

# **FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

Borough of New Providence  
Union County, New Jersey

May 23, 2025

Adopted by the Planning Board on June 3, 2025

Prepared By:

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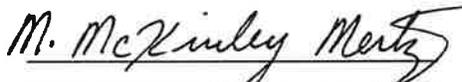
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The original of this report was signed and  
sealed in accordance with N.J.S.A. 45:14A-12

  
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**Appendix A:** 2019 Settlement Agreement with FSHC, Linde (Murray Hill LLC), and Bard (BD)

- 2019 settlement agreement with Linde attached, listed as “Exhibit B”

**Appendix B:** Court Order Approving Fair Share Housing Center Third Round Settlement Agreement, filed on April 8, 2019**Appendix C:** Borough of New Providence Final Third Round Judgement of Compliance and Repose, dated August 25, 2020**Appendix D:** Borough of New Providence Resolution #2025-58 – Accepting a Fourth Round Affordable Housing Present Need and Prospective Need Numbers

- Land Capacity Analysis for the Borough of New Providence attached

**Appendix E:** Fourth Round Prospective Need Obligation Objections

- Objection from New Jersey Builders Association, filed February 27, 2025
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- Resolution 2025-5 – Appointing CGP&H as the Borough’s Administrative Agent

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**EXECUTIVE SUMMARY**

The following Fourth Round Housing Element and Fair Share Plan has been prepared for the Borough of New Providence in the County of Union in accordance with the Fair Housing Act as most recently amended (P.L.2024, c.2).

The Borough of New Providence is a 3.67 square mile developed community located in northeast New Jersey in the County of Union. The Borough is surrounded by Summit to the north, Berkeley Heights to the east and south, and Chatham Township to the west in Morris County. The Passaic River also borders New Providence on its northwestern edge.

The Borough of New Providence can be characterized mainly as a residential community that supports a vibrant business community with retailers, restaurants, and professional offices. Sections of parkland and open space surround the Passaic River. According to the State Development and Redevelopment Plan (SDRP), the Borough is predominantly located in the Metropolitan Planning Area 1, with a small section of natural areas.

According to the 2020 Census, New Providence Borough's population was 13,650, which represents an increase of 12.2% from 2010. In 2020, the Borough's median age was 42.8 years, representing a 4.4% increase from the median age of 41.0 years in 2010. The Borough's average household size in 2020 was 2.58 persons, which was less than the average at the County level (2.81 persons).

The housing stock of the Borough is predominantly single-family detached dwelling units. Approximately 40% of the housing stock was built during the 1950s and 1960s, making these dwellings over sixty years old. According to the guidelines originally established by COAH, the Borough is located in Housing Region 2, a region that consists of Essex, Morris, Union, and Warren counties. Based on the 2025 Regional Income Limits (released by Affordable Housing Professionals of New Jersey on May 5, 2025), the median income in Region 2 for a four-person household is \$135,300, the moderate-income is \$108,240, the low-income is \$67,650, and the very-low-income level is \$40,590.

Affordable housing obligations in New Jersey are divided into "housing rounds," as will be discussed in detail later in this Plan. Each municipality in New Jersey has a constitutional obligation to provide their fair share of the calculated regional need for affordable housing within the respective housing round. These obligations to construct new affordable housing are known as the "Prospective Need" obligation. Municipalities also have an obligation to rehabilitate units that are deemed substandard, pursuant to the criteria of the Fair Housing Act. This obligation is known as the Present Need, or Rehabilitation Share. The housings rounds are as follows: Prior Round (1987-1999), Third Round (1999-2025), and Fourth Round (2025-2035).

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The Borough of New Providence has participated in each of the three housing rounds. In the Third Round, the Borough entered into a Settlement Agreement with Fair Share Housing Center to establish the Borough's Third Round affordable housing obligation. The subsequent compliance efforts were approved by the Court in a Judgement of Compliance and Repose, dated August 25, 2020, confirming the Borough satisfied its Third Round obligations.

The Borough was able to fully meet its Prior Round and Third Round obligations through credit-worthy units that are existing, under construction, or proposed as well as rental bonus credits. Additional mechanisms adopted by the Borough include overlay zoning with a mandatory affordable set-aside.

The Borough has a Fourth Round obligation as follows:

Rehabilitation Share: 20

Prospective Need: 201

The 201-unit Prospective Need obligation will be addressed through extensions of affordability controls and increased density of an existing affordable housing zone.

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## **INTRODUCTION**

The need to provide a realistic opportunity for the construction of affordable housing in New Jersey, the country's most densely populated state, has been recognized for decades. In the case of Southern Burlington County NAACP v. the Township of Mount Laurel 67 N.J. 151 (1975), (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities have a constitutional obligation to create a realistic opportunity for their fair share of low and moderate income housing.

In Southern Burlington County NAACP v. Township of Mount Laurel, 92 N.J. 158, 456 A.2d 390 (1983), decided on January 20, 1983 (commonly known as Mount Laurel II), the Supreme Court responded to the response of municipalities to Mount Laurel II. It sought to "put steel" into the doctrine by making it far easier for developers to secure a builder's remedy. The builder's remedy created an incentive to developers to sue non-compliant municipalities and force them to comply. Mount Laurel II also created the Judgment of Repose to incentivize municipalities to comply. A Judgment of Repose protected municipalities from anyone who would sue it and claim entitlement to a builder's remedy or other relief based upon the claim that the municipality was noncompliant.

In the wake of Mount Laurel II, developers sued municipalities seeking builder's remedies. The wave of builder's remedy lawsuits created the impetus for legislation to protect municipalities from builder's remedies. A decision by Judge Serpentelli, one of three judges appointed by Chief Justice Wilentz to implement Mount Laurel II, increased the need for a legislative cure. More specifically, in 1984, Judge Serpentelli issued the AMG decision which established a formula for any developer to determine the fair share obligation of any municipality.

The pressure of builder's remedy suits, combined with the ease in determining the fair share of any municipality through the AMG formula, culminated in the enactment of the New Jersey Fair Housing Act in 1985. The Fair Housing Act (FHA) is found at N.J.S.A. 52:270-301, et seq. The FHA established the Council on Affordable Housing (COAH) as an administrative alternative to builder's remedy lawsuits and the concomitant jurisdiction of the courts. COAH was given the responsibility of dividing the state into housing regions, determining regional and municipal fair share affordable housing obligations, and adopting regulations that would establish the guidelines and approaches that municipalities may use in addressing their affordable housing need.

In 2008, the Legislature amended the FHA to add requirements for very low-income housing. Very low-income households are those in which the gross household income is 30% or less than the region's median household income. Low-income households are those with incomes no greater than 50% of the region's median household income. Moderate-income households are those with incomes no greater than 80% and

no less than 50% of the region's median household income. Each is adjusted for household size and is in relation to the median gross income of the housing region in which the municipality is located.

### **FIRST AND SECOND ROUNDS**

The First and Second Rounds under COAH are collectively referred to as the "Prior Round." The Prior Round obligation is the cumulative 1987-1999 fair share obligation. The First Round consists of the six-year period between 1987 and 1993 for which COAH first established a formula for determining municipal affordable housing obligations (N.J.A.C. 5:92-1 *et seq.*). Then in 1994, COAH established amended regulations (N.J.A.C. 5:93-1.1 *et seq.*) and produced additional municipal affordable housing obligations for the years 1993 to 1999. This second round of obligations is known as the Second Round. When COAH adopted regulations for Round 2, it made the Round 1 and 2 obligations cumulative for both periods.

### **THIRD ROUND**

Housing rounds were originally established by the Fair Housing Act as six-year periods, but in 2001 the Legislature extended the rounds to 10-year periods. This should have meant that the Third Round ran from 1999 to 2009. However, COAH didn't establish new rules for the Third Round until the end of 2004 (N.J.A.C. 5:94-1 and 95-1 *et seq.*). The Third Round time period was therefore extended to 2014. The Third Round rules established a new method for calculating a municipality's affordable housing obligation, known as "growth share." This method required municipalities to project future residential and non-residential development and then derive their obligation from that growth.

After the New Jersey Appellate Court invalidated several components of the Third Round rules, COAH released revised rules in 2008. The Third Round was once again extended to 2018 to provide municipalities with the time to apply the amended rules and establish mechanisms to meet their obligations. The revised third round rules, like the initial third round rules established the obligations based on a growth share approach.

On October 8, 2010, in response to numerous legal challenges to the second iteration of COAH's third round regulations, the Appellate Division ruled that COAH could not allocate obligations through a "growth share" formula and directed COAH to use similar methods to those used in the First and Second Rounds.

COAH proposed third round regulations a third time in 2014 using a formula similar to the ones it had used in the first and second rounds. However, when COAH had a meeting to consider adopting these rules on October 20, 2014, it deadlocked and then failed to make any efforts to break the deadlock.

On March 10, 2015, the New Jersey Supreme Court decided [In re Adoption of N.J.A.C. 5:96 & 5:97 by the N.J. Council on Affordable Housing](#), 221 N.J. 1 (2015) (Mount Laurel IV), wherein it responded to COAH's failure to adopt defensible rules for Round 3. This decision changed the landscape by which municipalities are required to comply with their constitutional obligation to provide their fair share of affordable housing.

The Supreme Court held that since COAH was no longer functioning, trial courts were to resume their role as the forum of first instance for evaluating municipal compliance with Mount Laurel obligations. The decision also established a transitional process for municipalities to seek temporary immunity and ultimately a Judgment of Compliance and Repose ("JOR") from a court, which was the "judicial equivalent" of Substantive Certification from COAH.

On January 18, 2017, the Supreme Court decided In Re Declaratory Judgment Actions Filed by Various Municipalities, County of Ocean, Pursuant To The Supreme Court's Decision In In re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015) ("Mount Laurel V"), which held that need having accrued during the Gap Period (1999-2015) had to be addressed and was part of the Present Need. The Supreme Court held that there is an obligation with respect to that period for households that came into existence during that gap period that are eligible for affordable housing, that are presently (as of 2015) in need of affordable housing, and that are not already counted in the traditional present need.

As the methodology and obligations from the Gap and Prospective Need had not been fully adjudicated at that time, various trial judges issued opinions on the appropriate methodology and 354 municipalities reportedly settled with Fair Share Housing Center wherein they negotiated the obligations for Round 3.

Municipal obligations were therefore broken down in Round Three Housing Element and Fair Share Plans as Present Need/Rehabilitation, Prior Round (1987-1999), and Third Round and Gap Period (1999-2015). Municipalities that received their Final Judgment of Compliance and Repose had immunity from builders' remedy lawsuits through the end of the Third Round, June 30, 2025.

#### **FOURTH ROUND**

On March 18, 2024, the affordable housing legislation known jointly as Senate Bill S50 and Assembly Bill A4 passed both houses of the legislature. Governor Murphy signed the bill (P.L.2024, c.2) into law on March 20, 2024, establishing a new methodology for determining municipalities' affordable housing obligations for the Fourth Round and beyond. The new legislation, which comprehensively amends the FHA, overhauled the process that municipalities undertake to establish and plan for their constitutionally mandated affordable housing obligation. Most notably, this legislation formally abolished COAH while transferring its functions to the New Jersey Department of Community Affairs (DCA) and Housing Mortgage and Finance Agency (HMFA). As a result, the legislation codified the method for calculating regional and municipal affordable housing needs and returned most of the process from the Courts to state administrative departments.

The amended FHA called on the DCA to issue a non-binding report on the new Present Need Obligation (commonly referred to as the rehab obligation) and the Prospective Need for Round 4 and subsequent rounds. The amended FHA required the DCA to base its analysis of the obligations for each municipality based upon the standards set forth in the amended FHA. Accordingly, on October 18, 2024, the DCA

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released a report outlining the Fourth Round (2025-2035) Fair Share methodology and its calculations of low- and moderate-income obligations for each of the State's municipalities. The amended FHA gave municipalities until January 31, 2025, to review the obligation reported by the DCA and perform their own analysis of their obligation based on the methodology in the legislation and previously established by the Courts. If any municipality wished to commit to an obligation different from the one reported by the DCA, the amended FHA required the municipality to adopt a resolution by January 31, 2025 committing to the number that it contended was the appropriate obligation. If a municipality wished to commit to the numbers that the DCA reported, the amended FHA required the municipality to adopt a resolution committing to the DCA numbers.

The amended FHA required any municipality that wished to participate in the new process that the Act created to file a declaratory relief action within 48 hours of adopting the resolution committing to the numbers the municipality deemed appropriate.

The amended FHA gave any interested party who wished to oppose the numbers to which any municipality committed to file an Answer by February 28, 2025 which included a particularized objection to the numbers to which the municipality committed.

The amended FHA gave "the program" until March 31, 2025 to try to resolve any disputes over the fair share numbers to which a municipality committed through an "Affordable Housing Dispute Resolution Program". The program is a new entity created by the amended FHA. It is staffed with seven current or retired judges and the judges have the authority to use adjudicators to assist it in mediating disputes over the obligations of municipalities.

The amended FHA gives municipalities until June 30, 2025 to file a Housing Element and Fair Share Plan and related documents showing how the municipality will comply with its obligations. The Fourth Round Plans will follow the same general format as they have with certain updates to their requirements dealing with various types of housing and the bonus credit calculation system. Notably, HE/FSPs are required to be consistent with the State Development and Redevelopment Plan (SDRP), which has yet to be adopted. (A draft SDRP was released in late 2024). As part of the HE/FSP, municipalities shall include an assessment of the degree to which the municipality has met its fair share obligation from the prior rounds of affordable housing (i.e. First, Second, and Third Rounds).

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**BOROUGH OF NEW PROVIDENCE'S HISTORY OF AFFORDABLE HOUSING**

The Borough of New Providence has a long history of participation and compliance with COAH. The Borough received First Round certification on September 18, 1989. New Providence participated in the Second Round and petitioned COAH for substantive certification on July 7, 1997, and received their substantive certification on August 5, 1998, with an extended certification date of May 11, 2005. The Borough's Second Round certification expired on December 20, 2005.

New Providence continued its participation into COAH's Third Round. On December 15, 2008, New Providence's Planning Board adopted a Round 3 Housing Element and Fair Share Plan ("2008 Plan"), and on December 30, 2008, the Borough petitioned COAH for substantive certification. The Borough then adopted an amended Round 3 Housing Element and Fair Share Plan on June 1, 2010 ("2010 Plan") under the revised COAH Third Round methodology, and again petitioned COAH for substantive certification on July 16, 2010. New Providence was deemed complete on October 4, 2010. The Borough, however, did not receive Third Round substantive certification as a large majority of COAH's third round regulations were invalidated by the Appellate Division on October 10, 2010.

In response to Mount Laurel IV, the Borough filed its complaint for a Declaratory Judgment on July 7, 2015 (Docket No. UNN-L-2442-15). A settlement agreement with the Fair Share Housing Center ("FSHC") was executed on December 13, 2016 ("Settlement Agreement", see Appendix A).

A Fairness Hearing was held on January 13, 2017, and in an Order dated January 30, 2017, the Court approved the settlement agreement. The Borough adopted a Housing Element and Fair Share Plan on March 7, 2017, effectuating the Court-approved settlement agreement.

Subsequent to the Fairness Hearing and prior to a Compliance Hearing, the Borough began negotiations with Linde North America Inc. ("Linde") on August 21, 2017, who objected to the December 13, 2016 Settlement Agreement with Fair Share Housing Center. The Borough and Linde's successor, Murray Hill, LLC, entered into an agreement that was signed by the Borough on April 1, 2019 and by Murray Hill, LLC on March 29, 2019 (Exhibit B of Appendix A). The Borough also entered into negotiations with C R Bard Inc., now Beckton Dickinson ("BD"), to formulate an agreement on appropriate zoning for Block 210 Lot 32 on the Borough's tax maps to provide a realistic opportunity for affordable housing. The Borough entered into an amended agreement with FSHC, incorporating the agreed upon negotiations with both Linde and BD (Appendix A). The amended agreement was signed by the Borough on April 1, 2019, FSHC on March 29, 2019, by Linde on April 1, 2019, and by BD on April 1, 2019 (hereafter both agreements are collectively referred as the "2019 agreements"). The 2019 agreements supersede the 2016 agreement with FSHC.

A second Fairness Hearing was held on April 5, 2019, and in an Order by the Honorable Karen Cassidy, A.J.S.C., dated April 8, 2019 (Appendix B), the two new settlement agreements were deemed fair and that they adequately protect the interests of low- and moderate-income persons within New Providence's

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housing region. Subsequently, the Borough's Planning Board adopted an amended Housing Element and Fair Share Plan on July 9, 2019.

A Conditional Judgment of Compliance and Repose for the Borough was granted on November 13, 2019, and the Final Judgment of Compliance and Repose was granted on August 25, 2020 (Appendix C).

New Providence Borough continues to take steps to satisfy its affordable housing obligation. On January 28, 2025, in accordance with the requirements established by the amended FHA and described above, the Borough adopted Resolution #2025-58 (Appendix D). This resolution established a 198-unit Fourth Round Prospective Need obligation for the Borough, a 12-unit reduction from the 210-unit obligation calculated by the DCA. The reduced number was generated based on the results of a Land Capacity Analysis prepared by this office and attached to Resolution #2025-58. The adoption of Resolution #2025-58 guaranteed protection from builders' remedy suits through June 30, 2025. Further, on January 30, 2025, in accordance with the standards established by the amended FHA and described above, the Borough filed a Complaint (Docket No. UNN-L-000413-25) seeking the entry of a declaratory judgment.

The Borough's calculated Fourth Round Prospective Need obligation of 198 was challenged by the New Jersey Builders' Association on February 27, 2025. The Borough of New Providence and the Builder's Association appeared before the Affordable Housing Dispute Resolution Program and negotiated a Prospective Need number agreeable to all parties. On April 14, 2025, the Court issued a Decision and Order establishing the Borough's Present Need obligation of 20 units and its Prospective Need obligation of 201 units (Appendix E).

This Fourth Round HEFSP sets forth mechanisms to address the Borough's affordable housing obligations and has been prepared in accordance with the Fair Housing Act as most recently amended (P.L.2024, c.2).

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**PLANNING FOR AFFORDABLE HOUSING**

Pursuant to both the FHA (N.J.S.A. 52:27D-310, et seq.) and the Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-28), municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to describe the specific, intended methods that a municipality plans to use in order to meet its low- and moderate-income housing needs. Further, the housing element is meant to demonstrate the existing zoning or planned zoning changes that will allow for the provision of adequate capacity to accommodate household and employment growth projections, to achieve the goal of access to affordable housing for present and future populations. The statutorily required contents of the housing element are:

- 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;
- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1);
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving 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);
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance

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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.

**PART 1: HOUSING ELEMENT****DEMOGRAPHIC CHARACTERISTICS****Population**

Table 1 below depicts the population trends experienced in New Providence Borough, Union County, and the State of New Jersey in the 93-year period between 1930 and 2023. In 2023, there were 13,577 residents in New Providence Borough, which indicates a decrease of 73 people (-0.5%) from 2020. New Providence Borough experienced steady population growth between 1930 and 1970, and a decrease of approximately 17.8% between 1970 and 1990. The Borough's population began to increase again between 1990 and 2020.

Overall, the Borough has seen a growth of 11,659 residents during this time frame, reflecting a 607.9% increase in its population. Proportionally speaking, the Borough's most significant period of growth occurred in the decade between 1950 and 1960 when the Borough saw a 203% increase in its population. These trends are reflected at the County and State level, as well, which saw a similarly significant increase in population throughout the 1950s. While population growth has been steady during this time period in Union County and the State of New Jersey as a whole, the Borough's overall growth (607.9%) has proportionally exceeded that of the County (87.6%) by nearly 7 times and the State (129.2%) by nearly 4.7 times.

Year	New Providence Borough			Union County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1930	1,918	-	-	305,209	-	-	4,041,334	-	-
1940	2,374	456	23.8%	328,344	23,135	7.6%	4,160,165	118,831	2.9%
1950	3,380	1,006	42.4%	398,138	69,794	21.3%	4,835,329	675,164	16.2%
1960	10,243	6,863	203.0%	504,255	106,117	26.7%	6,066,782	1,231,453	25.5%
1970	13,796	3,553	34.7%	543,116	38,861	7.7%	7,171,112	1,104,330	18.2%
1980	12,426	-1,370	-9.9%	504,094	-39,022	-7.2%	7,365,011	193,899	2.7%
1990	11,439	-987	-7.9%	493,819	-10,275	-2.0%	7,730,188	365,177	5.0%
2000	11,907	468	4.1%	522,541	28,722	5.8%	8,414,350	684,162	8.9%
2010	12,171	264	2.2%	536,499	13,958	2.7%	8,791,894	377,544	4.5%
2020	13,650	1,479	12.2%	575,345	38,846	7.2%	9,288,994	497,100	5.7%
2023	13,577	-73	-0.5%	572,549	-2,796	-0.5%	9,261,699	-27,295	-0.3%
<b>Total Change</b>	-	<b>11,659</b>	<b>607.9%</b>	-	<b>267,340</b>	<b>87.6%</b>	-	<b>5,220,365</b>	<b>129.2%</b>

Source: U.S. Census Bureau, Decennial Census and 2023: ACS 5-Year Estimates Table S0101

**Population Composition by Age**

The median age of the residents in New Providence Borough in 2020 was 42.8 years, which shows a 4.4% increase from the 2010 median age of 41.0 years. Analysis of age group characteristics provides insight into the actual changes in population. This comparison is helpful in determining the impact these changes have on housing needs, community facilities, and services for the municipality. As detailed in Table 2 below, the entire composition of New Providence Borough experienced notable shifts in the years between 2010 and 2020. The most significant shift occurred in the population aged 65 and over, which collectively saw a 749-person (44.2%) increase. Simultaneously, the Borough experienced a significant decrease in its population under 5 years old (-18.5%). This data suggests that a larger portion of the Borough residents are transitioning into the senior citizen age range.

Population	2010		2020		Change (2010 to 2020)	
	Number	Percent	Number	Percent	Number	Percent
Under 5 years	875	7.2%	713	5.2%	-162	-18.5%
5 to 14	1,892	15.5%	2108	15.4%	216	11.4%
15 to 24	1,156	9.5%	1,573	11.5%	417	36.1%
25 to 34	1,066	8.8%	1020	7.5%	-46	-4.3%
35 to 44	1,888	15.5%	1842	13.5%	-46	-2.4%
45 to 54	2,178	17.9%	2039	14.9%	-139	-6.4%
55 to 64	1,423	11.7%	1,913	14.0%	490	34.4%
65 and over	1,693	13.9%	2,442	17.9%	749	44.2%
<b>Total population</b>	<b>12,171</b>	<b>100.00%</b>	<b>13,650</b>	<b>100.00%</b>	<b>1479</b>	<b>12.2%</b>
<b>Median Age</b>	<b>41.0</b>		<b>42.8</b>		<b>1.8</b>	<b>4.4%</b>

Source: U.S. Census Bureau, Decennial Census, Tables DP1, P12 and P13

Union County experienced population fluctuation as well. The County saw the greatest shift of over 24% of its population aged 55 to 64, and similarly to the Borough, experienced a significant increase (21.2%) in its 65 and over population. The County experienced rather significant decreases in its population aged below 5 years (-5.9%) and aged 45 to 54 (-4.4%), directly mirroring shifting age trends occurring in the Borough. This data is displayed in Table 3 below.

<b>Table 3: Population by Age, 2010 to 2020</b>						
<b>Union County</b>						
<b>Population</b>	<b>2010</b>		<b>2020</b>		<b>Change (2010 to 2020)</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Under 5 years	35,783	6.7%	33,661	5.9%	-2,122	-5.9%
5 to 14	72,589	13.5%	76,853	13.4%	4,264	5.9%
15 to 24	68,765	12.8%	74,214	12.9%	5,449	7.9%
25 to 34	69,279	12.9%	73,519	12.8%	4,240	6.1%
35 to 44	78,418	14.6%	79,963	13.9%	1,545	2.0%
45 to 54	83,409	15.5%	79,764	13.9%	-3,645	-4.4%
55 to 64	60,495	11.3%	75,226	13.1%	14,731	24.4%
65 and over	67,761	12.6%	82,145	14.3%	14,384	21.2%
<b>Total population</b>	<b>536,499</b>	<b>100.0%</b>	<b>575,345</b>	<b>100.0%</b>	<b>38,846</b>	<b>7.2%</b>
<b>Median Age</b>	<b>38.0</b>		<b>38.7</b>		<b>0.7</b>	<b>1.8%</b>

Source: U.S. Census Bureau, Decennial Census, Tables DP1, P12 and P13

### Households

A household is defined as one or more persons, either related or not, living together in a housing unit. In 2020 there was a total of 5,071 households in New Providence Borough. Over half of the Borough's households comprised two or less people. In fact, two-person households were the most common household size at both the Borough (26.3%) and County (26.5%) levels, followed by one-person households. The average household size of the Borough in 2020 was 2.58, which was slightly lower than that of the County's average of 2.81.

<b>Table 4: Household Size of Occupied Housing Units, 2020</b>				
<b>New Providence Borough and Union County</b>				
	<b>New Providence Borough</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
1-person household	1250	24.6%	46,394	23.2%
2-person household	1332	26.3%	53,184	26.5%
3-person household	839	16.5%	36,586	18.3%
4-person household	1091	21.5%	35,561	17.7%
5-person household	406	8.0%	17,011	8.5%
6-person household	110	2.2%	7,021	3.5%
7-or-more-person household	43	0.8%	4,615	2.3%
<b>Total Households</b>	<b>5,071</b>	<b>100.0%</b>	<b>200,372</b>	<b>100.0%</b>
<b>Average Household Size</b>	<b>2.58</b>		<b>2.81</b>	

Source: US Census Bureau 2020, Tables H9 and B25010

Three quarters of the households in the Borough in 2020 were family households. Further, around 67.2% of family households were married-couple families, which approximately half of these families had children. In providing more detail of American households, the 2020 Census includes the sub-groups of non-traditional households: Other family and Non-family households. "Other Family" households accounted for 7.8% of all households, broken down into 5.9% female householders with no spouse or partner present and 2.0% male householders with no spouse or partner present. "Non-Family" households are defined as those that consist of a householder living alone or sharing the home exclusively with people to whom they are not related. The remaining 25% of households in the Borough are non-family households. Of these households, the number of female householders exceeded that of male householders, at 17% and 8%, respectively.

<b>Table 5: Household Size and Type, 2023</b>		
<b>New Providence Borough</b>		
	<b>Total</b>	<b>Percent</b>
<b>Total Households</b>	<b>5,201</b>	<b>100%</b>
<b>Family Households</b>	<b>3,902</b>	<b>75.0%</b>
Married couple family	3,494	67.2%
With children	1,727	33.2%
Without children	1,767	34.0%
Other Family	408	7.8%
Male householder, no spouse	102	2.0%
With children	68	1.3%
Without children	34	0.7%
Female householder, no spouse	306	5.9%
With children	174	3.3%
Without children	132	2.5%
<b>Nonfamily household</b>	<b>1,319</b>	<b>25%</b>
Male householder	414	8.0%
Living alone	394	7.6%
Not living alone	20	0.4%
With children	0	0.0%
Female householder	905	17%
Living alone	836	16%
Not living alone	69	1.0%
With children	0	0.0%

Source: 2023 ACS 5-Year B11005 and B11010

**Income**

As measured in 2023, New Providence Borough had a significantly higher median household income compared to Union County and the State of New Jersey. The median income in New Providence Borough was \$162,877, which was roughly \$62,760 greater than that of the County and \$61,827 greater than that of the State. The per capita income in New Providence Borough also exceeded that of the County and State. This data is outlined in Table 6 below.

<b>Table 6: Per Capita and Household Income, 2023 New Providence Borough, Union County, and New Jersey</b>		
	<b>Per Capita Income</b>	<b>Median Household Income</b>
<b>New Providence Borough</b>	\$86,023	\$162,877
<b>Union County</b>	\$51,850	\$100,117
<b>New Jersey</b>	\$52,583	\$101,050

Source: 2023 ACS 5-year Estimates, Tables S1901 and B19301

In 2023, nearly 90% percent of all households in the Borough earned an income of \$50,000 or more, as compared to roughly 72% of households in the County. The income range that accounted for the most Borough households was the \$200,000 or more bracket, which comprised nearly 39% of households in New Providence; this was also the case across Union County as a whole, but at a lower percentage of 21.4%. The second largest income bracket in the Borough was \$100,000 to \$149,999, comprising 17.4% of households. At the County level, this same income bracket accounted for a slightly lesser 17.2% of households. This suggests that the Borough's household income distribution is slightly skewed toward these higher income brackets as compared to the County, which may at least partially help explain the stark difference between the median income reported at the Borough (\$162,877) and County (\$100,117) levels.

<b>Table 7: Household Income, 2023 New Providence Borough and Union County</b>				
	<b>New Providence Borough</b>		<b>Union County</b>	
	<b>Number<sup>1</sup></b>	<b>Percent</b>	<b>Number<sup>1</sup></b>	<b>Percent</b>
Less than \$10,000	39	0.7%	5,927	2.9%
\$10,000 to \$14,999	96	1.8%	4,745	2.4%
\$15,000 to \$24,999	158	3.0%	9,788	4.9%
\$25,000 to \$34,999	124	2.4%	10,781	5.3%
\$35,000 to \$49,999	120	2.3%	16,999	8.4%
\$50,000 to \$74,999	404	7.8%	27,512	13.6%
\$75,000 to \$99,999	567	10.9%	24,989	12.4%
\$100,000 to \$149,999	906	17.4%	34,710	17.2%
\$150,000 to \$199,999	785	15.1%	23,149	11.5%
\$200,000 or more	2,002	38.5%	43,063	21.4%
<b>Total Households</b>	<b>5,201</b>	<b>100.0%</b>	<b>201,663</b>	<b>100.0%</b>
<b>Median Household Income</b>	<b>\$162,877</b>		<b>\$100,117</b>	

Source: 2023 ACS 5-Year Estimates, Table B19001

<sup>1</sup>Due to the data being estimates, the number in each row does not add up with the "total" row.

**Poverty Status**

Of the 13,492 people in New Providence Borough for which poverty status was determined, 285 (2.1%) individuals lived in poverty in 2023; this was considerably lower than the County's poverty rate of 8.9%. Of New Providence Borough's population that fell below the poverty level in 2023, slightly more than half were between the ages of 18 to 64; this trend was mirrored at the County level as well. Proportionally the Borough had a significantly lower percentages of children living in poverty than in the County (13% and 30.9%, respectively), but the Borough's population living in poverty over the age of 65 (35.8%) was significantly higher than that of the County (14.9%). This data is presented in Table 8 below.

<b>Table 8: Poverty Status, 2023 New Providence Borough and Union County</b>						
	<b>New Providence Borough</b>			<b>Union County</b>		
	<b>Number</b>	<b>% of Total Persons</b>	<b>% of Persons In Poverty</b>	<b>Number</b>	<b>% of Total Persons</b>	<b>% of Persons In Poverty</b>
<b>Total persons</b>	<b>13,492</b>	<b>100.0%</b>	<b>-</b>	<b>566,136</b>	<b>100.0%</b>	<b>-</b>
Total persons below poverty level	285	2.1%	100.0%	50,508	8.9%	100.0%
Under 18	37	0.3%	13.0%	15,599	2.8%	30.9%
18 to 64	146	1.1%	51.2%	27,393	4.8%	54.2%
65 and over	102	0.8%	35.8%	7,516	1.3%	35.8%

Source: 2023 American Community Survey 5-Year Estimate, Table S1701

**Household Costs**

Tables 9 and 10 below show the expenditures for housing as a percentage of household income for those who own and rent in New Providence Borough and Union County. In 2023, a majority of Borough residents lived in homes they owned, which was the same at the County level as well. General affordability standards set a limit at 30% of gross income to be allocated for owner-occupied housing costs and 28% of gross income to be allocated for renter-occupied housing costs. Approximately 20.6% of Borough residents who owned the units they occupied spent 30% or more of their household income on housing, as compared to 34.6% of Borough residents who rented the units they occupied. These figures were on par with those of the County.

<b>Table 9: Selected Monthly Owner Costs as a Percentage of Household Income, 2023 New Providence Borough and Union County</b>				
	<b>New Providence Borough</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total Owner-Occupied Housing Units</b>	<b>3,932</b>	<b>100.0%</b>	<b>121,379</b>	<b>100.0%</b>
Less than 20.0%	2,340	59.5%	59,154	48.7%
20.0 to 24.9%	539	13.7%	14,130	11.6%
25.0 to 29.9%	217	5.5%	9,835	8.1%
30.0 to 34.9%	109	2.8%	7,639	6.3%
35.0% or more	698	17.8%	29,584	24.4%
Not computed	29	0.7%	1,037	0.9%

Source: 2023 American Community 5-Year Estimates, Table DP04

<b>Table 10: Gross Rent as a Percentage of Household Income, 2023 New Providence Borough and Union County</b>				
	<b>New Providence Borough</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total Renter-Occupied Housing Units</b>	<b>1,269</b>	<b>100.00%</b>	<b>85,475</b>	<b>100.00%</b>
Less than 10.0%	122	9.6%	3,126	3.7%
10.0 to 14.9%	128	10.1%	6,598	7.7%
15.0 to 19.9%	272	21.4%	9,387	11.0%
20.0 to 24.9%	206	16.2%	11,596	13.6%
25.0 to 29.9%	102	8.0%	9,951	11.6%
30.0 to 34.9%	82	6.5%	7,243	8.5%
35.0 to 39.9%	48	3.8%	6,086	7.1%
40.0 to 49.9%	49	3.9%	8,358	9.8%
50.0% or more	246	19.4%	19,992	23.4%
Not computed	14	1.1%	3,138	3.7%

Source: 2023 American Community 5-Year Estimates, Table B25070

**EXISTING HOUSING CONDITIONS****Housing Unit Data**

Nearly three quarters of New Providence's housing stock is comprised of structures built prior to the year 1980. In 2023, New Providence Borough had a total of 5,201 occupied housing units, roughly 71.5% of which were owner-occupied and 23.1% of which were renter-occupied. The Borough experienced housing booms between 1950 and 1970, during which approximately 50.8% of the Borough's housing structures were constructed. According to 2018-2023 American Community Survey Estimates, the Borough saw the largest increase in housing units between 2010 and 2019 since the 1960s. The median year of construction for the housing stock in New Providence Borough is 1963. This data is outlined in Tables 11 and 12 below.

<b>Table 11: Housing Data, 2023 New Providence Borough</b>			
	<b>Number</b>	<b>% of Total Housing Units</b>	<b>% of Occupied Housing Units</b>
<b>Total Housing Units</b>	<b>5,500</b>	<b>100.0%</b>	<b>-</b>
Occupied Housing Units	5,201	94.6%	100.0%
Owner Occupied	3,932	71.5%	75.6%
Renter Occupied	1,269	23.1%	24.4%
Vacant Housing Units	299	5.4%	-

Source: 2023 American Community Survey 5-Year Estimates, Table DP04

<b>Table 12: Year Structure Built, 2020 New Providence Borough</b>		
	<b>Number</b>	<b>Percent</b>
<b>Total Housing Units</b>	<b>5,500</b>	<b>100.00%</b>
Built 1939 or earlier	585	10.6%
Built 1940 to 1949	177	3.2%
Built 1950 to 1959	1586	28.8%
Built 1960 to 1969	1208	22.0%
Built 1970 to 1979	554	10.1%
Built 1980 to 1989	259	4.7%
Built 1990 to 1999	191	3.5%
Built 2000 to 2009	265	4.8%
Built 2010 to 2013	657	11.9%
Built 2014 or later	18	0.3%
<b>Median Year Structure Built</b>	<b>1963</b>	

Source: 2015-2020 American Community Survey 5-Year Estimates

According to the 2023 Census, New Providence Borough has a high occupancy rate, with very few of their housing units vacant. Of the Borough's 5,500 housing units, 5,201 (94.6%) were occupied and only 299 (5.4%) were vacant. Nearly three-quarters (73.6%) of vacant units could be attributed to "For Sale Only," "Sold, not occupied," and "Other Vacant" categories, with "For Seasonal, Recreational or Occasional Use" making up another 15.4%, and "For Rent/Rented Not Occupied" accounting for the remaining 11%. This data is represented in Table 13 below.

<b>Table 13: Housing Occupancy, 2023 New Providence Borough</b>			
	<b>Total</b>	<b>% of Total Housing Units</b>	<b>% of Vacant Housing Units</b>
Total Housing Units	5,500	100.0%	-
Occupied	5,201	94.6%	-
Vacant Housing Units	299	5.4%	100.0%
For Rent/Rented Not Occupied	33	0.6%	11.0%
For Sale Only	73	1.3%	24.4%
Sold, not occupied	64	1.2%	21.4%
For Seasonal, Recreational or Occasional Use	46	0.8%	15.4%
For migrant workers	0	0.0%	0.0%
Other Vacant	83	1.5%	27.8%

Source: ACS 5-Year DP04 and B25004

**Housing Type and Size**

In 2023, single-family detached housing made up the vast majority of the Borough's housing stock at 65.6%. Multifamily buildings with 20 or more units were the next most common housing type, representing 13.7% of the Borough's housing stock. The median number of rooms within housing structures in the Borough was 6.9, with nearly 74% of housing units having a minimum of 8 rooms and less than 7% of housing units having 2 or less rooms.

<b>Table 14: Housing Type and Size, 2023 New Providence Borough</b>		
<b>Units in Structure</b>	<b>Total</b>	<b>Percent</b>
1, detached	3,608	65.6%
1, attached	178	3.2%
2	221	4.0%
3 or 4	202	3.7%
5 to 9	260	4.7%
10 to 19	277	5.0%
20 or more	754	13.7%
Mobile home	0	0.0%
Boat, RV, van, etc.	0	0.0%
<b>Total Housing Units</b>	<b>5,500</b>	<b>100%</b>
<b>Rooms</b>	<b>Total</b>	<b>Percent</b>
1 room	180	3.3%
2 rooms	188	3.4%
3 rooms	443	8.1%
4 rooms	521	9.5%
5 rooms	433	7.9%
6 rooms	644	11.7%
7 rooms	830	15.1%
8 rooms	819	14.9%
9 or more rooms	1442	26.2%
<b>Total Housing Units</b>	<b>5,500</b>	<b>100%</b>
<b>Median number of rooms</b>	<b>6.9</b>	

Source: 2015-2020 American Community Survey 5-Year Estimates

**Housing Growth and Projections**

In terms of residential growth, the issuance of building permits serves as one of the indicators that help to determine housing needs in a given municipality. Table 15 below illustrates the number of building permits that were issued over the 10-year period between January 2014 through November 2024, when the Borough issued building permits authorizing the development of 833 housing units. Within this time frame, the busiest years for building permits occurred between 2014 and 2015, and again between 2023 and November 2024, where roughly 72% of the ten-year stock was constructed. The vast majority of the permits issued during this time frame were for multifamily structures (717 permits), while 116 permits were issued for single- and two-family homes. No permits were issued for mixed-use structures.

Further, throughout the same 10-year period, New Providence issued permits authorizing the demolition of 53 units, which averages to approximately 4.8 units per year. The average demolition rate is approximately 6.3% of the abovementioned development rate (i.e., a home net increase of around 93.7%). If the demolition rate were to remain relatively constant over the next approximately 13-year period, an additional 53 residential units could be expected to be demolished between January 2025 and the end of 2035, resulting in a projected net increase (i.e., constructed units - demolished units) of 780 units.

<b>Table 15: Housing Units Authorized by Building Permits, 2014-2024 New Providence Borough</b>				
<b>Year</b>	<b>1 &amp; 2 Family</b>	<b>Multi Family</b>	<b>Mixed-Use</b>	<b>Total</b>
2014	12	241	0	253
2015	5	113	0	118
2016	4	0	0	4
2017	7	171	0	178
2018	8	0	0	8
2019	17	0	0	17
2020	7	0	0	7
2021	16	0	0	16
2022	8	0	0	8
2023	17	100	0	117
2024	15	92	0	107
<b>Total 2014-2024*</b>	<b>116</b>	<b>717</b>	<b>0</b>	<b>833</b>
<b>10-Year Average</b>				<b>75.7</b>
<b>10-Year Permit Projection (2025-2035)</b>				<b>833</b>

Source: State of New Jersey Department of Community Affairs Building Permits: Yearly Summary Data

\*Note: 2024 Data includes January-November

<b>Table 16: Housing Units Demolished by Building Permits, 2014-2024</b>				
<b>New Providence Borough</b>				
<b>Year</b>	<b>1 &amp; 2 Family</b>	<b>Multi Family</b>	<b>Mixed-Use</b>	<b>Total</b>
2014	0	0	0	0
2015	5	0	0	5
2016	0	0	0	0
2017	1	0	0	1
2018	7	0	0	7
2019	3	0	0	3
2020	6	0	0	6
2021	8	0	0	8
2022	6	0	0	6
2023	10	0	0	10
2024*	7	0	0	7
<b>Total 2014-2024</b>	<b>53</b>	<b>0</b>	<b>0</b>	<b>53</b>
<b>10-Year Average</b>				<b>4.8</b>
<b>10-Year Demolition Projection (2025-2035)</b>				<b>53</b>

Source: State of New Jersey Department of Community Affairs Building Permits: Yearly Summary Data

\*Note: 2024 Data includes January-November

### Housing Values and Contract Rents

According to the 2018-2023 American Community Survey, approximately 89% of the owner-occupied housing stock in New Providence Borough in 2023 was valued at over \$500,000, as compared to 47.8% of the County's housing stock. In addition, the Borough's median home value (\$734,300) exceeded that of the County (\$488,800) by an estimated \$245,500. This data is outlined in Table 17 below.

<b>Table 17: Value for Owner-Occupied Housing Units, 2023</b>				
<b>New Providence Borough and Union County</b>				
	<b>New Providence Borough</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total</b>	<b>3,932</b>	<b>100.0%</b>	<b>116,188</b>	<b>100.0%</b>
Less than \$50,000	20	0.5%	2,057	1.8%
\$50,000 to \$99,999	12	0.3%	602	0.5%
\$100,000 to \$149,999	17	0.4%	916	0.8%
\$150,000 to \$199,999	0	0.0%	1,978	1.7%
\$200,000 to \$299,999	190	4.8%	12,384	10.7%
\$300,000 to \$499,999	200	5.1%	42,690	36.7%
\$500,000 to \$999,999	2,880	73.2%	45,444	39.1%
\$1,00,000 and greater	613	15.6%	10,117	8.7%
<b>Median Value</b>	<b>\$734,300</b>		<b>\$488,800</b>	

Source: 2023 American Community Survey 5-Year Estimates, Tables B25075 and B25077

As shown on Table 18 below, it is estimated that 58.7% of owner-occupied units in the Borough were financed by a primary mortgage, contract to purchase, or similar debt. Of these units, approximately 9.2% had either a second mortgage or home equity loan.

There were more owner-occupied housing units with a mortgage at the County level; more specifically, 67.5% of such units had a primary mortgage, while 32.5% of units did not. Of those units in the County tied to a primary mortgage, 84.5% did not have any additional lines of credit associated with the unit, while 10.2% were associated with a home equity loan, 1.2% were associated with a second mortgage, and 0.1% were associated with both a second mortgage and a home equity loan.

<b>Table 18: Mortgage Status New Providence Borough and Union County, 2023 Estimates</b>						
	<b>New Providence Borough</b>			<b>Union County</b>		
	<b>Number</b>	<b>% of Total Units</b>	<b>% of Mortgage Units</b>	<b>Number</b>	<b>% of Total Units</b>	<b>% of Mortgage Units</b>
Total Owner-Occupied Units	3,932	100.00%	-	116,188	100.00%	-
Owner-Occupied Housing Units with a Mortgage	2,308	58.7%	100.0%	78,390	67.5%	100.00%
With either a second mortgage or home equity loan	212	5.4%	9.2%	8,992	7.7%	11.5%
Second mortgage only	0	0.0%	0.0%	926	0.8%	1.2%
Home equity loan only	212	5.4%	9.2%	7,965	6.9%	10.2%
Both second mortgage and home equity loan	0	0.0%	0.0%	101	0.1%	0.1%
No second mortgage and no home equity loan	1,873	47.6%	81.2%	66,272	57.0%	84.5%
Owner-Occupied Housing units without a Mortgage	1,624	41.3%	-	37,798	32.5%	-

Source: 2023 American Community Survey 5-Year Estimates, Table B25081

As shown in Table 19 below, the median contract rent in New Providence in 2020 was \$1,885, which was roughly \$282 higher than the County median rent of \$1,603. Within the Borough, the highest percentage of renters paid between \$1,500 to \$1,999 for monthly rent (46%), followed by \$3,000 or more (13.9%), and \$2,000 to \$2,499 (13.2%). Overall, nearly 71% of renters in the Borough paid between \$1,500 and \$2,999 for monthly rent in 2023, compared to nearly half (44.9%) at the County level. There was a significantly higher occurrence of renters paying less than \$1,500 for rent in Union County (49.7%). This data suggests that rent in the Borough is not as affordable as it is throughout the County as a whole.

<b>Table 19: Contract Rent, 2023</b>				
<b>New Providence Borough and Union County</b>				
	<b>New Providence Borough</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total Renter-Occupied Units</b>	<b>1,269</b>	<b>100.0%</b>	<b>85,475</b>	<b>100.0%</b>
Less than \$500	0	0.0%	4432	5.2%
\$500 to \$999	110	8.7%	8747	10.2%
\$1,000 to \$1,499	68	5.4%	29,336	34.3%
\$1,500 to \$1,999	584	46.0%	23,541	27.5%
\$2,000 to \$2,499	168	13.2%	11,359	13.3%
\$2,500 to \$2,999	148	11.7%	3,516	4.1%
\$3,000 or More	177	13.9%	2,491	2.9%
No Rent Paid	14	1.1%	2,053	2.4%
<b>Median Contract Rent</b>	<b>\$1,885</b>		<b>\$1,603</b>	

Source: 2023 American Community Survey 5-Year Estimates, Table B25056 and B25058

### Housing Conditions

Table 20 below details the conditions of the Borough's housing stock in 2023. Overcrowding and age, plumbing, and kitchen facilities are used to determine housing deficiency. In 2023, nearly 90% of the Borough's housing stock relied on utility gas for heating, followed by electricity (9.2%). A total of 40 (0.8%) occupied housing units experienced overcrowding (more than one person per room). Throughout the Borough, there were 93 units (1.7%) occupied housing units that lacked complete plumbing or kitchen facilities, and no units lacked telephone service.

<b>Table 20: Housing Conditions, 2023 New Providence Borough</b>		
	<b>Number</b>	<b>Percent</b>
<b>House Heating Fuel-Occupied Housing Units</b>		
Total	5,201	100.0%
Utility gas	4,555	87.6%
Bottled, tank, or LP gas	66	1.3%
Electricity	480	9.2%
Fuel oil, kerosene, etc.	0	0.0%
Coal or coke	0	0.0%
Wood	0	0.0%
Solar energy	63	1.2%
Other fuel	0	0.0%
No fuel used	37	0.7%
<b>Occupants per Room – Occupied Housing Units</b>		
Total	5,201	100.0%
1.00 or Less	5,161	99.2%
1.01 to 1.50	14	0.3%
1.51 or More	26	0.5%
<b>Facilities – Total Units</b>		
Total	5,500	100.0%
Lacking complete plumbing facilities	27	0.5%
Lacking complete kitchen facilities	66	1.2%
<b>Telephone Service – Occupied Housing Units</b>		
Total	5,201	100.0%
No Service	0	0.0%

Source: 2015-2020 American Community Survey 5-Year Estimates

## EMPLOYMENT DATA

Tables 21, 22, and 23 below detail the changes in employment between the years 2010 and 2023 in New Providence Borough, Union County, and New Jersey, respectively. Throughout this thirteen-year period, the Borough saw an overall 4.7% decrease in its unemployment rate; although the Borough experienced a 3.4% spike in unemployment between 2019 and 2020 due to the COVID-19 pandemic, it has rebounded to a considerably lower unemployment rate in recent years. This overall trend is mirrored at both the County and State level as well, although in comparison the Borough has consistently exhibited a lower unemployment rate throughout this time period. In 2023, the Borough's unemployment rate was 3.1%, which was 1.6% lower than the County (4.7%) and 1.3% lower than the State (4.4%).

<b>Table 21: Employment and Residential Labor Force, 2010 to 2023</b>				
<b>New Providence Borough</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2010	6,094	5,619	475	7.8%
2011	5,939	5,543	395	6.7%
2012	6,049	5,671	378	6.2%
2013	5,966	5,659	307	5.1%
2014	5,968	5,707	261	4.4%
2015	5,986	5,750	236	3.9%
2016	6,114	5,909	205	3.4%
2017	6,486	6,292	194	3.0%
2018	6,623	6,453	170	2.6%
2019	6,818	6,668	150	2.2%
2020	6,748	6,371	377	5.6%
2021	6,830	6,548	282	4.1%
2022	7,039	6,857	182	2.6%
2023	7,182	6,958	224	3.1%

Source: NJ Dept. of Labor & Workforce Development Labor Force Estimates, Municipal Historical Annual Data, 2010-2023

<b>Table 22: Employment and Residential Labor Force, 2010 to 2023</b>				
<b>Union County</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2010	279,774	252,736	27,038	9.7%
2011	280,715	253,991	26,724	9.5%
2012	282,805	255,997	26,808	9.5%
2013	280,666	256,703	23,963	8.5%
2014	278,482	259,193	19,289	6.9%
2015	278,129	261,549	16,580	6.0%
2016	276,832	262,656	14,176	5.1%
2017	285,325	272,078	13,247	4.6%
2018	284,314	272,527	11,787	4.1%
2019	288,833	278,482	10,351	3.6%
2020	285,280	258,049	27,231	9.5%
2021	285,153	265,193	19,960	7.0%
2022	289,422	277,712	11,710	4.0%
2023	295,774	281,793	13,981	4.7%

Source: NJ Dept. of Labor & Workforce Development Labor Force Estimates, County Historical Annual Data, 2010-2023

Year	Labor Force	Employment	Unemployment	Unemployment Rate
2010	4,559,800	4,119,000	440,800	9.7%
2011	4,561,800	4,134,700	427,100	9.4%
2012	4,576,300	4,147,200	429,100	9.4%
2013	4,528,000	4,147,700	380,400	8.4%
2014	4,493,900	4,191,300	302,600	6.7%
2015	4,494,600	4,237,900	256,700	5.7%
2016	4,492,800	4,271,200	221,600	4.9%
2017	4,615,000	4,406,200	208,800	4.5%
2018	4,604,800	4,420,700	184,100	4.0%
2019	4,686,300	4,524,300	162,000	3.5%
2020	4,650,300	4,212,400	437,900	9.4%
2021	4,666,100	4,357,200	308,900	6.6%
2022	4,739,800	4,564,100	175,700	3.7%
2023	4,829,671	4,615,722	213,949	4.4%

Source: NJ Dept. of Labor & Workforce Development Labor Force Estimates, State Historical Annual Data, 2010-2023

### **Employment Status**

It is estimated that nearly 61% of New Providence Borough's population over the age of 16 was in the labor force in 2023, which was slightly lower than the County's rate of 69.1%. Of the Borough's labor force, 100% of workers were civilians and a vast majority (96.7%) were employed. At the County level, 100% of workers were civilians and 93.6% of the labor force were employed, indicating that the Borough and County exhibited similar trends. This data is shown in Table 24 below.

	New Providence Borough			Union County		
	Number	% of 16+ Population	% of Labor Force	Number	% of 16+ Population	% of Labor Force
Population 16 years and over	10,605	100.0%	-	452,925	100.0%	-
In labor force	6,455	60.9%	100.0%	313,076	69.1%	100.0%
Civilian Labor Force	6,455	60.9%	100.0%	312,930	69.1%	100.0%
Employed	6,239	58.8%	96.7%	293,183	64.7%	93.6%
Unemployed	216	2.0%	3.3%	19,747	4.4%	6.3%
Armed Forces	0	0.0%	0.0%	146	0.0%	0.0%
Not in labor force	4,150	39.1%	-	139,849	30.9%	-

Source: 2015-2020 American Community Survey 5-Year Estimates

### **Class of Worker and Occupation**

According to the 2018-2023 American Community Survey Estimates, the majority of workers (79.3%) living in New Providence Borough were a part of the private wage and salary worker group. This group includes people who work for wages, salary, commission, and tips for a private for-profit employer or a private not-

for-profit, tax-exempt or charitable organization. The next largest category was local government workers (9.7%), followed by those who were self-employed or an unpaid family worker (4.7%). This data is outlined in Table 25 below.

<b>Table 25: Class of Worker, 2023 New Providence Borough</b>		
	<b>Number</b>	<b>Percent</b>
Employed Civilian Population 16 Years and Over	6,239	100.0%
Private Wage and Salary Worker	4,945	79.3%
Local Government Worker	606	9.7%
State Government Worker	169	2.7%
Federal Government Worker	226	3.6%
Self-Employed Worker or Unpaid Family Worker	293	4.7%

Source: 2023 American Community Survey 5-Year Estimates, Table S2408

The occupational breakdown shown in Table 26 below includes only private wage and salary workers. Borough residents who worked within the private wage field were concentrated heavily in Management, Business, Science, and Arts occupations as well as Sales and Office occupations. Collectively, the two fields accounted for nearly 83% of the entire resident workforce over the age of 16.

<b>Table 26: Resident Employment by Occupation, 2023 New Providence Borough</b>		
	<b>Number</b>	<b>Percent</b>
Employed Civilian Population 16 Years and Over	6,239	100.0%
Management, business, science and arts occupations	4,065	65.2%
Service occupations	496	7.9%
Sales and office occupations	1,091	17.5%
Natural resources, construction and maintenance occupations	303	4.9%
Production Transportation and material moving occupations	284	4.6%

Source: 2023 American Community Survey 5-Year Estimates, Table DP03

As portrayed in Table 27, the industry that employed the greatest number of New Providence Borough residents in 2023 was the Professional, scientific, and management, and administrative and waste management services sector, which accounted for 24.9% of the Borough's resident workforce. The second most common industry during this time was the Educational Services, and Health Care and Social Assistance sector, which accounted for 20.2% of jobs occupied by Borough residents.

<b>Table 27: Employment by Industry, 2023 New Providence Borough</b>		
<b>Industry</b>	<b>Number</b>	<b>Percent</b>
Employed Civilian Population 16 Years and Over	6,239	100.00%
Agriculture, forestry, fishing and hunting, mining	12	0.2%
Construction	267	4.3%
Manufacturing	595	9.5%
Wholesale Trade	184	2.9%
Retail Trade	326	5.2%
Transportation and Warehousing, and Utilities	245	3.9%
Information	212	3.4%
Finance and insurance, and real estate and rental and leasing	835	13.4%
Professional, scientific, and management, and administrative and waste management services	1556	24.9%
Educational services, and health care and social assistance	1263	20.2%
Arts, entertainment, and recreation, and accommodation and food services	407	6.5%
Other Services, except public administration	149	2.4%
Public administration	188	3.0%

Source: 2023 American Community Survey 5-Year Estimates, Table DP03

#### **Commuting to Work**

In 2023, it is estimated that 58.6% of the employed population that did not work from home commuted up to 35 minutes to their place of work. Over 20% of the Borough's workers commuted longer than an hour to get to work. A majority (55.7%) of the Borough's working population drove alone as their primary means of travel to work. Roughly 12% of workers utilized public transportation, while the remaining 5.1% of commuters carpooled or utilized a taxicab, motorcycle, bike, or other means of transportation. After the COVID-19 pandemic, working from home became much more popular. This is reflected in the Borough's estimated 27.3% of workers who worked at home in 2023. This data is outlined in Tables 28 and 29 below.

<b>Table 28: Travel Time to Work, 2023 New Providence Borough</b>		
	<b>Number</b>	<b>Percent</b>
Workers who did not work at home	4,434	100.0%
Less than 5 minutes	146	3.3%
5 to 9 minutes	510	11.5%
10 to 14 minutes	373	8.4%
15 to 19 minutes	606	13.7%
20 to 24 minutes	240	5.4%
25 to 29 minutes	345	7.8%
30 to 34 minutes	380	8.6%
35 to 39 minutes	285	6.4%
40 to 44 minutes	318	7.2%
45 to 59 minutes	337	7.6%
60 to 89 minutes	461	10.4%
90 or more minutes	433	9.8%
<b>Mean Travel Time to Work (minutes)</b>	<b>34.2</b>	

Source: 2015-2020 American Community Survey 5-Year Estimates

<b>Table 29: Means of Travel to Work, 2023 New Providence Borough</b>		
	<b>Number</b>	<b>Percent</b>
Workers 16 years and over	6,098	100.0%
Car, truck, van - Drove Alone	3,398	55.7%
Car, truck, van - Carpooled	208	3.4%
Public Transportation	723	11.9%
Walked	71	1.2%
Taxicab, Motorcycle, Bike, or Other	34	0.6%
Worked at home	1,664	27.3%

Source: 2015-2020 American Community Survey 5-Year Estimates

### Covered Employment

There is currently very limited information available on actual job opportunities within municipalities. The Department of Labor and Workforce Development collects information on covered employment, which is employment and wage data for private employees covered by unemployment insurance. The following table provides a snapshot of private employers located within New Providence. The first table reflects the number of jobs covered by private employment insurance from 2013 through 2023.

According to data from the New Jersey Department of Labor and Workforce Development, the highest number of covered jobs in New Providence between 2013 and 2023 was in 2013 when 8,203 jobs were covered by unemployment insurance. Private employment has remained relatively steady in New Providence since 2013, with its largest loss occurring between 2019 and 2020 (-8.9%), and largest gain occurring between 2021 and 2022 (5.8%). New Providence Borough experienced a loss of 35 jobs in 2023, representing an decrease of 0.5 percent from 2022.

<b>Table 30: Private Wage Covered Employment 2013 - 2023</b>			
<b>New Providence Borough</b>			
<b>Year</b>	<b>Number of Jobs</b>	<b># Change</b>	<b>% Change</b>
2013	8,203	-	-
2014	7,840	-363	-4.4%
2015	7,930	90	1.1%
2016	7,820	-110	-1.4%
2017	7,755	-65	-0.8%
2018	7,542	-213	-2.7%
2019	7,557	15	0.2%
2020	6,883	-674	-8.9%
2021	6,742	-141	-2.1%
2022	7,131	389	5.8%
2023	7,096	-35	-0.5%

Source: NJ Dept. of Labor & Workforce Development Labor Force Estimates

#### **In-Borough Establishments and Employees by Industry: 2023**

Table 31 below depicts the average annual number of establishments and employees by industry sector that exist within the Borough, as reported in the Quarterly Census of Employment and Wages (QCEW) published by the New Jersey Department of Labor and Workforce Development (NJDLWD). The QCEW provides a quarterly accounting of employment, establishments, and wages throughout the State of New Jersey, and accounts for over 95% of available jobs in the state. The annual municipal reports group data according to the North American Industry Classification System (NAICS). The QCEW considers an establishment to be a single economic unit, which is located at one physical location and engaged in one type of economic activity. The NJDLWD specifies that establishments differ from firms or companies in the sense that the latter can have multiple establishments.

In 2023, the Borough had an annual average of 383 establishments employing an average of 7,096 persons in the private sector. In the private sector, the annual averages were broken out as follows: local government totals had an average of 7 units employing an average of 654 people. The healthcare and social services (Health/Social) sector was the Borough's predominant private sector, accounting for approximately 15.9% of the private establishments in New Providence Borough and 17.8% of the Borough's private in-place employment.

<b>Table 31: Average Number of Establishments and Employees by Industry, 2023 New Providence Borough</b>			
Industry ID and Description		2023 Average <sup>1</sup>	
		Units	Employment
11	Agriculture	-	-
23	Construction	21	69
31	Manufacturing	-	-
42	Wholesale Trade	16	169
44	Retail Trade	27	284
48	Transp/Warehousing	5	7
	Information	-	-
52	Finance/Insurance	26	129
53	Real Estate	-	-
54	Professional/Technical	58	1,001
56	Admin/Waste Remediation	-	-
61	Education	-	-
62	Health/Social	61	1,267
71	Arts/Entertainment	14	199
72	Accommodations/Food	25	380
81	Other Services	39	235
	Unclassifieds	9	11
	<b>Private Sector Totals</b>	<b>83</b>	<b>907</b>
	Local Government Totals	7	467

Source: NJ Dept. of Labor & Workforce Development Labor Force, Quarterly Census of Employment and Wages (QCEW), Municipal Report by Sector (NAICS Based), 2022

<sup>1</sup> Data has been suppressed (-) for industries with few units or where one employer is a significant percentage of employment or wages of the industry.

#### Probable Future Employment Opportunities

The North Jersey Transportation Planning Authority (NJTPA) completes regional forecasts for the New York/New Jersey metropolitan area every four years for population, households, and employment. The most recent report was released in 2021, documenting projections between 2015 and 2050. The 2021 report predicts that the Borough's population (0.5%), households (0.4%), and employment (0.3%) will see steady annualized growth through 2050. It is estimated that the population will see an overall 17.1% increase, while households will increase by 16.2% and employment will increase by 10.6%.

<b>Table 32: Population and Employment Projections, 2015 to 2050 New Providence Borough</b>					
Category	2015	2050 (Projected)	Annualized Percent Change	Overall Projected Change	
				Number	Percent
Population	12,404	14,529	0.50%	2,125	17.1%
Households	4,439	5,156	0.40%	717	16.2%
Employment	8,111	8,969	0.30%	858	10.6%

Source: NJTPA Municipal Forecasts, dated 9/13/2021

**PART 2: FAIR SHARE PLAN****INTRODUCTION**

The following Fair Share Plan ("Plan") details the Borough of New Providence's Prior Round (1987-1999), Third Round (1999-2025), and Fourth Round (2025-2035) Prospective Need obligations, as well as the Borough's Fourth Round Present Need. This Plan proposes mechanisms by which the Borough can realistically provide opportunities for affordable housing for those moderate-, low-, and very low- income households.

<b>New Providence Borough Obligation</b>	
Fourth Round Rehabilitation Share	20
Prior Round Prospective Need Obligation (1987-1999)	135
Third Round Prospective Need Obligation (1999-2025)	316
Fourth Round Prospective Need Obligation (2025-2035)	201

**CURRENT STANDARDS**

The amended Fair Housing Act includes a number of changes associated with the application of various categories of credits. The below walks through the current standards applicable to the Borough's Fourth Round obligation.

**Age-Restricted Housing**

A municipality may not satisfy more than 30% of the affordable units, exclusive of bonus credits, to address its prospective need affordable housing through the creation of age-restricted housing.

**Transitional Housing**

Transitional housing units, which will be affordable for persons of low- and moderate-income, were not previously categorized by the Fair Housing Act as a standalone housing type. The amended legislation includes such transitional housing units as a new category which may be included in the HEFSP and credited towards the fulfillment of a municipality's fair share obligations. This is limited to a maximum of 10% of the municipality's obligations, however.

**Veterans Housing**

Up to 50% of the affordable units in any particular project may be prioritized for low- and moderate-income veterans.

**Families with Children**

A minimum of 50% of a municipality's actual affordable housing units, exclusive of bonus credits, must be made available to families with children.

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**Rental Units**

A minimum of 25% of a municipality's actual affordable housing units, exclusive of bonus credits, shall be satisfied through rental units. At least half of that number shall be available to families with children.

**Very-Low Income Requirement**

At least 13% of the housing units made available for occupancy by low-income and moderate-income houses shall be reserved for low-income households earning 30% or less of the median income pursuant to the Fair Share Housing Act, N.J.S.A. 52:27D-301, et seq. Half of the very low-income units will be made available to families with children.

**Low/Moderate Income Split**

At least 50% of the units addressing the Borough's obligation shall be affordable to very-low income and low-income households, and the remaining may be affordable to moderate-income households.

**Affordability Controls**

Newly created rental units shall remain affordable to low-and moderate-income households for a period of not less than 40 years, 30 years for for-sale units, and 30 years for housing units for which affordability controls are extended for a new term of affordability, provided that the minimum extension term may be limited to no less than 20 years as long as the original and extended terms, in combination, total at least 60 years.

**Affirmative Marketing**

The affordable units shall be affirmatively marketed in accordance with UHAC and applicable law, to include the community and regional organizations identified in the agreement as well as the posting of all affordable units on the New Jersey Housing Resource Center website in accordance with applicable law.

**Uniform Housing Affordability Controls (UHAC)**

All affordable units created through the provisions of this Plan shall be developed in conformance with the Uniform Housing Affordability Controls (UHAC) pursuant to N.J.A.C. 5:80-26.1 et seq. as amended.

**Unit Adaptability**

All new construction units shall be adaptable in conformance with P.L.2005, c.250/N.J.S.A. 52:27D-311a and -311b and all other applicable laws.

**Bonus Credits**

Bonus credits shall not exceed 25% of a municipality's prospective need obligation, nor shall a municipality receive more than one type of bonus credit for any one unit. Bonus credits may be granted on the following schedule:

<b>Unit Type</b>	<b>Unit Credit</b>	<b>Bonus Credit</b>
Each unit of low- or moderate-income housing for individuals with special needs or permanent supportive housing, as those terms are defined in section 2 of P.L. 2004, c.70 (C.34:1B-21.24).	1	1
Each low- or moderate-income ownership unit created in partnership sponsorship with a non-profit housing developer.	1	0.5
Each unit of low- or moderate-income housing located within a one-half mile radius, or one-mile radius for projects located in a Garden State Growth Zone, as defined in section 2 of P.L.2011, c.149 (C.34:1B-243), surrounding a New Jersey Transit Corporation, Port Authority Transit Corporation, or Port Authority Trans-Hudson Corporation rail, bus, or ferry station, including all light rail stations. <sup>1</sup>	1	0.5
A unit of age-restricted housing, provided that a bonus credit for age-restricted housing shall not be applied to more than 10 percent of the units of age-restricted housing constructed in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency in a municipality that count towards the municipality's affordable housing obligation for any single 10-year round of affordable housing obligations.	1	0.5
A unit of low- or moderate-income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space.	1	0.5
Each existing low- or moderate-income rental housing unit for which affordability controls are extended for a new term of affordability, in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency, and the municipality contributes funding towards the costs necessary for this preservation.	1	0.5
Each unit of low- or moderate-income housing in a 100 percent affordable housing project for which the municipality contributes toward the costs of the project. <sup>2</sup>	1	1
Each unit of very low-income housing for families above the 13 percent of units required to be reserved for very low-income housing pursuant to section 7 of P.L.2008, c.46 (C.52:27D-329.1).	1	0.5
Each unit of low- or moderate-income housing created by transforming an existing rental or ownership unit from a market rate unit to an affordable housing unit. <sup>3</sup>	1	1

<sup>1</sup> The distance from the bus, rail, or ferry station to a housing unit shall be measured from the closest point on the outer perimeter of the station, including any associated park-and-ride lot, to the closest point of the housing project property.

<sup>2</sup> This contribution may consist of: (a) real property donations that enable siting and construction of the project or (b) contributions from the municipal affordable housing trust fund in support of the project, if the contribution consists of no less than three percent of the project cost.

<sup>3</sup> A municipality may only rely on this bonus credit as part of its fair share plan and housing element if the municipality demonstrates that a commitment to follow through with this market to affordable agreement has been made and: (a) this agreement has been signed by the property owner; or (b) the municipality has obtained ownership of the property.

**NEW PROVIDENCE BOROUGH AFFORDABLE HOUSING OBLIGATIONS**

The Borough's affordable housing obligations are as follows:

<b>New Providence Borough Obligation</b>	
Fourth Round Rehabilitation Share	20
Prior Round Prospective Need Obligation (1987-1999)	135
Third Round Prospective Need Obligation (1999-2025)	316
Fourth Round (2025-2035) Prospective Need Obligation	201

**REVIEW OF PREVIOUS ROUND COMPLIANCE**

As part of any Housing Element and Fair Share Plan, a municipality shall include an assessment of the degree to which the municipality has met its fair share obligation from the previous rounds of affordable housing obligations as established by prior court approval or approval by COAH and determine to what extent this obligation is unfulfilled or whether the municipality has credits in excess of its previous round obligations. If a previous round obligation remains unfulfilled, or a municipality never received an approval from the court or COAH for any previous round, the municipality shall address such unfulfilled previous round obligation in its Housing Element and Fair Share Plan.

In addressing previous round obligations, the municipality shall retain any sites that, in furtherance of the previous round obligation, are the subject of a contractual agreement with a developer, or for which the developer has filed a complete application seeking subdivision or site plan approval prior to the date by which the Housing Element and Fair Share Plan are required to be submitted, and shall demonstrate how any sites that were not built in the previous rounds continue to present a realistic opportunity.

**Prior Round Compliance 1987-1999**

The Borough had a Prior Round obligation of 135 units. Per the court-approved Third Round settlement agreement and the Borough's Third Round JOR, New Providence has met their Prior Round obligation through the following mechanisms:

*Existing Inclusionary Developments***The Villages at New Providence**

The Villages at New Providence (the "Villages") was constructed near the intersection of Spring Street and Floral Drive and includes Lot 7 of Block 340. A total of 10 affordable family rental units were constructed on the site in July of 1992 including five (5) low-income units and five (5) moderate-income units. Of the low-income units, one (1) unit is a one-bedroom unit, three (3) are two-bedroom units, and one (1) is a three-bedroom unit. The moderate-income units adopt the same bedroom distribution as the low-income units.

A Developer's Agreement for the property was executed on August 21, 1989, and the initial deed was filed on December 1, 1986. The 20-year affordability controls for the development began on the respective dates

of occupancy for each unit. For nine (9) of the ten total units, certificates of occupancy were issued on July 31, 1992; for the tenth unit, located at 67 Spring Floral Drive, a certificate was issued on August 14, 1992.

After the affordability controls expired, during a seven (7) year period between August 2012 to August of 2019, five affordable units were turned over and leased as market-rate units. The five remaining affordable units included three (3) low-income units (a one-bedroom unit, a two-bedroom unit, and a three-bedroom unit) and two (2) moderate-income units (a one-bedroom unit and a three-bedroom unit). The Villages received formal notice of the expiration of affordability controls on August 21, 2019, on behalf of the Borough.

As of the writing of this Plan, only two (2) of the 10 original units within the Villages remain affordable. These remaining units are for low-income tenants; one is a one-bedroom unit (Unit #56) and the other is a two-bedroom unit (Unit #63).

All 10 units were applied to the Borough's Prior Round obligation, in addition to 10 rental bonus credits. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

#### Southgate at Murray Hill

Southgate at Murray Hill is located at 43 Southgate Road and includes Lot 2 of Block 341. The site was developed in November of 1995 with an inclusionary development, which includes two (2) for-sale units for families of low- and moderate- income. Certificates of occupancy were issued soon after. One of the affordable units, Unit 9, is a two-bedroom unit, and the other, Unit 10, is a one-bedroom unit. Affordability controls on the site began on November 2, 1994, and were set to expire 30 years from the deed date (i.e., November 2, 2024).

Both units were applied to the Borough's Prior Round obligation. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

New Providence Borough adopted Resolution #2023-211 on July 18, 2023, which extended the affordability control period for the site an additional 30 years from the November 2, 2024, expiration date. See further discussion in the Fourth Round Prospective Need Obligation section of this Plan.

#### Patriot Village

Patriot Village is an inclusionary development located at 53 Division Avenue and includes Lots 26 & 27 of Block 121. The site's four (4) affordable family rental units were completed in early 2006, with certificates of occupancy issued for each unit on March 10, 2006. Two (2) of the units are restricted to low-income households, and the other two (2) units are restricted to moderate-income households. Of the low-income

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units, one unit includes one (1) bedroom, and the other includes three (3) bedrooms. Both moderate-income units are two-bedroom units.

The developer's agreement for the property, signed on August 30, 2004, established affordability controls for the site. The 20-year affordability controls commenced on March 10, 2006, when the certificates of occupancy were issued. Affordability controls for Patriot Village will expire on March 10, 2026.

All four units were applied toward the Borough's Prior Round obligation, in addition to four (4) rental bonus credits. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

#### Spring Gardens

Spring Gardens is located at 851 Springfield Avenue and includes Lot 22.01 (f/k/a Lot 24) of Block 103. The site's six (6) affordable family rental units include one (1) one-bedroom unit, four (4) two-bedroom units, and one (1) three-bedroom unit. The 30-year affordability controls began with the units' respective commencement dates: for the 1-bedroom unit (Unit F/201): June 20, 2008; and for the remaining 5 units (Units C/102, C1/111, H/208, H1/2009, and J/207): August 23, 2008. The units were completed in 2008, with certificates of occupancy issued soon after.

All six units were applied toward the Borough's Prior Round obligation, in addition to six (6) rental bonus credits. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

#### Stonefields at New Providence

Stonefields at New Providence is located at 50 Union Avenue and includes Lot 27.02 (f/k/a Lot 27) of Block 192. The site includes two (2) low-income family for-sale units, Unit 2 and Unit 3. Unit 2 is a two-bedroom unit and Unit 3 is a three-bedroom unit. Affordability controls on the site began on the date of the Master Deed for the property: October 17, 2011. These controls will expire 30 years from this deed date. A new construction deed for Unit 2 was made on July 26, 2012, and on August 8, 2012, for Unit 3. The units were occupied soon after these agreements were made.

Both units were applied toward the Borough's Prior Round obligation. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

#### Riverbend

Riverbend is an inclusionary development located on Riverbend Court and includes Lots 17.06, 17.07, 17.17, & 17.18 of Block 234 (f/k/a Lots 15, 17, 27, 19, and 20). The site's four (4) affordable family for-sale units includes the following bedroom breakdown: Unit #6: low-income, two-bedroom unit; Unit #7: moderate-

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income, three-bedroom unit; Unit #17: low-income, two-bedroom unit; and Unit #18: low-income, two-bedroom unit.

The sale dates for each of the units are as follows: Unit #6: May 5, 2017; Unit #7: October 17, 2018; Unit #17: January 31, 2022; and Unit #18: September 16, 2021. Certificates of occupancy were issued for each unit soon after the sale dates.

The Master Deed for the property, dated April 2, 2015, established that affordability controls on the site would begin upon the sale date of each respective lot. These controls are to expire 30 years from each respective sale date.

All four units were applied toward the Borough's Prior Round obligation. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

#### Murray Hill Farms

Murray Hill Farms is located at 1-27 Timothy Field Road and includes Lots 1.01-1.13 of Block 376. The site was developed in September of 1994 with an inclusionary development, which includes 13 for-sale units for families of low- (seven (7) units total) and moderate- income (six (6) units total). Certificates of occupancy were issued soon after. Of the low-income units, two (2) units are one-bedroom units, four (4) are two-bedroom units, and one (1) is a three-bedroom unit. Of the moderate-income units, two (2) units are one-bedroom units, three (3) are two-bedroom units, and one (1) is a three-bedroom unit.

Affordability controls on the site began between April and October of 1994, and were set to expire 30 years from the deed date (i.e., 2024).

All 13 units were applied toward the Borough's Prior Round obligation. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

Providence Borough adopted Resolution #2023-210 on July 18, 2023, which extended the affordability control period for the site an additional 30 years from the 2024 expiration dates. See further discussion in the Fourth Round Prospective Need Obligation section of this Plan.

#### *Existing Alternative Living Arrangements*

##### Community Access I and II

Community Access I and II are two (2) alternative living arrangements constructed adjacent to each other, located at 1180 and 1176 Springfield Avenue (Lots 6 and 7 of Block 151, respectively). Both sites include six (6) very-low-income bedrooms, granting the Borough credits for 12 very-low-income rental units. Certificates of occupancy were issued for both group homes on January 30, 1998. This date began the

affordability controls on both sites as licensed group homes. These controls will not expire, but a yearly license renewal is required by the State Department of Human Services.

All 12 units were applied toward the Borough's Prior Round obligation, in addition to six (6) rental bonus credits. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

#### Union County Arc II

Union County Arc II is an alternative living arrangement located at 182 Runnymede Parkway and includes Lot 17 of Block 34. The site includes three (3) very-low-income bedrooms for the five (5) tenants. The facility was financed through the U.S. Department of Housing and Urban Development (HUD) 811 Program, which supports the creation of multifamily housing for very low-income persons with disabilities. According to the HUD website, units that are financed through the HUD 811 Program must remain affordable for very-low-income persons with disabilities for at least 40 years. The units were completed in September 1996, with certificates of occupancy issued soon after. In addition to the 40-year deed restriction, yearly licenses under the State Department of Human Services have been renewed annually for the facility since 2019.

All three units were applied toward the Borough's Prior Round obligation. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

#### Union County Arc I

Union County Arc I is an alternative living arrangement located at 4 Possum Way and includes Lot 19 of Block 380. The site includes four (4) very-low-income bedrooms (i.e., 1 bedroom for each of the four tenants). The units were completed in November 2002, with certificates of occupancy issued soon after. Financing for the facility was provided by the State's Division of Developmental Disabilities (DDD). Yearly licenses under the State Department of Human Services have been renewed on a yearly basis since 2019.

All four units were applied toward the Borough's Prior Round obligation, in addition to four (4) rental bonus credits. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

#### Arc of Union County

Arc of Union County is an alternative living arrangement located at 905 Springfield Avenue and includes Lot 24 of Block 102. The site includes three (3) very-low-income bedrooms for the five (5) tenants, which were completed in February of 2009 and occupied soon after. Financing for the facility was provided by the State's Division of Developmental Disabilities (DDD). Yearly licenses under the State Department of Human Services have been renewed on a yearly basis since 2019.

All three units were applied toward the Borough's Prior Round obligation. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

*Community Action Independent Living*

Community Action Independent Living is located at 1141 Springfield Avenue and includes Lot 43 of Block 63. The alternate living arrangement includes four (4) very-low-income rental units (i.e., 1 bedroom for each of the four tenants). The units were completed in June of 1992, and a certificate of occupancy was issued on June 9, 1992.

All four units were applied toward the Borough's Prior Round obligation, in addition to three (3) rental bonus credits. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

*Existing 100% Affordable Age-Restricted*

*Elizabeth Barabash Manor*

Elizabeth Barabash Manor (the "Manor") is located at 101 Academy Street and includes Lot 14 of Block 50. The site includes 22 affordable, age-restricted units. All units within the development are one-bedroom units. The formal Agreement of Lease, made on June 7, 1994, noted that the property's affordability controls were to expire after 30 years (March 1, 1995, to February 28, 2025). The units were completed in 1997, with certificates of occupancy issued soon after. Renovations to the site and an extension of the property's deed restriction are further outlined below.

The land of Elizabeth Barabash Manor is owned by the Borough, while the building is owned by an entity called the Church Coalition for New Providence Affordable Housing Corporation ("Church Coalition"). In February 2023, the Manor defaulted on their loan from Citizens Bank in the amount of \$436,893.40. It came to the Borough's attention that the Manor was not able to pay back their loan to Citizens Bank, and that the use restriction would expire prior to the end of the Third Round. The Borough therefore determined it was in the best interest of New Providence and the residents of Elizabeth Barabash Manor to utilize Trust Fund monies to satisfy the mortgage and extend the deed restriction for a minimum of 30 additional years, thereby ensuring the units remain affordable for the region's senior population.

The Borough allocated \$550,000 from their Trust Fund to satisfy the mortgage and account for any additional fees, costs, or interest that have accrued. The Borough's Spending Plan was amended to account for this expenditure. This amended Spending Plan and the expenditure for Elizabeth Barabash Manor was approved by the Court on March 28, 2024. In 2024, the accomplished renovations included rehabilitating the roof and adding new refrigerators, stoves, and range hoods in each apartment, funded by the Borough's Affordable Housing Trust Fund. Also in 2024, the facility's mortgage was paid off, and the Borough received

grant money toward the replacement of the facility's elevator. New Providence is currently in the process of bidding the new elevator.

All 22 units were applied toward the Borough's Prior Round obligation. All associated documentation can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

Providence Borough adopted Ordinance 2025-03 on February 25, 2025, which extended the affordability control period for the site an additional 30 years from the February 28, 2025 lease expiration date. See further discussion in the Fourth Round Prospective Need Obligation section of this Plan.

#### *Existing Inclusionary Zoning*

##### *Block 310 & Block 311*

The Block 310 & Block 311 sites are located at 550 South Street (Lot 2 of Block 310), 450 Mountain Avenue (Lot 3 of Block 311), and 425 Mountain Avenue (Lot 1 of Block 310). Both sites are located within the A2: Affordable Housing District (10 units/acre with a mandatory 20% affordable housing set-aside). Once developed, the sites are intended to produce a total of 10 affordable units. As of the writing of this Plan, there have been no construction approvals for either site.

A total of nine (9) credits were applied toward the Borough's Prior Round obligation.

The sites are appropriate for multi-family low- and moderate-income housing as they are available, approvable, developable, and suitable:

- *Available:* The sites have no easements or title issues preventing their development.
- *Suitable:* The sites are adjacent to compatible land uses, as established residential neighborhoods are located along South Street, Mountain Avenue, and Glenside Road. Their development is consistent with the goals and strategies outlined in the State Plan, as they are located within the Metropolitan Planning Area (PA 1). Further, the sites have direct street access (Block 310 is located on the corner of South Street and Mountain Avenue and Block 311 is on the corner of Glenside Road and Mountain Avenue), offering more direct access to employment and service establishments.
- *Developable:* The sites fall within a drinking water purveyor service area, and within a sewer service area. The sites are not constrained by wetlands or any special flood hazard areas.
- *Approvable:* The sites are within the A-2 Affordable Housing Zone, which permits inclusionary development at 10 units per acre with a mandatory 20% affordable set-aside.

#### *Assessment of the Degree to which New Providence has met its Prior Round Obligation*

As demonstrated above, New Providence has fully satisfied its Prior Round obligation with credit-worthy mechanisms that were previously approved by COAH and/or a Court of competent jurisdiction. The units are constructed, occupied, and subject to the appropriate use controls, with the exception of the

inclusionary zoning at Blocks 310 and 311. The Borough recognizes these sites have yet to develop. See further discussion under the Fourth Round Obligation section of this plan.

<b>Summary of New Providence's Prior Round of 135</b>	
Prior Round Credits:	
<i>Our House (very low, rental)</i>	4
Existing Inclusionary Development:	
<i>The Villages at New Providence (rental)</i>	10
<i>Patriot Village (rental)</i>	4
<i>Spring Gardens (rental)</i>	6
<i>Stonefields at New Providence</i>	2
<i>Riverbend</i>	4
<i>Southgate at Murray Hill</i>	2
<i>Murray Hill Farms</i>	13
Existing 100% Affordable Age-Restricted	
<i>Elizabeth Barabash (rental)</i>	22
Existing Alternative Living Arrangements (very- low rental):	
<i>Community Action Independent Living</i>	4
<i>Union County Arc I</i>	4
<i>Union County Arc II</i>	3
<i>Community Access I</i>	6
<i>Community Access II</i>	6
<i>Arc of Union County</i>	3
Existing Inclusionary Zoning	
<i>Blocks 310 and 311</i>	9
<b>Total Units</b>	<b>102</b>
Rental Bonus Credits	
<i>The Villages at New Providence</i>	10
<i>Patriot Village</i>	4
<i>Spring Gardens</i>	6
<i>Community Action Independent Living</i>	3
<i>Union County Arc I</i>	4
<i>Community Access I</i>	6
<b>Total Rental Bonus Credits</b>	<b>33</b>
<b>TOTAL PRIOR ROUND</b>	<b>135</b>

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### Third Round Compliance

The Borough had a Third Round obligation of 316 units. As part of their Third Round compliance process, the Borough prepared a Vacant Land Adjustment in 2015 (“the 2015 VLA”) due to its lack of vacant and developable land. An updated VLA was prepared based on negotiations with C. R. Bard Inc., which established a Realistic Development Potential (RDP) of 52 units and an Unmet Need of 264 units. This updated VLA was approved by Court via the Borough’s Final Third Round JOR.

#### *Addressing the Third Round RDP*

Per the Court-approved Third Round settlement agreement and the Borough’s Third Round JOR, New Providence met its Third Round RDP of 52 through the following mechanisms:

#### Block 310 & Block 311

One (1) credit from the existing non-age-restricted inclusionary zoning for Blocks 310 and 311 was applied toward the Borough’s Third Round RDP obligation. As of the writing of this Plan, no application approvals have been made for either site.

#### Bard/“Beckton Dickinson” Site (A4 Affordable Housing Zone)

A new site for non-age-restricted inclusionary development was proposed during the Third Round, located at 111 Spring Street (Lot 32 of Block 210) and known as the Bard/Beckton Dickinson (i.e. “BD”) site. The L-shaped property fronts on Central Avenue to the north, wraps around Block 210 Lot 21 to the east, and fronts on both Spring Street (to the east) and Commerce Drive to the south. The property is approximately 31 acres and is constrained on its western side by the floodway of the Mercet River.

The Borough and BD negotiated an agreement regarding the residential development that can reasonably be accommodated by the lot. BD was party to the final settlement agreement that included FSHC and Linde (now Murray Hill, LLC) that was signed by the Borough and BD on April 1, 2019. The settlement agreement stipulated that 192 units would be developed on the site through multi-family and townhouse development with 20% of the units set-aside for family, rental affordable housing. With this density and set-aside, a minimum of 38 affordable units would be created. The 38 units that will be created from the proposed site was applied to the Borough’s Third Round RDP. All associated documentation can be found in the appendix of the Borough’s most recent Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

The site was rezoned to the newly created A4 Affordable Housing Zone via Ordinance 2019-06 on September 9, 2019. The new zone was approved as a component of the Borough’s Third Round Final JOR.

The development of the Bard/“Beckton Dickinson” site was approved by the Planning Board on December 14, 2021, memorialized in Resolution #2022-04, and amended site plan approval was granted on October

22, 2022, memorized in Resolution #2022-10 (Appendix F). Affordability controls on the site are to begin with occupancy and expire 30 years after occupancy.

As of the writing of this Plan, construction permits have been issued and work toward the site development has begun. The anticipated full occupancy for the site is January 2026. Community Grants Planning & Housing (CGP&H) are the designated Administrative Agents for this development, which will now be formally called "Providence Place." The affirmative marketing for the affordable units at Providence Place began on or about May 20, 2025, with a lottery scheduled for late July 2025. Per the affirmative marketing materials (found in Appendix F), the bedroom and income breakdowns are as follows:

<b>One Bedroom</b>	<b>Two Bedroom</b>	<b>Three Bedroom</b>
1 Very Low	3 Very Low	1 Very Low
2 Low	9 Low	4 Low
3 Moderate	11 Moderate	4 Moderate

#### Third Round RDP Compliance Summary

<b>New Providence's Third Round RDP of 52</b>	
Existing Non Age-Restricted Inclusionary Zoning: <i>Blocks 310 and 311</i>	1
Proposed Non Age-Restricted Inclusionary Zoning <i>Bard Site (rental)</i>	38
<b>Total Units</b>	<b>39</b>
Rental Bonus Credits <i>Bard Site</i>	13
<b>Total Bonus Credits</b>	<b>13</b>
<b>THIRD ROUND RDP COMPLIANCE TOTAL</b>	<b>52</b>

#### *Addressing the Third Round Unmet Need*

According to the FSHC Settlement Agreement, the Borough had an unmet need of 264 units. The Borough addressed a significant portion of its unmet need of 264 by utilizing the following overlay zoning mechanisms:

#### AHO Affordable Housing Overlay – "AHO"

To address the Third Round Unmet Need, the Borough enacted an amendment to the zoning code for the area located northwest of the Murray Hill train station to create the AHO Affordable Housing Overlay Zone ("AHO"). This area is composed of:

- Block 210: Lots 21, 23, 33
- Block 221: Lots 2.01 and 6

- Block 340: Lots 4, 6 and 8

The proposed AHO includes a total of 50 acres of unconstrained developable land. The properties within this overlay are permitted to continue the use of the property as permitted in the underlying zone (TBI-2 Zone) or can be redeveloped with residential and non-age-restricted affordable housing components. The permitted residential densities within this overlay range from 9.5 units per acre to 17 units per acre with a mandatory 20% affordable set-aside. At the proposed densities, the AHO could support approximately 622 units, of which 127 would be family affordable.

The eight (8) lots were rezoned via Ordinance 2019-06 on September 9, 2019 . The new overlay zone was approved as a component of the Borough's Third Round Final JOR.

The Borough is confident in the ability of the AHO to produce affordable housing units. While it can take some time for rezoning to initiate change, due to factors such as changes in market demand and existing leases, a development application for 121 Chanlon Road (Block 221, Lot 6) was filed in early 2025. The site plan application submitted to the Planning Board proposes 83 market rate and 21 affordable units. The proposed density is in conformance with the AHO standards. A public hearing for this application has been scheduled for July 1, 2025.

#### *AH-ARO Affordable Housing Age-Restricted Overlay – "AH-ARO"*

A second overlay district was created in the area adjacent to the Murray Hill train station. The Borough adopted a zoning amendment via Ordinance 2019-06 dated September 9, 2019, creating the AH-ARO Affordable Housing Age Restricted Overlay Zone ("AH-ARO") that consists of Block 221 Lot 5. The property within the AH-ARO is permitted to continue to the use of the property as permitted in the underlying zone (TBI-2 Zone) or be redeveloped with residential and age-restricted affordable housing components at a density of 14 units per acre. A 20% affordable set-aside is required. The AH-ARO could support 98 total units, of which 20 would be age-restricted affordable units. The new overlay zone was approved as a component of the Borough's Third Round Final JOR.

This site was recently purchased by the same developer as 121 Chanlon, and the Borough expects to see new development with an affordable housing component here in the coming years.

#### *PACO Planned Adult Community Overlay Zone – "PACO"*

To create additional age-restricted affordable housing opportunities, the Borough adopted an overlay zone over Block 370 Lot 1, creating the PACO Planned Adult Community Overlay Zone ("PACO"). As with the AHO and AH-ARO, the property within the PACO is permitted to continue to use the property as permitted in the underlying zone (TBI-1 Zone) or be redeveloped with residential and age-restricted affordable housing

components. The property is permitted to develop 297 total units, of which 59 will be affordable, age-restricted dwellings.

This property was the subject of the objection filed by Linde North America, Inc. on August 21, 2017, and ultimately was a component of the final settlement agreement with FSHC.

The Borough anticipates seeing the site redeveloped in accordance with the PACO zoning requirements in the coming years. The previous tenant of the property, Linde North America, Inc., has vacated the building and premises. The Borough has had initial conversations with the contract purchaser of the site, who intends to develop the site in a manner consistent with the PACO zoning, and through a design substantially consistent with the concept plan included in the Court-approved settlement agreement. The Borough expects to see a site plan application in front of the Planning Board sometime during the remainder of 2025.

Third Round Unmet Need Compliance Summary

<b>New Providence's Third Round Unmet Need of 264</b>	
Age-Restricted Overlay Zoning (AH-ARO + PACO)	
<b>AH-ARO: 630 Central Ave. (Block 221 Lot 5)</b>	20
<b>PACO: Linde (100 Mountain Ave.)</b>	59
Non-Age-Restricted Overlay Zoning ( <b>AHO</b> )	
41 Spring Street (Block 210 Lot 21)	29
165 Spring Street (Block 210 Lot 23)	5
48 Commerce Drive (Block 210 Lot 33)	8
98 Floral Ave. (Block 340 Lot 4)	7
150 Floral Ave. (Block 340 Lot 6)	17
140 Spring Street (Block 340 Lot 8)	10
700 Central Ave. (Block 221 Lot 2.01)	30
121 Chanlon Rd (Block 221 Lot 6)	21
<b>Total Units</b>	<b>206*</b>

\*Pursuant to the 2019 settlement agreement, the Borough will claim bonus credits as the units are constructed.

*Assessment of the Degree to which New Providence has met its Third Round Obligation*

As demonstrated above, New Providence has fully satisfied its Third Round obligation with credit-worthy mechanisms that were previously approved by COAH and/or a Court of competent jurisdiction. The Bard site (now known as Providence Place) is under construction and the affirmative marketing process for the 38 affordable units has begun. There is a site plan application scheduled to be heard before the Planning Board for 121 Chanlon Road (Block 221 Lot 6), one of the lots situated within the AHO Affordable Housing Overlay Zone, to construct an inclusionary development. The lot within the AH-ARO Affordable Housing Age-Restricted Overlay Zone was recently purchased by the same developers as 121 Chanlon Road; such developers have already approached the Borough about developing this site with inclusionary development.

Finally, the same developer as the Bard site has purchased 100 Mountain Avenue and approached the Borough about inclusionary development within the PACO district.

The affordable housing rezoning and overlay zones are in the process of being actively redevelopment to produce affordable housing in accordance with the Third Round JOR, proving that the mechanisms put in place are working in the way they were designed. Given the time it can take for rezoning to take effect, considering such factors as existing leases and market demands, the rate of redevelopment occurring in the Borough's Third Round affordable housing districts is impressive.

<b>Summary of New Providence's Third Round of 316</b>	
<b>Summary of Third Round RDP of 52</b>	
Non Age-Restricted Inclusionary Zoning (A2 Zone) <i>Blocks 310 and 311</i>	1
Non Age-Restricted Inclusionary Zoning (A4 Zone) <i>Bard Site (rental)</i>	38
<b>Total Units</b>	<b>39</b>
Rental Bonus Credits <i>Bard Site</i>	13
<b>Total Bonus Credits</b>	<b>13</b>
<b>THIRD ROUND RDP COMPLIANCE TOTAL</b>	<b>52</b>
<b>Summary of Third Round Unmet Need of 264</b>	
Age-Restricted Overlay Zoning (AH-ARO + PACO) <i>AH-ARO: 630 Central Ave. (Block 221 Lot 5)</i> <i>PACO: Linde (100 Mountain Ave.)</i>	20 59
Non Age-Restricted Affordable Housing Overlay Zoning (AHO) <i>41 Spring Street (Block 210 Lot 21)</i> <i>165 Spring Street (Block 210 Lot 23)</i> <i>48 Commerce Drive (Block 210 Lot 33)</i> <i>98 Floral Ave. (Block 340 Lot 4)</i> <i>150 Floral Ave. (Block 340 Lot 6)</i> <i>140 Spring Street (Block 340 Lot 8)</i> <i>700 Central Ave. (Block 221 Lot 2.01)</i> <i>121 Chanlon Rd (Block 221 Lot 6)</i>	29 5 8 7 17 10 30 21
<b>Total Units</b>	<b>206*</b>

\*Pursuant to the 2019 settlement agreement, the Borough will claim bonus credits as the units are constructed.

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**FOURTH ROUND OBLIGATION**

The amended FHA called on the DCA to issue a non-binding report on the new Present Need Obligation (commonly referred to as the rehabilitation obligation) and the Prospective Need for Round 4 and subsequent rounds. The amended FHA requires the DCA to base its analysis of the obligations for each municipality based upon the standards set forth in the amended FHA.

On October 18, 2024, the New Jersey Department of Community Affairs (“DCA”) released a report outlining the Fourth Round (2025-2035) Fair Share methodology and its calculations of present need and prospective need low- and moderate-income obligations for each of the State’s municipalities. The obligations were calculated in alignment with the formulas and criteria found in P.L.2024, c.2. The DCA calculated a Present Need obligation for the Borough of 20 units, and a Perspective Need obligation of 210 units.

The amended Fair Housing Act affirms that the DCA report is not binding on any municipality and that “a municipality shall determine its present and prospective fair share obligation for affordable housing in accordance with the formulas established in sections 6 and 7 of P.L.2024, c.2...by resolution...”

On January 28, 2025, the Borough Council adopted a binding resolution (Resolution 2025-58, see Appendix D) accepting a number different than that of the DCA based on an analysis of the Borough’s Land Use Capacity performed by Heyer, Gruel & Associates. Such analysis was attached to Resolution 2025-58 as an exhibit. Resolution 2025-28 accepted a Rehabilitation obligation of 20 units, and a Perspective Need of 198 units. Following the adoption of Resolution 2025-28, New Providence filed a declaratory judgment complaint (Docket No. UNN-L-000413-25) with the affordable housing dispute resolution program.

This reduced Fourth Round Prospective Need obligation of 198 was challenged by the New Jersey Builders’ Association on February 27, 2025. A subsequent Mediation Agreement before the Affordable Housing Dispute Resolution Program, made between the Borough and the Builders’ Association on April 5, 2025, established a Fourth Round Prospective Need obligation of 201 units.

**Addressing Present Need / Rehabilitation Obligation**

Present Need was previously determined in N.J.A.C. 5:93-1.3 to be the sum of a municipality’s indigenous need, the deficient housing units occupied by low- and moderate-income households, and the reallocated present need, which is the portion of a housing region’s present need that is redistributed throughout the housing region. Under the Second Round rules, evidence for deficient housing included: year structure was built, persons per room, plumbing facilities, kitchen facilities, heating fuel, sewer service, and water supply. (N.J.A.C. 5:92, Appendix A).

The Third Round Rules (N.J.A.C. 5:97-1.1 et seq.) reduced the number of criteria of evidence of deficient housing to three: pre-1960 over-crowded units, which are units that have more than 1.0 persons per room; incomplete plumbing, and incomplete kitchen facilities. (N.J.A.C. 5:97). This reduction in the number of

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criteria was found to be by the Appellate Division to be within the Council's discretion and was upheld in the Supreme Court's decision in Mount Laurel IV.

The previously discussed Mount Laurel IV decision found that the reallocated need is no longer a component in the determination of Present Need. Therefore, the Present Need now equates to indigenous need, which means the obligation is based on deficient housing as determined by pre-1960 over-crowded units, incomplete plumbing, and incomplete kitchen facilities.

The Borough intends to address its 20-unit Fourth Round Rehabilitation Obligation through continued participation in Union County rehabilitation programs, operated by the County's Bureau of Community Development and Bureau of Housing. These Bureaus oversee the federally funded Community Development Block Grant (CDBG) program and the HOME Investment Partnership Program (HOME). Union County additionally operates their Home Improvement Program through the Department of Economic Development. The program is funded by Union County with CDBG funds and is available to low- and moderate-income homeowners living in 1 and 2 family homes in Union County. Monetary assistance offered through the program is a Deferred Payment loan up to \$24,999. Homeowners apply directly to the program for assistance. The County also offers a Senior Home Improvement Grant, offering \$5,000 to eligible homeowners over 60. Additional information for these programs can be found in the appendix of the Borough's most recent Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

As part of Third Round compliance, New Providence also agreed to expand its rehabilitation opportunities by implementing a Borough-wide rental rehabilitation program. A rental rehabilitation manual was prepared in August of 2019. CGP&H, the Borough's appointed Administrative Agent (see Appendix J), will continue to coordinate the implementation of the rehabilitation program, and coordinate a revised rehabilitation manual for New Providence.

#### **Vacant Land Adjustment**

As a compliance mechanism, municipalities can request an adjustment to their obligation based on the determination that there is not sufficient vacant or developable land within the municipality. As permitted by N.J.A.C. 5:93-4 and the Fair Housing Act, a municipality can submit a Vacant Land Adjustment (VLA) that identifies parcels available for development. The end result of the Vacant Land Adjustment is the determination of the Borough's Realistic Development Potential (RDP) for new affordable housing units. After subtracting out the RDP from the obligation, the remaining calculation is known as the "unmet need."

#### *1989 Vacant Land Adjustment*

A vacant land adjustment (VLA) prepared in 1989 outlined New Providence's Prior Round Obligation of 135 units as a Realistic Development Potential (RDP) of 54 units and an unmet need of 81 units. However, the

Borough fully addressed its obligation of 135 during its Third Round compliance process, and therefore, forfeited the VLA.

#### *2015/2019 Vacant Land Adjustment*

The Borough's 2017 Housing Element and Fair Share Plan included a VLA, which was prepared in accordance with N.J.A.C. 5:93-4.2, and utilized data through October of 2015. This VLA established an RDP of 14 units and an unmet need of 302.

An Amended Housing Element and Fair Share Plan was adopted by the Borough on July 9, 2019. This amended Plan outlined subsequent negotiations between the Borough and Beckton Dickinson (BD) in an effort to develop mutually agreeable re-zoning in relation to the Borough's affordable housing. Based on mediation sessions with BD, the Borough's professionals, and the Court Master, the Borough determined it was in its best interest to include this additional property in the vacant land calculations, 111 Spring Street (Block 210 Lot 32), owned by BD. The addition of this lot produced an amended Third Round RDP of 52 units and an unmet need of 264 units.

The amended VLA can be found in the appendix of the Borough's Court-approved Third Round Housing Element and Fair Share Plan, adopted July 19, 2019.

#### *2025 Vacant Land Adjustment*

Just as the Borough lacked sufficient land to satisfy its Round 3 obligation, it lacks sufficient land to satisfy the 201-unit obligation for Round 4. An updated Vacant Land Adjustment was prepared in February 2025. The revised VLA (Appendix G) reviewed the Borough's Third Round VLA and updated it in preparation of this Fourth Round HEFSP. The conditions of the properties identified in the Third Round have not changed, and because the Third Round HEFSP addressed the RDP identified at that time, those properties are not applied again to the Fourth Round. As a result, the Fourth Round VLA established an RDP of 0 and an Unmet Need of 201 units.

#### **Fourth Round Adjusted Obligation**

In summary, the Borough's Rehabilitation Share, Prior Round Obligation, Third Round Obligation, and Fourth Round Prospective Need Obligations are detailed as follows:

<b>New Providence Borough Obligation</b>	
<b>Rehabilitation Share</b>	<b>20</b>
<b>Fourth Round Prospective Need Obligation (2025-2035)</b>	<b>201</b>
RDP	0
Unmet Need	201

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**Fourth Round Unmet Need**

Because the Borough's Fourth Round VLA produced an RDP of 0 units, the Borough's entire obligation of 201 becomes the unmet need. The Borough has satisfied a portion of their unmet need through the following mechanisms.

*Prior Round / Third Round Extension of Affordability Controls*

The affordable housing assistance section of the amended Fair Housing Act (C.52:27D-321) outlines a mechanism for municipalities to receive affordable housing credits through an extension of affordability control on preserved units. It requires the total affordability control period (original plus extended terms) to be a minimum of 60 years.

Prior to the release of the amended Fair Housing Act, the Borough recognized the importance of extending affordability controls on existing affordable housing within their borders to ensure the affordable housing opportunities continue to be available to area residents. Three (3) existing developments within the Borough were eligible for an extension of affordability controls: Elizabeth Barabash Manor, Murray Hill Farms, and Southgate at Murray Hill. The controls on Murray Hill Farms and Southgate at Murray Hill were extended in 2023, and the controls on Elizabeth Barabash Manor were extended in 2025. All documentation outlining the approved extension of controls can be found in Appendix H.

**Elizabeth Barabash Manor**

The existing 100% affordable, senior rental housing development includes 22 units whose controls were set to expire on March 1, 2025. The Borough Council adopted Ordinance 2025-03 on February 25, 2025, which established a 30-year extension of affordability controls on top of the site's existing 30-year control period for a total control period of 60 years. Therefore, the Borough is applying the 22 units of extended controls its Fourth Round Unmet Need.

**Murray Hill Farms**

The existing inclusionary, for-sale family housing development includes 13 units, whose controls were set to expire in April of 2024. The Borough decided to take a proactive approach to ensure these units remain affordable, and the Council approved Resolution 2023-210 on July 18, 2023, which established a 30-year extension of affordability controls on top of the site's existing 30-year control period for a total control period of 60 years. This Plan notes that the Borough's decision and action to extend the controls for Murray Hill Farms took place many months prior to the release of the draft amendment to Fair Housing Act, first made public in December 2024. Therefore, the Borough is applying the 13 units of extended controls toward its Fourth Round Unmet Need.

Southgate at Murray Hill

The existing inclusionary, for-sale family development includes 2 units, whose controls were set to expire on November 2, 2024. Just as with Murray Hill Farms, New Providence saw the benefit in extending the controls on this development, even though at the time they had no knowledge that doing so would qualify them for additional credits in the Fourth Round. The Borough Council approved Resolution 2023-211 on July 18, 2023, which established a 30-year extension of affordability on top of the site's existing 30-year control period for a total control period of 60 years. Therefore, the Borough is applying both units toward its Fourth Round Unmet Need.

Extension of Controls Bonus Credits

The amended Fair Housing Act outlines provisions for the allocations of bonus credits (C.52:27D-311), noting that:

"A municipality shall...receive one unit of credit and one-half bonus credit for each existing low- or moderate-income rental housing unit for which affordability controls are extended for a new term of affordability, in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency, and the municipality contributes funding towards the costs necessary for this preservation."

Of the three sites eligible for an extension of affordability controls, only the Elizabeth Barabash Manor units are rental units. Therefore, one-half bonus credit can be applied for each of the 22 total units (i.e., 11 bonus credits). As was previously discussed, the Borough recently contributed significant funding from its Affordable Housing Trust Fund to the Elizabeth Barabash Manor to ensure the development could pay off its mortgage and provide much need rehabilitation to its units.

Collectively, a total of 48 credits (i.e., 37 units and 11 bonus credits) will be applied to the Borough's Fourth Round Unmet Need.

*Increased Lot Density*

The A2 Zone currently allows a density of 10 units/acre. As outlined in previous sections of this Plan, Block 310 Lots 1 and 2 and Block 311 Lot 3, are located within the A2 Zone. These lots are the only lots within the A2 Zone that have yet to be developed. Therefore, an increase in the allowed density for these sites is proposed.

Increasing the permitted density on these lots to 13 units/acre, with a mandatory 20% set-aside for affordable units, could produce a total of 65 units across the three lots, which will provide for 13 affordable units. The current zoning would produce 50 total units with 10 affordable. As 10 credits from these sites have been applied to the Prior and Third Rounds, the remaining three (3) credits will be applied to the Borough's Fourth Round Unmet Need.

It is the Borough's opinion that the increase in density is appropriate for the lots in question. The sites are adjacent to single-family residential zoning (R1 Zone) which permits 1 unit on an 18,000 square-foot lot and is across the street from the Technology and Innovation 1 Zone, which is developed with existing commercial uses and an assisted living facility. The sites act as a transition area between the more intensive commercial zoning across the street and the adjacent single-family residential zone. While the sites on Blocks 310 and 311 contain some environmental constraints they have developable areas appropriate for the proposed density. A map of Blocks 310 and 311 with their environmental constraints can be found on the following page, and a draft ordinance amending the zoning for these parcels can be found in Appendix I.

#### *Unmet Need Summary*

The 48 credits from the proposed extensions of affordability controls, plus the three (3) additional credits from the increased density of Blocks 310 and 311 amounts to 51 total credits. These 51 credits account for 25% of the Borough's Fourth Round 201-credit Unmet Need requirement, in accordance with the standards of the amended Fair Housing Act (C.52:27D-310.1).

#### *Additional Mechanisms*

##### *Affordable Housing Ordinance*

An Affordable Housing Ordinance was adopted by the Borough on May 22, 2017 (Ordinance No. 2017-07), establishing the criteria for implementing affordable housing units in conformance with the Uniform Housing Affordability Controls (UHAC). While this Plan acknowledges that an amendment to the UHAC was released on an emergency basis in December 2024, those rules are set to expire in December 2025. It is also the understanding that the Housing Mortgage and Finance Agency (HMFA), the entity currently responsible for the UHAC regulations, is in the process of establishing further amendments to those rules. Because of the uncertainty with the UHAC regulations, the Borough will refrain from adopting an updated ordinance until such rules are finalized, acknowledging that the December 2024 UHAC rules adopted under emergency measures are the current governing regulations. Should there be any discrepancy between the Borough's adopted ordinance and the current UHAC regulations, the current UHAC regulations shall govern.

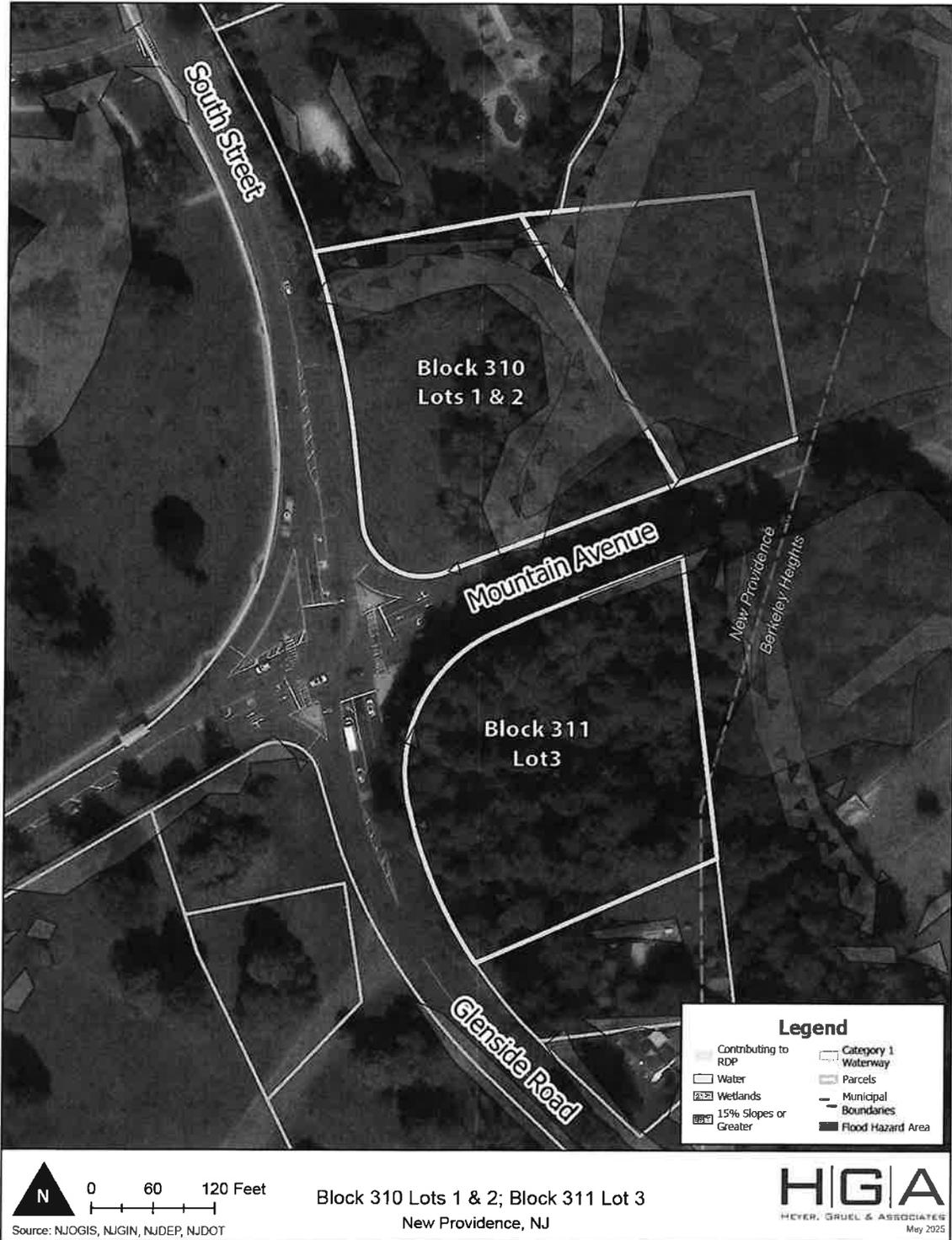
##### *Development Fee Ordinance*

A Development Fee Ordinance was adopted by the Borough on May 22, 2017 (Ordinance No. 2017-09). This ordinance can be found on the Borough's website.

##### *Additional Affordable Housing Resolutions*

The Borough adopted several additional affordable housing resolutions (Appendix J). These include:

- Resolution 2025-4 – Appointing Keith Lynch as the Borough's Municipal Housing Liaison
- Resolution 2025-5 – Appointing CGP&H as the Borough's Administrative Agent



**Fourth Round Summary**

<b>Summary of New Providence's Fourth Round of 201</b>	
<b>Fourth Round Unmet Need: 201</b>	
Proposed Extension of Prior/Third Round Affordability Controls:	
<i>Elizabeth Barabash Manor</i>	22
<i>Murray Hill Farms</i>	13
<i>Southgate at Murray Hill</i>	2
Rental Bonus Credits:	
<i>Elizabeth Barabash Manor (rental, extension of affordability controls)</i>	11
Increased Density:	
Blocks 310 and 311*	3

\* While the increased density accounts for a total of 13 affordable units, 10 credits have already been applied to the Prior and Third Round obligations.

**CONSISTENCY WITH STATE PLANNING REQUIREMENTS**

**STATE PLAN**

In accordance with the amended Fair Housing Act, Housing Elements and Fair Share Plans shall provide an analysis of consistency with the State Development and Redevelopment Plan (SDRP), including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

New Jersey adopted its last SDPR in 2001. A draft amendment to the SDRP was prepared in 2011 but ultimately never adopted. The Office of Planning Advocacy released a new draft SDRP on December 4, 2024. The State is currently going through the Plan conformance process.

The 2024 draft SDRP maintains and expands upon the 2001 objectives for Metropolitan Planning Areas (PA1), which is the primary land designation assigned to the Borough of Highlands. The PA1 objectives from the 2024 SDRP are outlined below:

- Provide for much of the state’s future growth in compact development and redevelopment;
- Revitalize cities, towns and neighborhoods, and in particular overburdened neighborhoods;
- Address existing legacy issues such as air pollution, urban heat islands, lead contamination, Brownfields, urban highways, and combined sewer systems;
- Prevent displacement and gentrification;
- Promote growth that occurs in Centers, other appropriate areas that are pedestrian friendly, and in compact transit-oriented forms;
- Rebalance urbanization with natural systems;
- Promote increased biodiversity and habitat restoration;
- Stabilize and enhance older inner ring suburbs;

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- Redesign and revitalize auto oriented areas; and
  - Protect and enhance the character of existing stable communities.

Land use planning within New Providence is consistent with the PA1 objectives, as development continues to occur within the Borough. Recently adopted residential overlays concentrate sustainable upgrades to underutilized areas with existing infrastructure. Further, zoning amendments seek to maintain the overall residential character of the Borough, with commercial and recreational assets.

#### **MULTIGENERATIONAL FAMILY HOUSING**

An amendment to the Fair Housing Act requires "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)." As of the date of this Housing Plan, there have been no recommendations by the Multigenerational Family Housing Continuity Commission in which to provide an analysis.

#### **USE OF SURPLUS CREDITS**

Any surplus credits generated would be applied to any future obligation that the Borough may have.

#### **SPENDING PLAN**

A Spending Plan has been prepared in accordance with the provisions of the amended Fair Housing Act. A municipality may not spend or commit to spend any affordable housing development fees, including Statewide non-residential fees collected and deposited into the municipal affordable housing trust fund, without first obtaining the approval of the expenditure as part of its compliance certification. The draft Spending Plan can be found in Appendix K and is expected to be adopted by the Borough Council at their June 17, 2025 public meeting.

**SUMMARY OF FAIR SHARE COMPLIANCE**

<b>Borough of New Providence Affordable Housing Obligations</b>	
<b><i>Present Need Total</i></b>	<b>20</b>
<b><i>Prior Round Obligation (1987-1999)</i></b>	<b>135</b>
Our House	4
The Villages at New Providence	10
Patriot Village	4
Spring Gardens	6
Stonefields at New Providence	2
Riverbend	4
Southgate at Murray Hill	2
Murray Hill Farms	13
Elizabeth Barabash Manor	22
Community Action Independent Living	4
Union County Arc I	4
Union County Arc II	3
Community Access I	6
Community Access II	6
Arc of Union County	3
Blocks 310 and 311	9
Rental Bonus Credits	33
<i>Prior Round Total</i>	135
<b><i>Third Round Obligation - RDP</i></b>	<b>52</b>
Blocks 310 and 311	1
Bard/ Beckton Dickinson Site	38
Rental Bonus Credit	13
<i>Third Round Obligation - RDP</i>	52
<b><i>Third Round Obligation – Unmet Need</i></b>	<b>264</b>
AH-ARO Overlay Zoning	20
PACO Overlay Zoning	59
AHO Overlay Zoning	127
Rental Bonus Credits	TBD
<i>Third Round Need Total</i>	206*

(Table cont. on following page)

<b>Fourth Round Obligation - RDP</b>	<b>0</b>
<b>Fourth Round Obligation – Unmet Need</b>	<b>201</b>
Elizabeth Barabash Manor (Extension of Controls)	22
Bonus Credits	11
Murray Hill Farms (Extension of Controls)	13
Southgate at Murray Hill (Extension of Controls)	2
Amendment to A2 Zoning	3

\*Pursuant to the 2019 settlement agreement, the Borough will claim bonus credits for units in the unmet need as the units are constructed.