

EXHIBIT 1

Borough of Franklin, County of Sussex

Resolution #2025-21

RESOLUTION OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, STATE OF NEW JERSEY, COMMITTING TO DCA'S FOURTH ROUND AFFORDABLE HOUSING PRESENT NEED AND PROSPECTIVE NEED NUMBERS AS MODIFIED

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

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

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

WHEREAS, the DCA Report calculates the Borough of Franklin's Round 4 (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 25 units and a Prospective Need or New Construction Obligation of 381 units; and

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

WHEREAS, pursuant to N.J.S.A. 52:27D-304.3, a municipality's average allocation factor is comprised of the equalized nonresidential factor, income capacity factor, and land capacity factor and shall be averaged to yield the municipality's average allocation factor, and

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

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

WHEREAS, the DCA has released a Geographic Information Systems spatial data representation of the Land Capacity Analysis for P.L. 2024, c.2 containing the Vacant and Developable land information that serves as the basis for calculating the land capacity factor; and

WHEREAS, the Borough of Franklin has reviewed the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit

data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development; and

WHEREAS, based on the foregoing, the Borough of Franklin relies on the DCA calculations of the Borough of Franklin’s fair share obligations as modified herein to account for the Borough’s review of the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development, and as further set forth in detail and explained in the attached memo prepared by the Borough’s affordable housing planner, and the Borough seeks to commit to provide its fair share of 25 units present need and 261 units prospective need, subject to any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

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

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

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

WHEREAS, in light of the above, the Governing Body finds that it is in the best interest of the Borough of Franklin to commit to the modified present need and prospective need Fourth Round affordable housing fair share numbers set forth herein, subject to the reservations set forth herein; and

WHEREAS, in accordance with AOC Directive #14-24 dated December 13, 2024, the Governing Body finds that, as a municipality seeking a certification of compliance with the FHA, it is in the best interests of the Borough of Franklin to direct the filing of an action in the form of a declaratory judgment complaint within 48 hours after adoption of the within resolution of fair share obligations, or by February 3, 2025, whichever is sooner;

NOW, THEREFORE, BE IT RESOLVED on this 28th day of January, 2025 by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.
2. The Borough of Franklin hereby commits to the DCA’s Round 4 Present Need Obligation of 25 units, and a modification of the DCA’s Round 4 Prospective Need Obligation of

381 units to 261 units, as explained above and in the attached memo from the Borough of Franklin’s affordable housing planner, and subject to all reservations of rights set forth above

3. The Borough of Franklin hereby directs its Attorney to file a declaratory judgment complaint in Sussex County within 48 hours after adoption of the within resolution and attaching this resolution as an exhibit with the attached memo.

4. The Borough of Franklin authorizes its Attorney to submit and/or file the within resolution with attached memo with the Program or any other such entity as may be determined to be appropriate.

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

CERTIFICATION

I, Colleen L. Little, Borough Clerk of the Borough of Franklin, County of Sussex, State of New Jersey, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body at a meeting held on January 28, 2025.

Colleen L. Little, Borough Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
PATRICIA CARNES	X			
CONCETTO FORMICA	X			
RACHEL HEATH	X			
JOSEPH LIMON	X			
STEPHEN SKELLENGER	X			
GILBERT SNYDER	X			
MAYOR SOWDEN (Tie Only)				

Affordable Housing – Fourth Round
**Review of Land Capacity Factor and
Prospective Need Obligation**

January 23, 2025

Prepared for
Franklin Borough, Sussex County

Prepared by

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



Alison Kopsco, PP, AICP
NJPP# 65230



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NJPP#5944



J Caldwell
& Associates, LLC
Community Planning Consultants

Introduction

Amendments to the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., (known as P.L.2024, c.2) were adopted by the State of New Jersey on March 20 2024. P.L. 2024, c.2 abolished the Council on Affordable Housing (COAH). Each municipality within the State of New Jersey is now responsible for determining its municipal present and prospective need affordable housing obligations in accordance with formulas established pursuant to sections 6 and 7 of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.2 and N.J.S.A. 52:27D-304.3), and must adopt a binding resolution committing the municipality to its Fourth Round affordable housing obligations by no later than January 31, 2025.

P.L. 2024, c. 2 further establishes that the Department of Community Affairs (“DCA”) is responsible to conduct a calculation of the regional and municipal present and prospective need obligations and prepare and publish a report thereon within seven months of the effective date of P.L. 2024, c. 2. Each municipality may take into consideration the calculations in the DCA’s report when determining the municipality’s Fourth Round affordable housing obligations. However, P.L. 2024, c. 2 explicitly makes clear that the calculations and determinations set forth in the DCA’s report shall not be binding on each municipality.

The process for Fourth Round affordable housing compliance and the criteria, methodology and formulas each municipality must rely upon to determine its present and prospective need obligation are now set forth within N.J.S.A. 52:27D-304.1 thru -304.3 of the FHA. The March 8, 2018 unpublished decision of the Superior Court, Law Division, Mercer County, In re Application of Municipality of Princeton (“Jacobson Decision”) is also to be referenced as to datasets and methodologies that are not explicitly addressed in N.J.S.A. 52:27D-304.3.

Both the Jacobson Decision and N.J.S.A. 52:27D-304.3a of the FHA explain that the datasets and information must be reliable and updated to the greatest extent practicable. For example, N.J.S.A. 52:27D:304.3a explicitly states: “[t]hese calculations of municipal present and prospective need shall use necessary datasets that are updated to the greatest extent practicable.” Likewise, the Jacobson Decision quotes Judge Serpentelli’s guiding principles in AMG regarding the fair share methodology:

“Any reasonable methodology must have as its keystone three ingredients: reliable data, as few assumptions as possible, and an internal system of checks and balances. Reliable data refers to the best source available for the information needed and the rejection of data which is suspect. The need to make as few assumptions as possible refers to the desirability of avoiding subjectivity and avoiding any data which requires excessive mathematical extrapolation. An internal system of checks and balances refers to the effort to include all important concepts while not allowing any concept to have a disproportionate impact.”

On October 18th, 2024, the New Jersey Department of Community Affairs (DCA) published the report titled, “Affordable Housing Obligations for 2025-2035 (Fourth Round): Methodology and Background” (hereinafter “DCA Report”) pursuant to P.L. 2024, c.2. This report implemented a new framework for determining each municipality’s affordable housing obligations under the New Jersey Supreme Court’s Mount Laurel doctrine and the State’s Fair Housing Act. The Borough’s Prospective Need Obligation, as set forth in the DCA Report, was calculated at 381 units. This report refines the Borough’s Land Capacity Factor through a site-by-site analysis, resulting in a

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“Refined” Fourth Round Prospective Need Obligation of **261 units** (a difference of 120 units). The Borough’s Fourth Round Present Need/Rehabilitation Obligation is unaffected by this refinement and remains at **25 units**, and any unsatisfied obligations from prior rounds must also be met.

Calculating the Prospective Need

To determine each municipalities’ fair share of affordable housing units, the following three (3) factors were calculated:

Equalized Nonresidential Valuation Factor: This factor is described as, “...the changes in nonresidential property valuations in the municipality, since the beginning of the round preceding the round being calculated...” per the Affordable Housing Law.

Franklin Borough’s Equalized Nonresidential Valuation Factor was determined to be 0.36%.

Income Capacity Factor: This is the average of, “...the municipal share of the regional sum of the differences between the median municipal household income, according to the most recent American Community Survey Five-Year Estimates, and an income floor of \$100 below the lowest median household income in the region,” and “...the municipal share of the regional sum of the differences between the median municipal household incomes and an income floor of \$100 below the lowest median household income in the region, weighted by the number of the households in the municipality.”

Franklin Borough’s Income Capacity Factor was calculated at 0.33%.

Land Capacity Factor: This factor is the total acreage that is developable, calculated utilizing the most recent land use/land cover (LULC) data from the New Jersey Department of Environmental Protection (DEP), the most recently available (released in 2024) MOD-IV Property Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from the Department of Community Affairs.

Franklin Borough’s Land Capacity Factor was calculated at 3.43%.

The subject of this report is the **Land Capacity Factor**. The other two (2) factors are not modified/refined as part of this exercise, as the data required to be used cannot be refined through local review.

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Refining the Land Capacity Factor

Consistent with sections 6 and 7 of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.2 and N.J.S.A. 52:27D-304.3), on behalf of the Borough we have considered the DCA Report, along with the underlying data and data sets relied upon by the DCA in reaching its non-binding calculations for the Borough, and have further carefully considered and analyzed the most up-to-date localized data pertaining to the Borough, including amongst other verifiable information, land use approvals, environmental constraints (including wetlands, wetland buffers, and steep slopes) and other site specific information, construction permits, and MOD-IV data maintained and on file with the Borough, and conservation easements and other deed restrictions. Based upon our analysis of the DCA Report, the data and data sets relied upon by the DCA and our analysis of the Borough's up-to-date localized verifiable data, we have determined that the DCA arrived at the Borough's land capacity factor using incorrect assumptions and outdated data and/or or incorrect or inaccurate data, including geospatial artifacts or anomalies.

This office reviewed the DCA's dataset¹ containing the outputs of their Vacant and Developable Land Analysis. The purpose of this dataset is to, "...identify potential unconstrained developable land capacity, weighted by planning area types set forth in the legislation, for each municipality and as a corresponding percentage of the same for the housing region within which each municipality lies..." For purposes of this report, we did not review in detail the Equalized Nonresidential Valuation Factor or the Income Capacity Factor.

The first step in our calculation of the Borough's Land Capacity Factor was to review the results of the DCA's Vacant and Developable Land Analysis using GIS to spatially view the vacant, developable land. **Figure 1** identifies the Affordable Housing Regions and their respective developable acreage; Franklin Borough is in Region 1. **Figure 2** illustrates, specifically, Franklin Borough's developable acreage under DCA's analysis. The Borough's LCF was determined to be 3.43%, or 67.95 developable acres spread out over 47 different tracts (the output dataset did not identify parcels, but rather, tracts of land that were considered developable). The complete list of all of these tracts is in **Appendix A**.

To refine this number and provide a more detailed, accurate depiction of the actual available vacant and developable land in the Borough, the list of developable areas further excluded the following areas:

1. Lands that were non-contiguous to other vacant, developable lands and that were under 1 acre.² This eliminated 21 tracts and 6.13 acres. See **Appendix B**.
2. Lands that were irregularly shaped or landlocked to an extent that development of affordable units is not feasible. This eliminated 4.35 acres. See **Appendix C**.
3. Lands with factors limiting development that were not necessarily accounted for in the DCA calculation (as not required through the legislation, but they still may limit development). These included factors such as Flood Hazard Areas, riparian areas, critical wildlife habitat, and access to the existing sewer service area. This eliminated 2.11 acres. See **Appendix D**.

¹ Land Capacity Analysis GIS Composite Layer, Updated November 20, 2024. "Vacant and Developable land analysis by Housing and Weighting regions used to inform the guidance provided to New Jersey Municipalities regarding non-binding 2025-2035 municipal affordable housing production targets. These layers are a combination of lands deemed developable by the DEP Land Use/Land Cover dataset, as constrained by tax parcel-based MOD-IV data, environmentally sensitive areas and preserved open space, parkland and farmland." Retrieved from <https://njdca.maps.arcgis.com/home/item.html?id=12acdf0a5104f8f8a2f604e96063e74>.

² One acre is the generally-accepted amount of acreage required to create at least one (1) affordable housing unit through new development. Tracts under one acre were excluded as they cannot realistically provide for at least one (1) unit of affordable housing.

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4. Lands with existing development, or lands with development approvals that were identified in the Third Round Housing Element and Fair Share Plan.³ This eliminated 13.46 acres. See **Appendix E**.

The total lands to be excluded from “vacant, developable lands” equals 26.05 acres. Subtracted from the DCA calculation of 67.95 acres, the refined vacant, developable land in the Borough totals **41.90 acres**, resulting in a refined LCF of **2.12%** (the number of developable acres divided by the total number of developable acres in the region). The average allocation factor (AAF)⁴ then decreases from 1.37% to **0.94%**.

Region 1’s total prospective need obligation is 27,743 units and the adjustment factor is 1.0001.⁵ With an AAF of 1.37%, the Borough’s obligation is 381 units; with an AAF of 0.94% as refined by this report, the Borough’s obligation is **261 units** (a difference of 120 units).

Table 1. Summary of Prospective Need Calculation

Region	1	
Region Vacant, Developable Land	1,980 ac.	
Region Adjustment Factor	1.0001	
Equalized Nonresidential Valuation Factor	0.36%	
Income Capacity Factor	0.33%	
	<i>DCA</i>	<i>Refined</i>
Municipal Vacant Developable Land	67.95 ac.	41.90 ac.
Land Capacity Factor	3.43%	2.12%
Average Allocation Factor	1.38%	0.94%
Prospective Need Obligation	381 units	<u>261 units</u>

³ Though the most recent DCA Construction Reporter data is used, what has actually been developed is not necessarily reflected in this data. As such, local review of DCA outputs can confirm on a site-by-site basis.

⁴ The Average Allocation Factor (AAF) is the average of the municipality’s Equalized Nonresidential Valuation Factor, Income Capacity Factor, and the Land Capacity Factor.

⁵ October 18, 2024 DCA Report: “The adjustment factor varies by Housing Region and serves to ensure that the summed total of all municipalities’ prospective need obligations equals the regional obligation exactly. Without these factors, the totals would not equal the regional obligation due to rounding.”

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Pursuant to N.J.S.A. 52:27D-304.3a and the Jacobson Decision, our office has prepared more detailed mappings as part of this process, and have further examined the published DCA Land Capacity Factor dataset based on the above-referenced up-to-date verifiable localized data. Using the formulas, criteria, methodology and datasets required by sections 6 and 7 of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.2 and -304.3), we have further arrived at the Borough's updated land capacity factor, which in turn resulted in the downward adjustment in the Borough's average allocation factor and ultimately the Borough's Prospective Need Obligation.

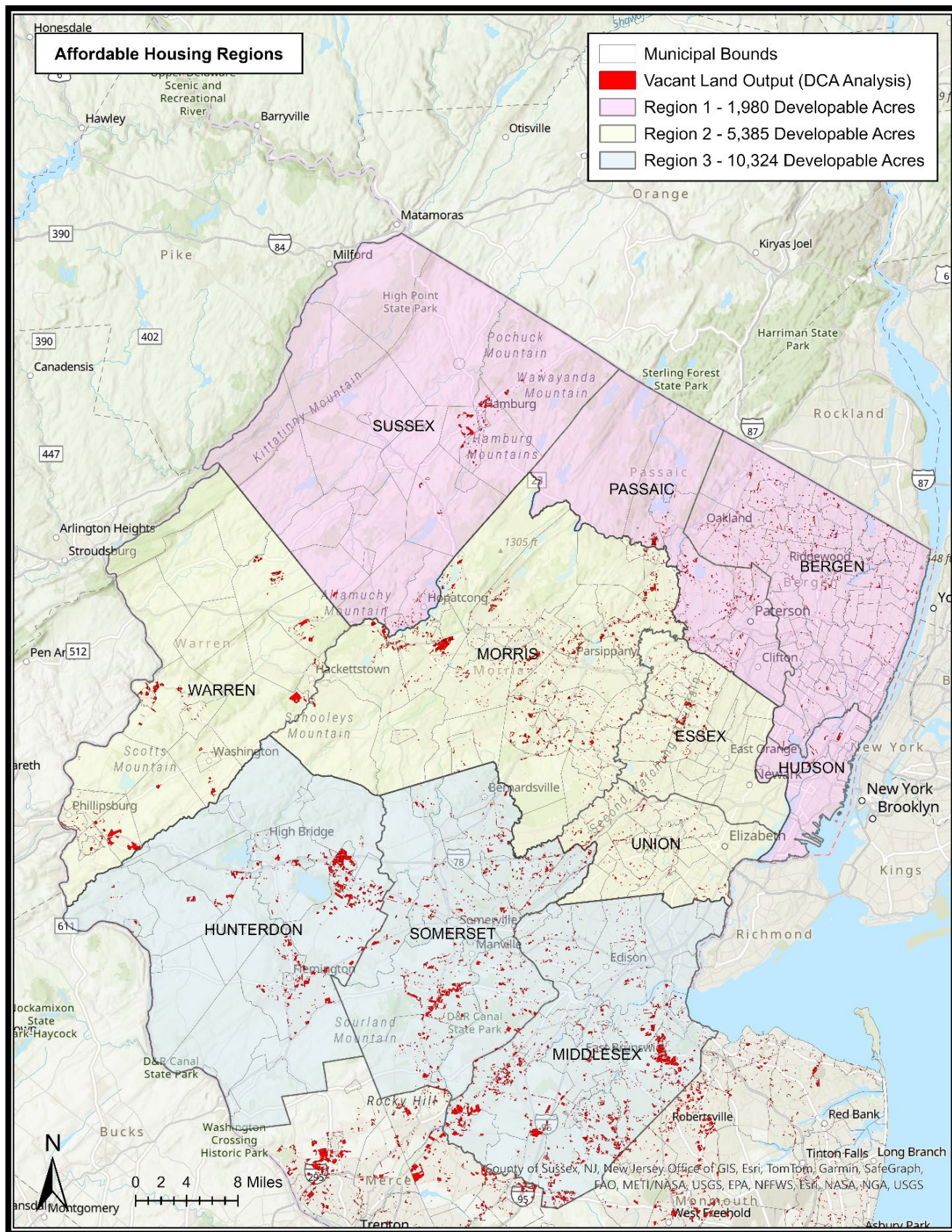
This determination is of course subject to further adjustments and reductions as permitted in the FHA and regulations associated therewith.

In addition, pursuant to N.J.S.A. 52:27D-304.3a and the Jacobson Decision, our office has prepared more detailed mappings as part of this process, and have further examined the published DCA Land Capacity Factor dataset based on the above-referenced up-to-date verifiable localized data. In accordance with same, the tables within Appendices B, C, D, E, and F, of this report identify and summarizes the ineligible parcels included in the DCA's published Land Capacity Analysis GIS Composite Layer dataset that should not have been determined to be developable, along with the basis for our conclusion.

The methodology used to identify and exclude parcel types listed in the analysis contained within this report is consistent with the published DCA Report. The data, data sources, methodology, criteria and formulas relied upon in completing this analysis and arriving at these opinions, including the calculation of the Borough's Prospective Need Obligation, was performed in accordance with sections 6 and 7 of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.2 and N.J.S.A. 52:27D-304.3) and the Jacobson Decision. All opinions and conclusions set forth herein are within a reasonable degree of professional planning certainty. We reserve the right to amend and supplement our findings, opinions and conclusions should additional information be made available at a later date.

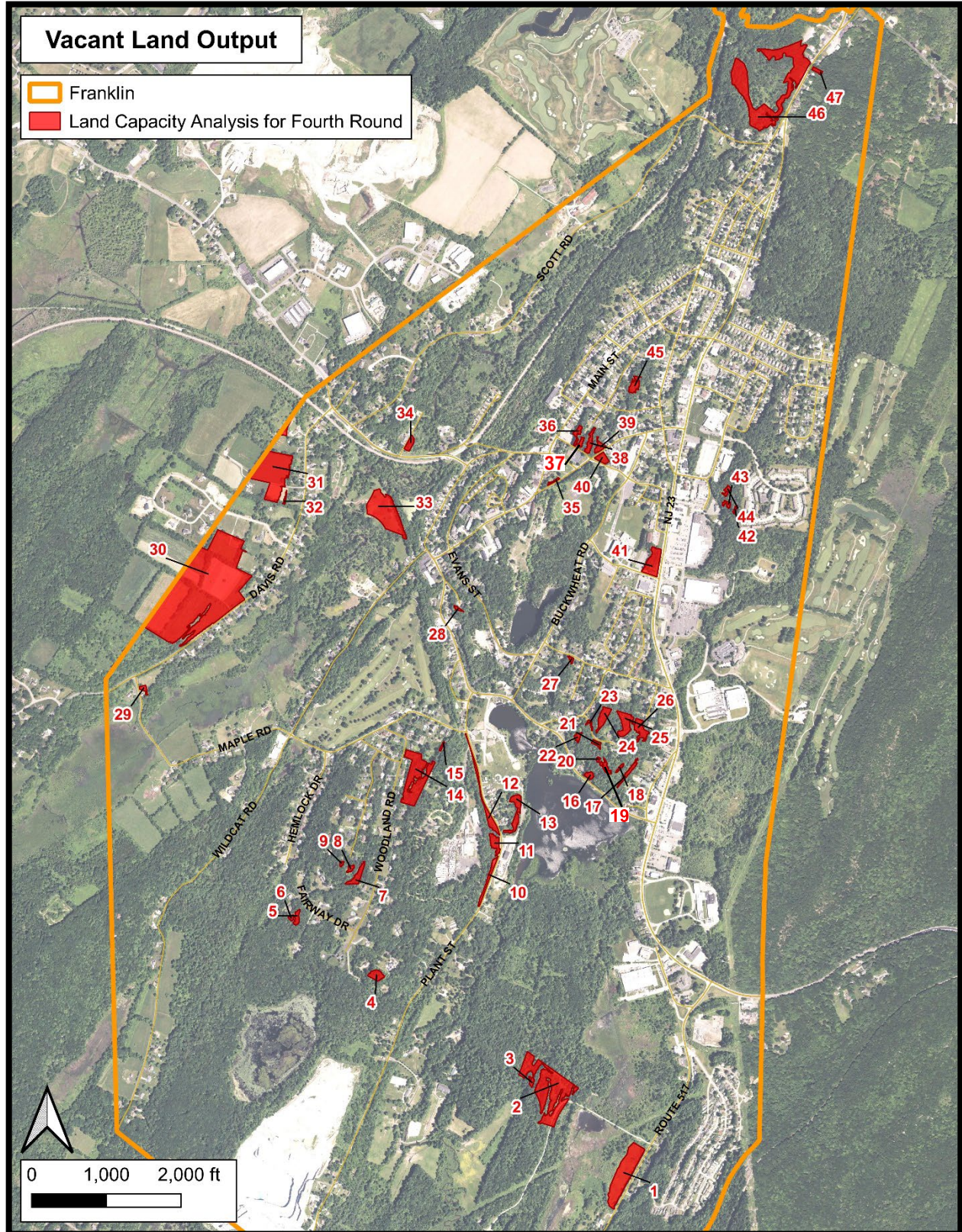
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Figure 1. Affordable Housing Regions and Developable Acres by Region



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Figure 2. Vacant Land Output (DCA Results)



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Appendix A. Vacant Land Output

Below is the complete list of tracts identified by the DCA as being vacant and developable. The outputs of the DCA's analysis were *tracts* of land, rather than entire parcels. This results in some tracts spanning numerous parcels, or several tracts within just one parcel. There were 47 total tracts identified and 34 total parcels impacted.

List of Vacant, Developable Lands – Result of DCA Analysis

Tract	Acreage	Block-Lot	Parcel Acreage	Address	Zone	Property Class
1	3.67	2701-3	11.651	130 Munsonhurst Rd	NC	1
2	6.08	2701-2	71.46	110 Munsonhurst Rd	MPR	1
3	0.14					
4	0.46	2501-19	1.82	162 Cork Hill Rd	R-1	1
5	0.24	2501-8	1.18	7 Fairway Dr	R-1	3B
6	0.08					
7	0.53	2201-70.02	2.01	39 Jenkins Rd	R-1	1
8	0.14					
9	0.06					
10	0.46	2301-31	2.16	110 Cork Hill Rd	I	1
11	0.53					
12	0.77	2301-30	0.73	66 Cork Hill Rd	I	1
		2301-31	2.16	110 Cork Hill Rd	I	1
13	0.85	2401-6	88.37	75 Cork Hill Rd	R-2	15C
14	3.50	2301-15	0.27	7 Woodland Rd	R-3	1
		2301-22	5.60	19 Maple Rd	R-1	3B
15	0.06	2301-22	5.60	19 Maple Rd	R-1	3B
16	0.19	1504-13	16.68	19 Sgt. Dennis Premock Rd	HMF	1
17	0.31					
18	0.08					
19	0.26					
20	0.06					
21	0.14					
22	0.17					
23	0.09					
24	0.63					
25	0.94					
26	0.72					
27	0.08	1501-3	0.31	14 Taylor Rd	R-3	1
28	0.08	1301-2	0.47	54 Church St	R-3	2
		1301-6	0.38	9 Oak St	R-3	15D
		1301-7	0.46	15 Oak St	R-3	15D

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29	0.15	1901-1	9.50	204 Maple Rd	R-1	3B
30	25.06	1701-1	30.19	120 Davis Rd	R-1	3B
		1701-2	3.02	7 Estell Dr	R-1	1
		1701-3	2.11	9 Estell Dr	R-1	1
		1701-4	2.19	5 Estell Dr	R-1	1
31	5.32	1205-9	7.75	58 Davis Rd	R-1	3B
32	0.06					
33	3.80	1204-5	13.39	Stonemill Rd Rear	R-1	3B
34	0.32	803-1	3.30	North Church Rd	R-1	15C
35	0.08	1002-8	0.94	High St	R-3	1
36	0.26	1004-15	3.29	24 Parker St	R-3	1
37	0.13					
38	0.38					
39	0.30					
40	0.36	1005-1	0.40	46 High St	R-4	15C
41	1.32	1010-11	2.69	263 Rt 23	HC-1	15C
42	0.06	1101-9	2.99	Sgt. Francis M. Glynn Rd	MF	15D
43	0.13					
44	0.16	1101-10	0.75	55 Mitchell Ave	HC-1	1
45	0.45	607-46	1.17	323 Rutherford Ave	R-4	1
46	8.15	102-2	18.49	359 Scott Rd	R-1	1
		102-2.01	10.83	577 Rt 23	HC-1	1
		102-3	3.20	597 Rt 23	HC-1	1
47	0.14	104-10	0.45	574 Rt 23	HC-2	1

DCA Vacant Land Output | 67.95 acres

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Appendix B. Non-contiguous Tracts Under 1 Acre

One (1) acre is the generally-accepted amount of acreage required for new development of affordable housing. Tracts that were under one (1) acre were excluded as they could not realistically provide for new development. Tracts marked in ~~red strikethrough~~ are eliminated in this step. Tracts that are under one acre, but nearby one or more tracts that comprise at least one acre in total, remain as vacant and developable.

Elimination of Non-Contiguous Tracts Under 1 Acre

Tract	Vacant, Developable Acreage	Block-Lot	Parcel Acreage	Address	Zone	Property Class
1	3.67	2701-3	11.651	130 Munsonhurst Rd	NC	1
2	6.08	2701-2	71.46	110 Munsonhurst Rd	MPR	1
3	0.14					
4	0.46	2501-19	1.82	162 Cork Hill Rd	R-1	4
5	0.24	2501-8	1.18	7 Fairway Dr	R-1	3B
6	0.08					
7	0.53					
8	0.14	2201-70.02	2.01	39 Jenkins Rd	R-1	4
9	0.06					
10	0.46	2301-31	2.16	110 Cork Hill Rd	†	4
11	0.53					
12	0.77	2301-30	0.73	66 Cork Hill Rd	†	4
		2301-31	2.16	110 Cork Hill Rd	†	4
13	0.85	2401-6	88.37	75 Cork Hill Rd	R-2	15C
14	3.50	2301-15	0.27	7 Woodland Rd	R-3	1
		2301-22	5.60	19 Maple Rd	R-1	3B
15	0.06	2301-22	5.60	19 Maple Rd	R-1	3B
16	0.19					
17	0.31					
18	0.08					
19	0.26					
20	0.06					
21	0.14	1504-13	16.68	19 Sgt. Dennis Premock Rd	HMF	1
22	0.17					
23	0.09					
24	0.63					
25	0.94					
26	0.72					
27	0.08	1501-3	0.31	14 Taylor Rd	R-3	4
		1301-2	0.47	54 Church St	R-3	2
28	0.08	1301-6	0.38	9 Oak St	R-3	15D
		1301-7	0.46	15 Oak St	R-3	15D

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29	0.15	1901-1	9.50	204 Maple Rd	R-1	3B
30	25.06	1701-1	30.19	120 Davis Rd	R-1	3B
		1701-2	3.02	7 Estell Dr	R-1	1
		1701-3	2.11	9 Estell Dr	R-1	1
		1701-4	2.19	5 Estell Dr	R-1	1
31	5.32	1205-9	7.75	58 Davis Rd	R-1	3B
32	0.06					
33	3.80	1204-5	13.39	Stonemill Rd Rear	R-1	3B
34	0.32	803-1	3.30	North Church Rd	R-1	15C
35	0.08	1002-8	0.94	High St	R-3	1
36	0.26	1004-15	3.29	24 Parker St	R-3	1
37	0.13					
38	0.38					
39	0.30					
40	0.36	1005-1	0.40	46 High St	R-4	15C
41	1.32	1010-11	2.69	263 Rt 23	HC-1	15C
42	0.06	1101-9	2.99	Sgt. Francis M. Glynn Rd	MF	15D
43	0.13					
44	0.16	1101-10	0.75	55 Mitchell Ave	HC-1	1
45	0.45	607-46	1.17	323 Rutherford Ave	R-4	1
46	8.15	102-2	18.49	359 Scott Rd	R-1	1
		102-2.01	10.83	577 Rt 23	HC-1	1
		102-3	3.20	597 Rt 23	HC-1	1
47	0.14	104-10	0.45	574 Rt 23	HC-2	1

DCA Vacant Land Output	67.95
<i>Removing tracts < 1 acre</i>	<i>-6.13</i>
New Total Acreage	61.82

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Appendix C. Irregular/Landlocked Tracts

Tracts removed as part of this step (either entirely, as indicated by ~~red strikethrough~~, or in part, indicated by ~~red text~~) are irregular in shape and/or landlocked to the extent that new development is not feasible.

Elimination of Irregularly Shaped or Landlocked Tracts

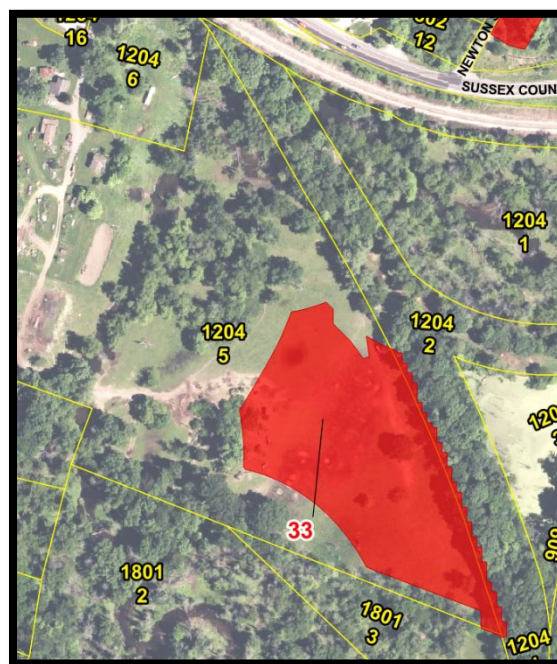
Tract	Vacant, Developable Acreage	Block-Lot	Parcel Acreage	Address	Zone	Property Class					
1	3.67	2701-3	11.651	130 Munsonhurst Rd	NC	1					
2	6.08	2701-2	71.46	110 Munsonhurst Rd	MPR	1					
3	0.14										
14	3.50	2301-15	0.27	7 Woodland Rd	R-3	1					
		2301-22	5.60	19 Maple Rd	R-1	3B					
15	0.06	2301-22	5.60	19 Maple Rd	R-1	3B					
16	0.19										
17	0.31										
18	0.08										
19	0.26										
20	0.06										
21	0.14						1504-13	16.68	19 Sgt. Dennis Premock Rd	HMF	1
22	0.17										
23	0.09										
24	0.63										
25	0.94										
26	0.72										
30	25.06	1701-1	30.19	120 Davis Rd	R-1	3B					
		1701-2	3.02	7 Estell Dr	R-1	1					
		1701-3	2.11	9 Estell Dr	R-1	1					
		1701-4	2.19	5 Estell Dr	R-1	1					
31	5.32	1205-9	7.75	58 Davis Rd	R-1	3B					
32	0.06										
33	3.80	1204-5	13.39	Stonemill Rd Rear	R-1	3B					
36	0.26	1004-15	3.29	24 Parker St	R-3	1					
37	0.13										
38	0.38										
39	0.30										
41	1.32	1010-11	2.69	263 Rt 23	HC-1	15C					
46	7.60 (0.55 removed)	102-2	18.49	359 Scott Rd	R-1	1					
		102-2.01	10.83	577 Rt 23	HC-1	1					
		102-3	3.20	597 Rt 23	HC-1	1					

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DCA Vacant Land Output	67.95
<i>Removing tracts < 1 acre (Appendix B)</i>	<i>-6.13</i>
<i>Removing irregular/landlocked (This step, Appendix C)</i>	<i>-4.35</i>
New Total Acreage	57.47

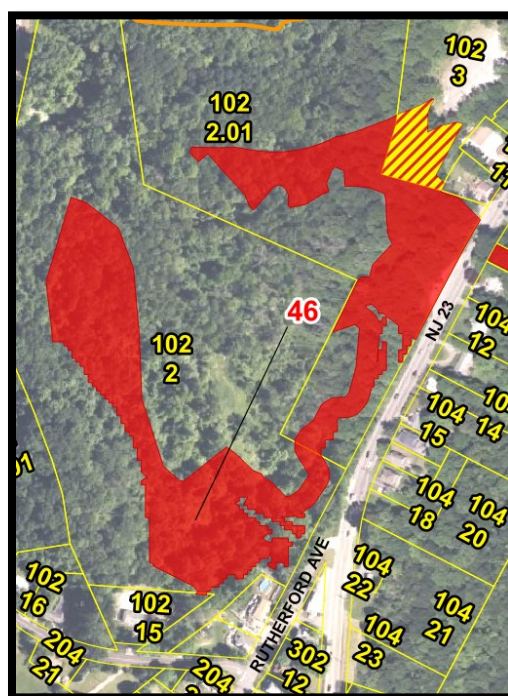
Tract 33

The entirety of Tract 33 is located within a landlocked parcel.



Tract 46

A 0.55-acre portion (highlighted in yellow hashed lines) is situated on another lot and not easily accessible.



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Appendix D. Environmental Constraints

After the steps completed in Appendices B through C, the remaining tracts were reviewed for potential conflicts with the following:

1. New Jersey Statewide Sewer Service Area (*all tracts are within the Statewide Sewer Service Area*)
2. Critical Wildlife Habitat (*no tracts were eliminated or reduced due to CWH presence*)
 - a. Highlands Rank 3: Critically Significant
 - b. Highlands Rank 2: Significant
 - c. Highlands Rank 1: Low Significance
3. Riparian Areas
4. Wetlands and Buffers (*no tracts were eliminated or reduced due to presence of wetlands or wetland buffers*)
5. Flood Hazard Areas (*no tracts were eliminated or reduced due to being in a Flood Hazard Area*)

Tract	Vacant, Developable Acreage	Block-Lot	Parcel Acreage	Address	Zone	Property Class
1	1.82 (1.85 removed)	2701-3	11.651	130 Munsonhurst Rd	NC	1
2	6.08	2701-2	71.46	110 Munsonhurst Rd	MPR	1
3	0.14					
14	3.50	2301-15	0.27	7 Woodland Rd	R-3	1
		2301-22	5.60	19 Maple Rd	R-1	3B
15	0.06	2301-22	5.60	19 Maple Rd	R-1	3B
16	0.19	1504-13	16.68	19 Sgt. Dennis Premock Rd	HMF	1
17	0.28 (0.03 removed)					
18	0.08					
19	0.22 (0.04 removed)					
20	0.06					
21	0.14					
22	0.17					
23	0.09					
24	0.63					
25	0.94					
26	0.72					
30	25.06	1701-1	30.19	120 Davis Rd	R-1	3B
		1701-2	3.02	7 Estell Dr	R-1	1
		1701-3	2.11	9 Estell Dr	R-1	1
		1701-4	2.19	5 Estell Dr	R-1	1
31	5.32	1205-9	7.75	58 Davis Rd	R-1	3B
32	0.06					
36	0.26	1004-15	3.29	24 Parker St	R-3	1
37	0.13					
38	0.38					

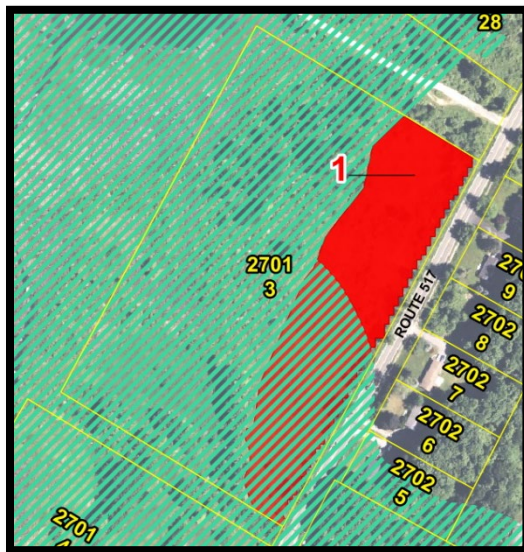
Franklin Borough, Sussex County – Land Capacity Factor Review

39	0.30					
41	1.32	1010-11	2.69	263 Rt 23	HC-1	15C
		102-2	18.49	359 Scott Rd	R-1	1
46	7.61	102-2.01	10.83	577 Rt 23	HC-1	1
		102-3	3.20	597 Rt 23	HC-1	1

DCA Vacant Land Output	67.95
<i>Removing tracts < 1 acre (Appendix B)</i>	<i>-6.13</i>
<i>Removing irregular/landlocked (Appendix C)</i>	<i>-4.35</i>
<i>Removing riparian areas (This step, Appendix D)</i>	<i>-2.11</i>
New Total Acreage	55.36

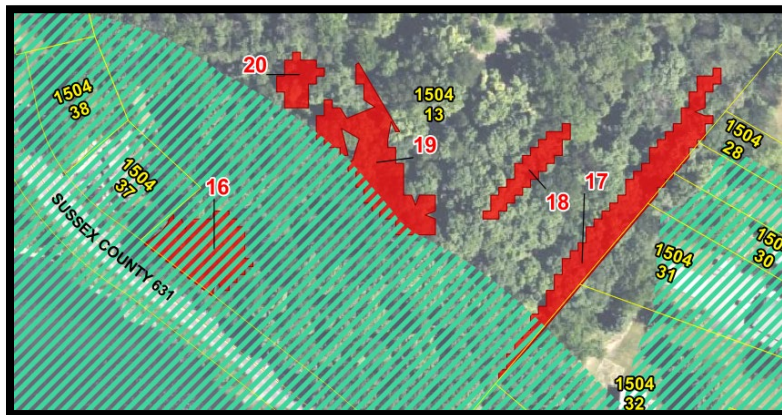
Tract 1

1.85 acres of Tract 1 are located within a riparian area, indicated by teal hashed lines below.



Tracts 16, 17 and 19

All of Tract 16 and portions of Tracts 17 and 19 are situated within a riparian area.



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Appendix E. Approved for Development, Developed, or in HEFSP

Tracts which are situated on parcels that have received Land Use Board approvals, or parcels that are a part of an inclusionary zone identified in the 2022 Housing Element and Fair Share Plan are eliminated as vacant, developable land as the land has already been committed to affordable unit development. ~~Red strikethrough~~ indicates tracts eliminated in their entirety and ~~red text without strikethrough~~ indicates a portion of the developable acreage has been removed.

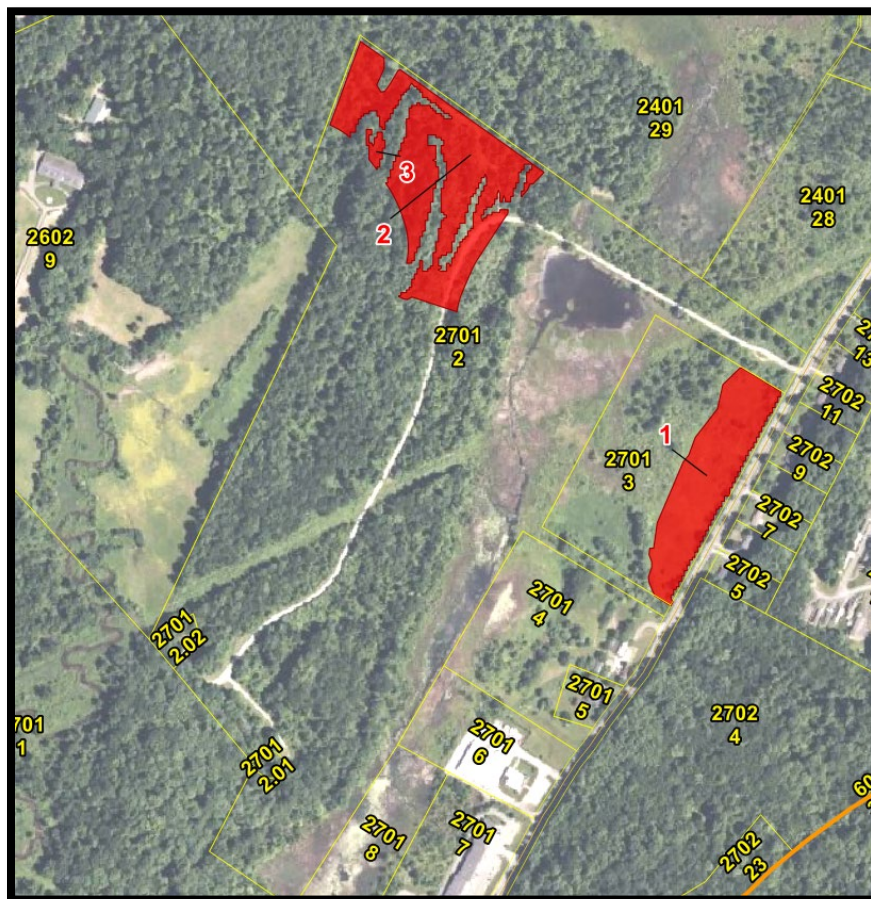
Tract	Vacant, Developable Acreage	Block-Lot	Parcel Acreage	Address	Zone	Property Class
1	1.82	2701-3	11.651	130 Munsonhurst Rd	NC	1
2	6.08	2701-2	71.46	110 Munsonhurst Rd	MPR	4
3	0.14					
14	3.50	2301-15	0.27	7 Woodland Rd	R-3	1
		2301-22	5.60	19 Maple Rd	R-1	3B
15	0.06	2301-22	5.60	19 Maple Rd	R-1	3B
17	0.28					
18	0.08					
19	0.22					
20	0.06					
21	0.14	1504-13	16.68	19 Sgt. Dennis Premock Rd	HMF	4
22	0.17					
23	0.09					
24	0.63					
25	0.94					
26	0.72					
		1701-1	30.19	120 Davis Rd	R-1	3B
30	21.48 (3.58 removed)	1701-2	3.02	7 Estell Dr	R-1	4
		1701-3	2.11	9 Estell Dr	R-1	4
		1701-4	2.19	5 Estell Dr	R-1	4
31	4.99 (0.33 removed)					
32	0.06	1205-9	7.75	58 Davis Rd	R-1	3B
36	0.26					
37	0.13	1004-15	3.29	24 Parker St	R-3	1
38	0.38					
39	0.30					
41	1.32	1010-11	2.69	263 Rt 23	HC-1	15C
		102-2	18.49	359 Scott Rd	R-1	1
46	7.61	102-2.01	10.83	577 Rt 23	HC-1	1
		102-3	3.20	597 Rt 23	HC-1	1

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DCA Vacant Land Output	67.95
<i>Removing tracts < 1 acre (Appendix B)</i>	<i>-6.13</i>
<i>Removing irregular/landlocked (Appendix C)</i>	<i>-4.35</i>
<i>Removing riparian areas (Appendix D)</i>	<i>-2.11</i>
<i>Removing lands with development restrictions (This step, Appendix E)</i>	<i>-13.46</i>
Refined Vacant Land Output Acreage	41.90

Tracts 2 and 3

These tracts total 6.22 acres and is located on Block 2701, Lot 2 (110 Munsonhurst Road). This site received approval from the Borough Planning Board and was included in the Borough’s 2022 Housing Element and Fair Share Plan; the development will generate 52 affordable housing units.



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Tracts 16 through 26

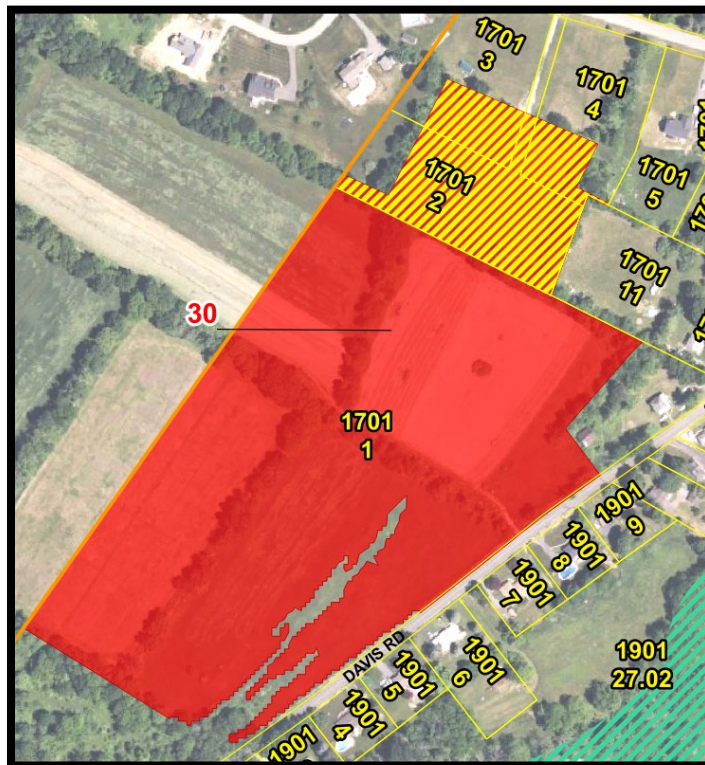
Block 1504, Lot 13, which contains several vacant and developable tracts, is located in the HMF zone district. This is an inclusionary redevelopment zone and proposed to generate 17 family rental units. The redevelopment plan for the area was last revised on November 17, 2017.



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Tract 30

A 3.58-acre portion of Tract 30, located on Davis Road, is located on several lots with existing development (Block 1701, Lots 2, 3, and 11).



Tract 31

A 0.33-acre portion of Tract 31 is situated on already-developed parcels.



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Appendix F. Refined Vacant, Developable Lands

Tract	Vacant, Developable Acreage	Block-Lot	Parcel Acreage	Address	Zone	Property Class
1	1.82	2701-3	11.651	130 Munsonhurst Rd	NC	1
14	3.50	2301-15	0.27	7 Woodland Rd	R-3	1
		2301-22	5.60	19 Maple Rd	R-1	3B
15	0.06	2301-22	5.60	19 Maple Rd	R-1	3B
30	21.48	1701-1	30.19	120 Davis Rd	R-1	3B
31	4.99	1205-9	7.75	58 Davis Rd	R-1	3B
32	0.06					
36	0.26					
37	0.13	1004-15	3.29	24 Parker St	R-3	1
38	0.38					
39	0.30					
41	1.32	1010-11	2.69	263 Rt 23	HC-1	15C
46	7.61	102-2	18.49	359 Scott Rd	R-1	1
		102-2.01	10.83	577 Rt 23	HC-1	1

DCA Vacant Land Output	67.95
<i>Total Lands Excluded</i>	<i>-26.05</i>
Refined Vacant Land Output Acreage	41.90

Franklin Borough, Sussex County – Land Capacity Factor Review

Tract 1

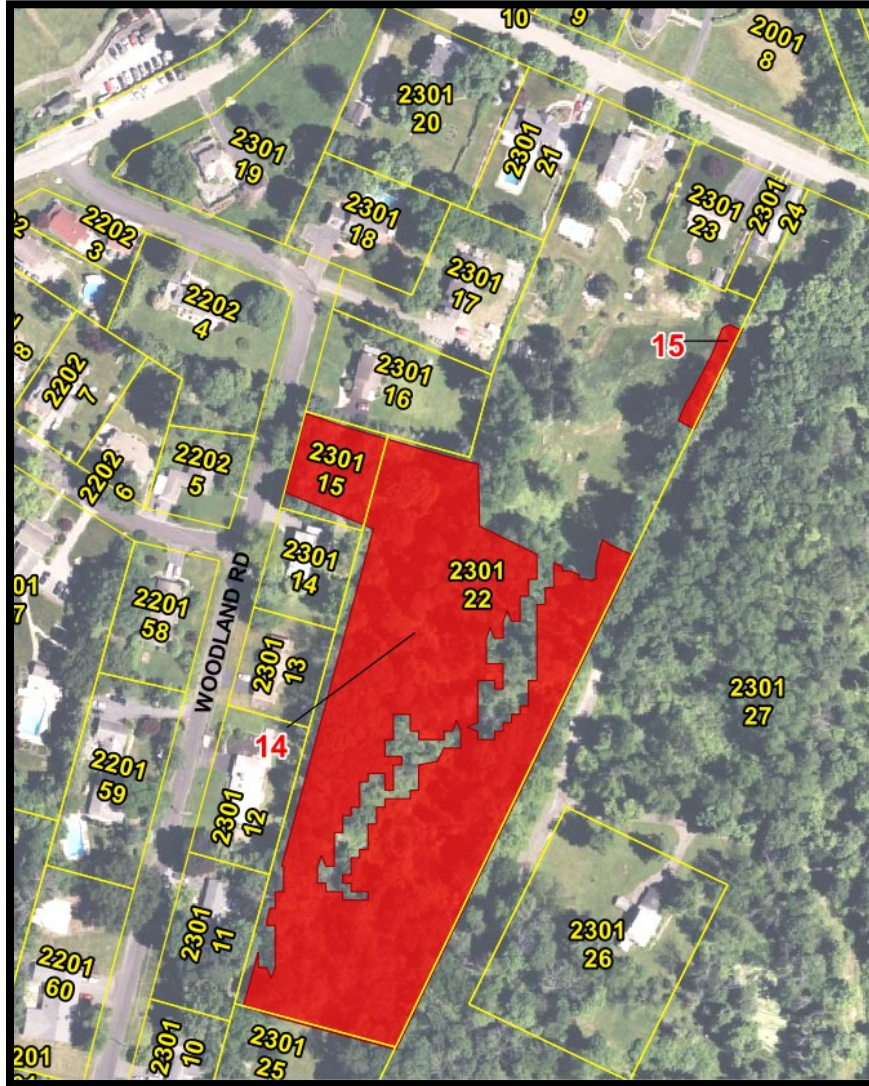
This tract of land is 1.82 acres and located on Block 2701, Lot 3 on County Route 517/Munsonhurst Road. This site is located within the Statewide Sewer Service Area.



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Tracts 14 and 15

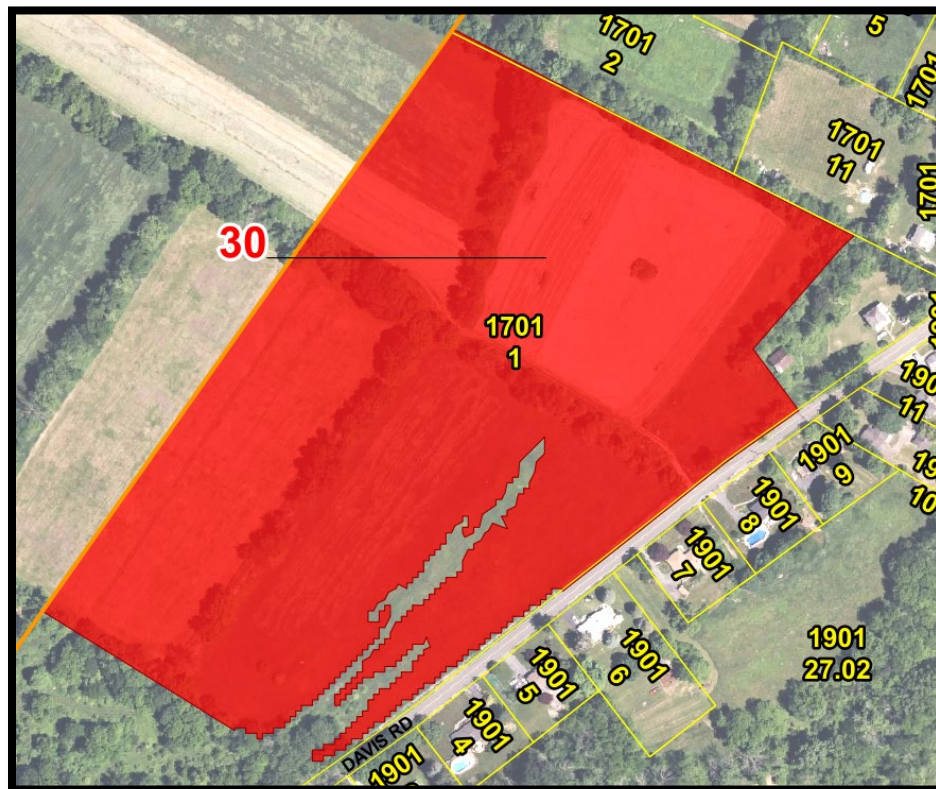
Tracts 14 and 15 are located on two blocks: Block 2301, Lots 15 and 22. Lot 15 has frontage on Woodland Road, and Lot 22 has frontage along Maple Road. Both parcels are within the Statewide Sewer Service Area. The total vacant, developable acreage on this site is 3.56 acres.



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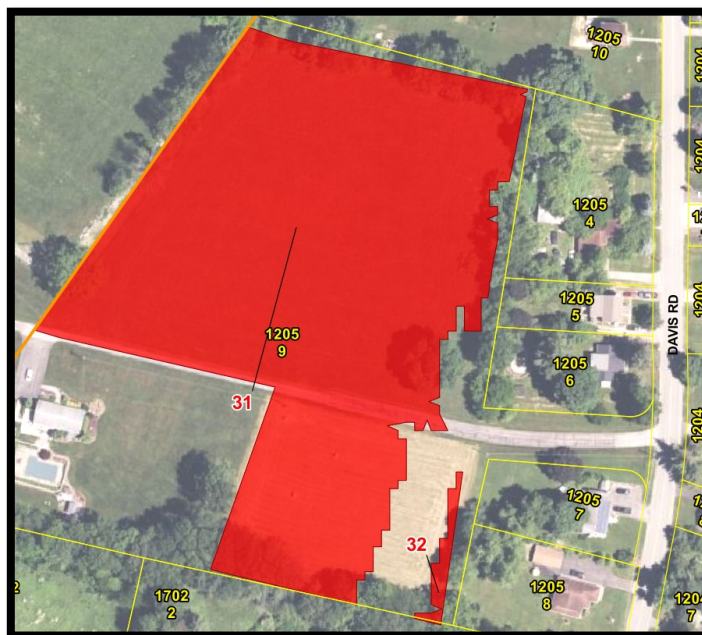
Tract 30

Tract 30 is located on Block 1701, Lot 1, which is within the R-1 zone district on Davis Road. The entire tract is located within the existing Statewide Sewer Service Area.



Tracts 31 & 32

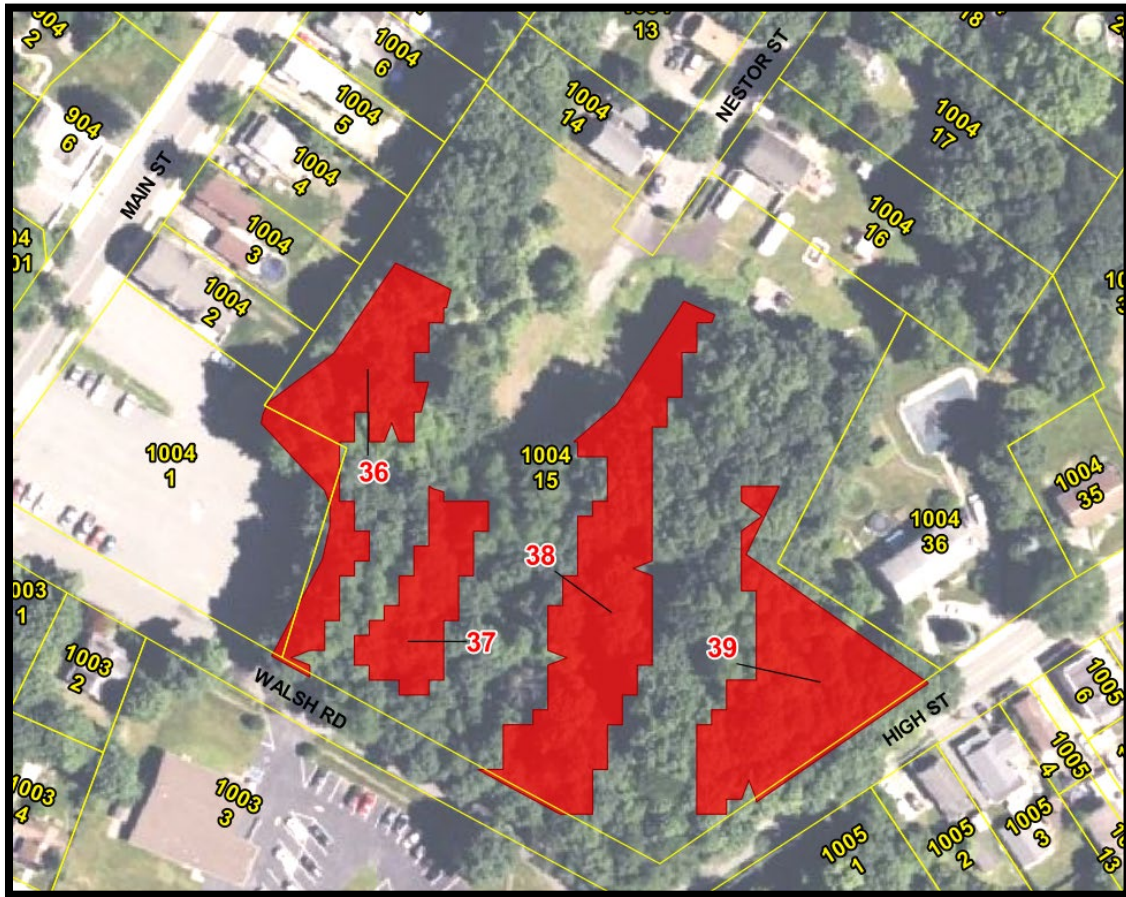
Tracts 31 and 32 are located on Block 1205, Lot 9. This parcel is 7.75 acres in total, with approximately 5.05 acres that are classified as vacant and developable. It is within the Statewide Sewer Service Area.



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Tracts 36 through 39

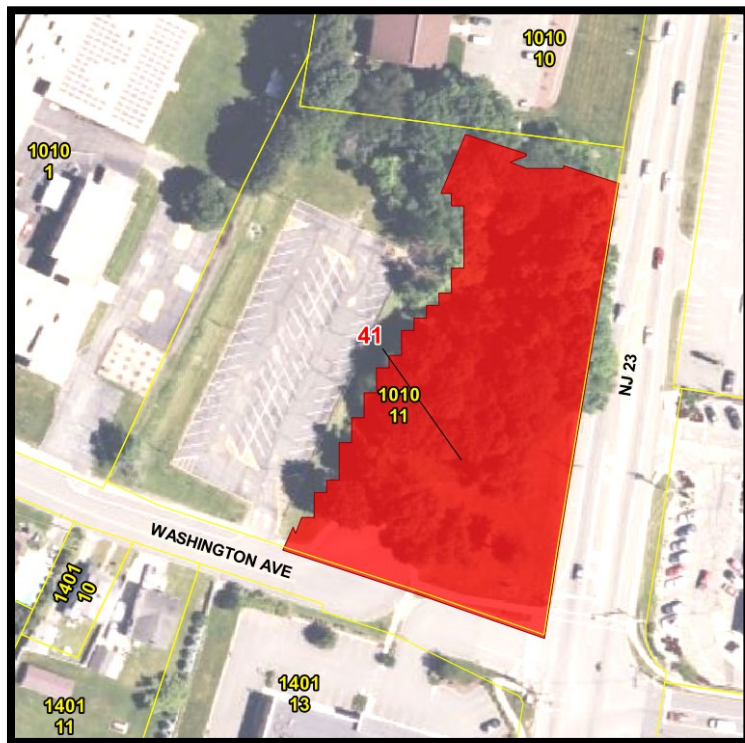
Block 1004, Lot 15 is 3.29 acres in total, with 1.07 acres that are vacant and developable. This parcel is within the R-3 Zone and within the Sewer Service Area.



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Tract 41

Tract 41 is on Block 1010, Lot 11 and owned by the Franklin Borough Board of Education. It is situated at the intersection of Washington Avenue and State Route 23. There are approximately 1.32 acres that are developable on this site, which is within the Statewide Sewer Service Area.



Tract 46

Situated at the intersection of Rutherford Avenue and State Route 23, Tract 46 contains 7.61 acres of developable land across two (2) parcels (Block 102, Lots 2 and 2.01). This site is within the Statewide Sewer Service Area.

