



## **Toms River Township**

### **Housing Element & Fair Share Plan of the Municipal Master Plan**

June 6, 2025

Adopted June 18, 2025

Prepared in Accordance with  
NJSA 40:55D-28.b.(3) MLUL  
&NJSA 52:27D-310 FHA



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Document original Signed and sealed in accordance with NJAC 13:41-1.3 and filed in Toms River Clerks Office



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# Toms River Township

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## ***INTRODUCTION***

This Housing Element and Fair Share Plan (HEFSP) outlines Toms River Township's strategy to meet its constitutional obligation to provide a realistic opportunity for the development of affordable housing. This plan complies with the requirements set forth in amendments to the New Jersey Fair Housing Act, P.L. 1985, c.222 (C.53:27D-301, et al.) enacted pursuant to P.L. 2024, c.2, and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.).

The Housing Element of Toms River Master Plan is implemented by zoning ordinance. Pursuant to N.J.S.A. 40:55D-62.(a), a governing body may not adopt or amend a zoning ordinance until and unless the Planning Board would have adopted a land use plan element and a housing plan element of the master plan.

The Housing Element set forth under the fair housing act includes:

- 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 confident basis for the sole purpose of conducting the inventory to all necessary propriety tax assessment records and information in the assessor's office including but not limited to the property record cards.
- b. A projection of the municipalities' housing stock including the probable future construction of low- and moderate-income housing for the next ten years, considering, but not necessarily limited to, construction permits issues, approvals of application for development and probable residential development of lands.
- c. An analysis of the municipalities' 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 municipalities' 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.
- 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 the conversion to, or rehabilitation for low- and moderate-income housing including a



consideration of lands of developer who have expressed a commitment to provide low- and moderate-income housing.

- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to N.J.S.A. 52:27D-329.20(f)(1);
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to N.J.S.A. 13:20-4, an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and
- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

## ***HISTORY***

The Township of Toms River has demonstrated consistent compliance with its Mount Laurel obligations; the following facts demonstrate the township's compliance.

In December of 2005, the Township (at which point in time was known as Dover Township) submitted its adopted 2005 Housing Element and Fair Share Plan to the Council on Affordable Housing ("COAH") with a petition for substantive certification. The plan consisted of the Township's entire fair share obligation, including the rehabilitation share, the prior round obligation, and future obligations in accordance with applicable COAH regulations. However, following Appellate Division case law issued in 2007, COAH never reviewed the Township's 2005 Fair Share Plan. This decision resulted in COAH needing to revise existing third-round rules, which were adopted and made effective in 2008.

In light of these developments, the Township removed itself from COAH's jurisdiction in 2007 and began utilizing the Superior Court of New Jersey for the review of its compliance plan. Since then, the Township has been under the jurisdiction of the Superior Court.



In December of 2008, the Township adopted a revised Housing Element Fair Share Plan, which was drafted in conformity with applicable COAH rules, including COAH's newly adopted third round rules from earlier that year.

In October of 2014, following the issuance of Appellate Division case law in 2010 and 2013, which invalidated certain third round rules adopted by COAH, the Township adopted an amended housing element and fair share plan.

In 2015, the Supreme Court issued its decision In re N.J.A.C. 5:96 & 5:97, 221 N.J. 1, 3 (2015) ("Mount Laurel IV"), which removed jurisdiction over affordable housing from the executive branch and resumed the court's role as the forum for adjudicating municipal compliance with constitutional affordable housing obligations. Accordingly, pursuant to the process established for municipalities to seek declarations of compliance and immunity from builder's remedy litigation, the Township filed a motion of declaratory judgment (the "DJ Action") to seek temporary immunity while it sought to acquire a declaration of compliance with both Mount Laurel Doctrine and the New Jersey Fair Housing Act ("FHA"), N.J.S.A. 52:27D-301 et. seq. Following intervention by interested party, Fair Share Housing Center, Incorporated, a Settlement Agreement was reached in November of 2016, which addressed the Township's second and third round fair share obligations as well as a compliance plan to address such obligations. The Settlement Agreement was approved in December 2016 by the Superior Court, and the Township filed its preliminary fair share plan thereafter in December 2016.

Following a noticed Mount Laurel compliance hearing on May 11, 2017, the Court entered a Third Round Conditional Judgment of Compliance and Repose, dated June 7, 2017, finding the land use regulations and affirmative devices in the Township's Compliance Plan comply with the Township's constitutional obligations with respect to affordable housing under the Mount Laurel doctrine, granting the Township repose for the remainder of the third round period ending June 30, 2025.

The court approved Settlement Agreement, set forth the Township's Third Round affordable housing obligation as follows: **a rehabilitation share of 243 units, prior round prospective need obligation of 1,735 units, and a third round prospective need obligation of 1,275 units.**

On July 15, 2024 FSHC submitted a letter to the Court seeking the Court's involvement to ensure progress in meeting the outstanding conditions set forth in the December 5, 2023 Special Adjudicator's report and to address an inability to credit group homes.

Following a Case Management Conference on November 21, 2024, the Special Adjudicator circulated an updated memorandum dated December 10, 2024 addressing outstanding compliance conditions, which said memorandum was further updated on January 14, 2025 (the "January 14, 2025 Special Adjudicator Memorandum"). Throughout December 2024 and January 2025, the parties met with the Special Adjudicator to identify the remaining third



round conditions that needed to be addressed. Accordingly, a Consent Order was entered on March 5, 2025 to outline the remaining conditions that the Township needed to address.

The terms set forth as part of the Township's upcoming Fourth Round compliance efforts, the Township shall include in a formally adopted Fourth Round Housing Element and Fair Share Plan ("HEFSP") its 2022 draft updated Third Round HEFSP, the additional information requested in the January 14, 2025 Special Adjudicator Memorandum, and all associated crediting documents in the appendices.

In the midst of planning its Fourth Round compliance plan, the Township has undertaken extensive efforts in the late winter and spring of 2025 to pursue the crediting documents concerning the Township's third round obligations. Those materials obtained to date are included in this Plan's appendix and detailed within. As additional materials are secured by the Township, the Township shall supplement its submission.

Pursuant to the Consent Order, the Township revised and adopted an updated third round spending plan. The Township has also provided documentation related to various third round sites.

On March 20, 2024, Governor Murphy signed legislation that dramatically modified the State's affordable housing regulations. The seventy-five (75) page bill, known as P.L. 2024 c.2 ("Amended FHA"), abolished COAH, modified the affordable housing compliance process, amended bonus credits, and among other changes, set forth several important deadlines and created the Affordable Housing Dispute Resolution Program (the "Program"), which would serve as a mediation forum for establishing fair share obligations for each housing round and accept submitted compliance plans for review.

The Amended FHA charged the Department of Community Affairs (DCA) with the preparation of non-binding recommendations for municipalities' fourth round obligations and set forth an aggressive timeline for compliance. In October of 2024, the DCA published a report entitled "Affordable Housing Obligation of 2025-2035 (Fourth Round) Methodology and Background," which set forth non-binding estimates as to regional need and both the present need component rehabilitation obligation and perspective need component of every municipality's fair share obligation. The DCA calculated the Township's present need obligation (rehabilitation) as 526 affordable units and its present need as 670 affordable units.

On January 30, 2025, pursuant to the authorities given to municipalities by the Amended FHA, the Township adopted a resolution identifying its present and prospective need obligations. Further, on January 30, 2025, in compliance with the timelines set forth in the Amended FHA, the Township filed a Complaint for Declaratory Relief under Docket No. OCN-L-331-25. The Complaint was filed for the purpose of securing the Program's jurisdiction, pursuant to the Court's Directive #14-24 promulgating rules for participation in the Program.



The Township remains an active participant in the Program and thus received and continues to receive temporary immunity from builder remedy lawsuits and declaratory judgment actions.

On May 9, 2025, the Superior Court entered an Order setting the Township's fair share obligation for the Fourth Round affordable housing cycle as follows:

- **Present need obligation:** 526 affordable units; and
- **Prospective need obligation:** 649 affordable units.

On May 21, 2025, pursuant to rights preserved by the Township in its **third round** Settlement Agreement, the Township filed a motion with the Superior Court under its third round Declaratory Judgment Action, Docket No. OCN-L-1867-15. The Township sought an order capping the Township's **third round** prospective need obligation of 1,275 units at 1,000 units, pursuant to the statutory cap set forth at N.J.S.A. 52:27D-307(e). Those pending motion papers were filed pursuant to the Township's affirmative preservation of rights in the 2016 Settlement Agreement to seek application of the 1,000 unit cap, which said reservation was further preserved pursuant to a Consent Order entered with Fair Share Housing Center, dated March 4 2025.

Therefore, although the Township's **fourth round** prospective need obligation consists of 649 units, the Township has addressed that obligation by shifting multiple compliance mechanisms originally provided for in the third round into its fourth round compliance plan, as detailed in the Fair Share Plan below. It has done so in recognition of its statutory right to cap its third round obligation of 1,275 units at 1,000 units. As this cap eliminated the need to utilize all identified compliance mechanisms in satisfying the Township's Third Round plan, the Township was able to reserve and shift certain surplus mechanisms for application toward its Fourth Round obligation.



## **HOUSING ELEMENT**

### A. Municipal Housing Stock Inventory

1. Year structure built.
2. Occupied housing units by year householder moved into unit.
3. Estimated housing quality for municipality.
4. Estimated value owner occupied housing units by mortgage.
5. Estimated gross rent for specified renter occupied housing units.
6. Selected monthly owner costs.
7. Selected monthly owner costs as a percentage of the household income.
8. Gross rent as a percentage of household income.
9. Housing occupancy and vacancy rates.
10. Average household size by tenure.
11. Bedroom by housing unit.
12. Occupants per room.
13. Mortgage status.

### B. Projection of Municipal Housing Stock

1. Ten (10) year projection of low/moderate income housing based on construction permits issues approvals and residential development potential.

### C. Municipal Demographic Characteristics

1. Population trends.
2. Toms River Township veteran status.



3. Population by age.
  4. Population by disability characteristics.
  5. Estimated poverty status.
  6. Public assistance income or food stamps/snap.
  7. Financial characteristics of household income by tenure.
  8. Financial characteristics per capita income.
  9. Estimated housing costs as a percentage of household income.
  10. Estimated rent as a percentage of household income.
  11. Estimated monthly owner costs as a percentage of a household income.
  12. Group quarters population and type of group quarters.
- D. Municipal Employment
1. Municipal employment and forecasts.
  2. Industry by occupation for the civilian population 16 years and over.
- E. Consideration of the lands most appropriate for construction of low- and moderate-income housing and of existing structures most appropriate for conversion or rehabilitation for low- and moderate-income housing including a consideration of lands and developers who have expresses a commitment to provide low- and moderate-income housing
- F. Conclusion
- G. Multigenerational Family Continuity Evaluation
- H. State Development and Redevelopment Plan Consistency



**A. Municipal Housing Stock Inventory:****1. Year Structure Built:**

<b>Year Built</b>	<b>Estimated Housing Units</b>
<b>Total</b>	38,701
<b>Owner occupied:</b>	31,761
Built 2020 or later	382
Built 2010 to 2019	1,071
Built 2000 to 2009	2,063
Built 1990 to 1999	5,273
Built 1980 to 1989	4,774
Built 1970 to 1979	6,291
Built 1960 to 1969	5,540
Built 1950 to 1959	3,345
Built 1940 to 1949	2,453
Built 1939 or earlier	569
<b>Renter occupied:</b>	6,940
Built 2020 or later	0
Built 2010 to 2019	640
Built 2000 to 2009	1,055
Built 1990 to 1999	762
Built 1980 to 1989	664
Built 1970 to 1979	1,151
Built 1960 to 1969	1,711
Built 1950 to 1959	332
Built 1940 to 1949	436
Built 1939 or earlier	189

U.S. Census Bureau, U.S. Department of Commerce. (2023). Tenure by Year Structure Built. *American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B25036*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSDT1Y2023.B25036?q=Toms River township, Ocean County, New Jersey b25036&g=160XX00US3473110](https://data.census.gov/table/ACSDT1Y2023.B25036?q=Toms+River+township,+Ocean+County,+New+Jersey+b25036&g=160XX00US3473110).



**2. Occupied Housing Units By Year Householder Moved Into Unit:**

<b>Subject</b>	<b>Estimated Population</b>
<b>Total population in occupied housing units:</b>	97,611
<b>Owner occupied:</b>	83,532
Moved in 2021 or later	9,745
Moved in 2018 to 2020	17,191
Moved in 2010 to 2017	21,565
Moved in 2000 to 2009	17,483
Moved in 1990 to 1999	7,880
Moved in 1989 or earlier	9,668
<b>Renter occupied:</b>	14,079
Moved in 2021 or later	6,808
Moved in 2018 to 2020	2,882
Moved in 2010 to 2017	3,413
Moved in 2000 to 2009	723
Moved in 1990 to 1999	253

U.S. Census Bureau, U.S. Department of Commerce. (2023). Total Population in Occupied Housing Units by Tenure by Year Householder Moved Into Unit. *American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B25026*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDT1Y2023.B25026?q=Toms River township, Ocean County, New Jersey b25026&g=160XX00US3473110>.

**3. Estimated Housing Quality for Municipality:**

<b>Condition</b>	<b>Toms River Township</b>	
	<b>Units</b>	<b>Estimated Percentage</b>
Lacking Complete Plumbing Facilities	0	0.0%
Lacking Complete Kitchen Facilities	103	0.3%
No Telephone Service Available	284	0.7%

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms River township, Ocean County, New Jersey dp04&g=160XX00US3473110>.



**4. Estimated Value Owner Occupied Housing Units by Mortgage Status:**

Estimated Value Owner Occupied Housing Units By Mortgage Status	Estimated Housing Units
Less than 50,000	684
50,000 to 99,999	520
100,000 to 149,999	634
150,000 to 199,999	292
200,000 to 299,999	4,415
300,000 to 499,999	13,915
500,000 to 999,999	3,655
1,000,000 +	1,646

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSDP1Y2023.DP04?q=toms river township ocean county new jersey dp04](https://data.census.gov/table/ACSDP1Y2023.DP04?q=toms+river+township+ocean+county+new+jersey+dp04).

**5. Estimated Gross Rents for Specified Renter-Occupied Housing Units:**

\*\*\*2023 ACS 1-year survey did not have this dataset available; As such, the ACS 5-year data was utilized\*\*\*

Monthly Rent	Estimated Housing Units	Estimated Percentage
Lower than 500	289	4.5%
500 to 900	478	7.4%
1,000 to 1,499	1762	27.1%
1,500 to 1,999	2,082	32.1%
2,000 to 2,499	1,045	16.1%
2,500 to 2,999	386	5.9%
3,000 +	448	6.9%
Occupied Units Paying Rent	6,490	X
No Rent Paid	297	X
Median Gross Rent	\$1,672	

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDP5Y2023.DP04?q=Toms+river+township+ocean+county+new+jersey+dp04>.



**6. Selected Monthly Owner Costs:**

	<b>Estimated Housing Units</b>	<b>Estimated Percentage</b>
<b>Housing units with a mortgage</b>	19,072	
Less than \$500	0	0.0%
\$500 to \$999	739	3.9%
\$1,000 to \$1,499	2,221	11.6%
\$1,500 to \$1,999	4,197	22.0%
\$2,000 to \$2,499	4,174	21.9%
\$2,500 to \$2,999	3,127	16.4%
\$3,000 or more	4,614	24.2%
Median (dollars)	\$2,285	
<b>Housing units without a mortgage</b>	12,689	
Less than \$250	668	5.3%
\$250 to \$399	609	4.8%
\$400 to \$599	889	7.0%
\$600 to \$799	2,895	22.8%
\$800 to \$999	2,669	21.0%
\$1,000 or more	4,959	39.1%
<b>Median (dollars)</b>	\$887	

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms River township, Ocean County, New Jersey dp04&g=160XX00US3473110>.

U.S. Census Bureau, U.S. Department of Commerce. (2023). Financial Characteristics. *American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2503*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSST1Y2023.S2503?q=Toms River township, Ocean County, New Jersey s2503&g=160XX00US3473110>.

U.S. Census Bureau, U.S. Department of Commerce. (2023). Rent Asked. *American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B25061*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDT5Y2023.B25061?q=Toms River township, Ocean County, New Jersey b25061&g=160XX00US3473110>.



7. **Selected Monthly Owner Costs as a Percentage of Household Income (SMOCAPI):**

	<b>Estimated Housing Units</b>
<b>Housing units with a mortgage (excluding units where SMOCAPI cannot be computed)</b>	18,948
Less than 20.0 percent	8,081
20.0 to 24.9 percent	3,020
25.0 to 29.9 percent	2,408
30.0 to 34.9 percent	1,378
35.0 percent or more	4,061
Not computed	124
<b>Housing unit without a mortgage (excluding units where SMOCAPI cannot be computed)</b>	12,595
Less than 10.0 percent	3,454
10.0 to 14.9 percent	2,744
15.0 to 19.9 percent	1,173
20.0 to 24.9 percent	1,001
25.0 to 29.9 percent	626
30.0 to 34.9 percent	1,161
35.0 percent or more	2,436
Not computed	94

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms River township, Ocean County, New Jersey dp04&g=160XX00US3473110>.

U.S. Census Bureau, U.S. Department of Commerce. (2023). Financial Characteristics. *American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2503*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSST1Y2023.S2503?q=Toms River township, Ocean County, New Jersey s2503&g=160XX00US3473110>.

U.S. Census Bureau, U.S. Department of Commerce. (2023). Rent Asked. *American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B25061*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDT5Y2023.B25061?q=Toms River township, Ocean County, New Jersey b25061&g=160XX00US3473110>.



**8. Gross Rent as a Percentage of Household Income:**

Occupied Units Paying Rent	Estimate Housing Units	Estimated Percentage
Less than 15.0 percent	522	7.9%
15.0 to 19.9 percent	815	12.3%
20.0 to 24.9 percent	1,545	23.3%
25.0 to 29.9 percent	720	10.9%
30.0 to 34.9 percent	596	9.0%
35.0 percent or more	2,423	36.6%
Not computed	319	X

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms River township, Ocean County, New Jersey dp04&g=160XX00US3473110](https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms%20River%20township,%20Ocean%20County,%20New%20Jersey%20dp04&g=160XX00US3473110).

U.S. Census Bureau, U.S. Department of Commerce. (2023). Financial Characteristics. *American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2503*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSST1Y2023.S2503?q=Toms River township, Ocean County, New Jersey s2503&g=160XX00US3473110](https://data.census.gov/table/ACSST1Y2023.S2503?q=Toms%20River%20township,%20Ocean%20County,%20New%20Jersey%20s2503&g=160XX00US3473110).

U.S. Census Bureau, U.S. Department of Commerce. (2023). Rent Asked. *American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B25061*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSDT5Y2023.B25061?q=Toms River township, Ocean County, New Jersey b25061&g=160XX00US3473110](https://data.census.gov/table/ACSDT5Y2023.B25061?q=Toms%20River%20township,%20Ocean%20County,%20New%20Jersey%20b25061&g=160XX00US3473110).

**9. Housing Occupancy and Vacancy Rates:**

Housing Occupancy	Estimated Housing Units
Occupied housing units	38,701
Vacant housing units	9,456
Owner-occupied	31,761
Renter-occupied	6,940

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms River township, Ocean County, New Jersey dp04&g=160XX00US3473110](https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms%20River%20township,%20Ocean%20County,%20New%20Jersey%20dp04&g=160XX00US3473110).



**10. Average Household Size by Tenure:**

	<b>Estimated Household Size</b>
<b>Average household size of owner-occupied unit</b>	2.63
<b>Average household size of renter-occupied unit</b>	2.03

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms River township, Ocean County, New Jersey dp04&g=160XX00US3473110>.

**11. Bedrooms by Housing Unit:**

<b>Bedrooms</b>	<b>Estimated Housing Units</b>
No bedroom	411
1 bedroom	4,974
2 bedrooms	14,003
3 bedrooms	14,768
4 bedrooms	10,450
5 or more bedrooms	3,551

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms River township, Ocean County, New Jersey dp04&g=160XX00US3473110>.

**12. Occupants Per Room:**

No data available from census website

**13. Mortgage Status:**

<b>Mortgage Status</b>	<b>Estimated Housing Units</b>	<b>Estimated Percentage</b>
Owner-occupied units	31,761	31,761
Housing units with a mortgage	19,072	60.0%
Housing units without a mortgage	12,689	40.0%

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDP1Y2023.DP04?q=Toms River township, Ocean County, New Jersey dp04&g=160XX00US3473110>.



**B. Projection of Municipal Housing Stock:**

**Projection of low/moderate income housing as a segment is based on historical ten (10) year construction permits issued along with residential development potential.**

<b>Year</b>	<b>Housing Units Authorized by Building Permits</b>
2023	138
2022	183
2021	422
2020	124
2019	353
2018	343
2017	376
2016	442
2015	684
2014	812
<b>Total</b>	<b>3967</b>
<b>Average</b>	<b>396.7</b>

[New Jersey Department of Community Affairs |](#)

The projection of Toms River Township housing stock is based on the historical ten (10) year mean of the housing units (396.7) authorized by building permits. The probable future construction of low- and moderate-income housing in Toms River Township is based on implementation of the Toms River Fair Share Plan.

**C. Municipal Demographic Characteristics****1. Population Trends:**

<b>Toms River Township, Ocean County, New Jersey, NJTPA Forecast 2050</b>	
2015 Population	91,190
2050 Forecast	111,843
Absolute Change	20,653
Annualized Percent Change	0.6%

<https://www.njtpa.org/Data-Maps/Demographics-GIS/Forecasts.aspx>

According to NJTPA forecast, the township would increase its population from 91,190 residents to 111,843 (20,653 resident increase). The average household size in the township for owner occupied units is 2.63 and 2.03 for renter occupied units, therefore if the forecast were accurate, approximately 7,853 new dwellings would be needed to accommodate for the forecast growth.



<b>Ocean County, New Jersey, NJTPA Forecast 2050</b>	
2015 Population	583,450
2050 Forecast	727,653
Absolute Change	144,203
Annualized Percent Change	0.6%

<https://www.njtpa.org/Data-Maps/Demographics-GIS/Forecasts.aspx>

## 2. Toms River Township Veteran Status:

	<b>Estimated Population</b>	<b>Estimated Percentage</b>
Civilian population 18 years and over	75,721	X
Civilian Veterans	4,624	6.1%

U.S. Census Bureau, U.S. Department of Commerce. (2023). Veteran Status. American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2101. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSST1Y2023.S2101?q=Toms River township, Ocean County, New Jersey s2101&g=160XX00US3473110>.

## 3. Population by Age:

	<b>Estimated Population</b>
<b>Total</b>	99,090
<b>Total Male</b>	47,182
<b>Total Female</b>	51,908
Under 5 years	5,970
5 to 9 years	6,800
10 to 14 years	5,989
15 to 17 years	3,126
18 and 19 years	2,438
20 years	1,041
21 years	986
22 to 24 years	2,052
25 to 29 years	5,930
30 to 34 years	6,077
35 to 39 years	6,252
40 to 44 years	5,430
45 to 49 years	4,836
50 to 54 years	6,182
55 to 59 years	7,342
60 and 61 years	2,760
62 to 64 years	4,666
65 and 66 years	2,404
67 to 69 years	3,808
70 to 74 years	5,498
75 to 79 years	4,230
80 to 84 years	2,443
85 years and over	2,830



U.S. Census Bureau, U.S. Department of Commerce. (2023). Sex by Age. *American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B01001*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSST1Y2023.B01001?q=Toms River township, Ocean County, New Jersey b01001&g=160XX00US3473110](https://data.census.gov/table/ACSST1Y2023.B01001?q=Toms%20River%20township,%20Ocean%20County,%20New%20Jersey%20b01001&g=160XX00US3473110).

U.S. Census Bureau, U.S. Department of Commerce. (2023). Median Age by Sex. *American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B01002*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSST1Y2023.B01002?q=Toms River township, Ocean County, New Jersey b01002&g=160XX00US3473110](https://data.census.gov/table/ACSST1Y2023.B01002?q=Toms%20River%20township,%20Ocean%20County,%20New%20Jersey%20b01002&g=160XX00US3473110).

#### 4. Population by Disability Characteristics:

	Total	Estimated Population with Disability	Estimated Percentage
Total civilian noninstitutionalized population	97,990	12,664	12.9%

U.S. Census Bureau, U.S. Department of Commerce. (2023). Disability Characteristics. *American Community Survey, ACS 1-Year Estimates Subject Tables, Table S1810*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSST1Y2023.S1810?q=Toms River township, Ocean County, New Jersey s1810&g=160XX00US3473110](https://data.census.gov/table/ACSST1Y2023.S1810?q=Toms%20River%20township,%20Ocean%20County,%20New%20Jersey%20s1810&g=160XX00US3473110).

#### 5. Estimated Poverty Status:

	Estimated Total	Estimated Population Below Poverty Level	Estimated Percentage
Population for whom poverty status is determined	97,684	7,155	7.3%
Under 18 years	21,579	1,193	5.5%
18 to 64 years	55,447	3,883	7.0%
65 years and over	20,658	2,079	10.1%

U.S. Census Bureau, U.S. Department of Commerce. (2023). Poverty Status in the Past 12 Months. *American Community Survey, ACS 1-Year Estimates Subject Tables, Table S1701*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSST1Y2023.S1701?q=Toms River township, Ocean County, New Jersey s1701&g=160XX00US3473110](https://data.census.gov/table/ACSST1Y2023.S1701?q=Toms%20River%20township,%20Ocean%20County,%20New%20Jersey%20s1701&g=160XX00US3473110).



**6. Public Assistance Income or Food Stamps/SNAP:**

	Estimated Housing Units
<b>Total</b>	38,701
With cash public assistance or Food Stamps/SNAP	2,486
No cash public assistance or Food Stamps/SNAP	36,215

U.S. Census Bureau, U.S. Department of Commerce. (2023). Public Assistance Income or Food Stamps/SNAP in the Past 12 Months for Households. *American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B19058*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDT1Y2023.B19058?q=Toms River township, Ocean County, New Jersey b19058&g=160XX00US3473110>.

**7. Financial Characteristics: Household Income by Tenure:**

Household income in the past 12 months (in 2023 inflation-adjusted dollars)	Estimate		
	Occupied Housing Units	Owner Occupied	Renter Occupied
Less than \$5,000	1.6%	1.5%	2.3%
\$5,000 to \$9,999	1.4%	1.6%	0.7%
\$10,000 to \$14,999	2.2%	1.8%	4.2%
\$15,000 to \$19,999	2.7%	2.9%	1.6%
\$20,000 to \$24,999	3.6%	2.7%	8.1%
\$25,000 to \$34,999	7.5%	8.2%	4.3%
\$35,000 to \$49,999	8.8%	7.3%	15.5%
\$50,000 to \$74,999	11.1%	10.1%	15.6%
\$75,000 to \$99,999	13.9%	12.9%	18.5%
\$100,000 to \$149,999	18.6%	18.9%	17.4%
\$150,000 or more	28.4%	32.0%	11.9%
Median household income (dollars)	\$92,602	\$101,901	\$66,624

U.S. Census Bureau, U.S. Department of Commerce. (2023). Financial Characteristics. *American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2503*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSST1Y2023.S2503?q=toms river township ocean county new jersey s2503>.

U.S. Census Bureau, U.S. Department of Commerce. (2023). Per Capita Income in the Past 12 Months (in 2023 Inflation-Adjusted Dollars). *American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B19301*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDT1Y2023.B19301?q=toms river township ocean county new jersey b19301>.



**8. Financial Characteristics: Per Capita Income:**

	<b>Toms River Township</b>	<b>Ocean County</b>	<b>New Jersey</b>
<b>Estimated Per Capita Income</b>	<b>\$48,395</b>	<b>\$42,910</b>	<b>\$52,583</b>

U.S. Census Bureau, U.S. Department of Commerce. (2023). Financial Characteristics. *American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2503*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSST1Y2023.S2503?q=toms river township ocean county new jersey s2503>.

U.S. Census Bureau, U.S. Department of Commerce. (2023). Per Capita Income in the Past 12 Months (in 2023 Inflation-Adjusted Dollars). *American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B19301*. Retrieved December 17, 2024, from <https://data.census.gov/table/ACSDT1Y2023.B19301?q=toms river township ocean county new jersey b19301>.

**9. Estimated Housing Costs as a Percentage of Household Income:**

	Housing Cost as a Percentage of Household Income					
	<20%		20-29%		>30%	
Household Income	Owner Occupied	Renter Occupied	Owner Occupied	Renter Occupied	Owner Occupied	Renter Occupied
Less than \$20,000:	0	0	166	91	2,083	357
\$20,000 to \$34,999:	727	103	326	0	2,414	724
\$35,000 to \$49,999:	366	74	848	0	1,117	1,022
\$50,000 to \$74,999:	1,194	0	651	357	1,371	723
\$75,000 or more:	13,165	1,160	5,064	1,817	2,053	267
Sub Total	15,452	1,337	7,055	2,265	9,038	3,093
Totals	16,789		9,320		12,131	
Owner Zero or Negative Income	218					
Renter Zero or Negative Income	158					
No Cash Rent	161					
Total Owner-Occupied Units	31,545					
Total Renter-Occupied Units	6,695					



U.S. Census Bureau, U.S. Department of Commerce. (2023). Tenure by Housing Costs as a Percentage of Household Income in the Past 12 Months. *American Community Survey, ACS 1-Year Estimates Detailed Tables, Table B25106*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSDT1Y2023.B25106?q=toms river township ocean county new jersey b25106](https://data.census.gov/table/ACSDT1Y2023.B25106?q=toms%20river%20township%20ocean%20county%20new%20jersey%20b25106).

#### 10. Estimated Gross Rent as a Percentage of Household Income:

Occupied units paying rent (excluding units where GRAPI cannot be computed)	Estimated Percentage
Less than 15.0 percent	7.9%
15.0 to 19.9 percent	12.3%
20.0 to 24.9 percent	23.3%
25.0 to 29.9 percent	10.9%
30.0 to 34.9 percent	9.0%
35.0 percent or more	36.6%
Median Gross Rent \$	\$1,723

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSDP1Y2023.DP04?q=toms river township ocean county new jersey dp04](https://data.census.gov/table/ACSDP1Y2023.DP04?q=toms%20river%20township%20ocean%20county%20new%20jersey%20dp04).

#### 11. Estimated Monthly Owner Costs as a Percentage of Household Income:

Housing units with a mortgage (excluding units where SMOCAP cannot be computed)	Estimated Percentage
Less than 20.0 percent	42.6%
20.0 to 24.9 percent	15.9%
25.0 to 29.9 percent	12.7%
30.0 to 34.9 percent	7.3%
35.0 percent or more	21.4%
Select Monthly Housing Costs with Mortgage Median	\$2,285

U.S. Census Bureau, U.S. Department of Commerce. (2023). Selected Housing Characteristics. *American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04*. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSDP1Y2023.DP04?q=toms river township ocean county new jersey dp04](https://data.census.gov/table/ACSDP1Y2023.DP04?q=toms%20river%20township%20ocean%20county%20new%20jersey%20dp04).



**12. Group Quarters Population & Type of Group Quarters:**

	Estimated Population
Total:	1,720
Institutionalized population:	1,368
Correctional facilities for adults	206
Juvenile facilities	1
Nursing facilities/Skilled-nursing facilities	1,056
Other institutional facilities	105
Noninstitutionalized population:	352
College/University student housing	0
Military quarters	0
Other noninstitutional facilities	352

U.S. Census Bureau. (2020). GROUP QUARTERS POPULATION BY MAJOR GROUP QUARTERS TYPE. *Decennial Census, DEC Redistricting Data (PL 94-171), Table P5*. Retrieved December 17, 2024, from [https://data.census.gov/table/DECENNIALPL2020.P5?q=toms river township ocean county new jersey p5](https://data.census.gov/table/DECENNIALPL2020.P5?q=toms+river+township+ocean+county+new+jersey+p5).

**D. Municipal Employment:****1. Municipal Employment and Forecasts:**

Year	Estimated Employment
2015 Employment	43,773
2020 Employment	44,655
2025 Employment	45,556
2030 Employment	46,474
2035 Employment	47,411
2040 Employment	48,367
2045 Employment	49,342
2050 Employment	50,327
Annualized % Change 2015-2050	0.40%

<https://www.njtpa.org/NJTPA/media/Documents/Data-Maps/Demographics-GIS/Forecasts/Final-County-and-Municipal-Forecasts-for-LRTP.xlsx>





## Toms River Housing Element &amp; Fair Share Plan

June 6, 2025

**2. Industry Occupation for the Civilian Population 16 Years and Over:**

	Estimated Total	Management, business, science, and arts occupations	Service occupations	Sales and office occupations	Natural resources, construction, and maintenance occupations	Production, transportation, and material moving occupations
<b>Civilian employed population 16 years and over</b>	46,780	22,407.62	6,455.64	9,543.12	4,116.64	4,256.98
<b>Agriculture, forestry, fishing and hunting, and mining</b>	69	0	0	0	69	0
<b>Construction</b>	3,581	723.362	0	46.553	2,635.616	175.469
<b>Manufacturing</b>	3,477	1,721.115	0	222.528	601.521	931.836
<b>Wholesale trade</b>	883	416.78	0.00	422.96	0.00	43.27
<b>Retail trade</b>	4,922	654.626	369.15	2,761.242	98.44	1,048.386
<b>Transportation and warehousing, and utilities</b>	2,126	242.364	184.962	635.674	157.324	905.676
<b>Information</b>	1,695	1,515.33	0	179.67	0	0
<b>Finance and insurance, and real estate and rental and leasing</b>	3,409	1,663.592	0	1,384.054	54.544	306.81
<b>Professional, scientific, and management, and administrative and waste management services</b>	4,552	2,480.84	628.176	896.744	295.88	245.808
<b>Educational services, health care and social assistance</b>	13,234	9,912.266	952.848	2,130.674	79.404	158.808
<b>Arts, entertainment, recreation, and accommodation and food services</b>	4,314	1,643.634	2,277.792	176.874	0	215.7
<b>Other services, except public administration</b>	1,997	369.445	910.632	335.496	147.778	235.646
<b>Public administration</b>	2,521	1,043.694	1,126.887	350.419	0	0
<b>Total</b>	46,780	22,387.044	6,450.447	9,542.885	4,139.507	4,267.406

U.S. Census Bureau, U.S. Department of Commerce. (2023). Industry by Occupation for the Civilian Employed Population 16 Years and Over. American Community Survey, ACS 1-Year Estimates Subject Tables, Table S2405. Retrieved December 17, 2024, from [https://data.census.gov/table/ACSST1Y2023.S2405?q=toms river township ocean county new jersey s2405](https://data.census.gov/table/ACSST1Y2023.S2405?q=toms+river+township+ocean+county+new+jersey+s2405).



**E. Consideration of the lands most appropriate for the construction of low- and moderate-income housing; of existing structure most appropriate for conversion or rehabilitation for low- and moderate-income housing, including consideration of lands of developers who have expressed a commitment to providing low- and moderate-income housing.**

As one of the most populated towns in the entire state (100,505, 8<sup>th</sup>), Toms River has a minimal amount of developable land. As part of its fourth round efforts, the Township conducted a land capacity analysis to determine how much land in the Township could be developed. This analysis (located in Appendix A of the report) confirmed that there is a small percentage of developable land in the region. The Township has focused its affordable housing efforts on extending expiring controls, and focusing development on vacant, underutilized and dilapidated sites.

**Proposed Inclusionary Development**

**2008 Route 37 Associates, LLC, Toms River Township, New Jersey  
Block 796, Lot 3**

The Township received a proposal to develop an inclusionary development in the Township with an approximate sixteen percent (16%) affordable housing set-aside at property known as Block 796, Lot 3 on the Township's official tax map, more commonly known as 2008 Route 37. The Township is vested with exclusive authority and responsibility to develop a Housing Element and Fair Share Plan to fulfill its affordable housing obligation. The amendments to the *New Jersey Fair Housing Act*, P.L.1985, c.222 (C:52:27D-301, et al.) enacted pursuant to P.L.2024, c.2 confers upon the Township the mandate to solely determine the most appropriate mechanisms for compliance. Pursuant to N.J.S.A. 52:27D-304.1(f), a municipality's adopted Housing Element and Fair Share Plan is not subject to challenge based upon any claim that a site on real property proposed by an alleged interested party provides a better compliance mechanism than the mechanisms selected by a municipality. The Township does not concede that the referenced proposal constitutes a "commitment" within the meaning of P.L.2024, c.2. Nonetheless, the Township notes the proposal for informational purposes. The Township has set forth sufficient mechanisms to satisfy its fair share obligations for the Fourth Round, and the Township has elected not to utilize the proposed project as a compliance mechanism.



## Proposed Inclusionary Development

**JD Jamestowne, LLC, Toms River Township, New Jersey**  
**Block 610, Lots 1, 2, 3, 5, 11, 30, 31 and 33**

The Township received a proposal to develop an inclusionary development in the Township with an unspecified affordable housing set-aside at property known as Block 610, Lots 1, 2, 3, 5, 11, 30, 31 and 33 on the Township's official tax map, more commonly known as Jamestowne Village. The Township is vested with exclusive authority and responsibility to develop a Housing Element and Fair Share Plan to fulfill its affordable housing obligation. The amendments to the *New Jersey Fair Housing Act*, P.L. 1985, c.222 (C:52:27D-301, et al.) enacted pursuant to P.L. 2024, c.2 confers upon the Township the mandate to solely determine the most appropriate mechanisms for compliance. Pursuant to N.J.S.A. 52:27D-304.1(f), a municipality's adopted Housing Element and Fair Share Plan is not subject to challenge based upon any claim that a site on real property proposed by an alleged interested party provides a better compliance mechanisms than the mechanisms selected by a municipality. The Township does not concede that the referenced proposal constitutes a "commitment" within the meaning of P.L. 2024, c.2. Nonetheless, the Township notes the proposal for informational purposes. The Township has set forth sufficient mechanisms to satisfy its fair share obligations for the Fourth Round, and the Township has elected not to utilize the proposed project as a compliance mechanism.

## F. Conclusion

Key census data points showing realistic opportunities for affordable housing in Tom River:

1. Owner homes built prior to 1979: 49.6%. Renter homes built prior to 1979: 55%.
2. Homes having complete plumbing and kitchen, not overcrowded: 99.7%.
3. Median Value Owner Homes: \$426,200.
4. Median Gross Rent (All Bedrooms): \$1,723.
5. Estimated monthly housing cost – owner:      \$2,285 (With Mortgage)  
   \$887 (Without Mortgage)
6. Renter Occupied Homes: 17.9%      Owner Occupied Homes: 82.1%.
7. Vacancy: 19.6%.
8. Population Estimated 2023: 99,090.



9. Median Age: 42.6.
10. Residents with a disability: 12,664 / 12.9%.
11. Residents below the poverty level: 7,155 / 7.2%.
12. Residents with veteran status: 4,624 / 6.1%.
13. Households with public assistance or food stamps / SNAP: 6.9%.
14. Median housing income renter occupied: \$66,624 Owner occupied: \$101,901.
15. Toms River per capita income: \$48,395  
Ocean County per capita income: \$42,910  
New Jersey per capita income: \$52,583
16. 54.4% of Toms River rental housing costs are less than thirty percent (30%) of the household income.

#### **G. Multigenerational Family Continuity Evaluation**

P.L. 2024, c.2 amended various aspects of the Fair Housing Act. These amendments modified the mandatory components of a municipality's housing element. N.J.S.A. 52:27D-310g. has been added, which states "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)".

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 Department of Community Affairs ("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 June 3, 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 June 3, 2025. DCA's website is silent regarding the Commission, its annual required reports, studies, and/or recommendations. Without recommendations from the Commission, Toms River is unable to conduct an analysis of its ordinances and other local factors. Despite the absence of recommendations, it should be noted that there is nothing in Toms River's zoning ordinance that prohibits senior citizens from residing at the home of their extended families.

## **H. State Development and Redevelopment Plan Consistency**

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

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 Township cannot opine on consistency until the final version is adopted. Toms River has not received guidance concerning water or wastewater from the State Planning Commission. Furthermore, Toms River has reviewed the draft Plan and has submitted comments to Ocean County regarding the draft plan that if accepted, would potentially modify the goals and policies.



## **FAIR SHARE PLAN**

### **TOMS RIVER OBLIGATION**

On March 20, 2024, Governor Murphy signed P.L.2024, c.2, which enacted amendments to the Fair Housing Act (“Amended FHA”). Applying the standards in the Amended FHA, the New Jersey Department of Community Affairs (DCA) issued a report, dated October 18, 2024, setting forth nonbinding obligations for every municipality in the State. For Toms River, the DCA estimated that the Township had a Present Need (Rehabilitation) of 526 and a Round 4 Prospective Need of 670. Pursuant to the amended procedures enacted by P.L.2024, c.2, the Township elected to participate in the mediation forum provided by the Affordable Housing Dispute Resolution Program (the “Program”). The Township remains an active participant in the Program and, thus, received and continues to receive temporary immunity from builder remedy lawsuits and declaratory judgment actions.

On May 9, 2025, the Court entered an Order setting the Township’s fair share obligation for the Fourth Round affordable housing cycle as follows:

- **Present need obligation:** 526 affordable units; and
- **Prospective need obligation:** 649 affordable units.

Toms River Township, per the FHA, is located in **Region 4**. This region includes Mercer, Monmouth, and Ocean Counties.

### **PRESENT NEED (REHAB OBLIGATION)**

The rehabilitation obligation can be defined in the Affordable Housing Law as the number of substandard existing deficient housing units currently occupied by low and moderate-income (LMI) households. The DCA estimated through their “Fourth Round Calculation Methodology & Workbook” that the Township has a Present Need (Rehab) Obligation of 526 units.

Toms River has a partnership with Northern Ocean Habitat for Humanity to run the Town’s CDBG rehab program. This program will help the Township satisfy its rehab obligation.



## Toms River Housing Element &amp; Fair Share Plan

June 6, 2025

**PRIOR ROUND**

The Township has fully satisfied its prior round obligation. The resulting proposed prior round compliance plan is summarized in the table below:

<b>Toms River Township Prior Round Obligation = 1,735</b>					
<b>Mechanism</b>	<b>Units</b>	<b>Bonus</b>	<b>Total</b>	<b>Difference</b>	<b>Notes</b>
<b>Prior Cycle Credits</b>					
Credits without controls	176		176		
Highland Plaza (seniors)	110		110		
Winteringham Village	182		182	-1	Super unit removed. One bedroom removed.
Alternative Living	21		21	-1	Narrative 21, plan chart 22, loss of one unit
<b>Regional Contribution Agreement</b>					
Lakewood Township	72		72		
<b>100% Affordable Family For-Sale</b>					
Habitat for Humanity	1		1		
103 Walnut Street	12		12		
<b>100% Affordable Rentals</b>					
Alternative Living	42	33	75		COAH previous approved
Alternative Living	30	10	40	-27	Doc 30 bedrooms, 10 without 30-year controls
Hope's Crossing	125	125	250		
Toms River Crescent	119	119	238	-2	Super's unit/bedroom removed
Presbyterian Homes (Seniors)	84		84	-1	Super's unit removed. Bedroom removed.
<b>Inclusionary Family For-Sale</b>					
Autumn Ridge	10		10	+1	Moved from Third Round



## Toms River Housing Element &amp; Fair Share Plan

June 6, 2025

<b>Toms River Township Prior Round Obligation = 1,735</b>					
<b>Mechanism</b>	<b>Units</b>	<b>Bonus</b>	<b>Total</b>	<b>Difference</b>	<b>Notes</b>
North Pointe Hollow	89		89		
Walnut Grove	3		3		
Woods at Mass. Avenue	14		14		
<b>Inclusionary Rentals</b>					
Dover Chase	22	22	44		
Walnut Hollow	6	6	12		
Leone	2	2	4		
Fairways at Bey Lea	106	63	169	-3	Only 63 w/ 30-yr ctrls
Kaplan/Camelot (22 of 26)	22	10; cap	32	+32	Moved from Third Round
Villages at Bey Lea (srs)	48		48		
<b>Assisted Living (Seniors)</b>					
Brentwood	12		12		
Magnolia Gardens	12		12		
Residence at Toms River	14		14		
Brandywine	11		11		
<b>TOTALS</b>	1,345	390	1,735	-2	Township meets 1,735 obligation

**THIRD ROUND**

The Township received a Final Third Round Judgement of Repose in May of 2017. This Agreement provides that the Township's Third Round Prospective Need Obligation is 1,285 units. The breakdown of how these units have been developed and credited is on the table below. The Township has also revised and adopted an updated Third Round Spending Plan.

<b>Toms River Township Third Round Obligation = 1,285</b>					
<b>Mechanism</b>	<b>Units</b>	<b>Bonus</b>	<b>Total</b>	<b>Difference</b>	<b>Notes</b>
<b>Extensions of Controls</b>					
Winteringham Village	182		182		Family Rentals
Highland Plaza (seniors)	110		110		Senior Rentals
North Pointe Hollow	68		68	+49	Family Sale
Woods at Massachusetts Avenue	2		2		Family Sale
<b>100% Affordable Rentals</b>					
Project Freedom	71	71	142		
Meadow Green (seniors)	79		79		
TR Senior Apartments (seniors)	101		101		





## Toms River Housing Element &amp; Fair Share Plan

June 6, 2025

<b>Toms River Township Third Round Obligation = 1,285</b>					
<b>Mechanism</b>	<b>Units</b>	<b>Bonus</b>	<b>Total</b>	<b>Difference</b>	<b>Notes</b>
Michaels	49	49	98		Built
TAS/Krupnick (60 units)	0		0		FSHC agree req plan incl, no third round credit
<b>Inclusionary Family For Sale</b>					
Autumn Ridge (0 of 10)	0		0	-2	All to prior round
<b>Inclusionary Rentals</b>					
Dover Summit	35	35	70		
Grabrielle Run	70	69; cap	139		
Colfax Street	2	2	4		
Autumn Ridge	5	5	10		
Lotano	11	11	22		
Nobility Crest	50	50	100		
Kaplan/Camelot (4 of 26)	4		4	-22	Built
Dover Shopping Center	30	30	60		Approved
1606 Lakewood	29		29		Built
Legion Court	4		4		Approved
JSM Route 166	27		27		Zoned
K. Hovnanian Bimini Dr.	28		28		Zoned
Residence Club at Cox Crow Crossing	9		9	+9	Not in adopted HEFSP, built
<b>Redevelopment</b>					
Water Street Redevelopment, Phase 1	0		0	-66	Tenure not specified
Hooper-Caudina	10		10	+10	Not in adopted HEFSP
<b>TOTALS</b>	<b>976</b>	<b>322</b>	<b>1,298</b>	<b>-22</b>	
<b>Third Round Shortfall</b>			<b>+13</b>		<b>= 1,298 – 1,285</b>

Maximum Rental Bonuses:  $0.25 (1,285) = 322$ , round up; 322 requestedMaximum Seniors:  $0.25 (1,285) = 321$ , round down; 290 providedThird Round 1000-Unit Cap

As set forth in its motion papers pending under its third round Declaratory Judgment action Docket No. OCN-L-2867-15, the Township determined after extensive analysis that it is eligible to cap its third-round prospective need obligation at 1,000 units pursuant to N.J.S.A. 52:27D-307(e). See discussion above at Page 3-5. The Township will use the resulting surplus to assist meet its fourth-round obligation.



As part of this analysis, the Toms River Building Department aggregated all Certificate of Occupancy permits issued between December 7, 2005, and December 18, 2025. A GIS mapping analysis was performed to remove all non-residential permits (commercial Certificate of Occupancies). All residential COs issued after October 29, 2012 were mapped to determine the location of post-Hurricane Sandy Certificate of Occupancy permits. Any permit issued for a property on the barrier island or the mainland east of Hooper Avenue located between the border of Brick Township and intersection of Fischer Boulevard, east of Fischer Boulevard (both sides of the street), south of Route 37, and east of Island Heights, and south of Washington and Whittier Streets and west of Island Heights was considered a Hurricane Sandy recovery Certificate of Occupancy permit. Said Certificate of Occupancy permits were issued for repairs required to make the dwelling units habitable or for reconstruction/ house elevation projects to comply with new flood insurance requirements. These permits would not have been issued had the storm recovery process not occurred.

Certificate of Occupancy permits issued for non-sandy properties after October 29, 2012 were added to residential certificate of occupancy permits issued between December 8, 2005, and October 29, 2012. The total non-sandy residential certificate of occupancy permits issued was 4,052 over the ten (10) years. The Township is eligible for the Third Round 1,000 unit cap.

#### **FOURTH ROUND**

As part of its Fourth Round efforts, the Township is incorporating Prior Round and Third Round documentation included in its 2022 draft updated Third Round HEFSP, as well as additional information requested in the January 14, 2025 Special Adjudicator Memorandum and secured by the Township, and has included in the appendices the crediting documents provided to the Special Adjudicator and FSHC since entry of the Township's 2017 Conditional JOR. The following is a summary of those conditions outlined in the January 14, 2025 Special Adjudicator Third Round Status Memorandum (the "Status Memorandum") requiring further attention, as indicated by the Special Adjudicator's use of *italicized* text in the Status Memorandum. As the remaining materials are secured by the Township, the Township shall provide them.

**Conditions 1-4:** The Township has entered into an agreement with Habitat for Humanity of Northern Ocean County for administration of its local CDBG rehabilitation program and has provided the executed agreement (appendix I) and an updated operating manual. *The operating manual must have the dates on the cover updated and must be included as an appendix to the Township's Fourth Round HEFSP.*

The Township has updated the manual, which is included at Appendix G.

**Condition 5:** Submit crediting documentation for units addressing the Prior Round obligation.





- **Alternative Living Arrangements:**

The Township has updated the information on post-1986 facilities and included details on each of the alternative-living facilities it has claimed. Surveys and information are included in Appendix AA.

- **North Pointe Hollow (Block 37, Lot 1):**

Piazza & Associates, Incorporated, the Township's Administrative Agent, has determined that fifty (50) units at North Pointe Hollow are currently eligible for deed restriction extension, subject to resident interest. See Appendix J. On April 14, 2025, the Township hosted an information session with North Pointe residents regarding the proposed extension project. On the same date, the Township submitted a proposed form of Deed Restriction to the Third Round Declaratory Judgment Special Adjudicator (the "Special Adjudicator") and to the Interested Party, Fair Share Housing Center ("FSHC"). A copy of said Deed Restriction is attached hereto in Appendix J. Following that submission, the Township conferred with the Special Adjudicator and FSHC on multiple occasions concerning the required form of deed extension documentation. A mutually agreed-upon plan of action was established, and the Township is now conducting the required appraisals to determine appropriate recapture amounts for inclusion in the proposed mortgage documentation to be provided to residents.

- **AS Developers/Walnut Grove (Block 591, Lot 7.09):**

The Township has enclosed in Appendix K, an updated unit census setting forth income-bedroom distributions, as well as copies of the development's original COs.

	Low-Income	Moderate-Income	Total
1-bedroom	1	1	2
2-bedroom	0	1	1
Total	1	2	3

- **Woods at Massachusetts (Block 166, Lot 1):**

The Township is actively working with the Special Programs office of the Single Family Division of the NJ Housing and Mortgage Finance Agency to facilitate the extension of deed restrictions on eligible units. Documentation will be provided to the Special Adjudicator and FSHC when secured. The Township has provided all crediting documentation, which was previously furnished, in Appendix L.



- **Habitat for Humanity (Block 626, Lot 13):**

Pursuant to the Status Memorandum, the Township has set forth in its low-mod split analysis for the Prior Round that the one family for-sale unit is a very low-income unit.

- **Dover Chase (Block 164, Lot 3):**

Pursuant to the Status Memorandum, the Township provided a draft deed restriction to the Special Adjudicator and FSHC in March 2025. The Township filed litigation against the Dover Chase developer on April 23, 2025, and, on May 30, 2025, secured execution of the attached electronic copy of the Deed Restriction contained in Appendix M, which shall be recorded upon receipt of an original copy by the Township. A copy of the recorded documentation will be provided to the Special Adjudicator and FSHC upon receipt. Pursuant to the Status Memorandum, the Township sets forth the below income-bedroom distribution chart for the Third Round based upon information provided by Piazza and Associates, LLC.

	Low-Income	Moderate-Income	Total	% of Total
1-bedroom	2	2	4	18.2%
2-bedroom	5	5	10	45.4%
3-bedroom	4	4	8	36.4%
<b>Total</b>	<b>11</b>	<b>11</b>	<b>22</b>	
<b>% of Total</b>	<b>50%</b>	<b>50%</b>		

- **Walnut Cove/103 Walnut Street (Block 609.02, Lot 8):**

Pursuant to the Status Memorandum, the Township has enclosed in the Appendix a breakdown furnished by HAS of the NJ Housing and Mortgage Finance Agency of the development's units showing the income distribution of the units. The Township is actively working with the Special Programs office of the Single Family Division of the NJ Housing and Mortgage Finance Agency to obtain all credit documentation for the existing units, which will be provided to the Special Adjudicator and FSHC upon receipt.

- **Hope's Crossing (Block 135.01, Lot 4):**

Pursuant to the Status Memorandum, the Township has enclosed in Appendix O a unit census setting forth the units, as well as their bedroom count and affordability level.



- **Fairways at Bey Lea (Block 571, Lot 89) Alternative Living Arrangements:**

The Township has facilitated communications and meetings in February 2025 and spring of 2025 between the development's owner, Fairways at Bey Lea, LLC, and the Township's administrative agent, Piazza and Associates, Inc., in order to craft an agreement that will allow the Owners to serve in the capacity of Administrative Agent, with P&A to provide oversight so to ensure that the affordable units are both marketed and rented in accordance with applicable regulations. A copy of the current proposal presented by Piazza & Associates, Incorporated is included in Appendix P. The agreement will be provided to the Special Adjudicator and FSHC when secured.

- **Walnut Hollow (Block 609, Lot 1):**

The Township is actively pursuing the original recorded deed restriction from the Developer and acknowledgment as to the bedroom count and affordability levels of each unit. The documentation will be provided to the Special Adjudicator and FSHC when secured.

- **Leone (Block 658.01, Lots 32 and 33):**

Pursuant to the Status Memorandum, the Township has secured the required developer executed Deed Restriction dated March 17, 2025, providing for a control period of at least thirty (30) years for the units. The Deed Restriction sets forth the bedroom and income distribution. Recording is being sought by the Township and a recorded copy of the Deed Restriction will be provided to the Special Adjudicator and FSHC when secured. Pursuant to the Status Memorandum, a copy of the Deed Restriction and Certificate of Occupancy are attached in Appendix Q. The Township has communicated with the development's owner, TR 2019, LLC, and the Township's administrative agent, Piazza and Associates, Inc., in order to facilitate the negotiation of an agreement to provide affirmative marketing and secure an experienced/qualified administrative agent for the development. The documentation will be provided to the Special Adjudicator and FSHC when secured.

- **Toms River Crescent (Block 230, Lot 2):**

Pursuant to the Status Memorandum, the Township provides below the development's income-bedroom distribution. Further, in Appendix R, the Township provides the requested documentation detailed in the Status Memorandum.



	Very Low-Income	Low-Income	Moderate-Income	Total	% of Total
1-bedroom					
2-bedroom	6	77		83	69.7%
3-bedroom	6	30		36	30.3%
<b>Total</b>	<b>12</b>	<b>107</b>		<b>119</b>	
<b>% of Total</b>	<b>10.1%</b>	<b>89.9%</b>			

The Township has included the updated unit count/rental bonuses and income-bedroom distribution information for these units, and in an appendix to the Fourth Round HEFSP the Township included all the documentation listed above.

**Condition 6: Address discrepancies in the Third Round compliance plan summary table in the HEFSP and indicate which developments generate rental bonuses to be applied to the Third Round obligation.**

**Satisfied:** The Township's updated draft HEFSP addressed the discrepancies, including changing the maximum permitted Third Round rental bonuses from 321 to 322, and accurately reflecting which sites were eligible and would be generating the rental bonuses.

**Condition 7: Provide sufficient documentation to confirm that all units being claimed for Third Round credit are eligible.**

- **Hyers Street/Legion Court (Block 659, Lot 1):**

Appendix S, has provided the developer's agreement.

- **Eagle's Crest/Michaels/Gateway 70 (Block 145.01, Lot 1.02):**

	Very Low-Income	Low-Income	Moderate-Income	Total	% of Total
1-bedroom	1	4	4	9	18.3%
2-bedroom	3	14	13	30	61.2%
3-bedroom	1	5	4	10	20.4%
<b>Total</b>	<b>5</b>	<b>23</b>	<b>21</b>	<b>49</b>	
<b>% of Total</b>	<b>10.2%</b>	<b>46.9%</b>	<b>42.9%</b>		

The Township has provided Form 10 in the Appendix T.



- **Autumn Ridge/Homes for All (Block 172, Lot 11.01):**

The Township has set forth in the HEFSP which units are being claimed for credit in the Prior Round and Third Round, respectively, with all additional documentation noted in the Status Memorandum provided to the Special Adjudicator to date.

- **Nobility Crest/Riverwood Chase/Willows at Toms River (Block 166, Lot 15.02):**

The Township's amended Third Round spending plan has acknowledged the Nobility Crest payment in lieu.

- **Dover Summit/Green Meadows at Pleasant Plains (Block 410.01, Lots 21, 28, 29, 33.01, and 42, now known as Green Meadows at Pleasant Plains):**

The Township has provided a unit census from Piazza showing the following income-bedroom distribution:

	Very Low-Income	Low-Income	Moderate-Income	Total	% of Total
1-bedroom	2	2	3	7	20.0%
2-bedroom	2	9	10	21	60.0%
3-bedroom	1	3	3	7	20.0%
<b>Total</b>	<b>5</b>	<b>14</b>	<b>16</b>	<b>35</b>	
<b>% of Total</b>	<b>14.3%</b>	<b>40.0%</b>	<b>45.7%</b>		

The previously furnished crediting documentation has been included in Appendix V to the Township's Fourth Round HEFSP. The Township has secured a recorded affordable housing deed restriction, which is attached in Appendix V.

- **Meadow Green Apartments (Block 164, Lot 2):**

The Township has provided the current unit census (appendix BB) from Richmond showing the number of bedrooms and affordability level of each unit and confirmation of the percentage of units that will be affordable to low and very low income households.

- **Camelot at Toms River/Kaplan/Seacourt Pavilion (Block 608, Lot 2.01):**

The Township provided a deed restriction for the twenty-six (26) affordable units, recorded June 19, 2023, that required controls to remain in place for at least thirty (30) years, and shows the following income-bedroom distribution:





	Very Low-Income	Low-Income	Moderate-Income	Total	% of Total
1-bedroom	2	1	2	5	19.2%
2-bedroom	1	7	7	15	57.7%
3-bedroom	1	2	3	6	23.1%
<b>Total</b>	<b>4</b>	<b>10</b>	<b>12</b>	<b>26</b>	
<b>% of Total</b>	<b>15.4%</b>	<b>38.5%</b>	<b>46.1%</b>		

This deed restriction is located in the Supplemental Appendix.

- **Dover Shopping Center Associates, LLC (Block 410, Lot 25):**

The Township previously provided documentation of the rezoning, executed affordable housing agreement, dated November 14, 2019, and a draft UHAC-compliant deed restriction. Following receipt of amended site plan approval in June 2024, the developer, now Promenade Toms River LLC, acknowledged in March 2025 that it would maintain a twenty (20%) percent affordable set-aside and agreed to submit a revised deed restriction for Township review within thirty (30) days of anticipated site plan approval. Promenade further committed to recording the deed restriction in advance of construction permits. The documentation will be provided to the Special Adjudicator and FSHC upon receipt. A copy of developer's representations is enclosed in Appendix W.

- **1580 and 1606 Lakewood/Geffner (Block 364, Lots 24, 26.01 and 65.01:**

The Township has secured a recorded affordable housing deed restriction, which is attached in Appendix X.

- **Hovnanian Bimini Drive (Block 506.01, Lots 1.01 – 1.07:**

The Township has included the full site suitability analysis in Appendix D.

- **Downtown Waterfront Redevelopment (all of the Blocks 566.01, 566.03, 566.04, 566, 567, 569, 570, 658.01, and Block 658, Lots 25, 47, 48 and 58):**

Pending resolution of the litigation and given that the redevelopment plan pursuant to which the development was approved has now been repealed, we have eliminated any credits from this redevelopment project from the compliance tables.



- **JSM/Gabrielle Run (Block 164, Lot 7):**

The Township is securing an amendment to the existing Affordable Housing Agreement with the project developer in order to reflect the total project yield, updated income and bedroom distributions, and a form of deed restriction. Pursuant to the Status Memorandum, the Township will ensure that deed restrictions for future units as they are completed also include the required language. The Township has included the project's original Affordable Housing Agreement and Affordable Housing Administrative Agent certification documentation within the appendices and will provide the Amended Affordable Housing Agreement and agreement re. Piazza and Associates' supervision of developer's self-administration when secured.

- **JSM – Route 166 (Block 404, Lot 79):**

The Township has included the full size suitability analysis (Appendix D).

- **Residence Club at Cox Cro Crossing (Block 166, Lots 6, 7, 8, and 15.03):**

The Township has secured a recorded affordable housing deed restriction , which is attached in Appendix Y. It enumerates the units by address, bedroom count and affordability level, and notes the date of first occupancy.

- **Hooper-Caudina Redevelopment Area (Blocks 592, 594, 595, 596, 597, 605, 606.01, 606.02, 607 and paper streets of Reggio, Nocera, Sarno, Cipriano, Castlebuono and Salerno Avenues)**

The Township has provided the updated adopted redevelopment plan (Appendix Z) and full site suitability information(Appendix D).

**Condition 8: Provide a full site suitability analysis for all unbuilt sites being claimed for affordable housing credit.**

**Condition 9: Correct the discrepancy in set-aside between the HEFSP and the zoning ordinances for the Dover Shopping Center and Hovnanian Enterprises sites.**

**Satisfied.** The Township has provided letters from the Toms River Municipal Utilities Authority confirming sewer and water capacity. They are located in Appendix D.



**Condition 10: Revise the HEFSP to reflect a Prior Round rental requirement of 390 units.**

The Township has revised the minimum rental housing calculation to reflect a requirement of 390 units.

**Condition 11: Revise the calculation of the Prior Round age-restricted cap in the HEFSP to reflect a maximum of 371 units.**

The Township's Fourth Round HEFSP, the Prior Round calculation of maximum permitted age-restricted units must subtract only the 175 Prior Cycle credits that are credits without controls.

**Condition 12: Submit sufficient crediting documentation to confirm the exact number of affordable housing units subject to the thirteen percent (13%) very low income requirement and the eligibility of the listed units to satisfy the requirement.**

The Township has revised this information to include any alternative-living facilities that first went into service after 2008 and any other crediting changes.

**Condition 13: Provide a map of all sites in the Fair Share Plan.**

The Township has provided a map of all sites in Appendix C.

**Condition 14: Revise the Affordable Housing Ordinance to include provisions related to very low-income requirements and ten (10) year affordability controls for owner-occupied housing units rehabilitated through the local rehabilitation program.**

Satisfied.

**Condition 15: Provide sufficient documentation to confirm that the income distribution of affordable units addressing the fair share obligation will address the requirement that at least fifty percent (50%) of all units must be affordable to low and very low-income households.**

The Township has revised this table based on the final revised compliance plan and has added in the Prior Round assisted living and alternative living facilities units.

**Condition 16: Provide sufficient documentation to confirm that the bedroom distribution of affordable housing units addressing the Township's fair share obligation will comply with UHAC requirements.**

**Partially satisfied.** The Township must verify these calculations and if they are correct, in its Fourth Round HEFSP the Township must discuss the discrepancies in the narrative for each round, must note that when both rounds are analyzed together the Township is in compliance, and must provide a combined summary chart demonstrating such compliance.

**Condition 17: Submit an updated Affirmative Marketing Plan reflecting the addition of the community and regional organizations listed in the Settlement Agreement. Submit an adopted resolution appointing an existing employee as the Township’s municipal housing liaison.**

The Township has included in Appendix E an updated Affirmative Marketing Plan.

**Condition 18: Update the Spending Plan to include projected revenues and expenditures through the end of the Third Round, or through December 31, 2025.**

The Township has adopted an updated Third Round Spending Plan.

**Condition 19: Provide the adopted resolution of intent to bond.**

Satisfied.

### **Application of 1,000 Unit Cap**

The Township has determined that it is eligible to seek a 1000-unit cap on its Third Round prospective need obligation pursuant to N.J.S.A. 52:27D-307(e). Thus, on May 21, 2025, the Township filed a Motion for a Declaratory Judgment with the Superior Court under the DJ Action, Docket No. OCN-L-1867-15 for an order recognizing said cap. Accordingly, the Township will use the 285-unit surplus to assist in meeting its Fourth Round Obligation.



## Toms River Housing Element &amp; Fair Share Plan

June 6, 2025

Toms River Township Third Round Obligation = 1,000					
Mechanism	Units	Bonus	Total	Diff	Notes
<b>Extension of Controls</b>					
Winteringham Village	182		182		Family Rentals
Highland Plaza (seniors)	110		110		Senior Rentals
North Pointe Hollow	68		68		Family Sale
Woods at Massachusetts Ave.	2		2		Family Sale
<b>100% Affordable Rentals</b>					
Project Freedom	71	71	142		Special Needs
					Senior CAP restricted to 39 credits, 43 units are actually constructed as part of 3rd round and 36 moved to fourth round
Meadow Green (seniors)	39		39	-40	
TR Senior Apartments (seniors)	101		101		
Michaels	49	49	98		Built
TAS/Kupnick (60 units)	0		0		Agree req. plan incl, no Third Rd credit
<b>Inclusionary Family for Sale</b>					
Autumn Ridge (0 of 10)	0		0	-2	All to prior round
<b>Inclusionary Rentals</b>					
Dover Summit	35	35	70		
Colfax Street	2	2	4		
Autumn Ridge	5	5	10		
Lotano	11	11	22		
Nobility Crest	50	50	100		
					Under construction, 22 units to prior round, 4 units to fourth round
Kaplan/Camelot (4 of 26)	0		0	-4	
Dover Shopping Center	30	27	57		Under construction
					construction complete, 4 units moved to fourth round
Legion Court	0		0	-4	
					Construction complete, moved to fourth round
Residence Club at Cox Cro Crossing	0		0	-9	
<b>Total</b>	<b>755</b>	<b>250</b>	<b>1005</b>		

max bonus credit =  $.25 \times 1000 = 250$ , requesting 250, metmax senior =  $.25 \times 1000 = 250$ , proposed senior = 250, complies

505 family units, more than 50% of total units



**Bedroom Count Distribution Summary Tables for Prior Rounds****First and Second Rounds**

<b>PRIOR ROUND BREAKDOWN OF UNIT TYPE &amp; INCOME BY PROJECT</b>				<b>Family Units</b>		
<b>Project</b>	<b>Total Affordable Units</b>	<b>Mod Units</b>	<b>Low Units (including very low)</b>	<b>1BR</b>	<b>2BR</b>	<b>3BR</b>
Highland Plaza	110	0	110	110	0	0
TR Crescent	120	60	60	0	84	36
Dover Chase	22	11	11	4	10	8
Winteringham Village	182	0	183	60	59	63
North Pointe Hollow	89	44	45	44	32	13
AS Developers/Walnut Grove	3	1	2	2	1	0
Woods At Massachusetts	14	7	7	0	12	2
Habitat for Humanity	1	1	0	0	1	0
103 Walnut Street	12	6	6	0	0	12
Hope's Crossing	125	62	63	12	60	53
Fairways at Bey Lea	106	53	53	21	63	22
Walnut Hollow/Caucino	6	3	3	0	6	0
Leone (Site No 34)	2	1	1	1	1	0
Village at Bey Lea	48	24	24	48	0	0
Presbyterian Homes (Springwood)	84	0	84			
Autumn Ridge/Homes For All	9	9	0	0	6	3
Brentwood Assisted Living	12	0	12			
Magnolia Gardens	12	0	12			
Residences at Toms River	14	0	14			
Brandywine Assisted Living	11	0	11			
Alternative Living Facilities	93	0	93			
<b>Preliminary Total</b>	<b>1,075</b>	<b>282</b>	<b>794</b>	<b>302</b>	<b>335</b>	<b>212</b>

Note: the 1075 total does not include RDA and credits without controls



## Toms River Housing Element &amp; Fair Share Plan

June 6, 2025

**Third Round**

<b>THIRD ROUND BREAKDOWN OF UNIT TYPE &amp; INCOME BY PROJECT</b>				<b>Type</b>		
<b>Project</b>	<b>Total Affordable Units</b>	<b>Mod Units</b>	<b>Low Units (including very low)</b>	<b>1BR</b>	<b>2BR</b>	<b>3BR</b>
Project Freedom/Freedom Village**	71	35	36	13	40	18
Toms River Senior Apts./Cornerstone	101	50	51	93	8	0
Lotano/Legion Square**	11	5	6	4	7	0
Hyers Street/Legion Court**	4	2	2	1	2	1
Michaels (Gateway 70)**	49	21	28	9	30	10
Autumn Ridge/Homes For All* (for-sale units)	6	0	6	1	4	1
Autumn Ridge/Homes For All* (rentals)	5					
Nobility Crest/Riverwood Chase**	50	24	26	9	30	11
Dover Summit**	35	17	18	7	21	7
Meadow Green	79	39	40	54	25	0
Kaplan (Seacourt Pavilion)**	26	12	14	5	15	6
Dover Shopping Center, LLC**	30	15	15	6	18	6
1606 Lakewood (Gefner)**	29	14	15	5	18	6
Hovnanian (Bimini Road)**	28	14	14	5	18	5
Gabrielle Run**	70	35	35	12	44	14
JSM – Rt 166**	27	13	14	5	17	5
Colfax Street**	2	1	1	0	2	0
Cox Cro Crossing **	9	4	5	1	6	2
Hooper-Caudina Redevelopment**	10	5	5	2	6	2
<b>Preliminary Total</b>	<b>642</b>	<b>309</b>	<b>306</b>	<b>233</b>	<b>311</b>	<b>95</b>
<b>*Denotes Family **Denotes Family Rental</b>						

Note: count does not include extension of credit units



## Toms River Housing Element &amp; Fair Share Plan

June 6, 2025

**Third Round with 1000 Unit CAP**

<b>THIRD ROUND BREAKDOWN OF UNIT TYPE &amp; INCOME BY PROJECT</b>				<b>Type</b>		
<b>Project</b>	<b>Total Affordable Units</b>	<b>Mod Units</b>	<b>Low Units (including very low)</b>	<b>1BR</b>	<b>2BR</b>	<b>3BR</b>
Project Freedom/Freedom Village**	71	35	36	13	40	18
Toms River Senior Apts./Cornerstone	101	50	51	93	8	0
Lotano/Legion Square**	11	5	6	4	7	0
Hyers Street/Legion Court**	4	2	2	1	2	1
Michaels (Gateway 70)**	49	21	28	9	30	10
Autumn Ridge/Homes For All* (rentals)	5					
Nobility Crest/Riverwood Chase**	50	24	26	9	30	11
Dover Summit**	35	17	18	7	21	7
Meadow Green	79	39	40	54	25	0
Dover Shopping Center, LLC**	30	15	15	6	18	6
Colfax Street**	2	1	1	0	2	0
<b>Preliminary Total</b>	<b>437</b>	<b>173</b>	<b>223</b>	<b>196</b>	<b>183</b>	<b>53</b>
<b>*Denotes Family **Denotes Family Rental</b>						

Note: count does not include extension of credit units





## Toms River Housing Element &amp; Fair Share Plan

June 6, 2025

**Fourth Round Mechanisms**

Pursuant to Court Order entered on May 9, 2025, the Township's Fourth Round Prospective need obligation is 649-units. The Township will satisfy this obligation with carryover units, and by providing extensions of credits on a number of sites as outlined below:

<b>Toms River Township Fourth Round Obligation = 649</b>					
<b>Mechanism</b>	<b>Units</b>	<b>Bonus</b>	<b>Total</b>	<b>Diff</b>	<b>Notes</b>
<b>Extension of Controls</b>					
Hope's Crossing (rental - Family)	125	62.5	187.5		Extension of Credits – 30 years
Highland Plaza (rental -Seniors)	110	55	165		Extension of Credits – 20 years
Woods at Massachusetts (family-for-sale)	13		13		Extension of credits – 30 years
Villages of Bey Lea (rental – seniors)	48	24	72		Extension of Credits
<b>100% Affordable Rentals</b>					
Meadow Green (seniors)	36		36		Total of 79 units, 43 units in 3 <sup>rd</sup> round, constructed
<b>Inclusionary Rentals</b>					
JSM Route 166	27		27		Zoned
K. Hovanian Bimini Dr.	28		28		Zoned, application submitted
1606 Lakewood	29		29		Zoned
Gabrielle Run	70		70		Approved, under construction
Kaplan/Camelot (4 of 26)	4		4		Under construction, 22 units to prior round
Legion Court	4		4		construction complete
Residence Club at Cox Cro Crossing	9		9		Construction complete
<b>Redevelopment</b>					
Hooper-Caudina	16		16		Approved Redevelopment Plan
<b>Total</b>	<b>519</b>	<b>144.5</b>	<b>663.5</b>		

\*Tom River Township must comply with **649** prospective need number  
 Maximum bonus credits =  $.25 \times 649 = 162.25$ , seeking 144.5 bonus credits for rental extension of credits, complies  
 Maximum Senior units =  $.3 \times 649 = 194.7$ , seeking 158 units and no senior bonus credits.  
 Credits requested are for rental extension of credits only.



The amended FHA modified the micro-requirement formula for the FRO, which are as follows:

1. Minimum fifty percent (50%) of the actual affordable units (exclusive of any bonus credits) available to families. Toms River must provide 324.5 family affordable units and is proposing 325 family affordable units. The Township complies.
2. Minimum twenty-five percent (25%) of the actual affordable units (exclusive of any bonus credits) as rental units. Toms River Township requires 162.25 rental units. The Township is proposing 506 rental units. The Township complies.
3. Maximum thirty percent (30%) of the affordable units (exclusive of any bonus credits) as age-restricted housing. Toms River is permitted a maximum of 194.7 age-restricted units. The Township is seeking 194 units and no senior bonus credits. The Township complies.
4. Maximum twenty-five percent (25%) of the obligation as bonus credits. Toms River Township is permitted a maximum of 162.25 rental units. Rental bonus credits are earned in accordance with the figure provided below:

<b>BONUS CREDIT INCENTIVES AND LIMITATIONS</b>	
<b>FOURTH ROUND BONUS CREDIT TYPES</b>	
1.0 Bonus Credit Per Affordable Unit	0.5 Bonus Credit Per Affordable Unit
<ul style="list-style-type: none"> <li>Special needs or permanent supportive housing</li> </ul>	<ul style="list-style-type: none"> <li>Partnership sponsorship with non-profit developer for affordable ownership units.</li> </ul>
<ul style="list-style-type: none"> <li>Municipal contribution (land or funds for at least 3% of the cost) to a 100% affordable project.</li> </ul>	<ul style="list-style-type: none"> <li>Transit-oriented development within one-half mile of public transit stations.</li> </ul>
<ul style="list-style-type: none"> <li>Market-to-affordable program for rental or ownership units.</li> </ul>	<ul style="list-style-type: none"> <li>Age-restricted housing (capped at 10% of age-restricted housing in local plan).</li> </ul>
	<ul style="list-style-type: none"> <li>More three-bedroom units than required by State bedroom distribution rules.</li> </ul>
	<ul style="list-style-type: none"> <li>Redevelopment of former or current retail office, or commercial sites.</li> </ul>
	<ul style="list-style-type: none"> <li>Extended affordability controls that preserve rental affordable housing.</li> </ul>
	<ul style="list-style-type: none"> <li>More housing affordable to very low-income households than the minimum 13% required.</li> </ul>
<p>The choice among these incentives is up to municipalities, with two caveats:</p> <ol style="list-style-type: none"> <li>The municipality may opt for only one bonus type per affordable housing unit.</li> <li>A maximum of twenty-five percent (25%) of the municipality's Prospective Need may be satisfied by these bonus credits.</li> </ol>	

Source: Developing Effective Plans in the Fourth Round, December 2024



The Township is proposing 144.5 bonus credits for extended affordability controls that preserve rental affordable housing (0.5 bonus credit per unit). The Township complies.

#### **Fourth Round Site Descriptions**

##### **Hope's Crossing**

The Hope's Crossing site is a 125 rental family unit affordable housing complex located in the North Dover portion of Toms River Township. This 100-percent affordable family rental project was also part of the Township's 1992 Court-approved Compliance Plan. As completed and occupied, the project contains 125 affordable units with thirty (30) year affordability controls. It received its initial CO in September of 1995. Per the April 20, 2005 Pre-mediation Report, COAH has verified the Township's entitlement to 125 credits for this project. The project is administered by Pennrose Properties under a joint venture agreement with Homes For All, Incorporated. The Township is seeking to extend the affordability controls on the Property for an additional thirty (30) years, in consideration of the forgiveness of outstanding loans or other indebtedness owed by the Developer to the Township and the Developer's agreement to provide a flat five percent (5%) Payment in Lieu of Taxes for the full thirty (30) year extension period.

##### **Highland Plaza**

The Highlands Plaza site is a 110-unit senior rental affordable housing complex that was built in 1984. This project-based, Section 8, age-restricted, low- and moderate-income development was constructed in 1983, and contains 110 rental units. Per the April 20, 2005 COAH Pre-mediation Report, COAH staff has verified the Township's claim to 110 prior cycle credits for this project. The thirty (30) year affordability controls expired in 2014 and were extended in January 2014 for another twenty (20) years through December 2034, for a total control period of fifty (50) years. The units are administered by Triple Lindy Urban Renewal, LLC as HUD Project No. 035-11046. The Township is seeking to extend the units for another twenty (20) years for the fourth round. The Township will pay for lender and legal costs at a capped amount and provide a new five percent (5%) Payment in Lieu of Taxes.

##### **Woods at Massachusetts**

The Woods at Massachusetts site has thirteen (13) affordable units for sale with controls expiring in 2034. The units are located in the North Dover section of Toms River and are managed by HAS. It is estimated that \$28,000 per unit will be required to extend the affordability controls for a total of \$364,000.00. The Township is actively working with the Special Programs office of the Single-Family Division of the NJ Housing and Mortgage Finance Agency to facilitate the extension of deed restrictions on eligible units.



**Villages of Bey Lea**

The Villages of Bey Lea Site was part of the Township's 1992 Compliance Plan and received its initial CO between December 21, 2020 – December 13, 2021. As built and occupied, this inclusionary, 235-unit project contains forty-eight (48) age-restricted rental units with twenty (20) year affordability controls. COAH's 2005 Pre-mediation Report verified the Township's entitlement to forty-eight (48) credits for this project. The units are administered by Piazza & Associates. The affordable controls expired in 2021. The Township is seeking to renew the controls for the forty-eight (48) units and has agreed to provide \$50,000 per unit for a total cost of \$2,400,000.00.

**Meadow Green**

The Meadow Green Site is a ten (10) acre site located on the east side of Massachusetts Avenue. The project includes a total of seventy-nine (79) units, forty-three (43) of which were constructed in the third round. This round consists of the remaining thirty-six (36). The units are administered by Richmond Property Services. The Township provided a HMFA financing agreement for the project, which imposed a thirty (30) year control (beginning in 2017) which required at least five (5) units to be set aside for special needs individuals.

**JSM Route 166**

The JSM site has twenty-seven (27) units on an approximately eleven (11) acre property, north of Route 37. As completed and occupied, this development will consist of 132 family rental units, of which twenty-seven (27) will be affordable. The area was rezoned as MF-8 to accommodate the development.

**K. Hovanian Bimini Drive**

The Bimini Drive site consists of twenty-three (23) acres on Bimini Drive in the Townships Rural Highway Business zone. The area has been rezoned to the RHB-AH37 (Rural Highway Business – Affordable Housing Route 37) zone, to accommodate the development. As completed and occupied, the development will consist of 140 units, of which twenty-eight (28) will be affordable.

**1606 Lakewood**

The 1606 Lakewood site is an approximately thirty-five (35) acre site, and as completed and occupied it will consist of twenty-nine (29) affordable units. A November 2020 affordable housing agreement requires phasing of the project in accordance with the COAH/Township



ordinances, requires the developer to retain the affordable housing alliance to affirmatively market and administer the units, and requires a UAHC compliant deed restrictions of at least thirty (30) years. In September 2024, the property was acquired by Woods Equity LLC which are assuming all affordable housing responsibilities spelled out in the 2020 agreement.

### **Gabrielle Run**

The Gabrielle Run Site consists of thirty-four (34) acres on State Highway Route 9, and as completed and occupied will consist of seventy (70) affordable units. The site was originally anticipated to include only sixty-eight (68) units, but a rezoning measure in 2020 allowed for higher density, raising the count to seventy (70). The site is currently under construction and being administered by Edgewood Properties.

### **Kaplan/Camelot**

The Kaplan/Camelot site contributes only four (4) units to the fourth-round obligation but is contributing twenty-two (22) to the prior round. The units are under construction. The Township adopted a rezoning ordinance in 2015 which permits the development. Additionally, the Township provided a list of COs issued for each of the nine buildings in the project, with date between February and June 2023. The Township provided a deed restriction for the affordable units that require the controls to remain in place for at least thirty (30) years, recorded in June 2023.

### **Legion Court**

The Legion Court site has completed construction of its proposed twenty (20) units, four (4) of which are affordable.

### **Residence Club at Cox Cro Crossing**

The Cox Cro Crossing Site received approvals in 2018 and is now complete and leased under a temporary CO. As completed and occupied, the site provides nine (9) family units, all of which are affordable. The affordable units are administered by Piazza.

### **Hooper-Caudina**

The Hooper-Caudina site is part of an approved redevelopment plan that would see ten (10) affordable units included in the development. This project was included in the 2022 Draft HEFSP as a new site. A portion of the redevelopment area is included in the State Plan designated Hooper Avenue South Core Center, and the Township petitioned the State Planning



Commission for an amendment to add the remaining portion of this redevelopment are to the designation. A September 2022 resolution from the State Planning Commission approved the addition of the remaining portion of the redevelopment area into the Hooper Avenue South Core Center. All dwelling units will be required to comply with UHAC requirements. The Township anticipates amendments to the plan that will maintain the current twenty percent (20%) affordable housing set-aside but result in an affordable housing yield of sixteen (16) units in total. In the event a developer commits to reserving half of the affordable units for veterans and their families, the Township reserves its right to seek up to eight (8) special needs housing credits and to include them in the Township's plan in the future.

## **AH HOUSING ADMINISTRATION AND AFFIRMATIVE MARKETING**

Toms River Township currently has a Court-approved Affordable Housing Ordinance, Chapter 348-11, Article IX, of the Township Code, adopted on January 26, 1988 by way of Ordinance No. 2359-88. The most recent adoption was September 26, 2017 by way of Ordinance 4556-17. The Affordable Housing Ordinance governs the establishment and occupancy of the affordable units in the Township, including, but not limited to, the phasing of affordable units, the mix of very-low-, low- and moderate-income units, bedroom distribution, occupancy standards, affordability controls, rents and sales prices, affirmative marketing, and income qualification. The Affordable Housing Development Fees are contained in the Township's Code in Article IX "Affordable Housing Provisions" under Chapter 348-11.9 "Development Fees to fund affordable housing".

The Township will prepare an updated Affordable Housing Ordinance in accordance with the DCA's proposed new regulations (N.J.A.C. 5:99-1.1, et seq.), and UHAC's new 2025 regulations (N.J.A.C. 5:80-26-1.1, et seq.), once the DCA and HMFA finalize their rule proposals.

The Township shall adopt by resolution an updated Affirmative Marketing Plan. The Township's Administrative Agent, Piazza & Associates, or any Administrative Agent appointed by a specific developer and approved by the Township, shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.

The Township has appointed a Municipal Housing Liaison by resolution (see Appendix F).



## TRUST FUND

The Township has prepared a Fourth Round Spending Plan (Appendix B), which discusses anticipated revenues, collection of revenues, and the use of revenues, in accordance with the FHA and N.J.A.C. 5:99-1.1, et seq. All collected revenues are placed in the Township's Affordable Housing Trust Fund and will be dispensed for the use of affordable housing activities as indicated in the Fourth Round Spending Plan. During compliance, if necessary, the Township will prepare an updated spending plan in accordance with the final adopted new regulations at N.J.A.C. 5:99-1.1 et seq., UHAC's new final regulations anticipated to be released in 2025, N.J.A.C. 5:80-26-1.1, et seq., as well as to address any terms of the court-approved affordable housing settlement agreement or any order of the Court or the Affordable Housing Mediation Program.

## FOURTH ROUND DEVELOPER PROPOSALS

The Township has received inquiries from proposed developers to include potential inclusionary developments in the Township's Fair Share Plan. The Township does not concede that the below-referenced proposals constitute a "commitment" within the meaning of P.L. 2024, c.2. Nonetheless, the Township reviewed the proposals and determined that the potential mechanisms were not required to satisfy its fair share obligations for the Fourth Round.

The Township has elected not to utilize the proposed project as a compliance mechanism. The Township is vested with exclusive authority and responsibility to develop a Housing Element and Fair Share Plan to fulfill its affordable housing obligation. The amendments to the *New Jersey Fair Housing Act*, P.L. 1985, c.222 (C:52:27D-301, et al.) enacted pursuant to P.L. 2024, c.2., confers upon the Township the mandate to solely determine the most appropriate mechanisms for compliance. Pursuant to N.J.S.A. 52:27D-304.1(f), a municipality's adopted Housing Element and Fair Share Plan is not subject to challenge based upon any claim that a site on real property proposed by an alleged interested party provides a better compliance mechanism than the mechanisms selected by a municipality.

These projects include:

**Property: Block 796, Lot 3**

**Developer: 2008 Route 37 Associates, LLC**

Proposal to develop an inclusionary development in the Township with an approximate sixteen percent (16%) affordable housing set-aside at property known as Block 796, Lot 3 on the Township's official tax map, more commonly known as 2008 Route 37.

**Property: Block 610, Lots 1, 2, 3, 5, 11, 30, 31 and 33**

**Developer: JD Jamestowne, LLC, Toms River Township, New Jersey**

Proposal to develop an inclusionary development in the Township with an unspecified affordable housing set-aside at property known as Block 610, Lots 1, 2, 3, 5, 11, 30, 31 and 33 on the Township's official tax map, more commonly known as Jamestowne Village.

## **SUMMARY**

Through the proposed mechanisms addressed in this Housing Element and Fair Share Plan, the Township will be able to satisfy its Fourth Round Rehabilitation, Prior Round, Third Round and Fourth Round Prospective Need affordable housing obligations and provide a realistic opportunity for the production of its fair share of very low-, low- and moderate-income units within the Township.

