element, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands.

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- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level, and age.
- An analysis of the existing and probable future employment characteristics of the municipality.
- 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.
- 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.

The preparation and submission of a housing plan element of a municipality's Master Plan, and a Fair Share Plan, is the first major step in the process for seeking the approval of same by the Court via a Judgment of Compliance and Repose. Affordable Housing regulations define "Fair Share Plan" as follows:

"Fair Share Plan" means that plan or proposal which is in a form that may readily be converted into an ordinance, by which a municipality proposed to satisfy its obligation to create a realistic opportunity to meet its fair share of low and moderate income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low and moderate income housing, as provided in sections 9 and 14 of the Act, addresses the development regulations necessary to implement the housing element, and addresses the requirements of N.J.A.C. 5:93-7 through 11.

This Housing Plan Element and Fair Share Plan satisfies all of the applicable requirements set forth within the MLUL, the FHA, applicable COAR regulations, Mount Laurel IV, in re Declaratory Judgment Actions Filed by Various Municipalities, and the FSHC Agreement.

Analysis of Demographic, Housing, and Employment Characteristics

As required by N.J.S.A. 52:27D-310, all housing plan elements must contain a discussion of the municipality's demographic, housing, and economic characteristics. The following subsections fulfill this requirement by providing a profile of the Borough of South Toms River with information from the US Census Bureau

(incl., the 2020 US Census and 2019-2023 American Community Survey), the New Jersey Department of Labor and Workforce Development, and the North Jersey Transportation Planning Authority.

South Toms River's Demographics

The Borough of South Toms River had a population of 3,736 residents at the time of the 2023 ACS 5-Year Estimates provided by the US Census. This figure represents a 1.41 percent increase over the 2010 US Census population figure of 3,684, which represented a 1.4 percent increase from the 2000 US Census population figure of 3,634. By comparison, Ocean County's population grew by 10.5 percent during the period between 2010 and 2020, and 17.9 percent between 1990 and 2000. Table 1 shows the rate of growth experienced by South Toms River and Ocean County from 1990 through 2023.

Table 1: Population Trends, 1930-2023

Borough of South Toms River, Ocean County, NJ	Year	Percent Change
1930	405	—
1940	445	9.9%
1950	492	10.6%
1960	1,603	225.8%
1970	3,981	148.3%
1980	3,954	-0.7%
1990	3,869	-2.1%
2000	3,634	-6.1%
2010	3,684	1.4%
2020	3,643	-1.1%
2023	3,736	2.6%

Source: US Census Bureau

According to the 2023: ACS 5-Year Estimates US, the Borough's population is composed of 1,141 households with an average household size of 3.47 members (Table 2). The average household size is larger than the State of New Jersey's and Ocean County's average of 2.68 and 2.65 persons per household, respectively. The Borough's percentage of population over 65 years of age (7.1 percent) is lower than at the county level (23.0%) and the state level (17.7%). The median age of the Borough's population of 33.4 years is also lower than the county and state median ages of 41.1 years and 40.4 years, respectively.

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Table 2: Demographic Indicators, 2023

	Number of Households	Average Household Size	Median Age	Percent of Population 65 Years +
Borough of South Toms River	1,141	3.47	33.4	7.1%
Ocean County	245,827	2.65	42.6	23.0%
New Jersey	3,538,457	2.68	40.4	17.7%

Source: US Census Bureau

As shown in Table 3, there were 272 pre-school age residents in 2023, or 7.3 percent of the Borough's population. School age children accounted for 889 residents, or 23.8 percent of the total population. Working aged persons accounted for 61 percent of the Borough's population, with 2,279 individuals. Seniors aged 65 years and older accounted for 7.1 percent of South Toms River's population, with 261 individuals.

Table 3: Population by Age, 2023

	Number	Percent
Pre-School Age		
Under 5 Years	272	7.3%
School Age		
5 to 9 Years	171	4.6%
10 to 14 Years	348	9.4%
15 to 19 Years	370	10.0%
Working Age		
20 to 24 Years	280	7.6%
25 to 34 Years	498	13.5%
35 to 44 Years	534	14.4%
45 to 54 Years	474	12.8%
55 to 59 Years	287	7.8%
60 to 64 Years	206	5.6%
Senior Age		
65 Years and Older	261	7.1%

Source: US Census Bureau

South Toms River's Housing Stock

According to 2023 ACS Survey, South Toms River had a total of 1,112 housing units (Table 4). This was a decrease of 48 units since the 2010 US Census, from 1,160 units. Of this total of 1,112 housing units, 1,066 of those units (95.9 percent) were listed as being occupied; owners occupied 877 (82.3 percent) of these units, and renters occupied 189 units (17.7 percent).

Of the total of 1,141 occupied households, the average household size was 3.47 persons, and the average family size was 3.65 persons. Of the total number of households, family households accounted for 927 units and non-family household accounted for 139 units. Householders 65 years of age or older were present in 154 (14.5 percent) of households.

Table 4: Housing Unit Totals and Occupancy Characteristics, 2023

	Number	Percent
I. Housing Units		
Number of units	1,112	100.0%
Occupied Housing Units	1,066	94.7%
Vacant Housing Units	60	5.3%
II. Occupancy/Household Characteristics		
Number of Households	1,066	100.0%
Average Persons Per Household	3.47	N/A
Average Persons Per Family	3.0	N/A
Family Households	927	79.1%
Non-Family Households	139	20.9%
Householders 65 and over	154	14.5%

Source: US Census Bureau

With regard to the age of the Borough's housing stock, it is noted that a total of 15.6 percent of all housing units were constructed in 1980 or later, and a total of about 10.5 percent of all housing units were constructed in 2000 or later (Table 5). It is also noted that the housing stock has zero (0) units lacking complete plumbing facilities, seventy (70) units exhibiting overcrowded conditions (i.e., having at least 1.01 persons per room), and zero (0) units lacking complete kitchen facilities. The source of this information is the 2019-2023 American Community Survey of the US Census Bureau.

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In addition to the above, it is noted that the 2019-2023 American Community Survey of the US Census Bureau indicates that the median value of the owner-occupied housing units in South Toms River is \$269,200. This is lower than the median value of \$408,000 in Ocean County, and also the median value of \$461,000 in the State of New Jersey. The 2019-2023 American Community Survey of the US Census Bureau also indicates that South Toms River's median gross rent is \$2,019 per month; this is higher than the median gross rents of \$1,667 in the State of New Jersey and the median gross rent of \$1,692 in Ocean County.

**Table 5: Housing Physical and Value Characteristics, American Community Survey
(2019-2023 Five-year Estimates)**

	Number	Percent
I. Year Structure Built (2019-2023 American Community Survey)		
2020 or later	0	0%
2010 or 2019	13	1.2%
2000 to 2009	103	9.3%
1980 to 1999	57	5.1%
1960 to 1979	707	63.6%
1940 to 1959	191	17.2%
1939 or earlier	41	3.7%
II. Condition of Units and Overcrowding (2019-2023 American Community Survey)		
Lacking complete plumbing facilities	0	0%
Lacking complete kitchen facilities	0	0%
Overcrowding (units with 1.01 persons/room}	0	0%
III. Median Home Value (Owner-Occupied Units; 2019-2023 American Community Survey)		
Median Value	269,200	N/A
IV. Median Gross Rent (Renter-Occupied Units; 2019-2023 American Community Survey)		
Median Gross Rent	2,019	N/A

Source: US Census Bureau

South Toms River's Employment and Income Characteristics

According to the 2019-2023 American Community Survey of the US Census Bureau, 2,039 of South Toms River's residents aged 16 years and over were employed in the civilian labor force. A total of 29.2 percent of those who were employed in the civilian labor force were involved in management, business, science, and arts occupations, while approximately 22.2 percent were employed in sales and office related occupations. Service occupations employed 23.3 percent of South Toms River residents that were employed in the civilian labor force. Natural resources, construction, and maintenance occupations employed 12.1 percent of the Borough's residents, whereas production, transportation, and material moving occupations employed 13.2 percent of the Borough's residents.

Table 6: Occupation of Employed Civilian Population, 16 and Over, American Community Survey (2019-2023 Five-Year Estimates)

	Number	Percent
Management, Business, Science, and Arts Occupations	544	29.2%
Sales and Office Occupations	414	22.2%
Service Occupations	435	23.3%
Natural Resources, Construction, and Maintenance Occupations	225	12.1%
Production, Transportation, and Material Moving Occupations	246	13.2%

Source: US Census Bureau

Regarding the number of jobs that are located within the Borough, it is noted that the North Jersey Transportation Planning Authority indicates that there was an average of 321 jobs located within the municipality in 2015. The number of jobs in South Toms River is expected to grow throughout the future. This is indicated by recent projections of the NJTPA, which projects a total of 388 jobs by 2050.

Regarding household income, it is noted that South Toms River's median household income, as reported by the 2019-2023 American Community Survey of the US Census Bureau, is \$101,466. This was \$35,216 more than the 2015 median household income of \$66,250. Table 7 provides complete information on the income of South Toms River's households in 2023.

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Table 7: Household Income, American Community Survey (2019-2023 Five-Year Estimates)

	Number	Percent
Less than \$10,000	19	1.8%
\$10,000 to \$14,999	0	0%
\$15,000 to \$24,999	19	1.8%
\$25,000 to \$34,999	26	2.4%
\$35,000 to \$49,999	58	5.4%
\$50,000 to \$74,999	192	18%
\$75,000 to \$99,999	151	14.2%
\$100,000 to \$149,999	406	38.0%
\$150,000 or More	196	18.4%
Median Household Income (2023 Dollars)	101,466	N/A

Source: US Census Bureau

Affordable Housing Obligation

The Borough's affordable housing obligation is described in the following subsections.

Present Need

The present need is a measure of overcrowded and deficient housing that is occupied by low- and moderate-income households.¹ The present need has previously been called "rehabilitation share." The present need for the Borough of South Toms River is **zero (0) units**.

¹ It is acknowledged that a January 18, 2017 ruling of the New Jersey Supreme Court has modified the definition of "present need" to include "... an analytic component that addresses the affordable housing need of presently existing New Jersey low- and moderate-income households, which formed during the gap period and are entitled to their delayed opportunity to seek affordable housing." However, the township entered into a settlement agreement with the Fair Share Housing Center that was approved by the court before the January 18, 2017 New Jersey Supreme Court ruling. Consequently, this Housing Plan Element and Fair Share Plan continues to define "present need" as a measure of overcrowded and deficient housing that is occupied by low- and moderate-income households and in need of rehabilitation.

Prior Round Obligation

The prior round obligation covers the period from 2000 through 2024 and is a municipality's adjusted third round new construction obligation carried forward to the fourth round. The Borough's prior round obligation is **zero (0) units**.

Prospective Need

The prospective need is a measure of low- and moderate-income housing needs, based on development and growth that occurred or is reasonably likely to occur in a region or municipality. The prospective need covers the period from 2025 through 2035. The township's prospective need is **thirty-five (35) units**, this is established by the New Jersey Department of Community Affairs.

Ability to Accommodate Affordable Housing Obligation

Through the 2025 Vacant Land Analysis, South Toms River has identified two potential development sites. These properties provide an RDP of (4) units.

Besides the two potential sites, the Borough lacks vacant, developable land that is suitable for residential use. Based on the Borough's 2013 Master Plan, South Toms River anticipates that future development and growth will predominantly be limited to redevelopment activity (incl., reconstruction of existing housing), as well as infill development and expansions as may be permitted under the Borough's zone plan. Further changes and residential development within the Borough will be incremental and small in scale and on scattered sites. The compliance mechanisms included in the Borough's Housing Plan Element and Fair Share Plan provide as much affordable housing as possible, given the Borough's development character, to meet the Borough's affordable housing obligation. Most of the current undeveloped land is found to be environmentally sensitive or wetlands and cannot be developed into residential uses. The share of residential housing land use within the municipality cannot grow any further than it has.

Anticipated Land Use Patterns

The Borough of South Toms River is a fully developed community with existing and balanced land use pattern. The anticipated land use pattern is expected to be consistent with the current adopted land use and zone plans of the Borough.

Anticipated Demand for Types of Uses Permitted by Zoning, Based on Present and Anticipated Future Demographic Characteristics

According to 2023 US Census data, 60 of the 1,141 housing units in South Toms River were vacant. Of these 60 vacant housing units, none of the total housing stock were for seasonal, recreational, or occasional use. All of these units are being used for “Other Vacant” uses. This includes, but is not limited, to the owner making repairs or renovations and not occupying the residence, using the unit for storage, or elderly owners that are living with family or in a nursing home.

As has been previously demonstrated, South Toms River's population has grown in the period since 2000, by approximately 102 residents, or around 2.8 percent. The North Jersey Transportation Planning Authority projects that the Borough's population could rise to 3,999 by 2050, which represents an increase of residents, or around 3.2 percent, over the population of 3,736 that was reported in the 2023 ACS Community Survey.

Since South Toms River is a developed community, the projected residential and non-residential growth is expected to be the result of limited infill and small-scale private redevelopment efforts.

Availability of Existing and Planned Infrastructure

The Borough is a fully developed community and has a developed infrastructure. Water and sewer service are available throughout the Borough. As has been previously stated, South Toms River anticipates that future development and growth will predominantly be limited to redevelopment activity (incl., reconstruction of existing housing), as well as infill development and expansions as may be permitted under the Borough's zone plan. The Borough contains sections of both US Highway Route 9 and The Garden State Parkway which play a large role in their infrastructure system.

Economic Development Policies

The Borough has limited land for commercial development; however, the Borough has encouraged redevelopment to commercial areas through the adoption of new design standards. The economic goals set forth in the Borough's 2013 Master Plan include broadening the tax base through commercial uses that are compatible with a residential community like that found throughout the Borough, strengthening retail and service trade, concentrating economic and commercial uses into existing centers of commerce. The Borough is currently looking into expanding the Special Economic Zone. The Borough policy is to provide for economic development that is beneficial to the community, permitted by the Borough zone plan, and compatible with the overall goals and objectives of the Borough's master plan.

Constraints on Development

The Borough contains several environmental features that are constraints to development, including water bodies and flood hazard areas. Generally, these environmentally constrained areas are located along the Toms River and Jakes Branch

Tributary. The Borough also contains areas in the CAFRA Coastal Planning area, which results in additional regulatory constraints on development. Many of the vacant lots found through the Vacant Land Analysis, if not environmentally constrained, were undersized and could not then support Affordable Housing Development. These lots could still be bought in the future for private development, providing that the use complies with the area the property is found in. The biggest constraint on development is the lack of vacant land within the Borough.

Identification of Affordable Housing Sites

Through the Vacant Land Analysis Report, found later in this document, there are 2 vacant lots of sufficient size and suitability to support new development with affordable housing. These are Block 15, Lot 3 and Block 10, Lot 18. These two properties have a realistic development potential (RDP) of 3 and 1 respectively.

The Borough must obtain 25% of their unmet need, which totals eight (8) units needed to satisfy the Fourth Round Obligations. This comes from the original unmet need for the Fourth-Round totaling (35) units minus the (4) units expected from the identified site. The Borough will address its unmet need of (31) units through a combination of credits from existing affordable housing units and encouraging development and redevelopment in residential zones.

Fair Share Plan

The fair share plan outlines the mechanisms by which the Borough proposes to fulfill its: present and prospective needs, which is a measure of overcrowded and deficient housing that is occupied by low- and moderate-income households¹; prior round obligation; and, prospective need, which is a measure of low and moderate-income housing needs based on development and growth that occurred or is reasonably likely to occur in a region or municipality.

Fulfillment of the Present Need

As has been previously noted, the Borough's present need is zero (0) units.

Fulfillment of the Unmet Need (Prospective Need Obligations)

The difference between the Borough's affordable housing obligation and its RDP is known as unmet need. South Toms River's unmet need is calculated as the sum of its prior round obligation and prospective need. The prior round obligation covers the period from 2000 through 2024, and is a municipality's adjusted third round new construction obligation carried forward to the fourth round. The Borough's prior round obligation is **(0) units**.

The prospective need is a measure of low- and moderate-income housing needs, based on development and growth that occurred or is reasonably likely to occur in a region or municipality. The prospective need covers the period from 2025 through 2035. The township's prospective need is **(35) units**.

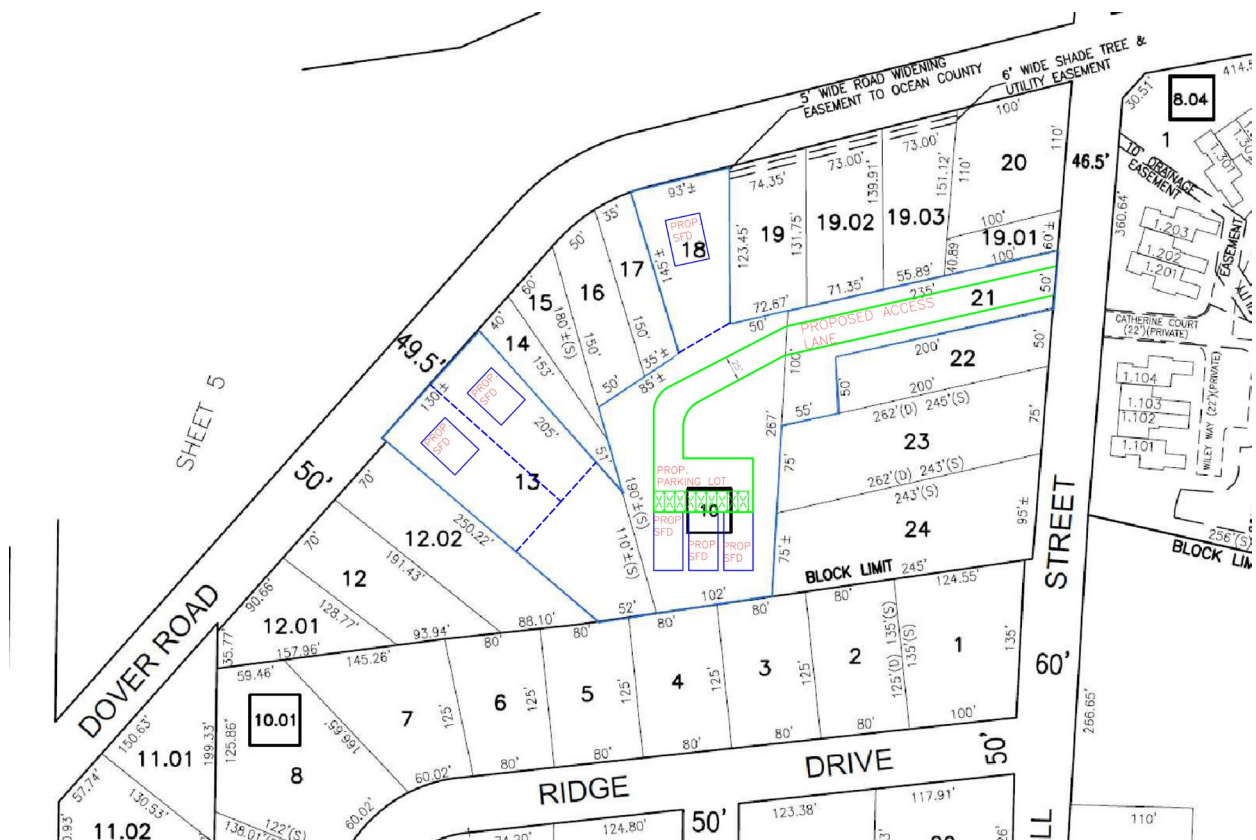
The resulting unmet need from the prior round obligation and prospective need is **(35) units**. After factoring in the Vacant Land Analysis Report finding an RDP of (6) units, the unmet need then becomes **(29) units**. The Borough proposes to address its unmet need of (29) units through credits from existing units and encouraging development and redevelopment in residential zones.

Description of the Affordable Housing Site

Block 10, Lots 13, 17, 18, and 21 are contiguous and share a total area of 2.16 Acres. All of these properties appear within the R-10, Medium Density Residential, Zone which has the primary use of Single-Family Dwellings.

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To keep with the existing character of the rest of the Borough but to also accommodate affordable housing, a mixture of SDF's, duplexes or row homes, and small apartments would meet those criteria. The Borough has many options on this site for housing layouts and any possible developer can take it in many different directions to fit the Borough's current need.



Pictured above is a potential building layout for the Dover Road neighborhood of contiguous lots, Block 10, Lots 13, 17, 18, and 21. There is potential for at least three (3) SFD's and one (1) larger site with multiple dwellings and an access road connecting to Mill Street. This is not a final layout, but an approximation of how the site may be developed. Within our Vacant Land Analysis, found later in this document, we outline that this site of contiguous lots has the potential to support thirteen (13) total units with three (3) of those units being designated affordable. Based on this potential site layout, there are six (6) units able to be supported and all of them will be designated affordable units. Depending on the final site layout, this number is subject to change.

2025 VACANT LAND ANALYSIS REPORT

Prepared For:

Borough of South Toms River

Ocean County, New Jersey

Dated: April 23, 2025



Prepared by:



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The original of this document has been signed and sealed in accordance with New Jersey Law.



Re: *Fourth Round of Affordable Housing Obligations – Vacant Land Analysis*
 South Toms River, Ocean County, NJ
 Morgan Municipal Project No. STOM25-01

Introduction

Municipalities may request an adjustment to their affordable housing obligations due to a lack of available vacant and developable land. Pursuant to N.J.A.C. 5:93-4.2, municipalities requesting such an adjustment must submit an inventory of vacant and undeveloped parcels by lot and block, including property ownership and acreage. Although the Council on Affordable Housing (COAH) is no longer operational, the process of seeking adjustments remains based on established regulations.

In recognition of the need to provide the opportunity to adjust municipal affordable housing obligations, N.J.A.C. 5:93 outlines standards and procedures for municipalities to demonstrate that a municipal response to its housing obligation is limited by lack of land, water, or sewer. This report outlines the methodology and summarizes the results of the vacant land analysis prepared on behalf of the Borough of South Toms River by Morgan Municipal, LLC.

In order to demonstrate the lack of vacant, developable land in South Toms River Borough, the Borough has identified all vacant parcels currently existing within its borders through 2025 data from the Borough Tax Assessor's office and has listed each parcel on the vacant land inventory table in accordance with N.J.A.C. 5:93-4.2(b) (see Appendix A).

A vacant land map depicting vacant properties within the Borough is included as Appendix B.

An existing land use map for the Borough has been appended to this report as Appendix C in accordance with N.J.A.C. 5:93-4.2(a).

This document serves as the Borough of South Toms River Vacant Land Inventory and Analysis to reflect the conditions in 2025. Morgan Municipal, LLC has analyzed the Realistic Development Potential (RDP) of the remaining vacant lands within the Borough in accordance with the provisions of Subchapter 4 of N.J.A.C. 5:93.

- According to the Affordable Housing Obligation for 2025-2035 (Fourth Round), the Borough has a present RDP need of zero (0) and a prospective RDP need of thirty-five (35).

Our office has taken into consideration sites that have changed in circumstances since the previous Vacant Land Analysis that was done in reference to the 3rd Round of Affordable Housing. We did not determine any sites that had changed significantly enough to warrant redevelopment on the site.



Re: *Fourth Round of Affordable Housing Obligations – Vacant Land Analysis*
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 Morgan Municipal Project No. STOM25-01

Permitted Exclusions

This Vacant Land Inventory is prepared in accordance with N.J.A.C. 5:93, which establishes criteria by which sites, or portions thereof, in a municipal land inventory may be excluded from a municipality's RDP.

The Borough has provided the inventory, including the: block, lot, address, owner's name, current zone, total lot acreage, total acreage suitable for development (uplands) and total acreage unsuitable for development (constraints) for each vacant property based on current Borough property tax records (See Vacant Land Inventory in Appendix).

As provided by N.J.A.C. 5:93-4.2.c, lands meeting certain specified criteria may also be excluded from the Inventory. The following criteria were used to further exclude vacant properties from the Inventory:

- 1) **Minimum Lota Area to meet Density** - Vacant contiguous publicly or privately-owned parcels where the merged total could not accommodate at least 5 dwelling units at a minimum density of 6 units per acre (less than 0.83 acres);
- 2) **ROSI or Green Acres Designation** - Parcels engaged with the Green Acres program may also be excluded
- 3) **Prior Round RDP** - Properties that were included in the Prior Round RDP based on the 1997 Vacant Land Inventory.
- 4) **Previously Site Plan Approved** - Vacant lots under development or properties for which site plan approval has been granted may also be excluded.
- 5) **Landlocked parcels** - or sites with limited or no access
- 6) **Environmentally sensitive lands**, including flood hazard areas, wetlands, and areas characterized by steep slopes of greater than 15 percent, which limits the contiguous developable uplands area to less than 0.83 acres. Additionally, groundwater contamination areas have been included.
- 7) **Constructed / No Longer Vacant** – properties that have been determined to have development occur within the parcel. Determination of development was made based on a review of the vacant land analysis.

It should be noted that the Borough is permitted to reserve up to three percent of its total developed and developable acreage, less existing active municipal recreation areas, for active municipal recreation and exclude this acreage from consideration as potential sites for low- and moderate-income housing pursuant to N.J.A.C. 5:93-4.2(e)4. Any such site designated for active recreation in accordance with this section must be purchased and limited to active recreational purposes within one year of substantive certification. Although this calculation has not been completed as part of this analysis, the Borough reserves the right to revise this analysis to complete this calculation



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Methodology

The Borough has identified all vacant parcels currently existing within its borders through data from the Borough Tax Assessor's office. The following information summarizes our findings:

(64) Vacant Private & Borough Lots exist within the Borough of South Toms River.

METHOD 1: Minimum Lot Area to meet Density

As per N.J.A.C. 5:93-4.1f, properties may be excluded from the RDP if the minimum density to be applied to developable acres is less than 6 dwelling units per acre (this excludes lots less than 0.83 acres).

a) Of the (64) Vacant Lots in the Borough, (42) are less than 0.83 acres. Therefore, this results in a total of (22) Vacant & Sufficient Area Lots.

METHOD 2: ROSI (Registered Open Space Inventory) or Green Acres Designation

As per N.J.A.C. 5:93-4.2, properties may be excluded from the RDP if the parcels are engaged with the Green Acres program. According to the 2011 Open Space, Recreation and Conservation Element of the Master Plan, Borough of South Toms River has a total of 7 Lots recorded in the ROSI Inventory list.

a) Out of the remaining (22) lots available for RDP analysis, (1) lots are on the ROSI list. Therefore, this results in a total of (21) lots left available for RDP analysis.

METHOD 3: Prior Round RDP

As per N.J.A.C. 5:93-4.2, properties may be excluded from the RDP if the lots were included in the prior round RDP based on the Vacant Land Inventory.

The following lot(s) are currently listed as vacant which was part of the 3rd Round and have since been nearing completion or fully completed for construction:

1. None

a) Out of the remaining (21) lots available for RDP analysis, (0) lot has been nearing completion or fully completed from the Prior Round RDP. Therefore, this results in a total of (21) lots left available for RDP analysis.

METHOD 4: Previously Site Plan Approved

As per N.J.A.C. 5:93-4.2, properties may be excluded from the RDP if a Site Plan has previously been approved:

We note the following Block & lots were currently listed as vacant, but have received site Plan Approval:

1. Block 20, Lot 11.03 – The Lofts at South Toms River



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- a) *Out of the remaining (21) lots available for RDP analysis, (1) additional sites are being excluded due to previous site plan approval. Therefore, this results in a total of (20) lots left available for RDP analysis.*

METHOD 5: Landlocked parcels

Landlocked parcels or sites with limited or no access may also be excluded from the calculation of the RDP.

- a) *Out of the remaining (20) lots available for RDP analysis, (2) lots are being excluded due to the parcel being landlocked. Therefore, this results in a total of (18) lots left available for RDP analysis.*

METHOD 6: Environmentally sensitive lands

METHOD 6.1: Wetlands

As per N.J.A.C. 5:93-4.2, properties may be excluded from the RDP if a parcel contains inland wetlands which render a site unsuitable for low- and moderate-income housing.

- a) *Out of the remaining (18) lots available for RDP analysis, (1) lot(s) are being excluded due to wetlands. The wetlands on these parcels minimized the buildable lot area to be below the 0.83-acre threshold. Therefore, this results in a total of (17) lots left available for RDP analysis.*

METHOD 6.2: Steep Slope

As per N.J.A.C. 5:93-4.2, properties may be excluded from the RDP if a parcel contains steep slopes (in excess of 15%) which render a site unsuitable for low- and moderate-income housing.

- a) *Parcels have been analyzed for steep slope exclusions. Out of the remaining (17) lots available for RDP analysis, (0) lots are being excluded due to steep slope. Steep slope(s) have been located; this results in a total of (17) lots left available for RDP analysis.*

METHOD 6.2: Groundwater Contamination Area

Parcels with groundwater contamination which render a site unsuitable for low- and moderate-income housing may also be excluded from the calculation of the RDP.

We note the following Block & lots were currently listed as vacant, but have been excluded due to groundwater contamination:

1. Block 20, Lot 1.04 (Former Landfill)
2. Block 20, Lot 1.05 (Former Landfill)

- a) *Out of the remaining (17) lots available for RDP analysis, (2) lot(s) is being excluded due to groundwater contamination. The groundwater contamination on these parcel(s) minimized the buildable lot area to be below the 0.83-acre threshold. Therefore, this results in a total of (15) lots left available for RDP analysis.*



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METHOD 7: Constructed / No longer vacant

Parcels or sites that have been determined to have development occur within the parcel may also be excluded from the calculation of the RDP.

We note the following Block & lots were currently listed as vacant, but have been excluded due to being no longer vacant:

1. Block 6, Lot 1.04
2. Block 8.04, Lot 1
3. Block 10, Lot 10.01
4. Block 10, Lot 22
5. Block 10, Lot 24
6. Block 12, Lot 35
7. Block 15, Lot 2
8. Block 20, Lot 1.03
9. Block 22, Lot 9

- a) *Out of the remaining (15) lots available for RDP analysis, (9) lots are being excluded due to development within the parcel, or the parcel is no longer vacant. Therefore, this results in a total of (6) lots left available for RDP analysis.*



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Summary & Conclusion

This analysis reveals that the Borough has (6) vacant and developable sites which yield an RDP of six (6), which is less than the required RDP number of thirty-five (35).

Thus, the Borough does NOT have the sufficient amount of land to meet the required obligation.

APPENDICES

A. Vacant Land Inventory Table

BLOCK	LOT	ADDITIONAL LOTS	OWNER	PROPERTY LOCATION	PROPERTY CLASS	ZONING	SITE AREAS (ACRES)	Area Exclusions Pursuant to N.J.A.C. 53:94-2.1(e)	Buildable Net Area Remaining (ACRES)	NOTES/EXCLUSIONS	Potential Units	RDP/Realistic Development Potential
2	1	L 2	FLINT ROAD ASSOCIATES LLC	28 SO MAIN ST	1	MU	0.71		0	LOT AREA IS NOT SUFFICIENT	0	0
2	3	L 4	FLINT ROAD ASSOCIATES LLC	44 SO MAIN ST	1	MU	0.25	0.25	0	LOT AREA IS NOT SUFFICIENT	0	0
2	5,01		FLINT ROAD ASSOCIATES LLC	46 SO MAIN ST (BEHIND L5)	1	MU	0.09	0.09	0	LOT AREA IS NOT SUFFICIENT	0	0
2	10	L 35, 47	WILLIS, AGNES G, EST OF	70 SO MAIN ST (EAST SIDE)	1	MU	11.73	11.73	0	WETLAND	0	0
2	11	L 12	WILLIS, AGNES G, EST OF	80 SO MAIN ST	1	MU	0.41	0.41	0	LOT AREA IS NOT SUFFICIENT	0	0
2	13		WILLIS, AGNES EST OF	2 CENTER ST	1	MU	0.2223	0.2223	0	LOT AREA IS NOT SUFFICIENT	0	0
2	16		WILLIS, VERNON V & SHEILA	20 CENTER ST	1	MU	0.19926	0.19926	0	LOT AREA IS NOT SUFFICIENT	0	0
2	24		HARVEY, SRT EST C/O R HARVEY	48 CENTER ST	1	MU	0.1779	0.1779	0	LOT AREA IS NOT SUFFICIENT	0	0
2	26		HARVEY, FLORINE	54 CENTER ST	1	MU	0.1549	0.1549	0	LOT AREA IS NOT SUFFICIENT	0	0
2	31		ERBE BUILDERS INC	51 FLINT RD	1	MU	0.34435	0.34435	0	LOT AREA IS NOT SUFFICIENT	0	0
2	37		45 FLINT ROAD REALTY LLC	51 FLINT RD	1	MU	0.0792	0.0792	0	LOT AREA IS NOT SUFFICIENT	0	0
4	7,01		UNITED ADVERTISING CORP	221 ATLANTIC CITY BLVD	1	MC-U	0.11	0.11	0	LOT AREA IS NOT SUFFICIENT	0	0
4	9		45 FLINT RD REALTY LLC	321 ATLANTIC CITY BLVD	1	MC-U	0.38	0.38	0	LOT AREA IS NOT SUFFICIENT	0	0
8	18,4		ARGO SHIRLEY LIGHTHOUSE POINT LLC	300 ATLANTIC CITY BLVD	1	C-W	0.1314	0.1314	0	PERVIOUS SITE PLAN APPROVAL - THE LIFTS AT SOUTH TOWNS RIVER	0	0
8	1		LAKEVIEW @ 50 TOMS RIVER C/O STONE	COGANS ROADWAY	1	C-W	0.1314	0.1314	0	LOT AREA IS NOT SUFFICIENT	0	0
8,04	1		LAKEVIEW @ 50 TOMS RIVER C/O STONE	WILEY WAY	1	R15	3.68	3.68	0	DEVELOPED	0	0
8,04	8		ARTEAGA, JOSE & MARIBEL	FLINT RD (BACK LOT)	1	C8	0.39	0.39	0	LOT AREA IS NOT SUFFICIENT	0	0
9	5		WORTHY, RONALD K C/O S SNEILING	38 CENTER ST	1	R10	0.333	0.333	0	LOT AREA IS NOT SUFFICIENT	0	0
9	7		AKA ESTATES LLC	27 CENTER ST	1	R10	0.1469	0.1469	0	LOT AREA IS NOT SUFFICIENT	0	0
9	9		WELLS CHAPEL AFRICAN METHODIST	19 CENTER ST	1	R10	0.16069	0.16069	0	LOT AREA IS NOT SUFFICIENT	0	0
10	13		LEWIS, THOS EST C/O G ALBERT	124 DOVER RD	1	R10	0.7162	0.7162	0	CONTIGUOUS PARCEL	0	0
10	16		DRM CONSTRUCTION LP	118 DOVER RD	1	R10	0.17217	0.17217	0	CONTIGUOUS PARCEL	0	0
10	17		BOROUGH OF SOUTH TOMS RIVER	116 DOVER RD	15C	R10	0.1205	0.1205	0	CONTIGUOUS PARCEL	0	0
10	18		BOROUGH OF SOUTH TOMS RIVER	112 DOVER RD	15C	R10	0.88	0	0.88	CONTIGUOUS PARCEL (INCLUDING OTHER CONTIGUOUS PARCELS)	13	3
10	19,01		BOROUGH OF SOUTH TOMS RIVER	105 MILL ST	15C	R10	0.1377	0.1377	0	DEVELOPED	0	0
10	21		BOROUGH OF SOUTH TOMS RIVER	107 MILL ST	15C	R10	0.2697	0.2697	0	CONTIGUOUS PARCEL	0	0
10	22		PATEL, DILIPKUMAR B	109 MILL ST	1	R10	0.229	0.229	0	DEVELOPED	0	0
10	24		OBRESHKOWA, TSVETOMIRA & PICH, JARO	113 MILL ST	1	R10	0.5626	0.5626	0	DEVELOPED	0	0
11	1		TOMS RIVER ASSOC LLC	50 MAIN ST	1	B1	0.4885	0.4885	0	LOT AREA IS NOT SUFFICIENT	0	0
11	3,01		TOMS RIVER WATER C/O ALTUS GROUP	205 MAGNOLIA AVE	1	R10	0.11478	0.11478	0	LOT AREA IS NOT SUFFICIENT	0	0
11	9		ORBELVAN, ARMEN & EMIL JOHN	221 MAGNOLIA AVE	1	R10	0.303	0.303	0	LOT AREA IS NOT SUFFICIENT	0	0
11	11		MC COWN, ELLA B & LA BRUCE	225 MAGNOLIA AVE	1	R10	0.3168	0.3168	0	LOT AREA IS NOT SUFFICIENT	0	0
12	8		PINNACLE MANORS INC	214 MAGNOLIA AVE	1	R10	0.1721	0.1721	0	LOT AREA IS NOT SUFFICIENT	0	0
12	8,01		RODAS-GONZALEZ, M & RIVERA-RODAS, D	212 MAGNOLIA AVE	1	R10	0.1721	0.1721	0	LOT AREA IS NOT SUFFICIENT	0	0
12	16		CLAROS ANGEL R	105 SO MAIN ST	1	R10	0.2295	0.2295	0	LOT AREA IS NOT SUFFICIENT	0	0
12	26	L 27, 28, 29	LORLIN REALTY INC	121 WORTH ST	1	R10	0.482	0.482	0	LOT AREA IS NOT SUFFICIENT	0	0
12	35		BOYNTON, SUSAN	DOVER RD (BACKS TO GSP)	1	SED	3.82	3.82	0	DEVELOPED	0	0
13	8,01		BOYNTON, SUSAN	142 SO MAIN ST	1	R10	0.2735	0.2735	0	LOT AREA IS NOT SUFFICIENT	0	0
13	18		HAUSER, RICHARD E	DOVER RD	1	R10	0.15266	0.15266	0	LOT AREA IS NOT SUFFICIENT	0	0
13	12,02		FLONDO, THOMAS & KIMBERLY	DOVER RD	1	R10	0.14	0.14	0	LOT AREA IS NOT SUFFICIENT	0	0
14	3	L 4, 5	BOYNTON, SUSAN	138 WORTH ST	1	R10	0.48209	0.48209	0	LOT AREA IS NOT SUFFICIENT	0	0
14	6		BOYNTON, SUSAN	238 DOVER RD	1	R10	0.824	0.824	0	LOT AREA IS NOT SUFFICIENT	0	0
15	1,15		RED MARLE ESTATES HOMEOWNERS ASSOC	RED MARLE CT OPEN SPACE	1	R10	0.29	0.29	0	LOT AREA IS NOT SUFFICIENT	0	0
15	2		CHRISTIAN TEMPLE OF CHRIST	10 FIRST ST	150	R10	5.04	5.04	0	DEVELOPED	0	0
15	3		SECOND BAPTIST CHURCH OF TOMS RIVER	2 RAILROAD AVE	150	R10	2.58	0	2.58	LOT AREA IS NOT SUFFICIENT	15	3
15	5		SNEILING, PHILIP J	4 RAILROAD AVE	1	R10	0.2295	0.2295	0	LOT AREA IS NOT SUFFICIENT	0	0
16	5		UNKNOWN OWNER	8 RAILROAD AVE	1	R10	0.1606	0.1606	0	LOT AREA IS NOT SUFFICIENT	0	0
16	21		BOROUGH OF SOUTH TOMS RIVER	5 ELM ST	15C	R10	0.2296	0.2296	0	LOT AREA IS NOT SUFFICIENT	0	0
20	1,01		JCP&L C/O FIRST ENERGY SRVCE COMPANY	RAILROAD AVE	1	ML	7.00	7	0	NOT DEVELOPABLE	0	0
20	1,02		BOROUGH OF SOUTH TOMS RIVER	1 DRAKE LANE- REC TR	15C	ML	9.5	9.5	0	ROAD LOST	0	0
20	1,03		BOROUGH OF SOUTH TOMS RIVER	DREW LANE - PUB WORK	15C	ML	3.82	3.82	0	DEVELOPED	0	0
20	1,04		BOROUGH OF SOUTH TOMS RIVER	DREW LANE- LAND	15C	ML	15.42	15.42	0	LANDFILL ENVIRONMENTALLY SENSITIVE AREA	0	0
20	1,05		BOROUGH OF SOUTH TOMS RIVER	1 DRAKE LANE- LAND	15C	ML	13.41	13.41	0	LANDFILL ENVIRONMENTALLY SENSITIVE AREA	0	0
20	11,03	(OID ltr 11.02.12)	M&T AT SITE URBAN RENEWAL LLC	389 CHAMBERLAIN ST	1	SED	21.1837	21.1837	0	PREVIOUS SITE PLAN APPROVAL - THE LIFTS AT SOUTH TOWNS RIVER	0	0
20,01	5,03		ANGSTEN, FAITH	425 DOVER RD	1	R7	0.3	0.3	0	LOT AREA IS NOT SUFFICIENT	0	0
20,01	7,01		407 DOVER RD LLC	405 DOVER RD	1	R7	0.16	0.16	0	LOT AREA IS NOT SUFFICIENT	0	0
20,01	7,02		407 DOVER RD LLC	405 DOVER RD	1	R7	0.16	0.16	0	LOT AREA IS NOT SUFFICIENT	0	0
20,04	2,03		BOROUGH OF SOUTH TOMS RIVER	401 DOVER RD	15C	ML	0.23	0.23	0	LOT AREA IS NOT SUFFICIENT	0	0
22	9,01		50 TOMS RIVER FIRST AND SQUAD INC	401 DOVER RD	15C	ML	1.51	1.51	0	DEVELOPED	0	0
22	9,01		TOMS RIVER WATER C/O ALTUS GROUP	403 DOVER RD	1	ML	0.43	0.43	0	LOT AREA IS NOT SUFFICIENT, DEVELOPED	0	0
23	1,04		MALL ENTERPRISES INC	191 ATLANTIC CITY BLVD	1	MU	3.12	3.12	0	NOT DEVELOPABLE	0	0
23	1,07	(OID ltr 1)	MALL ENTERPRISES INC	191 ATLANTIC CITY BLVD	1	MU	0.276	0.276	0	LOT AREA IS NOT SUFFICIENT	0	0
23	1,08		RBC-AN PROPERTIES LLC	ATLANTIC CITY BLVD	1	MU	0.14	0.14	0	LOT AREA IS NOT SUFFICIENT	0	0
24	2		VEEDER, STUART D & FAVORITO, V	RT 166 WEST SIDE	1	HD	0.2043	0.2043	0	LOT AREA IS NOT SUFFICIENT	0	0
											28	6

C. Existing Zoning Map

