

## HOUSING ELEMENT AND FAIR SHARE HOUSING PLAN

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### TOWNSHIP OF SPRINGFIELD



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Prepared by

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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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## APPENDICES

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- APPENDIX A. Binding Resolution Committing to Fourth Round Present and Prospective Need Affordable Housing Obligations, Resolution No. 2025-59, adopted January 28, 2025.
- APPENDIX B. Township of Springfield Declaratory Judgment Complaint, Docket No. UNN-L-000409-25, filed January 29, 2025.
- APPENDIX C. [RESERVED] Program Member report dated April 1, 2025 recommending that the Court accept the Settlement.
- APPENDIX D. Binding Resolution Committing to Fourth Round Present and Prospective Need Affordable Housing Obligations via a Settlement, Resolution No. 2025-118, adopted April 8, 2025, inclusive of Mediation Agreement between the Township and NJBA regarding the Fourth Round obligations, dated April 8, 2025.
- APPENDIX E. Order Fixing Municipal Obligations for “Present Need” and “Prospective Need” for the Fourth Round Housing Cycle, Docket No. UNN-L-000409-25, entered April 14, 2025.
- APPENDIX F. Settlement Agreement between the Township of Springfield, Fair Share Housing Center, and Various Intervening Parties dated June 24, 2016
- APPENDIX G. [RESERVED] Township Council Resolution No. 2017-212 Authorizing Settlement Agreement between the Township of Springfield, Fair Share Housing Center, and Various Intervening Parties
- APPENDIX H. Planning Board Resolution adopting the Third Round Housing Element and Fair Share Plan, dated October 5, 2016.
- APPENDIX I. [RESERVED] Township Committee Resolution endorsing the Third Round Housing Element and Fair Share Plan.
- APPENDIX J. Conditional Declaratory Judgment of Compliance and Repose, Docket No. UNN-L-2457-15, filed December 21, 2016.
- APPENDIX K. Final Order Confirming Compliance with Declaratory Judgment of Compliance and Repose, Docket No. UNN-L-2457-15, filed June 23, 2017.
- APPENDIX L. Fourth Round Vacant Land Adjustment for the Township of Springfield, dated May 2025.
- APPENDIX M. Affordable Housing Trust Fund Report per June 18, 2024 deadline.
- APPENDIX N. Affordable Housing Trust Fund Report per September 16, 2024 deadline.



- APPENDIX O. Project/Unit Monitoring Report per September 16, 2024 deadline.
- APPENDIX P. Proof of Affordable Housing Trust Fund and Project/Unit Monitoring Data Submission on the Affordable Housing Monitoring System ("AHMS") for February 15, 2025 Deadline.
- APPENDIX Q. Township of Springfield Administration of Affordable Units Operating Manual, updated August 8, 2019.
- APPENDIX R. Affordable Housing Ordinance, adopted in 2018.
- APPENDIX S. Ordinance No. 2016-26 Amending the Code of The Township of Springfield, Chapter XXXV, Land Use Regulations, to Effectuate the 2016 Amendment to the Springfield Housing Element and Fair Share Plan, dated November 2016.
- APPENDIX T. Planning Board Resolution Finding Master Plan Consistency of Ordinance No. 2017-06, dated April 17, 2017.
- APPENDIX U. Ordinance Amending Article V (District Regulations) In Chapter 35 (Land Use) Of The Code Of The Township Of Springfield To Revise The Mandatory Set-Aside Requirements For Rental Developments, Set-Aside Requirements for Redevelopment Areas, and Density and Set-Aside Requirements for the Affordable Housing Overlay Zone – 1 (AHO-1) (Draft, Unadopted).
- APPENDIX V. Affirmative Marketing Plan Resolution, adopted in 2017.
- APPENDIX W. Resolution No. 2025-49 dated January 14, 2025, Authorizing Award for Contract with Administrative Agent.
- APPENDIX X. Resolution No. 2024-259 dated November 13, 2024, Appointing Municipal Housing Liaison.
- APPENDIX Y. Development Fee Ordinance.
- APPENDIX Z. 2025-2035 Spending Plan (Draft).
- APPENDIX AA. Affordability Assistance Manual, dated May 2025.
- APPENDIX BB. 175 Morris Avenue Redevelopment Plan.
- APPENDIX CC. 597 Morris Avenue Redevelopment Plan.





## THE TOWNSHIP OF SPRINGFIELD HOUSING ELEMENT AND FAIR SHARE PLAN

### I. INTRODUCTION

This document is presented in two parts; which includes (i) the Township of Springfield Master Plan Housing Element and (ii) the Township of Springfield Fair Share Plan. This Housing Element and Fair Share Plan ("HEFSP") addresses the Township's compliance with the Municipal Land Use Law ("MLUL, relevant Uniform Housing Affordability Controls ("UHAC") regulations, the requirements of the New Jersey Fair Housing Act (N.J.S.A 52:27D-301 et seq.) as amended by the A4/S50 legislation signed into law on March 20, 2024, and other applicable law.

The Master Plan Housing Element will examine the Township's demographic, population, and employment characteristics, population and demographic characteristics of the Township of Springfield, along with the Township's housing stock and development trends throughout the decades. A Housing Plan, according to the MLUL N.J.S.A 40:55D-28b(3), must include, but is not limited to, residential standards and proposals for the construction and improvement of housing. According to N.J.S.A 52:27D-310, the Housing Element shall contain at least the following:

- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;
- A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1);
- 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;
- 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);



- 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 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
- An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.

The Fourth Round Housing Element and Fair Share Plan reiterates how the Township complied with its Third Round affordable housing obligations under the Township's Court-approved Third Round Housing Element and Fair Share Plan and Third Round Final Judgment of Compliance and Repose ("JOR"), entered on June 23, 2017 (attached hereto as *Appendix K*), and also addresses how the Township intends to meet its fair share obligations for the Fourth Round as settled and committed to by Resolution No. 2025-118 adopted by Township Committee on April 8, 2025 (see *Appendix D*) and affirmed by the Court Order signed by Hon. Daniel R. Lindemann, J.S.C., dated April 14, 2025 (see *Appendix E*). The Housing Element and Fair Share Plan is part of the Township of Springfield's request to acquire a Compliance Certification from the Affordable Housing Dispute Resolution Program ("the Program") and will include the projects and strategies addressing the Township's affordable housing obligations.

## **II. TOWNSHIP OF SPRINGFIELD FOURTH ROUND HOUSING ELEMENT**

### **A. OVERVIEW**

This Fourth Round Housing Element and Fair Share Plan has been prepared in response to the requirements set forth in the amendments to the Fair Housing Act known as Bill A4/S50 ("FHA Amendments") signed into law on March 20, 2024. The law reformed municipal responsibilities regarding the provision of affordable housing for the fourth round and beyond in 10-year rounds of housing obligations beginning on July 1, 2025. The changes and regulations for the FHA Amendments are further explained in Section II.D and Section II.E below.

In accordance with the Municipal Land Use Law ("MLUL") at N.J.S.A. 40:55D-28b(3), this Fourth Round Housing Element and Fair Share Plan ("HEFSP") has been prepared pursuant to N.J.S.A. 52:27D-310 which specifies that the HEFSP must include 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 (N.J.S.A. 52:27D-304.1). In accordance with the requirements of section 3 of P.L.2024, c.2 (N.J.S.A. 52:27D-304.1), this Fourth Round Housing Element and Fair Share Plan addresses its affordable housing obligations for the Prior Round, the Third Round, and the Fourth Round. The Township's Fourth Round numbers have been established via a Mediation Agreement entered into between the Township and the New Jersey Builders Association ("NJBA") (see *Appendix D*), the Township Committee resolution adopted on April 8, 2025 (see *Appendix D*) approving the Mediation Agreement and the Fourth Round



numbers therein, an Order from the Program dated April 1, 2025 (see *Appendix C*), and a final Order from the Court entered on April 14, 2025 (see *Appendix E*). By the Court in its Order entered on April 14, 2025, the Court determined that Springfield's Fourth Round present need is 53 and Fourth Round prospective need is 262. The Fourth Round Housing Element and Fair Share Plan has also been prepared to comply with all requirements of the FHA, applicable COAH and UHAC regulations, and relevant Mount Laurel case law.

## **B. AFFORDABLE HOUSING HISTORY PRIOR TO THE FOURTH ROUND**

New Jersey affordable housing law began with the New Jersey Supreme Court's (hereinafter the "Supreme Court") creation of the Mount Laurel doctrine in its landmark case, So. Burl. Cty. N.A.A.C.P. v. Tp. of Mt. Laurel, 67 N.J. 151 (1975) also known as "Mount Laurel I". In Mount Laurel I, the Supreme Court decided that under the State Constitution, each municipality "must, by its land use regulations, make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people who may desire to live there", including those of low and moderate income. Thus, the Supreme Court in its Mount Laurel I decision ruled that municipalities should not use their using zoning powers to prevent the potential for the development of affordable housing.

Displeased with progress under its earlier decision, in 1983, the Supreme Court decided So. Burlington Ct. N.A.A.C.P. v. Mount Laurel Tp., 92 N.J. 158 (1983) or "Mount Laurel II". Because the Legislature had not yet acted to implement the holding in Mount Laurel I, the Court in Mount Laurel II fashioned a judicial remedy, or what is commonly referred to as a "Builder's Remedy". That remedy created a special process by which builders could file suit against a municipality for the opportunity to construct housing at much higher densities than a municipality otherwise would allow, creating affordable housing in the process. In essence, Builder's Remedy lawsuits seek to force towns to meet their affordable housing obligations.

Responding to the chaos created by the implementation of the Supreme Court's Mount Laurel decisions and the many Builder's Remedy lawsuits that followed, the State Legislature passed the Fair Housing Act (hereinafter "FHA") in 1985, which the Supreme Court upheld in (Hills Dev. Co. v. Bernards Twp., 103 N.J. 1 (1986) or "Mount Laurel III").

The FHA created COAH, and required COAH to (1) enact regulations that established the statewide affordable housing need, (2) assign to each municipality an affordable housing obligation for its designated region and (3) identify the techniques available to municipalities to meet its assigned obligation. The FHA included a process for municipalities to obtain Substantive Certification, which, if granted by COAH, would protect municipalities against Builder's Remedy lawsuits, or a lawsuit from a housing advocate, for a defined period of time. The FHA also transferred pending Builder's Remedy litigation to COAH for resolution through an administrative process, and established a process for bringing municipalities into compliance.

To implement the FHA requirements, COAH adopted a series of regulations. Round One regulations were enacted in 1987. Round 2 regulations were adopted by COAH in 1994. Round 3 regulations were supposed to be adopted in 1999 when the Round 2 rules were set to expire, but the first iteration of Round 3 rules were not adopted by COAH until 2004. The Township of Springfield initially adopted a Housing Element and Fair Share Plan dated October 20, 1994, and consequently revised and adopted the Plan on January 23, 1997. The revised HEFSP was submitted to the Superior Court and was issued a Judgment of Repose, therefore meeting the requirements





for the Township's fair share obligations for the First and Second Round of affordable housing. Another HEFSP dated November 11, 2005 was adopted by the Township and submitted to COAH for substantive certification pursuant to the original Round 3 rules; however, COAH did not complete a review of that HEFSP and substantive certification was not issued.

In 2007, the Appellate Division affirmed portions of COAH's 2004 Round 3 rules, but invalidated other aspects of them. See In Re Adoption of N.J.A.C. 5:94 & 5:95, 390 N.J. Super. 1 (App. Div. 2007). The opinion remanded the matter to COAH for adoption of new compliant regulations, and gave the agency six months to do so. The Appellate Division granted COAH two extensions, and COAH finally adopted a second set of Round 3 rules in September of 2008. Many municipalities submitted Round 3 affordable housing plans to COAH and to courts for approval in December of 2008 in response to the new Third Round rules. The Township of Springfield prepared a Housing Element and Fair Share Plan in 2008, which was submitted to COAH for substantive certification; however, an objection was filed to the HEFSP from Baltusrol Golf Club, who objected to their property being included in the Plan due to being a member-owned private golf club who had no intention of ever permitting any non-golf related development on their property. As a result of the objection from Baltusrol Golf Club, the Township amended the HEFSP to remove the acreage of the Club from the inventory of developable land. An amended Plan was prepared in 2010 and filed with COAH for substantive certification with a request for a vacant land adjustment; however, the Plan was not reviewed by COAH due to other challenges to their rules.

On October 8, 2010, the Appellate Division concluded that COAH's revised 2008 regulations suffered from many of the same deficiencies as the first set of Third Round rules, and it invalidated substantial portions of the 2008 Third Round regulations again. See In re Adoption of N.J.A.C. 5:96 & 5:97, 416 N.J. Super. 462 (App. Div. 2010). The Court specifically directed COAH to use a methodology for determining prospective affordable housing needs similar to the methodologies used in the prior rounds.

During this same time period, Governor Christie initiated a series of steps to abolish or reduce the role of COAH. During this time period the Legislature introduced a Bill, which would have radically transformed the affordable housing world. The S-1 Bill in its initial form was supported by Governor Christie. By the time it went through the Assembly, however, a very different bill passed and the Governor conditionally vetoed the Bill.

Frustrated with the lack of movement by COAH to adopt updated Third Round rules, the Supreme Court issued an order on March 14, 2014, which required COAH to adopt new Third Round regulations by October 22, 2014. COAH proposed the third version of Third Round regulations on April 30, 2014. However, in October of 2014, the COAH Board deadlocked 3-3 when voting to approve the regulations and the rules were not adopted.

In response, on March 10, 2015, the Supreme Court issued its decision In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (Mount Laurel IV), in which it (1) found that COAH had violated the March 14, 2014 Order by failing to adopt new Third Round regulations by October 22, 2014, (2) held that, without new Third Round regulations, COAH could not process municipalities' petitions for substantive certification, (3) directed trial courts to assume COAH's functions, (4) authorized municipalities under COAH's jurisdiction to file Declaratory Judgment Actions along with a motion for Temporary Immunity by July 8, 2015, or risk exposure to Builder's Remedy lawsuits, and (5) ruled that municipalities would have to prepare and file a Housing Element and Fair Share Plan with a trial court for review. The



Supreme Court declined to determine fair share allocations, however, instead assigning this task to the trial court judges with the directive that they use a methodology similar to that used in COAH's first and second round rules.

Springfield, which was a participating municipality under COAH, filed a Declaratory Judgment action on July 7, 2015, in Union County Superior Court within the requisite time period, and received temporary immunity from the Court, which is still in full force and effect. Subsequent to the filing, the Township entered into a Settlement Agreement with Fair Share Housing Center ("FSHC") on June 24, 2016 to resolve the Township's Declaratory Judgment action on a global level (attached hereto as *Appendix F*). On August 4, 2016, the Court entered an Order approving the Settlement Agreement subject to fulfillment of the requirements in the Special Master's report dated August 1, 2016, and subject to the Court's approval by way of Final Compliance Hearing scheduled for December 21, 2016. The Township consequently prepared a Housing Element and Fair Share Plan, dated September 19, 2016, which was approved on October 5, 2016 and memorialized on November 2, 2016 by the Planning Board (see *Appendix H*), and was subsequently endorsed by the Township Committee (see *Appendix I*). At a duly-noticed Final Compliance Hearing held on December 21, 2016, the Court granted the Township a Conditional Judgment of Compliance and Repose approving the Township's Housing Element and Fair Share Plan, along with all supporting documents (see *Appendix J*). After the Township satisfied all of the conditions of the JOR, the Court entered an Order on June 23, 2017 finalizing the JOR (see *Appendix K*), which secured immunity for the Township from all Mount Laurel lawsuits, including but not limited to, Builders Remedy lawsuits, until July 1, 2025.

Prior to the beginning of the Fourth Round, and in response to a settlement process further explained in Section II.G of this HEFSP, the Court memorialized the Township's Fourth Round present and prospective need obligations on behalf of the Program in an Order dated April 14, 2025 (see *Appendix E*). The Order set the Township's prospective need obligation at 262 and its present need obligation (also known as rehabilitation obligation) at 53 for the Fourth Round period.

### **C. SUMMARY OF SPRINGFIELD'S PAST AFFORDABLE HOUSING HISTORY & ACTIVITIES**

Springfield has had a long history of providing affordable housing with respect to its Court and COAH-mandated fair share obligations. As detailed in the prior section, the Township adopted an initial Housing Element and Fair Share Plan in 1994 and an amended Housing Element and Fair Share Plan in 1997. Via a Judgment of Repose issued by the Court, the Plan was accepted and the Township was found to have met its low and moderate income housing requirements for the First and Second Round of affordable housing. In response to the original rules for the Third Round of affordable housing established by COAH, the Township adopted an HEFSP on November 11, 2005 and applied for substantive certification; however, COAH did not complete a review of that HEFSP and substantive certification was not issued. Furthermore, based on the Round 3 rules established by COAH in 2008, the Township prepared a Housing Element and Fair Share Plan in the same year and submitted the Plan to COAH for substantive certification. The HEFSP was consequently amended in 2010 due to an objection from Baltusrol Golf Club to be removed from the vacant land adjustment. The amended Plan was filed with COAH for substantive certification but was never reviewed by COAH due to other challenges to their Round 3 rules.

Pursuant to the March 10, 2015 Supreme Court decision, which established a new compliance process for the Third Round, the Township filed a Declaratory Judgment action on July 7, 2015. The Township subsequently entered into a Settlement Agreement with Fair Share Housing Center on June



24, 2016, and a Housing Element and Fair Share Plan coinciding with the executed Settlement Agreement was approved by the Planning Board on October 5, 2016 and later endorsed by the Township Committee. The 2016 Housing Element and Fair Share Plan, as well as its supporting documentation and crediting, was fully approved via a Final JOR issued by the Court on June 23, 2017.

Prior to and throughout the duration of the Third Round, and in accordance with the Township's Third Round Housing Element and Fair Share Plan, several affordable units have been approved, constructed and completed. The following affordable housing units and credits have been approved and/or created by the Township prior to the Fourth Round:

1. The Regional Contribution Agreement ("RCA") between the City of Linden and Springfield Township generated 8 total RCA credits. The credits were approved by the Court via an Order entered on February 4, 1998.
2. The Union County Home Improvement Program, a Housing Rehabilitation Program, will have contributed 15 rehabilitation units by 2025.
3. The Arc of Union County group home (Baltusrol Way), effective as of February 25, 2000, provides 4 very-low income supportive/special needs rental units.
4. The Cove (102-120 Victory Road / Block 303, Lots 1 and 1.01), completed on November 1, 2012, provides 10 inclusionary family rental units (1 very-low, 4 low, 5 moderate).
5. Springfield Gardens (360 Route 22 West / Block 3901, Lot 6), completed on April 1, 2012, provides 38 inclusionary family rental units (4 very-low, 15 low, 19 moderate).
6. Spring Mill Manor (32 Blacks Lane / Block 209, Lot 5), completed on February 1, 2005, provides 8 affordable age-restricted rental units (4 low, 4 moderate).
7. Lakeside at Briant Park (Briant Park Drive / Block 506, Lot 7), completed on August 1, 2003, provides 28 inclusionary family rental units (14 low, 14 moderate).
8. Forest Village / "Short Hills Club Village" (Forest Drive / Block 103, Lot 1), completed on June 6, 2007, provides 5 inclusionary family rental units (1 very-low, 2 low, 2 moderate).
9. Community Action for Independent Living group home (Bryant Avenue), effective as of March 9, 2018, provides 5 supportive/special needs rental units (5 very-low).
10. Freeman Apartments (41 Hillside Avenue / Block 3701, Lot 7), completed on January 17, 2002, provides 13 100% affordable family rental units (13 low).
11. Columbia Court (50-64 Maple Avenue / Block 402, Lot 26), completed on May 9, 1997, provides 14 inclusionary family rental units (8 low, 6 moderate).
12. Mountain Avenue Townhomes / "Steven Court" (156 Mountain Avenue / Block 1201, Lot 36.01), completed on February 13, 2019, provides 1 inclusionary family rental unit (1 moderate).



13. Morris & Center LLC / “Gomes Property” (265 Morris Avenue / Block 706, Lot 10), granted preliminary and final site plan approval by the Planning Board on May 4, 2020 and currently under construction, provides 21 inclusionary family rental units (3 very-low, 8 low, 10 moderate).
14. Park Place / “Planned Development – Affordable Housing District (PD/AH)” (Route 22, Block 4001, Lots 2.316 & 2.317), zoning approved on November 22, 2016, will provide 26 inclusionary rental family units (4 very-low, 9 low, 13 moderate) based on 8.5 acres at 20 du/ac with a 15% affordable set-aside or 34 affordable inclusionary for-sale units based on 8.5 acres at 20 du/ac with a 20% set-aside.
15. Rica / “Garden Homes Project” / “Blacks Lane & Church Mall Redevelopment” (Blacks Lane and Church Mall / Block 208, Lots 6, 7, 8 & 9; Block 209, Lots 1.01 & 6) granted preliminary and final site plan approval by the Planning Board on May 2, 2022 and currently under construction, provides 15 inclusionary family rental units (2 very-low, 6 low, 7 moderate).
16. EEAP, LLC (Main Street / Block 204, Lots 1 & 2), zoning approved on November 22, 2016, will provide 2 inclusionary rental family units (1 very-low, 1 low) based on 0.795 acres at 16 du/ac with a 15% affordable set-aside.
17. The Saks Property / “The Metropolitan” (92 Millburn Avenue, 552 Morris Avenue, 46 Millburn Avenue & 70 Millburn Avenue / Block 101, Lots 1, 34, 45 & 46) granted preliminary and final site plan approval by the Planning Board on October 10, 2019 and currently finishing construction and leasing, provides 41 inclusionary family rental units (5 very-low, 17 low, 19 moderate).

Additionally, outside of the Township’s approved Settlement Agreement and Third Round Housing Element and Fair Share Plan, the following project has been completed and provides creditable affordable units:

18. SPDSAIL / “Victory Point” (226 Morris Avenue / Block 207, Lot 1), completed on August 3, 2021, provides 4 inclusionary family rental units (1 very-low, 2 low, 1 moderate).

<b>Table A: Summary of Completed and/or Approved Units Post-1986 through June 30, 2025 Township of Springfield, Union County, NJ</b>				
<b>Affordable Units Previously Approved and/or Built</b>				
	<b>Very Low</b>	<b>Low</b>	<b>Moderate</b>	<b>Total</b>
<i>Family Rental*</i>	22	99	97	218
<i>Group Home/Special Needs</i>	9	-	-	9
<i>For-Sale</i>	-	-	-	-
<i>Age-Restricted</i>	-	4	4	8
<i>RCA</i>	-	-	-	8
<b>Total</b>				<b>243</b>
<b>Housing Rehabilitation Program</b>				
<i>Rehab Total</i>	-	-	-	15
<b>Total Approved and/or Built Units and Rehabs</b>				<b>243 units 15 rehab units</b>
<i>*The units from the Park Place project are counted as 26 inclusionary family rental units.</i>				



The status of all compliance mechanisms leading up to the Fourth Round is provided in further detail in Section III of this Plan.

## **D. FOURTH ROUND OF AFFORDABLE HOUSING BACKGROUND**

On March 20, 2024, Governor Murphy signed the amendments to the FHA into law. The amended FHA established new guidelines for determining and regulating the affordable housing obligations of New Jersey municipalities for the Fourth Round and subsequent 10-year rounds as mandated by the Mount Laurel Doctrine and the FHA. This section outlines the key provisions instituted by the FHA Amendments.

### **Major Items of the FHA Amendments**

- The Council on Affordable Housing (“COAH”) is abolished, and its regulatory powers and functions are transferred to the Department of Community Affairs (“DCA”) and the Administrative Office of Courts (“AOC”).
- The DCA is responsible for calculating the regional need and municipal present and prospective fair share obligation for each municipality using the methodology established in sections 6 and 7 of P.L.2024, c.2. The March 8, 2018 Superior Court, Law Division, Mercer County, In re Application of Municipality of Princeton (also known as the “Jacobson opinion”) serves as the basis for any datasets or methodologies not directly addressed in the FHA Amendments. This Fourth Round methodology is further explained in Section II.E below.
- Per N.J.S.A. 52:27D-302, as amended, “the changes made to affordable housing methodologies, obligations, and fair share plans, as determined to be a necessity by the Legislature, through the enactment of [P.L.2024, c.2] are made with the intention of furthering consistency with the State Development and Redevelopment Plan.”
- A municipality will still be permitted to seek a Vacant Land Adjustment (“VLA”).
- A municipality may take into consideration the DCA calculations in determining its present and prospective need obligations, but the DCA calculations are not binding on any municipality. Each municipality establishes its own obligation number, and a municipality may deviate from DCA’s calculations in determining its obligation, provided that it adheres to the methodology established by the FHA Amendments.
- The Affordable Housing Dispute Resolution Program (“Program”) is established within the AOC and is responsible for handling any dispute regarding a municipality’s determination of and/or compliance with its fair share obligation. The Administrative Director of the Courts makes appointments to the Program, which consists of 3-7 retired Mount Laurel judges. The initial judges appointed were the Hon. Thomas C. Miller (chair), the Hon. Ronald E. Bookbinder, the Hon. Thomas F. Brogan, the Hon. Stephan C. Hansbury, the Hon. Mary C. Jacobson, the Hon. Julio L. Mendez, and the Hon. Paulette M. Sapp-Peterson.
- The availability of bonus credits has been expanded but credits remain capped. Notable credit provisions include:
  - More than one type of bonus credit may not be received for the same unit.
  - A maximum of 25% of a municipality’s prospective need obligation may be satisfied by bonus credits.
  - A summary of the types of bonus credits is provided in the table below:



<b>Table B: Fourth Round Bonus Credits</b>	
<b>Description</b>	<b>Bonus</b>
Special Needs or Supportive Housing Units	<b>1.0</b> bonus credit for each bedroom unit of low- or moderate-income housing for individuals with special needs or permanent supportive housing.
100% Affordable Developments with Municipal Contribution of Land or Funds	<b>1.0</b> bonus credit for each unit of low- or moderate-income housing in a 100% affordable housing project for which the municipality contributes to the cost of the project. This contribution can either be real property or contributions from the municipal Affordable Housing Trust Fund that covers no less than 3% of the project costs.
Market-to-Affordable	<b>1.0</b> bonus credit for each unit of low- or moderate-income housing created by transforming an existing rental or ownership unit from market rate to affordable. 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.
Non-Profit Partnership for For-Sale Housing	<b>0.5</b> bonus credit for each unit of low- or moderate-income ownership unit created in partnership with a non-profit housing developer.
Proximity to Transit	<b>0.5</b> bonus credit for each unit of low- or moderate-income housing located within a 0.5 mile radius (or 1 mile radius if located in a Garden State Growth Zone) surrounding a NJ Transit Corporation, Port Authority Transit Corporation, or Port Authority Trans-Hudson Corporation rail, bus, or ferry station, including all light rail stations.
Redevelopment	<b>0.5</b> bonus credit for each unit of low- or moderate-income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space.
Age-Restricted Units (with 10% Cap)	<b>0.5</b> bonus credit for a unit of age-restricted housing (Bonus credit only applicable to 10% of all age-restricted housing built that count towards the municipality's affordable housing obligation).
Family Housing	<b>0.5</b> bonus credit for each unit of low- or moderate-income family housing with at least three bedrooms above the minimum number required by the bedroom distribution. This bonus credit shall be calculated by taking into account the full municipal fair share plan and housing element, and the number of units with at least three bedrooms required for projects satisfying the minimum 50 percent family housing requirements.
Very Low-Income Units Beyond Minimum	<b>0.5</b> bonus credit for each unit of very low-income housing for families above the 13% of units required to be preserved for very low-income housing.
Extension of Affordability Controls	<b>0.5</b> bonus credit for each existing low- or moderate-income rental housing unit for which affordability controls are extended for a new term, and the municipality contributes funding towards the costs necessary for this preservation.





- A municipality must adopt and file with the Program and the Court a Housing Element and Fair Share Plan, along with drafts of the appropriate zoning and other ordinances and resolutions implementing its present and prospective obligation by June 30, 2025. The Housing Element and Fair Share Plan must assess the degree to which the municipality has complied with its obligations for the prior three rounds and determine whether the municipality has credits in excess of its prior round obligations. If any units are determined to be unfulfilled from prior rounds, the Plan must address how this unmet obligation will be fulfilled, as well as explain how it plans to meet its Fourth Round obligation. The Plan must also include a spending plan for current funds in the municipal affordable housing trust fund and projected funds towards the round.
- The law establishes several limitations to how units may be counted towards fulfilling a municipality's fair share obligation:
  - A maximum of 30% of the units counted toward the prospective need obligation may be age-restricted units, exclusive of bonus credits.
  - A minimum of 50% of the units used toward the prospective need obligation, exclusive of bonus credits, must be available to families with children.
  - A minimum of 25% of the units used toward the prospective need obligation, exclusive of bonus credits, must be rental units and at least half of that number must be available to families with children.
  - A minimum of 13% of affordable housing units must be available to very low-income households and at least half of that number must be available to families with children.
  - A maximum of 10% of a municipality's fair share obligation may be counted by transitional housing credits.
  - A municipality may lower its prospective need obligation to prevent an obligation of more than 1,000 housing units or a number exceeding 20% of the total number of households in the municipality.
  - The law increases the minimum period requiring affordability controls to 40 years for rental units and maintains a 30-year period for for-sale units. The minimum requirement for affordability controls cannot be reduced.
- The law establishes new development fee collection, expenditure and monitoring rules.
- The amended FHA also establishes many deadlines, including but not limited to, the submission of a Fourth Round Housing Element and Fair Share Plan by June 30, 2025, and any objections being filed by August 31, 2025.

## E. FOURTH ROUND METHODOLOGY

Per N.J.S.A. 52:27D-304.1.d, "For the fourth round of affordable housing obligations, the [Department of Community Affairs] shall prepare and submit a report to the Governor, and, pursuant to [N.J.S.A. 52:14-19.1], to the Legislature providing a report on the calculations of regional need and municipal obligations for each region of the State within the earlier of seven months following the effective date of P.L.2024, c.2 (N.J.S.A. 52:27D-304.1 et al.) or December 1, 2024." On October 18, 2024, the Department of Community Affairs (DCA) released a report titled "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background," inclusive of a calculation spreadsheet, which detailed the datasets and calculations used to generate the affordable housing obligation for each municipality within New Jersey for the Fourth Round.



Per this report, Springfield Township was calculated to have a present need of 53 units and a prospective need of 284 units for the Fourth Round. The sections below outline the methodology for calculating the Township's Fourth Round affordable housing obligation per the DCA report and in accordance with the FHA Amendments.

### **Present Need**

Per the amended FHA, "A municipality's present need obligation shall be determined by estimating the existing deficient housing units currently occupied by low- and moderate-income households within the municipality, following a methodology comparable to the methodology used to determine third round present need, through the use of datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof" (N.J.S.A. 52:27D-304.2). P.L.2024, c.2 further defines "deficient housing units" as "housing that: (1) is over fifty years old and overcrowded; (2) lacks complete plumbing; or (3) lacks complete kitchen facilities" (N.J.S.A. 52:27D-304).

In the Third Round, municipal present need calculations were based on the number of housing units lacking complete kitchen facilities, the number of units lacking complete plumbing facilities, and the number of overcrowded units. The present need calculations for the Fourth Round conducted by the DCA similarly use datasets measuring these three factors, but as explained in their report, "The US Department of Housing and Urban Development (HUD) and the US Census Bureau publish separate tables on housing age, lack of plumbing facilities, lack of kitchen facilities, and overcrowding. However, there is no data source that reports the number of units that meet any one of those three conditions. Therefore, this number must be estimated using data from existing tables, with measures taken to account for overlap and to narrow the scope to deficient housing units occupied by low- and moderate-income [(LMI)] households." The DCA therefore used a combination of the latest data from HUD's Comprehensive Housing Affordability Strategy (CHAS) LMI dataset corresponding to the latest Census Bureau American Community Survey (ACS) data (which was 2017-2021 5 Year Estimates at the time of the report's release), data from the IPUMS Center for Data Integration, and the ACS Public Data Microdata Sample (PUMS) at the Public Use Microdata Area (PUMA) level to estimate the number of substandard/deficient low- and moderate-income occupied units ("present need") for each municipality in New Jersey.

Per the methodology outlined above and described in further detail in the DCA report, the Fourth Round present need obligation for the Township of Springfield was calculated as 53.

### **Prospective Need**

The statewide obligation for the Fourth Round has been calculated as 84,698. This obligation is distributed among the State's municipalities, excluding Qualified Urban Aid municipalities.

As described in the FHA Amendments and summarized in the DCA report, a municipality's Fourth Round prospective need obligation is calculated by multiplying its average allocation factor to the total prospective need of its corresponding Housing Region.

Per the FHA Amendments, the State is broken into six regions as follows:

Housing Region	Counties
1	Bergen, Hudson, Passaic, and Sussex





2	Essex, Morris, Union, and Warren
3	Hunterdon, Middlesex, and Somerset
4	Mercer, Monmouth, and Ocean
5	Burlington, Camden, and Gloucester
6	Atlantic, Cape May, Cumberland, and Salem

The average allocation factor is the average of three measures indicative of a municipality's capacity/potential to address the regional prospective need: the equalized nonresidential valuation factor, the income capacity factor, and the land capacity factor.

The Fourth Round prospective need for each Housing Region is determined by calculating the change in the number of households within each Housing Region between the 2010 Census and 2020 Census. Per the FHA Amendments, "this household change, if positive, shall be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region and to determine the regional prospective need for a 10-year round of low- and moderate-income housing obligations. If household change is zero or negative, the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region and the regional prospective need shall be zero" (N.J.S.A. 52:27D-304.2).

The Township of Springfield is in Housing Region 2, which consists of Essex County, Morris County, Union County, and Warren County. The regional prospective need for Housing Region 2 was calculated as 20,506, and the Township's average allocation factor was calculated as 1.386%. The regional need of 20,506 multiplied by the Township's average allocation factor of 1.386% therefore resulted in a Fourth Round prospective need obligation calculation of 284.

#### Equalized Nonresidential Valuation Factor

The equalized nonresidential valuation factor is one of the three components of the average allocation factor for each municipality. The equalized nonresidential valuation factor is representative of a municipality's share of the change in nonresidential property value within its Housing Region.

This factor was calculated as follows:

1. The valuations of commercial properties and industrial properties in each municipality in 2023, per data from the NJ Division of Local Government Services, were summed and then divided by the 2023 State Equalization Table Average Ratio corresponding with the municipality to obtain a total equalized nonresidential valuation for 2023.
2. The valuations of commercial properties and industrial properties in each municipality in 1999, per data from the NJ Division of Local Government Services, were summed and then divided by the 1999 State Equalization Table Average Ratio corresponding with the municipality to obtain a total equalized nonresidential valuation for 1999.
3. The difference in total equalized nonresidential valuation from 1999-2023 was calculated for each municipality.
4. The difference in total nonresidential valuation from 1999-2023 was summed for all municipalities (excluding Qualified Urban Aid municipalities) within each Housing Region.
5. The difference in total nonresidential valuation from 1999-2023 for each municipality was divided by the sum of differences in total nonresidential valuation from 1999-2023 for its corresponding Housing Region to compute the municipality's share of the regional



nonresidential valuation change from 1999-2023.

The Township's equalized nonresidential valuation factor was calculated as 2.07% per the DCA report.

#### Income Capacity Factor

The second component of the average allocation factor for each municipality is the income capacity factor. The income capacity factor measures the degree to which a municipality's median household income differs from an income floor of \$100 below the lowest median household income in its Housing Region.

Per the FHA Amendments, a municipality's income capacity factor shall be "determined by calculating the average of the following measures:

- (a) The municipal share of the regional sum of the differences between the median municipal household income, according to the most recent American Community Survey Five-Year Estimates, and an income floor of \$100 below the lowest median household income in the region; and
- (b) The municipal share of the regional sum of the differences between the median municipal household incomes and an income floor of \$100 below the lowest median household income in the region, weighted by the number of the households in the municipality" (N.J.S.A. 52:27D-304.3)."

At the time of the release of the DCA report on October 18, 2024, the most recent American Community Survey Five-Year Estimates data for median household income and number of households were found in Table S1903 of the Census Bureau's American Community Survey 2018-22 5-Year Estimates.

The Township's income capacity factor was calculated as 1.37% per the DCA report.

#### Land Capacity Factor

The third component of the average allocation factor for each municipality is the land capacity factor. The land capacity factor indicates the percentage share of total "developable" land in a Housing Region accounted for by each municipality within that Region, excluding land area corresponding to Qualified Urban Aid municipalities. The DCA conducted a GIS analysis to identify the "developable" land within the state using several publicly-available datasets, including but not limited to 2020 land use/land cover (LULC) data, New Jersey State Plan Planning Areas weighted by area type, statewide parcel data, open space and preserved farmland, category 1 waterways and wetlands, steep slopes, and open waters.

The steps below provide a summary of the methodology used to identify the vacant land in the state, and consequently identify each municipality's share of developable land within its corresponding Housing Region.

1. Weights were applied to all New Jersey State Plan Planning Areas as specified in the Fourth Round Law and summarized in the DCA report.
2. The layer of weighted Planning Areas was merged with land use/land cover (LULC) data for the entire state sourced from 2020 aerial imagery. 18 different types of LULC (the



- DCA report), such as cropland and pastureland, deciduous forest, and coniferous forest, were identified and extracted as “vacant, developable land” from this merged dataset.
3. Of these areas identified as “developable” from the merged dataset, areas without underlying parcel data and areas with MOD-IV Property Tax data with property class codes for residential, commercial, industrial, apartment, railroad, and school uses were removed to prevent rights-of-way, tree-covered rear yards on residential properties and buffer areas on non-residential development from being included in the “developable” land calculation.
  4. Municipally-reported construction permit data to the DCA was used to remove properties otherwise identified as vacant through the LULC analysis.
  5. Areas mapped as open space, preserved farmland, category 1 waterways and wetlands (and associated buffers based on special resource area restrictions) were removed from the “developable” land dataset.
  6. Using 10 foot digital elevation LiDAR data, steep slope areas exceeding 15% and steep slope areas consisting of 5,000 square feet or less were removed from the “developable” land dataset.
  7. DCA reviewed an unspecified 22,000 vacant parcels to further remove homeowner association common areas, detention basins, and road and utility rights of way.
  8. After the removal of all the aforementioned layers from the “developable” land dataset, remaining “slivers” of land with an area of 2,500 square feet or less were also removed due to their inability to support any kind of development.
  9. The remaining land was identified as “developable” land and was summed based on the limits of each Housing Region and its corresponding municipalities.
  10. The municipality’s percentage of total identified “developable” land within its Housing Region constitutes its land capacity factor.

Through this analysis, the DCA reported 38.397 acres of developable land in Springfield Township and 5,358.483 acres of developable land in Housing Region 2 (excluding Qualified Urban Aid municipalities), therefore computing a land capacity factor of 0.72% for the Township.

#### DCA Calculated Fourth Round Prospective Need Obligation

Given the calculations of the Township’s equalized nonresidential valuation factor as 2.07%, income capacity factor as 1.37%, and land capacity factor as 0.72%, the average allocation factor for the Township was computed as 1.386%. The average allocation factor of 1.386% multiplied by the Housing Region 2 regional prospective need of 20,506 totaled to a Fourth Round prospective need obligation of 284 for the Township per the DCA report.

### **F. MUNICIPAL DETERMINATION OF FOURTH ROUND PRESENT NEED AND PROSPECTIVE NEED OBLIGATIONS**

As per N.J.S.A. 52:27D-304.1, “[e]ach municipality shall determine its municipal present and prospective obligations in accordance with the formulas established in [N.J.S.A. 52:27D-304.2 - 304.3] and may take into consideration the calculations in the report published by the department.” Furthermore, “For the fourth round of affordable housing obligations, this determination of present and prospective fair share obligation shall be made by binding resolution no later than January 31, 2025” (N.J.S.A. 52:27D-304.1). The Township reviewed and evaluated the DCA’s non-binding calculations of the Township’s Fourth Round present need and



prospective need, and while the Township concurred with the DCA's calculation of the Township's Fourth Round present need obligation of 53, the Township calculated its Fourth Round prospective need obligation to be 239 rather than the DCA calculation of 284 due to adjustments to the Township's income capacity factor calculation and land capacity factor calculation.

Per the FHA Amendments, the income capacity factor shall be calculated "according to the most recent American Community Survey Five-Year Estimates." On December 12, 2024, the United States Census Bureau released American Community Survey 2019-23 5-Year Estimates data. The Township therefore calculated its income capacity factor calculation based on the most recent American Community Survey 2019-23 5-Year Estimates data for the municipalities in Housing Region 2 instead of the American Community Survey 2018- 22 5-Year Estimates used in the DCA report. Using updated data for the entirety of Housing Region 2, the Township's income capacity factor was calculated as 1.35% rather than 1.37% as calculated by the DCA.

Additionally, the Township reviewed and evaluated the accuracy of the 38.397 acres of "developable" land identified in the Township used to calculate the Township's land capacity factor of 0.72% in the DCA report. Under further analysis, the Township found that several areas identified as "developable" in the Township by the DCA's geoprocessing model are in fact not "developable." The Township removed +/- 34.043 acres of the 38.397 acres of "developable" land identified in the DCA report from the Township's land capacity factor calculation, resulting in a recalculation of the land capacity factor based on +/- 4.354 total acres of "developable" land within the Township. This adjustment to the Township's developable land acreage resulted in a calculation of the Township's land capacity factor as 0.08% rather than 0.72% as identified in the DCA report.

The Township's adjusted calculations for the income capacity factor and land capacity factor therefore computed an average allocation factor of 1.167% compared to 1.386% as calculated in the DCA report, which when applied to the regional prospective need of 20,506 generated a prospective need obligation of 239.

Based on these calculations, and in accordance with the requirements of the FHA Amendments, the Township Council adopted Resolution No. 2025-59 on January 28, 2025, which committed the Township to the "DCA Fourth Round Present Need (Rehabilitation) Obligation of 53 and the Fourth Round Prospective Need (New Construction) Obligation of 239," subject to all reservations of rights as outlined in the resolution (see *Appendix A*). An in-depth explanation of the calculations used to determine the Township's Fourth Round present need obligation and prospective need obligation was provided in a planning report attached as an exhibit to the adopted January 21, 2025 resolution.

On January 29, 2025, pursuant to the Administrative Office of the Courts' Directive No. 14-24, the Township filed a Declaratory Judgment Action in Superior Court, Docket No. UNN-L-000409-25 (see *Appendix B*), requesting that the Program: (1) approve its Round 4 obligations set forth in its January 28, 2025 binding resolution; (2) approve its Round 4 HEFSP; and (3) continue the Township's immunity from Mount Laurel related lawsuits, as granted by the Court in Round 3.

## **G. SETTLEMENT PROCESS AND ESTABLISHMENT OF FOURTH ROUND OBLIGATION**

Per N.J.S.A. 52:27D-304.1, "An interested party may file a challenge with the program, after adoption of the binding resolution and prior to March 1, 2025, alleging that the municipality's



determination of its present and prospective obligation does not comply with the requirements of [N.J.S.A. 52:27D-304.2 and N.J.S.A. 52:27D-304.3].”

On February 27, 2025, New Jersey Builders Association (“NJBA”) filed an objection with the Court of the Township’s Fourth Round prospective need obligation adopted by Resolution No. 2025-59, declaring that the Court establish the Township’s Fourth Round prospective need obligation as 284 as calculated by the Department of Community Affairs (“DCA”).

In response to the challenge filed to the Township’s calculation of its Fourth Round prospective need obligation, pursuant to the Program, the Administrative Office of the Courts (“AOC”) appointed and assigned the case to Program member, the Hon. Stephen C. Hansbury, A.J.S.C. (Ret.) (“Program Member”) to manage the proceedings, host settlement conferences, and make recommendations to the Court in accordance with the FHA and the AOC’s Directive #14- 24 (“Directive #14-24”), and that the Program Member appointed Francis J. Banisch, III, PP, an independent affordable housing expert, as special adjudicator (“Special Adjudicator”) in this case to work with, make recommendations to and assist the Program.

On March 31, 2025, a settlement conference was conducted on notice to all parties with the participation of local officials, Township affordable housing planner, and attorneys for the Township and an attorney for the NJBA, in accordance with the statutory framework and Directive #14-24, and with the goal of reaching a resolution. As a result of the settlement conference, the Township and NJBA reached a settlement, which established a present need obligation of 53 and prospective need obligation of 262 for the Township of Springfield for the Fourth Round. The settlement was placed on the record before the Program on March 31, 2025, and the Program Member provided a report, dated April 1, 2025, recommending that the Court accept the settlement. The Township Council adopted a resolution on April 8, 2025 (see *Appendix D*) accepting and confirming the settlement and authorizing the execution of a Mediation Agreement with NJBA; said Mediation Agreement was subsequently finalized and entered on April 8, 2025 (see *Appendix D*) and was submitted to the Program and the Court, along with the approving resolution, for review. The Court memorialized the Township’s Fourth Round present and prospective need obligations on behalf of the Program in an Order dated April 14, 2025 (see *Appendix E*). The Order set the Township’s prospective need obligation at 262 and its present need obligation (also known as rehabilitation obligation) at 53 for the Fourth Round period.

## **H. VACANT LAND ADJUSTMENT**

Given municipal constraints on the amount of vacant land available for the development of affordable housing, the amended FHA, similarly to the Third Round, permits municipalities to adjust their prospective need obligations for the Fourth Round based on a lack of vacant land. The process for preparing a vacant land adjustment (“VLA”) for the Fourth Round follows the methodology established in the Municipal Adjustments Subchapter of COAH’s Prior Round Substantive Rules (N.J.A.C. 5:93-4.2), with some minor differences as specified in the Amended FHA. The application of the methodology for vacant land adjustments from COAH’s Prior Round Substantive Rules in the Fourth Round is affirmed by language in N.J.S.A. 52:27D-311.m.: “All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L.2024, c.2 (C.52:27D-304.1 et al.), or binding court decisions.”



Most notably, the FHA Amendments added an additional requirement to the vacant land adjustment process: “Any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on a lack of vacant land shall, as part of the process of adopting and implementing its housing element and fair share plan, identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so” (N.J.S.A. 52:27D-310.1).

In addressing its Third Round prospective need obligation, the Township prepared a VLA, which was adopted as part of the Township’s Court-approved Housing Element and Fair Share Plan via the Final JOR issued on June 23, 2017.

The Township has also conducted a VLA for the Fourth Round, which is attached hereto as *Appendix L*. The Fourth Round VLA calculates a Realistic Development Potential (“RDP”) of 13 units for the Township for the Fourth Round, which is detailed in Table C below:

<b>Table C: RDP and “Likely to Redevelop” Properties Summary Township of Springfield</b>					
<b>Vacant and “Developable” Parcels</b>					
<b>Block</b>	<b>Lot</b>	<b>Comments/Discussion</b>	<b>Net Developable Area (ac)</b>	<b>Density (du/ac)</b>	<b>RDP</b>
1701	4	51 Shunpike Road	0.53	10	2
<b>Developed or Pending Approval Properties Determined to Generate an RDP</b>					
<b>Block</b>	<b>Lot</b>	<b>Comments/Discussion</b>	<b>Net Developable Area (ac)</b>	<b>Density (du/ac)</b>	<b>RDP</b>
505	1	597 Morris Avenue; Redevelopment of former Scotty’s Pub	0.83	46	6
810	10	175 Morris Avenue; Redevelopment of former Bank of America	0.69	44	5
<b>Total RDP</b>					<b>13</b>
<b>Sites “Likely to Redevelop” Contributing to the Township’s Unmet Need</b>					
<b>Block</b>	<b>Lot</b>	<b>Comments/Discussion</b>	<b>Net Developable Area (ac)</b>	<b>Density (du/ac)</b>	<b>Units Towards Unmet Need</b>
503	1 & 2	673 & 675-679 Morris Ave	2.19	25	11
3701	1, 2, & 4	350 Route 22 West; Christmas Tree Shops/Macy’s site	6.93	25	35
4001	2.315	955 S Springfield Ave; Existing office building in the PUD Zone	0.5	TBD	TBD





As detailed in the table above, the VLA calculated an RDP of 13 based on one “vacant and developable” property (Block 1701, Lot 4) and two “developed or pending approval” properties determined to generate an RDP (Block 505, Lot 1 and Block 810, Lot 10). As further explained in Section III of this HEFSP, the Fourth Round RDP of 13 is satisfied through 11 total affordable units to be generated from Block 505, Lot 1 and Block 810, Lot 10, as well as 5.5 redevelopment bonus credits from these two sites, totaling to 16.5 units creditable towards the RDP. Additionally, a minimum of 62 units of the Township’s Fourth Round unmet need of 245.5 (calculated by subtracting 16.5 RDP credits from the Township’s Fourth Round prospective need of 262) will be satisfied through a combination of 46 units generated from two sites within the Affordable Housing Overlay – 1 (AHO-1) Zone, as well as Block 4001, Lot 2.315. Through the 62 units generated from the aforementioned sites, the Township therefore satisfies the requirement that a municipality must “identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation” as part of conducting a VLA for the Fourth Round.

## **I. HOUSING, DEMOGRAPHIC AND EMPLOYMENT INFORMATION**

The following section analyzes housing, demographic, and employment data for Springfield to create an inventory of characteristics in the Township that directly apply to current and future housing demand in the Township and region.

### **1. Analysis of Population and Demographics**

The following tables analyze population trends in Springfield using data from the Decennial Census and the American Community Survey (ACS). Understanding population demographics within a target area enables communities to better plan for the needs of the people who live and work there. Additionally, comparing local demographic trends to those of the broader region offers valuable insight into the wider geographic context, helping to identify both current conditions and future opportunities at the local and regional levels.

#### *Population*

Table 1, which depicts the population change since 1930, shows that from 1930 through the 1970’s, the Township saw a significant increase in population. The numbers demonstrate that the population spiked mostly between the 1950s and 1960s, and subsequently the Township saw a slight decrease in population between 1970 and 1990. Since the 1990s, the Township of Springfield has experienced gradual increases in population.

Springfield’s largest increase in growth occurred during the 1950’s when the population increased two-fold by over 7,000 people in a decade. The Township’s dramatic growth was short-lived. During the 1960’s the population increased by a little over 1,000 people and then decreased by over 2,000 people during the next two decades. By 2000 the population was roughly 14,000, the same size it was roughly 40 years ago in 1960. In recent years, the Township’s population has increased steadily, surpassing the previous peak population of 15,740 set in 1970.



**Table 1: Population 1930-2020,  
Township of Springfield**

Year	Total Population	% Change
1930	3,725	-
1940	4,148	11.4%
1950	7,214	73.9%
1960	14,467	100.5%
1970	15,740	8.8%
1980	13,995	-11.3%
1990	13,420	-3.8%
2000	14,429	7.5%
2010	15,817	9.6%
2020	17,178	8.6%

Source: U.S. Bureau of the Census, 1930-2020 Decennial Censuses

Compared to Union on whole, the Township has experienced a slightly larger population growth rate from 1990 through 2020. Both the County and the Township saw modest increases in population during the 1990s, and mirrored subsequent similar minor increases during the 2000s and 2010s (Table 2).

**Table 2: Population 1990-2020  
Township of Springfield and Union County**

	Springfield	% Change	Union County	% Change
<b>1990</b>	13,420	-	493,819	-
<b>2000</b>	14,429	7.50%	522,541	5.80%
<b>2010</b>	15,817	9.60%	536,499	2.70%
<b>2020</b>	17,178	8.60%	575,345	7.20%

Source: U.S. Bureau of the Census, 1990-2020 Decennial Censuses

### Age Characteristics

Understanding the age make up of a community is important when planning for new housing, resources, and the future of the township as a whole. Looking at a further breakdown of population data by age and sex, it shows that the Township's population is concentrated in specific age cohorts. Table 3 to the right depicts that approximately 22% of the population is under the age of 20, while another nearly 35% is 30-55 years old. Another 27% are over the age of 60.

**Table 3: Population by Sex and Age 2020,  
Township of Springfield**

	All	Female	Male
<b>Total 2020 Population</b>	<b>17,178</b>	<b>8,159</b>	<b>9,019</b>
Under 5	969	489	480
5 to 9 years	982	487	495
10 to 14 years	1,005	526	479
15 to 19 years	883	457	426
20 to 24 years	811	412	399
25 to 29 years	945	478	467
30 to 34 years	1,177	553	624
35 to 39 years	1,227	580	647
40 to 44 years	1,179	556	623
45 to 49 years	1,072	530	542
50 to 54 years	1,164	525	639
55 to 59 years	1,197	585	612
60 to 64 years	1,243	564	679
65+	3,324	1,417	1,907
<b>Median age (years)</b>	<b>42.4</b>	<b>40.8</b>	<b>44.1</b>

Source: U.S. Bureau of the Census, 2020 Decennial Census





This breakdown suggests that while the Township is home to a considerable share of families with young children, there is a significant share of elderly adults.

Table 4 complements the data in Table 3 and compares it to that of Union County as a whole. The share of almost all age cohort in each period has largely remained constant across 2000, 2010, and 2020 for both Springfield Township and Union County. The township has consistently had a larger share of residents over the age of 65 than the Union County.

**Table 4: Population by Age 2000-2020,  
Township of Springfield and Union County**

Age	2000				2010				2020			
	Springfield Township		Union County		Springfield Township		Union County		Springfield Township		Union County	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Under 5</b>	864	6.0%	36,186	6.9%	950	6.0%	35,783	6.7%	969	5.6%	33,661	5.9%
<b>5 to 19</b>	2,173	15.1%	104,703	20.0%	2,632	16.6%	108,833	20.3%	2,870	16.7%	115,654	20.1%
<b>20 to 24</b>	401	2.8%	29,749	5.7%	651	4.1%	32,521	6.1%	811	4.7%	35,413	6.2%
<b>25 to 34</b>	2,175	15.1%	74,583	14.3%	1,974	12.5%	69,279	12.9%	2,122	12.4%	73,519	12.8%
<b>35 to 44</b>	2,265	15.7%	90,871	17.4%	2,200	13.9%	78,418	14.6%	2,406	14.0%	79,963	13.9%
<b>45 to 54</b>	2,044	14.2%	69,358	13.3%	2,499	15.8%	83,409	15.5%	2,236	13.0%	79,764	13.9%
<b>55 to 64</b>	1,503	10.4%	44,965	8.6%	2,142	13.5%	60,495	11.3%	2,440	14.2%	75,226	13.1%
<b>65 &amp; Over</b>	3,004	20.8%	72,126	13.8%	2,769	17.5%	67,761	12.6%	3,324	19.4%	82,145	14.3%
<b>Total</b>	14,429	100.0%	522,541	100.0%	15,817	100.0%	536,499	100.0%	17,178	100.0%	575,345	100.0%

Source: U.S. Census, 2000, 2010, and 2020.

### *Race and Ethnicity*

Table 5 shows the racial breakdown of the population according to responses from the 2020 Decennial Census. Nearly 90% of the population responded as “One Race,” with 67% responding as white. Just over 9% of Springfield residents identify as Asian and just under 9% identify as Black or African American.

An additional 10% of respondents identified as “Two or More Races,” with the largest subgroup in that category being “White; Some Other Race”.

Approximately 13% of the Township identifies as Hispanic or Latino.



<b>Table 5: Population by Race, 2020 Township of Springfield, NJ</b>		
	<b>#</b>	<b>%</b>
<b>One Race</b>	15,405	89.7
White	11,511	67
Black or African American	1,537	8.9
American Indian/Alaska Native	32	0.2
Asian	1,559	9.1
Native Hawaiian/Other Pacific Islander	3	0
Some Other Race	763	4.4
<b>Two Races</b>	1,697	9.9
White; Black or African American	121	0.7
White; American Indian and Alaska Native	37	0.2
White; Asian	180	1
White; Native Hawaiian and Other Pacific Islander	2	0
White; Some Other Race	1,241	7.2
Black or African American; Some Other Race	82	0.5
American Indian/Alaska Native; Some Other Race	17	0.1
Asian; Some Other Race	17	0.1
<b>Three or More Races</b>	76	0.4
	<b>17,178</b>	<b>100</b>
<i>Source: U.S. Census, 2020</i>		

### Household Size and Characteristics

In addition to population demographics, household size in relation to the population helps to characterize the Township. Using Decennial Census data from 2000-2020, Table 6 below shows that the average household size in Springfield increased from 2.4 to 2.63 from 2000 to 2010 and then decreased slightly to 2.51 in 2020. From 2000 to 2020, the number of households in Springfield increased at a faster rate than the number of occupied housing units; relatedly, the township saw an increase in the average household size. Union County saw a slight increase in the average household size from 2.71 in 2000 to 2.8 in 2020. Similar to Springfield, Union County as a whole experienced an increase in both household population and occupied housing units from 2000 through 2020.

<b>Table 6: Households And Population 2000-2020, Township of Springfield and Union County</b>									
	<b>2000</b>			<b>2010</b>			<b>2020</b>		
	<b>HH Population</b>	<b>Occupied Housing Units</b>	<b>Avg HH Size</b>	<b>HH Population</b>	<b>Occupied Housing Units</b>	<b>Avg HH Size</b>	<b>HH Population</b>	<b>Occupied Housing Units</b>	<b>Avg HH Size</b>
<b>Springfield</b>	14,417	6,001	2.4	15,817	6,511	2.63	17,154	6,820	2.51
<b>Union County</b>	514,733	186,124	2.71	536,499	188,118	2.82	569,791	200,372	2.8
<i>Source: U.S. Census, 2020</i>									



The most common household type in Springfield is 2 person households sizes in occupied housing units was highest for 2 persons in Springfield, accounting for nearly 35% of all households (Table 7). The next most common household size was 4 or more person households, which accounts for roughly one quarter of all households in the Township.

<b>Table 7: Household Size, 2018-2022 ACS Township of Springfield</b>		
<b>Household Size</b>	<b>Number of Households</b>	<b>Percent</b>
<b>1 Person</b>	1,481	22.4
<b>2 Persons</b>	2,299	34.8
<b>3 Persons</b>	1,183	17.9
<b>4 Persons or More</b>	1,647	24.9
<b>Total Occupied Housing Units</b>	6,610	100
<i>Source: 2018-2022, American Community Survey 5-Year Estimates</i>		

The American Community Survey was utilized to evaluate Springfield income characteristics compared to Union County as a whole. Table 8 demonstrates that the per capita income and the median household income in Springfield, \$63,061 and \$141,759 are both higher than the County's of \$49,666 and \$95,000.

In addition to a higher per capita income, fewer Springfield residents are living below the poverty level. Based on the 2018-2022 American Community Survey (Table 8) 4.5% of Springfield residents compared to 8.9% Union County residents are living below the poverty level.

<b>Table 8: Income Characteristics – 2018-2022 ACS, Township of Springfield and Union County</b>			
	<b>Township Of Springfield</b>	<b>Union County</b>	<b>State of New Jersey</b>
<b>Median Household Income</b>	\$141,759	\$95,000	\$97,126
<b>Median Family Income</b>	\$169,036	\$115,612	\$119,240
<b>Per Capita Income</b>	\$63,061	\$49,666	\$50,995
<b>Percent of Persons Below Poverty Level</b>	4.5%	8.9%	9.7%
<i>Source: Selected Economic Characteristics, 2018-2022 American Community Survey 5-Year Estimates</i>			

The regional income limits in Table 9 were produced by the Affordable Housing Professionals of New Jersey in 2025 in accordance with UHAC. The table shows the very low income, low income, and moderate-income thresholds for Union County for each household size. Specific rows are for calculating the pricing for one and three-bedroom sale and rental units per N.J.A.C. 5:80-26.4.



## Springfield Housing Element and Fair Share Housing Plan

<b>Table 9: Affordable Housing Professionals of New Jersey 2025, UHAC Affordable Housing Regional Income Limits Union County, New Jersey</b>			
<b>Household Size</b>	<b>Moderate Income</b>	<b>Low Income</b>	<b>Very Low Income</b>
<b>1 Person</b>	\$75,840	\$47,400	\$28,400
<b>1.5 Persons*</b>	\$81,240	\$50,775	\$30,465
<b>2 Persons</b>	\$86,640	\$54,150	\$32,490
<b>3 Persons</b>	\$97,440	\$60,900	\$36,540
<b>4 Persons</b>	\$108,240	\$67,650	\$40,590
<b>4.5 Persons*</b>	\$112,600	\$70,375	\$42,225
<b>5 Persons</b>	\$116,960	\$73,100	\$43,860
<b>6 Persons</b>	\$125,600	\$78,500	\$47,100
<b>7 Persons</b>	\$134,240	\$83,900	\$50,340
<b>8 Persons</b>	\$142,880	\$89,300	\$53,580
<i>Source: Affordable Housing Professionals of New Jersey</i>			
<i>* These are for calculating the pricing for one and three-bedroom sale and rental units per N.J.A.C. 5:80-26.4</i>			

## 2. Analysis of Housing Characteristics

### Age of Housing

Springfield is a substantially developed community. Population spikes from the 1950s to 1970 were caused by a large increase in the number of houses being built from 1950 to 1969. During this post-war construction boom, over 3,300 homes or nearly 50% of the Township's housing stock was built. Construction rates dramatically decreased after 1970, with a few hundred homes being built every decade until 2020. Except for a dip in population during the 1980s and 1990s, the population continued to grow. This population growth from 1990 through 2020 occurred in conjunction with the construction of 1,470 homes during that same period. Both Springfield Township and Union County have a similarly aged housing stock, with Union County having a slightly older housing stock due to their high proportion of homes built before 1940.

<b>Table 10: Age of Housing – 2018-2022 ACS, Township of Springfield and Union County</b>				
<b>Year Housing Unit Built</b>	<b>Township of Springfield</b>		<b>Union County</b>	
	<b>Number of Units</b>	<b>Percent</b>	<b>Number of Units</b>	<b>Percent</b>
<b>2020 or later</b>	0	0%	810	0.4%
<b>2010 to 2019</b>	302	4.4%	9,060	4.3%
<b>2000 to 2009</b>	655	9.4%	11,802	5.6%
<b>1990 to 1999</b>	513	7.4%	9,063	4.3%
<b>1980 to 1989</b>	544	7.8%	11,015	5.2%
<b>1970 to 1979</b>	377	5.4%	17,280	8.2%
<b>1960 to 1969</b>	1,255	18.1%	26,876	12.8%
<b>1950 to 1959</b>	2,081	30.0%	46,692	22.2%
<b>1940 to 1949</b>	625	9.0%	27,159	12.9%
<b>1939 and before</b>	590	8.5%	50,171	23.9%
<b>Total</b>	<b>6,942</b>	<b>100</b>	<b>209,928</b>	<b>100</b>
<i>Note: Figures may not add due to rounding</i>				
<i>Source: 2018-2022 American Community Survey 5-Year Estimates</i>				



The number of residential building permits since the 1990s has increased considerably. Contrary to what is suggested by the Census data in Table 10 above, residential development has only increased since the 1990's, despite major shocks to the housing industry during the great recession. From 2010 to 2019, over 800 residential building permits were issued. From 2020-August 2024, over 600 permits were issued, suggesting that Springfield is on track to issue even more permits this decade than the last. This data highlights the development pressures due to population growth and increasingly profitable housing markets that is being parallel in numerous Townships across New Jersey.

<b>Table 11: Residential Building Permits, 1990-2024 Township of Springfield</b>	
<b>Year</b>	<b>Residential Building Permits</b>
1990 to 1999	260
2000 to 2009	519
2010 to 2019	807
2020	3
2021	23
2022	482
2023	0
2024 (YTD)*	134
<i>Source: New Jersey Department of Labor and Workforce Development</i>	
<i>*As of August, 2024</i>	

Table 12 shows the housing size by the number of rooms and compares Springfield to Union County as a whole. In general, Springfield has a larger number of houses with more numerous rooms, with 32.1% of housing having 6 or more rooms, compared to 23.8% in Union County. However, housing size distribution is generally similar across Springfield Township and Union County.

<b>Table 12: Housing Size by Number of Rooms - 2018-2022 ACS, Township of Springfield and Union County</b>				
<b>Number Of Rooms</b>	<b>Township of Springfield</b>		<b>Union County</b>	
	<b>Number Of Units</b>	<b>Percent</b>	<b>Number Of Units</b>	<b>Percent</b>
1 Room	142	2.1%	6,401	3.2%
2 or 3 Rooms	819	12.4%	26,314	13.2%
4 or 5 Rooms	1,753	26.5%	63,545	31.8%
6 or 7 Rooms	1,775	26.9%	56,081	28.0%
8 or more Rooms	2,121	32.1%	47,655	23.8%
<b>Total</b>	<b>6,610</b>	<b>100%</b>	<b>199,996</b>	<b>100%</b>
<i>Source: 2018-2022 American Community Survey 5-Year Estimates</i>				
<i>Note: Percentages May Not Add Due To Rounding</i>				



The majority of housing in Springfield is owner-occupied. Roughly 37% of housing in Springfield is renter-occupied. The total vacancy rate in the Township is 4%, based on the 2020 Census which reported that 285 units were vacant out of 6,820 total units.

Table 14 shows the value of owner-occupied housing reported by the 2018-2022 American Community Survey. Based on the data provided, the majority of the housing in Springfield, 58.6%, is valued between \$500,000 and \$999,999. The next most common bracket for housing value is \$300,000 to \$499,999 – at 34%, meaning that 92.6% of the housing in Springfield is valued between \$300,000 and \$999,999. Home values across Union County are slightly lower, with 38.8% of homes falling into the \$300,000 and \$499,999 category and 34.8% of homes in the \$500,000 to \$999,999 category. Both Springfield and Union County have very few lower cost homes, with only 1.7% of homes being valued at under \$200,000 in Springfield and 6% across Union County.

<b>Table 13: Tenure and Housing Vacancy Rates, 2020 Township of Springfield</b>			
	<b>Total</b>	<b>Owner Occupied</b>	<b>Renter Occupied</b>
<b>Total Housing Units</b>	6,820	4,282	2,538
<b>Vacant Units</b>	285		
<b>Vacancy Rate</b>	4	1.1	4.6
<b>Source: Source: U.S. Census, 2020</b> (1) Includes all vacant units, including those rented or sold but not occupied, seasonal recreational and occasional use units, and "other" vacant units. (2) Includes units available for sale only (3) Includes units available for rent.			

<b>Table 14: Value of Owner-Occupied Housing, 2018-2022 ACS Township of Springfield and Union County</b>				
<b>Housing Value</b>	<b>Township of Springfield</b>		<b>Union County</b>	
	<b>Number of Units</b>	<b>Percent</b>	<b>Number Of Units</b>	<b>Percent</b>
<b>Under \$50,000</b>	31	0.8%	2,350	2.0%
<b>\$50,000 to \$99,999</b>	0	0.0%	497	0.4%
<b>\$100,000 to \$149,999</b>	20	0.5%	1,257	1.1%
<b>\$150,000 to \$199,999</b>	15	0.4%	2,909	2.5%
<b>\$200,000 to \$299,999</b>	192	4.7%	15,320	13.3%
<b>\$300,000 to \$499,999</b>	1,389	34.0%	44,755	38.8%
<b>\$500,000 to \$999,999</b>	2,391	58.6%	40,102	34.8%
<b>\$1,000,000 or more</b>	44	1.1%	8,141	7.1%
<b>Total</b>	4,082	100.0%	115,331	100.0%
<b>Note: Figures may not sum due to rounding.</b> <b>Source: Value of Owner-occupied housing units, 2018-2022 American Community Survey 5-Year Estimates</b>				



The majority of rental units in Springfield, approximately 61%, have monthly rents between \$1,500 to \$2,499. Higher rental brackets make up a significant portion of the total rental units, with units that cost over \$2,500 accounting for over 18% of total rental units. While 4.9% responded with “less than \$500”, this reporting may be family contributions or informal rent situations, considering that the other 92.9% of rental housing was estimated to be \$1,000 or more.

<b>Table 15: Rent Levels, 2018-2022 ACS Township of Springfield</b>		
<b>Rent</b>	<b>Number of Units</b>	<b>Percent</b>
<b>Less than \$500</b>	125	4.9%
<b>\$500 to \$999</b>	12	0.5%
<b>\$1,000 to \$1,499</b>	328	13.0%
<b>\$1,500 to \$1,999</b>	870	34.4%
<b>\$2,000 to \$2,499</b>	673	26.6%
<b>\$2,500 to 2,999</b>	269	10.6%
<b>\$3,000 or more</b>	209	8.3%
<b>No cash rent</b>	42	1.7%
<b>Total</b>	<b>2,528</b>	<b>100%</b>
<i>Source: Contract Rent for Renter-occupied housing units, 2018-2022 American Community Survey 5-Year Estimates</i>		

### 3. Analysis of Employment Characteristics

Economic data regarding Springfield, retrieved from the American Community Survey, reports that the estimated Median Household Income in 2022 was \$141,749 an increase of 60% from 2012 (Table 16). This is a considerable jump from the 26% increase and 30% increase seen in home values and rental costs, respectively. This dramatic increase in household incomes, as compared with the cost of housing may suggest that new wealthy households have moved into the area, rather than an increase in the household income of existing residents.

<b>Table 16: Economic Data Township of Springfield</b>	
<b>Description</b>	<b>Amount</b>
<b>Estimated Median Household Income in 2022</b>	\$141,759
<b>Estimated Median Household Income in 2012</b>	\$88,395
<b>% Change</b>	60%
<b>Median Home Value 2022</b>	\$552,400
<b>Median Home Value 2012</b>	\$437,700
<b>% Change</b>	26%
<b>Median Rent 2022</b>	\$2,089
<b>Median Rent 2012</b>	\$1,603
<b>% Change</b>	30%
<i>Source: Selected Housing Characteristics and, Income in the Past 12 Months, 2018-2022 American Community Survey 5-Year Estimates</i>	

Based on the “Major Employers List” prepared for the Union County Board of Chosen Freeholders by the Union County Economic Development Corporation, there are ten major employers within Springfield, the largest of whom are: the Springfield/Fanwood Board of Education, Connections Personnel, Inc., the YMCA, and the JCC of Central New Jersey. Table 17 depicts entities who employ over 100 people and it is not reflective of all of the businesses and employers within the





Township. However, this table does indicate that Springfield has a variety of employment opportunities within its borders.

<b>Table 17: Township of Springfield, Major Employers</b>			
<b>Employer</b>	<b>Address</b>	<b>Business</b>	<b>No. of Employees</b>
<b>Baltusrol Upper Golf Course</b>	201 Shunpike Rd	Golf Course & Club	500 to 999
<b>Autoland Chrysler Jeep Dodge</b>	170 US Highway 22 E	Car Dealership	400 to 499
<b>Valcor Engineering Corp.</b>	2 Lawrence Rd	Manufacturing	200 to 299
<b>Springfield Board of Education</b>	139 Mountain Ave	Education	200 to 299
<b>Township of Springfield</b>	100 Mountain Ave	Municipal Government	100 to 199
<b>Shoprite of Springfield</b>	727 Morris Tpke	Grocery Store	100 to 199
<b>MLB Residential Lending</b>	51 Commerce St #101	Mortgage Banking	100 to 199
<b>LVMH Watch and Jewelry USA</b>	966 Springfield Ave	Luxury Good Sales	100 to 199
<b>Lors Photography Inc</b>	20 Hillside Ave	Photography Studio	100 to 199
<b>Arc of Union County</b>	54 Fadem Rd	Disability Services	100 to 199
<i>Source: "Major Employers List" Prepared for Union County Board of Chosen Freeholders by Union County Economic Development Corporation, 2022 and August 2023</i>			

The Township of Springfield is highly educated, with nearly two-thirds of residents over the age of 25 attaining a bachelor's degree or higher, and almost 25% having a graduate or professional degree. The average commute time is 28 minutes, indicating that many of the resident's commute to work elsewhere.

Table 19 shows the most common industries and occupations for residents broken down by gender. In general, 17% of males in Springfield are employed in the Professional, Scientific, and Technical Services industry; the next largest industry is Manufacturing at 11%. On the other hand, 20% of women are employed in educational services, while their second largest industry is Health Care at 15%.

<b>Table 18: Education and Employment Data for Springfield</b>	
<b>For population 25 years and over</b>	
<b>High school or Higher</b>	94.6%
<b>Bachelor's Degree or Higher</b>	65.1%
<b>Graduate or Professional Degree</b>	24.0%
<b>Unemployed</b>	4.8%
<b>Mean Travel Time to Work (Commute)</b>	28.0 min.
<i>Source: Educational Attainment/Selected Economic Characteristics 2018-2022 American Community Survey 5-Year Estimates.</i>	

<b>Table 19: Most Common Industries and Occupations by Sex Township of Springfield</b>	
<b>Most Common Industries for Males 2022</b>	
Professional, scientific, and technical services	17%
Manufacturing	11%
Construction	10%
Health care and social assistance	9%
Finance and insurance	9%
Transportation and warehousing	7%





Retail trade	6%
<b>Most Common Industries for Females 2022</b>	
Educational services	20%
Health care and social assistance	15%
Finance and insurance	14%
Professional, scientific, and technical services	12%
Retail trade	7%
Public administration	6%
Other services, except public administration	5%
<b>Most Common Occupations for Males 2022</b>	
Management Occupations	15%
Sales And Related Occupations	13%
Business And Financial Operations Occupations	10%
Office And Administrative Support Occupations	7%
Construction and Extraction Occupations	7%
Educational Instruction, and Library Occupations	6%
Transportation Occupations	5%
<b>Most Common Occupations for Females 2022</b>	
Educational Instruction, and Library Occupations	19%
Office and Administrative Support Occupations	17%
Business and Financial Operations Occupations	10%
Health Diagnosing and Treating Practitioners and Other Technical Occupations	10%
Management Occupations	9%
Sales And Related Occupations	6%
Personal Care and Service Occupations	6%
<p><i>Source: Selected Economic Characteristics, Occupation by Sex for the Civilian Employed Population 16 Years and Over, and Industry by Sex for the Civilian Employed Population 16 Years and Over American Community Survey 2018-2022</i></p>	



### Commuting Characteristics

<b>Table 20: Commuting Characteristics Township of Springfield</b>	
<b>Place of Work</b>	<b>Estimates</b>
Worked in State	92.9%
Worked in County of residence	57.7%
Worked outside County of residence	35.2%
Worked outside State of residence	7.1%
<b>Travel Time to Work</b>	<b>Estimates</b>
Less than 10 minutes	10.6%
10 to 14 minutes	10.0%
15 to 19 minutes	16.6%
20 to 24 minutes	18.3%
25 to 29 minutes	5.9%
30 to 34 minutes	12.4%
35 to 44 minutes	9.2%
45 to 59 minutes	6.9%
60 or more minutes	10.1%
<b>Mean travel time to work</b>	<b>28.0 minutes</b>
<i>Source: 2022 American Community Survey 5- Year Estimates</i>	

Commuting data provides more information on the workers in Springfield regarding the necessity of a car or public transportation and how isolated Springfield is from employment opportunities. As shown in Table 20, 92.9% of the workers in Springfield work in the New Jersey, while a lower percentage, but still a majority (57.7%), work within Union County. This shows that employment opportunities are available and accessible close to Springfield residents. Also, this fact is reflected in the travel time to work for Springfield workers, as 55.5% of Springfield's population travel less than 25 minutes to work.

### Population and Employment Projections

<b>Table 21: 2015-2045 Population Projection, Township of Springfield</b>			
<b>Year</b>	<b>Population</b>	<b>Change (#)</b>	<b>Percent Change (annual)</b>
2015	16,241	-	-
2045	19,110	2,869	0.5%
<i>Source: NJPTA Employment Forecast by County and Municipality, 2015-2045</i>			

Every four years, the North Jersey Transportation Planning Authority ("NJTPA") conducts regional forecasts for population, households and employment as part of updating its long range transportation plan. The latest set of formal forecasts was released in 2021. Per these forecasts, which are detailed in Table 21 and Table 22, neither population nor employment is predicted to increase significantly in the Township between 2015 and 2045. Population is only predicted to increase by 2,869 people from 2015 to 2045, which is a 0.5% annual change, and employment is predicted to increase by 898 from 2015 to 2045, which is a 0.3% annual change

<b>Table 22: 2015-2045 Employment Projection, Township of Springfield</b>			
<b>Year</b>	<b>Population</b>	<b>Change (#)</b>	<b>Percent Change (annual)</b>
2015	10,736	-	-
2045	11,634	898	0.3%
<i>Source: NJPTA Employment Forecast by County and Municipality, 2015-2045</i>			

### 3. Projection of Township Housing Stock

As per the MLUL, specifically, N.J.S.A. 52:27D-310.b, a housing element must contain a projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands



The Department of Community Affairs' Division of Codes and Standards website provides data on Certificates of Occupancy and demolition permits for both residential and non-residential development. Within the Division of Codes and Standards website is the New Jersey Construction Reporter, which contains building permit, certificate of occupancy and demolition data that is submitted by the municipal construction officials within the State each month.

Table 23 presents data on certificates of occupancy and demolition permits issued in the Township between 2013 and 2023, as reported by the New Jersey Department of Community Affairs. Over this period, the number of certificates of occupancy issued significantly exceeded the number of demolition permits, indicating that residential development has been occurring at a substantially higher rate than demolition. A net gain of 74 units were built over the ten-year period of 2013-2023, which averages to approximately 7 housing units per year.

<b>Table 23: Historic Trend of Certificates of Occupancy and Demolition Permits, Township of Springfield, as Provided by the Department of Community Affairs</b>												
Type	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total
CO	30	8	2	13	12	7	6	4	3	4	13	102
Demo	0	1	2	11	10	0	0	1	2	1	0	28
Net	30	7	0	2	2	7	6	3	1	3	13	74
Source: Department of Community Affairs												

Table 24 below projects 10 years out for residential development between the present and 2035. The projected development includes an extrapolation of the historic trend of residential certificates of occupancy, which is based on an average of 7 housing units constructed in the Township per year over the last 10 years, and anticipated development through the projects in this Plan. Based on the data below, the Township anticipates 139 new residential units between now and the end of 2035. Table 24 provides a loose approximation of the timing of residential development based upon this Plan intended to depict that units will be constructed over time in the next 10 years and is no way an exact prediction.

<b>Table 24: 10-Year Projection of Residential Development Township of Springfield</b>												
Type	July 1, 2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	June 30, 2035	Total
1. Projected Historic Trends	4	7	7	7	7	7	7	7	7	7	4	71
2. Other Projected Development	--	--	--	--	--	--	68	--	--	--	--	68
597 Morris Avenue (Block 505, Lot 1)	--	--	--	--	--	--	38	--	--	--	--	38
175 Morris Avenue (Block 810, Lot 10)	--	--	--	--	--	--	30	--	--	--	--	30
Total Projected Residential Development	4	7	7	7	7	7	75	7	7	7	4	139



Of the 139 projected new residences in the Township between 2025 and 2035, 7.9% of the units are anticipated to be reserved for low- and moderate-income households (see Table 25).

<b>Table 25: Projection of Affordable Units Township of Springfield</b>												
<b>Type</b>	<i>July 1, 2025</i>	<i>2026</i>	<i>2027</i>	<i>2028</i>	<i>2029</i>	<i>2030</i>	<i>2031</i>	<i>2032</i>	<i>2033</i>	<i>2034</i>	<i>June 30, 2035</i>	<b>Total</b>
<b>1. Approved New Residential Development Permits Issued</b>	--	--	--	--	--	--	--	--	--	--	--	<b>0</b>
<b>2. Other Projected Development</b>	--	--	--	--	--	--	11	--	--	--	--	<b>11</b>
<b>597 Morris Avenue (Block 505, Lot 1)</b>	--	--	--	--	--	--	6	--	--	--	--	<b>6</b>
<b>175 Morris Avenue (Block 810, Lot 10)</b>	--	--	--	--	--	--	5	--	--	--	--	<b>5</b>
<b>Total Projected Development</b>	--	--	--	--	--	--	11	--	--	--	--	<b>11</b>

## **5. A Consideration of Lands of Developers Who Have Expressed a Commitment to Provide Affordable Housing**

Pursuant to N.J.S.A. 52:27D-310.f and the N.J.S.A. 40:55D-28b(3), a Housing Element must include “a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.” Thus, it is the Township’s responsibility to consider sites offered for affordable housing. However, the Township does not have an obligation to include every parcel a developer has proposed. In this case, all developers who expressed interest in the provision of affordable housing in the Township for the Fourth Round have been included in the Plan.

## **6. Consistency with State Plan and Redevelopment Plan**

Pursuant to N.J.S.A. 52:27D-310.i and N.J.S.A. 40:55D-28b(3), a Housing Element must include “an analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.” Per the existing State Development and Redevelopment Plan (SDRP), which was adopted in 2001, the Township of Springfield is located in the Metropolitan Planning Area (PA1). As stated in the 2001 SDRP, the State Plan’s intention in PA1 is to “provide for much of the state’s future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the character of existing stable communities.” The SDRP further elaborates that “these goals will be met



by strategies to upgrade or replace aging infrastructure; retain and expand employment opportunities; upgrade and expand housing to attract a balanced residential population; restore or stabilize a threatened environmental base through brownfields redevelopment and metropolitan park and greenway enhancement; and manage traffic effectively and create greater opportunities for public transportation connections within the Metropolitan Planning Area and between the Metropolitan Planning Area, suburban employment centers, and the Philadelphia and New York areas."

On December 4, 2024, the State Planning Commission approved the updated Preliminary State Development and Redevelopment Plan. Per the Preliminary SDRP, the Township of Springfield remains in Metropolitan Planning Area (PA1). The Preliminary SDRP provides that the intent of the Metropolitan Planning Area is to "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; redesign and revitalize auto oriented areas; protect and enhance the character of existing stable communities." Given that the final updated SDRP is not expected to be adopted until late Fall 2025, the consistency of the Township's Fourth Round Housing Element with the State Development and Redevelopment Plan is evaluated based on the 2001 SDRP.

Redevelopment has been used as a primary tool for housing development in Springfield over the last decade, which is reflected in the inclusionary projects completed and/or approved during the Third Round and is a core objective of the existing SDRP and Preliminary SDRP for PA1. During the Third Round period, over 500 residential units of have been are under construction and/or completed through the implementation inclusionary redevelopment projects (specifically the Gomes project, the Blacks Lane & Church Mall Redevelopment, and the Saks Redevelopment/Metropolitan) stimulated by the Township's Third Round HEFSP. These redevelopment efforts have brought an influx of residential development to the Township's urban core and improved walkability and infrastructure, which is consistent with providing "future growth in compact development and redevelopment" as envisioned by the SDRP. The Township is continuing to promote redevelopment as a tool for the provision of affordable housing units as part of its compliance with its Fourth Round affordable housing obligations. The Township evaluates the viability of all planned and prospective affordable housing sites with respect to utility access, environmental impacts, and traffic/circulation. The projects contemplated for compliance towards the Township's Fourth Round affordable housing obligation are further evaluated in this Housing Element and Fair Share Plan.

## **7. Preserving Multigenerational Continuity**

As required by N.J.S.A 52:27D-310, a municipality's housing element shall contain 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)." The Multigenerational Family Housing Commission was established in 2021 and is responsible for preparing and adopting "recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens



to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas." The Commission also must "report annually to the Governor and to each house of the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), its activities, as well as its findings and recommendations, if any, for State and local government."

The Township will consider additional mechanisms to advance the goal of preserving multigenerational family continuity and will evaluate any report issued by the Commission when released.

### III. TOWNSHIP OF SPRINGFIELD FOURTH ROUND FAIR SHARE PLAN

#### A. SATISFACTION OF COMPLIANCE MECHANISMS PRIOR TO THE FOURTH ROUND

##### Compliance with Fourth Round Deadlines

The amended FHA establishes several deadlines prior to the commencement of the Fourth Round on July 1, 2025, as well as deadlines after the plan is filed with the Program for approval. This section details the Township's compliance with the deadlines mandated by the amended FHA leading up to the preparation of this Housing Element and Fair Share Plan.

- **June 18, 2024:** Deadline for the municipality to submit to the DCA a detailed accounting of all nonresidential development fees collected and expended since it was authorized to collect such fees. This deadline was retroactively moved to coincide with the September 16, 2024 unit and program monitoring report deadline. The Township formally submitted an affordable housing trust fund report inclusive of all residential and non-residential fees through December 31, 2023 to DCA Commissioner Jacquelyn A. Suarez on September 16, 2024 (see *Appendix M*).
- **September 16, 2024:** Deadline for the municipality to submit to the DCA a detailed accounting of all residential development fees collected and expended since it was authorized to collect such fees. Starting in September 2024, the DCA released a new Affordable Housing Monitoring System (AHMS) as required by A4/S50 for all municipalities to record and report all affordable housing trust fund and unit monitoring activity. The Township formally submitted all affordable housing trust fund activity to date on the new online Affordable Housing Monitoring System (AHMS) on September 16, 2024 (see *Appendix N*).
- **September 16, 2024:** Deadline for the municipality to submit a unit and program monitoring report to the DCA. The Township formally submitted all affordable housing project and unit monitoring data to date on the new online Affordable Housing Monitoring System (AHMS) on September 16, 2024 (see *Appendix O*).
- **October 20, 2024:** Deadline for DCA to prepare and submit a report on the calculation of regional need and municipal obligations for each region. The DCA released a report titled "Affordable Housing Obligations for 2023-20235 (Fourth Round) Methodology and Background" on October 18, 2024.



- **January 31, 2025:** Deadline for a municipality to adopt its fair share obligation numbers via binding resolution, which will either accept the DCA numbers, or describe why the numbers should be adjusted and what those adjusted numbers should be. The Township adopted a binding resolution on January 28, 2025, along with an attached expert report, that accepted the DCA's Fourth Round Present Need number of 53, but lowered the Fourth Round Prospective Need number to 239 (see *Appendix A*).
- **48 hours following adoption of the resolution:** Deadline for a municipality to file an action with the Program regarding the adopted resolution and committing to its fair share numbers. The resolution must be published on the municipal website. The Township filed a Fourth Round Declaratory Judgment Complaint on January 29, 2025 (see *Appendix B*) and the resolution was published on the Township's website.
- **February 15, 2025:** Deadline for the municipality to submit to the DCA a detailed accounting of all nonresidential and residential development fees collected and expended from the previous year and a municipal status report of unit and program monitoring data from the previous year. The Township formally submitted and confirmed all affordable housing trust fund activity through December 31, 2024 on the AHMS on February 5, 2025, and the Township formally submitted and confirmed all affordable housing project and unit monitoring data through December 31, 2024 on the AHMS on February 14, 2025 (see *Appendix P*).
- **February 28, 2025:** Deadline for an interested party to challenge a municipality's adopted numbers. On February 27, 2025, New Jersey Builders Association ("NJBA") filed an objection with the Court of the Township's Fourth Round prospective need obligation adopted by Resolution No. 2025-59, declaring that the Court establish the Township's Fourth Round prospective need obligation as 284 as calculated by the Department of Community Affairs ("DCA").
- **March 1, 2025:** If no challenges, the Township's numbers are established by default and immunity from exclusionary zoning litigation remains in effect.
- **March 31, 2025:** Deadline for the Program to settle challenges to a municipality's fair share obligation numbers. The Program must issue a decision on any challenges to the municipality's fair share obligation by (i) making a finding that the municipality's determination of its present and prospective need obligation did not facially comply with the law and revoking the municipality's immunity, (ii) making an adjustment to the municipality's determination to comply with the law without revoking immunity or (iii) rejecting the challenge and affirming the municipality's determination of its fair share obligation. The Township and NJBA reached a settlement establishing a Fourth Round Present Need Obligation of 53 and a Fourth Round Prospective Need Obligation of 262 for the Township of Springfield for the Fourth Round. The settlement was placed on the record before the Program on March 31, 2025, and the Program Member provided a report, dated April 1, 2025, recommending that the Court accept the settlement. The Township Council adopted a resolution on April 8, 2025 (see *Appendix D*) accepting and confirming the settlement and authorizing the execution of a Mediation Agreement with NJBA; said Mediation Agreement was subsequently finalized and entered on April 8, 2025 (see *Appendix D*) and was submitted to the Program and the Court, along with the approving resolution, for review. The Court memorialized the Township's Fourth Round





Present Need Obligation of 53 and a Fourth Round Prospective Need Obligation of 262 via an Order dated April 14, 2025 (see *Appendix E*).

- June 30, 2025:** Deadline to adopt and endorse a Housing Element and Fair Share Plan and propose drafts of the appropriate zoning and other ordinances and resolutions implementing the municipality's present and prospective obligation. This Fourth Round Housing Element and Fair Share Plan, inclusive of all ensuing attachments and appendices, has been prepared for review and adoption by the Township Planning Board, endorsement by the Township Council, and submission to the Program and the Court for review and approval prior to the June 30, 2025 deadline.
- June 30, 2025 or 48 hours following the Plan's adoption (whichever is sooner):** Deadline for the municipality to file the Housing Element and Fair Share Plan and drafts of resolutions and ordinances to implement its present and prospective obligation with the Program. The Plan and appropriate resolutions and ordinances must be posted on the municipal website. This Plan will be filed with the Program and the Court by June 30, 2025.

#### **Fair Share Obligations Prior to the Fourth Round**

The Township reached a Settlement with Fair Share Housing Center on June 24, 2016 which established the Township's affordable housing obligations as follows:

<b>Table D: Springfield's Third Round Obligations</b>	
Rehabilitation Obligation:	15
Prior Round Obligation (1987-1999):	135
Third Round Obligation (1999-2025)*:	410

#### **Satisfaction of Third Round Rehabilitation Obligation**

The Settlement Agreement found that the rehabilitation share of 15 units was met by continued participation in the Union County Home Improvement Program, which is available to low and moderate income owner-occupied one and two family homes. The Program funds repairs to major elements of the homes such as replacement or repair of substandard heating, electrical and plumbing systems, structural repairs, repairs to correct code violations, energy saving measures and other improvements to upgrade the home to standard conditions. During the Third Round period, the Program was administered by Development Directions LLC. At the time of the preparation of this Plan, the Township has rehabilitated 3 units, with the remaining 12 units to be completed by 2025.

#### **Satisfaction of Prior Round Obligation**

Per the Township's Third Round Settlement Agreement, the Township was assigned a 135-unit Prior Round Obligation. Satisfaction of the Township's Prior Round obligation was approved as part of the Township's final JOR issued on June 23, 2017.





## 1. Prior Round Rental Obligation

Under the COAH rules applicable to the Township's Prior Round obligation, the Township's Prior Round rental obligation was 25% of 135, or 34 units. The Township has applied a total of 93 creditable rental units to the Prior Round to satisfy its minimum 32-unit rental obligation.

## 2. Prior Round Age-Restricted Cap

Under the COAH rules applicable to the Township's Prior Round obligation, a total of 25% of the new construction obligation for the Prior Round may be satisfied with age-restricted housing. Based upon this, a maximum of 34 age-restricted housing units were permitted to be credited against the Township's Prior Round obligation. The Township credited a total of 8 age-restricted units to its Prior Round obligation from Spring Mill Manor, therefore complying with the 25% maximum age-restricted cap.

## 3. Prior Round Rental Bonus Credits

In accordance with N.J.A.C. 5:93-5.15(d), as part of the Township's Prior Round crediting, the Township was entitled to a maximum of 34 rental bonus credits generated from the projects listed in Table E below based on its 135-unit Prior Round obligation.

## 4. Very Low-Income Monitoring

Pursuant to the 2008 amendments to the FHA at N.J.S.A. 52:27D-329.1, municipalities must ensure that 13% of all affordable units proposed, approved and constructed after July 17, 2008 are affordable to very low-income households at 30% of the regional median income. 15 very-low income units were created from projects used towards the Prior Round.

## 5. Satisfaction of Prior Round Obligation

The Township satisfies its 135-unit Prior Round obligation as follows:

Table E: Prior Round Obligation Fulfillment Township of Springfield, Union County, NJ			
1987-1999 Prior Round Obligation	135		
Mechanisms	Completed Units	Bonus Credits	Totals
<b>Inclusionary Family Rental</b>	<b>76</b>	<b>34</b>	<b>110</b>
<b>The Cove</b> 102-120 Victory Road Block 303, Lots 1 and 1.01	10	14	24
<b>Lakeside at Briant Park</b> Briant Park Drive Block 506, Lot 7	28	7	35
<b>Forest Village (Short Hills Club Village)</b> Forest Drive Block 103, Lot 1	5	-	5



<b>Freeman Apartments (100% affordable)</b> 41 Hillside Avenue Block 3701, Lot 7	13	13	13
<b>Columbia Court</b> 50-64 Maple Avenue Block 402, Lot 26	14	-	14
<b>Springfield Gardens*</b> 360 Route 22 West Block 3901, Lot 6	6	-	6
<b>Age-Restricted</b>	<b>8</b>	<b>-</b>	<b>8</b>
<b>Spring Mill Manor</b> 32 Blacks Lane Block 209, Lot 5	8	-	8
<b>Group Homes</b>	<b>9</b>	<b>-</b>	<b>9</b>
<b>ARC of Union County</b> Baltusrol Way	4	-	4
<b>Community Action for Independent Living</b> Bryant Avenue	5	-	5
<b>RCA Credits</b>	<b>8</b>	<b>-</b>	<b>8</b>
<b>RCA sent to Linden</b>	8	-	8
<b>TOTAL CREDITS AND UNITS</b>	<b>135</b>		
* Remaining 32 affordable units from project credited towards the Third Round prospective need obligation.			

## 6. Detailed Summary of Prior Round Satisfaction

### a. 76 units from the following inclusionary projects

- The Cove (102-120 Victory Road / Block 303, Lots 1 and 1.01), completed on November 1, 2012, provides 10 inclusionary family rental units (1 very-low, 4 low, 5 moderate).
- Lakeside at Briant Park (Briant Park Drive / Block 506, Lot 7), completed on August 1, 2003, provides 28 inclusionary family rental units (14 low, 14 moderate).
- Forest Village / "Short Hills Club Village" (Forest Drive / Block 103, Lot 1), completed on June 6, 2007, provides 5 inclusionary family rental units (1 very-low, 2 low, 2 moderate).
- Freeman Apartments (41 Hillside Avenue / Block 3701, Lot 7), completed on January 17, 2002, provides 13 100% affordable family rental units (13 low).
- Columbia Court (50-64 Maple Avenue / Block 402, Lot 26), completed on May 9, 1997, provides 14 inclusionary family rental units (8 low, 6 moderate).
- Springfield Gardens (360 Route 22 West / Block 3901, Lot 6), completed on April 1, 2012, provides 38 inclusionary family rental units (4 very-low, 15 low, 19 moderate). 6 of these 38 units are used towards the Prior Round obligation and the remaining 32 units are used towards the Third Round prospective need obligation.

### b. 8 units from the following age-restricted project

- Spring Mill Manor (32 Blacks Lane / Block 209, Lot 5), completed on February 1, 2005, provides 8 affordable age-restricted rental units (4 low, 4 moderate).

### c. 9 units from the following group home projects



- i. Arc of Union County group home (Baltusrol Way), effective as of February 25, 2000, provides 4 very-low income supportive/special needs rental units.
- ii. Community Action for Independent Living group home (Bryant Ave), effective as of March 9, 2018, provides 5 supportive/special needs rental units (5 very-low).
- d. 8 credits from an RCA**
  - i. A Regional Contribution Agreement between the City of Linden and Springfield Township generated 8 total RCA credits. The credits were approved by the Court via an Order entered on February 4, 1998.
- e. 34 rental bonus credits.**

### **Satisfaction of Third Round Prospective Need Obligation**

The Township had a Third Round prospective need obligation of 410, which is comprised of a 127-unit Realistic Development Potential (“RDP”) obligation (determined by the VLA conducted and approved as part of the Third Round Housing Element and Fair Share Plan) and 283-unit unmet need obligation. The Township has fully satisfied its Third Round prospective need obligation, which was confirmed via the Final JOR issued by the Court on June 23, 2017. The Township’s satisfaction of its Third Round Prospective need obligation is detailed below.

#### **1. Vacant Land Adjustment**

As discussed in Section II.H of this Plan, the Township prepared a VLA for the Third Round, which was adopted as part of the Township’s Third Round Housing Element and Fair Share Plan and approved via the Final JOR issued by the Court. The Third Round VLA yielded an RDP of 127 units.

#### **2. Third Round Rental Obligation**

COAH’s Rules (at N.J.A.C. 5:93-1, et seq.) provided that at least 25 percent of the new construction component for the Third Round had to be satisfied with rental units. Based on the Township’s Third Round RDP of 127, its Third Round rental obligation was 25 percent of 127 units, or 32 units. The Township has applied a total of 142 creditable rental units to the Third Round to satisfy its minimum 32-unit rental obligation.

#### **3. Third Round Age-Restricted Housing**

Per COAH regulations applicable to the Third Round, municipalities were permitted to age-restrict up to 25 percent of their Third Round obligation. This meant that up to 32 units, or a maximum of 25% of the Township’s 127-unit RDP, were permitted to be age-restricted units. The Township does not propose any age-restricted units towards satisfaction of its Third Round RDP.

#### **4. Third Round Very Low-Income Obligation**

As a result of the July 2008 amendments to the Fair Housing Act, all municipalities have an obligation to ensure that at least 13 percent of the affordable units being provided town wide, with the exception of units constructed as of July 1, 2008 and units subject to preliminary or final site plan approval as of July 1, 2008, are affordable to very low-income households (households that earn 30 percent or less of the median income).



Of the Township's 127-unit Third Round RDP, 16 units very-low units have been provided from projects used to satisfy the Third Round RDP. Upon full build out of the Township's 410-unit Third Round prospective need obligation, the Township will ensure that the 13% very-low income requirement is satisfied.

## 5. Third Round Rental Bonus

In accordance with N.J.A.C. 5:93-5.15(d), the Township was entitled to a maximum of 32 rental bonus credits based on its 127-unit Third Round RDP.

## 6. Satisfaction of RDP

The Township 127-unit RDP has been satisfied as follows:

<b>Table F: Third Round RDP</b> <b>Township of Springfield, Union County, NJ</b>				
<b>Third Round RDP Obligation</b>	<b>127</b>			
<b>Mechanisms</b>	<b>Completed Units</b>	<b>Proposed Units</b>	<b>Bonus Credits</b>	<b>Totals</b>
<b><i>Inclusionary Family Rental</i></b>	<b>37</b>	<b>105</b>	<b>32</b>	<b>174</b>
<b>Springfield Gardens*</b> 360 Route 22 West Block 3901, Lot 6	32	-	32	<b>64</b>
<b>Mountain Avenue Townhomes (Steven Court)</b> 156 Mountain Avenue Block 1201, Lot 36.01	1	-	-	<b>1</b>
<b>SPDSAIL (Victory Point)</b> 226 Morris Avenue Block 207, Lot 1	4	-	-	<b>4</b>
<b>Morris &amp; Center LLC (Gomes Property)</b> 265 Morris Avenue Block 706, Lot 10	-	21	-	<b>21</b>
<b>Rica (Garden Homes Project / Blacks Lane &amp; Church Mall Redevelopment)</b> Blacks Lane and Church Mall Block 208, Lots 6, 7, 8 & 9 Block 209, Lots 1.01 & 6	-	15	-	<b>15</b>
<b>The Saks Property (The Metropolitan)</b> 92 Millburn Avenue, 552 Morris Avenue, 46 Millburn Avenue & 70 Millburn Avenue Block 101, Lots 1, 34, 45 & 46	-	41	-	<b>41</b>
<b>EEAP, LLC</b> Main Street Block 204, Lots 1 & 2	-	2	-	<b>2</b>



<b>Park Place (Planned Development – Affordable Housing District (PD/AH))</b> <i>Route 22</i> <i>Block 4001, Lots 2.316 &amp; 2.317</i>	-	26	-	<b>26</b>
<b>TOTAL UNITS AND CREDITS</b>	<b>174</b>			
* Remaining 6 affordable units from project credited towards the Prior Round obligation.				
Note: The Statile Nursery site (Block 2501, 55), and its corresponding zoning proposed to generate 8 affordable units per the adopted 2016 HEFSP, has been removed as a compliance mechanism towards satisfaction of the Township’s RDP due to the site no longer qualifying as a realistic development opportunity.				

## 7. Detailed Summary of Third Round RDP Satisfaction:

Due to Township's provision of additional affordable units after the adoption of its Third Round Housing Element and Fair Share Plan, the Township supersedes the 127-unit RDP established in the Third Round HEFSP adopted by the Court. The Township provides 174 credits towards satisfaction of its Third Round RDP, therefore generating a surplus of 47 credits that may be used to reduce the Township's Third Round unmet need. Further details on the projects and mechanisms used to satisfy the Township's Third Round RDP are outlined below:

### a. 142 units from the following inclusionary projects

- i. Springfield Gardens (360 Route 22 West / Block 3901, Lot 6), completed on April 1, 2012, provides 38 inclusionary family rental units (4 very-low, 15 low, 19 moderate). 6 of these 38 units are used towards the Prior Round obligation and the remaining 32 units are used towards the Third Round prospective need obligation.
- ii. Mountain Avenue Townhomes / "Steven Court" (156 Mountain Avenue / Block 1201, Lot 36.01), completed on February 13, 2019, provides 1 inclusionary family rental unit (1 moderate). Forest Village / "Short Hills Club Village" (Forest Drive / Block 103, Lot 1), completed on June 6, 2007, provides 5 inclusionary family rental units (1 very-low, 2 low, 2 moderate).
- iii. SPDSAIL / "Victory Point" (226 Morris Avenue / Block 207, Lot 1), completed on August 3, 2021, provides 4 inclusionary family rental units (1 very-low, 2 low, 1 moderate).
- iv. Morris & Center LLC / "Gomes Property" (265 Morris Avenue / Block 706, Lot 10), granted preliminary and final site plan approval by the Planning Board on May 4, 2020 and currently under construction, provides 21 inclusionary family rental units (3 very-low, 8 low, 10 moderate).
- v. Rica / "Garden Homes Project" / "Blacks Lane & Church Mall Redevelopment" (Blacks Lane and Church Mall / Block 208, Lots 6, 7, 8 & 9; Block 209, Lots 1.01 & 6) granted preliminary and final site plan approval by the Planning Board on May 2, 2022 and currently under construction, provides 15 inclusionary family rental units (2 very-low, 6 low, 7 moderate).
- vi. The Saks Property / "The Metropolitan" (92 Millburn Avenue, 552 Morris Avenue, 46 Millburn Avenue & 70 Millburn Avenue / Block 101, Lots 1, 34, 45 & 46) granted preliminary and final site plan approval by the Planning Board on October 10,



- 2019 and currently finishing construction and leasing, provides 41 inclusionary family rental units (5 very-low, 17 low, 19 moderate).
- vii. EEAP, LLC (Main Street / Block 204, Lots 1 & 2), zoning approved on November 22, 2016, will provide 2 inclusionary rental family units (1 very-low, 1 low) based on 0.795 acres at 16 du/ac with a 15% affordable set-aside.
  - viii. Park Place / "Planned Development – Affordable Housing District (PD/AH)" (Route 22, Block 4001, Lots 2.316 & 2.317), zoning approved on November 22, 2016, will provide 26 inclusionary rental family units (4 very-low, 9 low, 13 moderate) based on 8.5 acres at 20 du/ac with a 15% affordable set-aside or 34 affordable inclusionary for-sale units based on 8.5 acres at 20 du/ac with a 20% set-aside.

**b. 32 rental bonus credits**

- i. 32 rental bonus credits are applied from the completed Springfield Gardens project based on a maximum 25% rental bonus credit requirement for the Third Round.

### **Satisfaction of Third Round Unmet Need**

Based on 174 credits used towards the Township's Third Round RDP, the Township's unmet need of 283 as adopted in the Third Round HEFSP may be reduced to 236 (410 Third Round prospective need obligation – 174 credits towards the Third Round RDP). The Township's Third Round unmet need has been satisfied as follows:

<b>Table G: Third Round Unmet Need Township of Springfield, Union County, NJ</b>	
<b>Third Round Unmet Need</b>	<b>236</b>
<b>Mechanisms</b>	<b>Proposed Units</b>
<b>Affordable Housing Overlay Zone – 1 (AHO-1)</b>	432
<b>Mandatory Set-Aside Ordinance</b>	TBD
<b>TOTAL UNITS AND CREDITS</b>	<b>432</b>
Note: The AHO-2 Overlay (AHO-2) Zone, which was added to the Township Zoning Code on November 22, 2016 by Ord. No. 2016-26 to satisfy a portion of the Township's Third Round unmet need, has been removed as a Third Round unmet need compliance mechanism due to the site encompassed by the AHO-2 Zone (Saks Property) currently being built out as "The Metropolitan," an inclusionary family rental project providing 41 affordable units.	

### **1. Detailed Summary of Third Round Unmet Need Satisfaction:**

- a. **The AHO-1 Overlay (AHO-1) Zone** was added to the Township Zoning Code on November 22, 2016 by Ord. No. 2016-26. Per § 35-17.a, "Developers have the option of developing lands located in the Affordable Housing Overlay Zone – 1 (AHO-1) pursuant to the following criteria:
  - i. The site must be a minimum of three acres.
  - ii. The maximum density permitted is 16 units per acre, unless the total size of the property is five acres or more, in which case the maximum density permitted shall be 18 units per acre.
  - iii. No property shall be developed unless it shall have access to a public street other than or in addition to U.S. Highway Route 22.



- iv. The minimum percentage of low- and moderate-income units to be set aside is 20% for sales units and 15% for rental units.
- v. A minimum of 50% of the affordable units in any development shall be low-income units. Thirteen percent of the affordable units shall be available to very-low-income households, which shall be counted as part of the low-income housing units.
- vi. Development standards and regulations for projects developed at a density of 16 units per acre shall be pursuant to § 35-15.7j as in the AH-16 Zone. Development standards and regulations for projects developed at a density of 18 units per acre shall be pursuant to § 35-15.7g as in the AH-18 Zone, with the exception that there is no option for a contribution to the Township's Housing Trust Fund."
- b. The establishment of a **mandatory set-aside** requirement of 20% if the affordable units will be for sale and 15% if the affordable units will be for rent, for any multifamily development created through any Planning Board action or subdivision or site plan applications, rezoning, use variance, redevelopment plan, or rehabilitation plan that provide for densities at or above six (6) units per acre. Language establishing the mandatory set-aside requirement was adopted on November 22, 2016 by Ordinance No. 2016-26.

## **B. SATISFACTION OF THE TOWNSHIP'S ALLOCATION OF THE FOURTH ROUND REGIONAL NEED**

### **Fourth Round Present Need (Rehabilitation) Obligation**

As explained in detail in Section II of this Fourth Round Housing Element and Fair Share Plan, the Township's Fourth Round present need (rehabilitation) obligation is 53. The Township will continue to participate in the Union County Home Improvement Program until the rehabilitation obligation has been fully satisfied, and the Township shall amend the Spending Plan to fund the balance of its present need if the County program is ever abandoned or loses its funding. If the County program sufficiently addresses the Township's rehabilitation obligation for owner-occupied units, the Township reserves the right to amend the Spending Plan to allocate funds to other affordable housing activities.

### **Fourth Round Prospective Need Obligation**

The Township has a Fourth Round prospective need obligation of 262, which was established as part of a mediation agreement, was adopted by binding resolution by Township Council on April 8, 2025, and was determined via a Court Order dated April 8, 2025. The sections below detail the compliance mechanisms used to meet the Township's Fourth Round obligation.

#### **1. Vacant Land Adjustment**

As discussed in Section II.H of this HEFSP, the Township has conducted a Vacant Land Adjustment as part of addressing its Fourth Round prospective need obligation (see *Appendix L*). As a result of the VLA, the Township calculated an RDP of 13.





## 2. Fourth Round Rental Obligation

Per N.J.S.A. 52:27D-311, “A municipality shall satisfy a minimum of 25 percent of the actual affordable housing units, exclusive of any bonus credits, to address its prospective need affordable housing obligation, through rental housing, including at least half of that number available to families with children.” Based on the Township’s Fourth Round RDP of 13 (exclusive of bonus credits), its minimum rental obligation is twenty five percent (25%) of 13, or 4 units. The Township is proposing 11 affordable rental units towards its Fourth Round RDP, therefore satisfying this requirement. The Township will continue to comply with this requirement over the course of the Fourth Round period as units are constructed and the RDP is adjusted.

## 3. Fourth Round Family Housing Obligation

Per N.J.S.A. 52:27D-311, “A municipality shall satisfy a minimum of 50 percent of the actual affordable housing units, exclusive of any bonus credits, created to address its prospective need affordable housing obligation through the creation of housing available to families with children and otherwise in compliance with the requirements and controls established pursuant to section 21 of P.L.1985, c.222 (C.52:27D-321).” In compliance with this fifty percent (50%) minimum family housing requirement, 7 units of the Township’s 13-unit Fourth Round RDP (exclusive of bonus credits), or fifty percent (50%), will be satisfied by affordable family units. The Township is currently proposing 5 family rental units towards its Fourth Round RDP; however, the Township will ensure compliance with this requirement upon full build out of the Fourth Round prospective need obligation.

## 4. Fourth Round Age-Restricted Housing

Per N.J.S.A. 52:27D-311, “A municipality may not satisfy more than 30 percent of the affordable housing units, exclusive of any bonus credits, to address its prospective need affordable housing obligation through the creation of age-restricted housing.” This means that up to 7 units may be age-restricted units, based upon the calculated RDP of 13. The Township will comply with this requirement as no more than 4 affordable housing units will be age-restricted units. The Township is currently proposing 6 age-restricted rental units towards its Fourth Round RDP; however, the Township will ensure compliance with this requirement upon full build out of the Fourth Round prospective need obligation.

## 5. Fourth Round Very Low-Income Housing Obligation

Per N.J.S.A. 52:27D-329.1, “Housing elements and fair share plans adopted pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1) shall ensure that at least 13 percent of the housing units made available for occupancy by low-income and moderate-income households to address a municipality’s prospective need obligation will be reserved for occupancy by very low income households, as that term is defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), with at least half of such units made available for families with children. The 13 percent shall count towards the minimum 50 percent of the housing units required to be made available for occupancy by low-income households to address a municipality’s prospective need obligation.” Based on the Township’s Fourth Round prospective need of 262, its minimum very low-income household obligation is thirteen percent (13%) of 262, or 35 units. The Township will comply with all UHAC



regulations applicable to the Fourth Round and will ensure compliance with this requirement upon full build out of the Fourth Round prospective need obligation.

## 6. Fourth Round Bonus Credits

Per N.J.S.A. 52:27D-311, “A municipality shall not receive more than one type of bonus credit for any unit and a municipality shall not be permitted to satisfy more than 25 percent of its prospective need obligation in the fourth round or any subsequent round through the use of bonus credits.” Based on the Township’s 262-unit Fourth Round prospective need obligation, the Township will be eligible to credit up to 65.5 total bonus credits towards satisfaction of its Fourth Round prospective need as units are built out over the Fourth Round period and the RDP calculation is adjusted. Currently, the Township may credit 5.5 redevelopment bonus credits from 11 total units used to towards the Township’s Fourth Round RDP; however, the will ensure that the 25% bonus credit cap is complied with upon full build out of the Fourth Round prospective need obligation.

## 7. Satisfaction of Fourth Round RDP

The Township’s Fourth Round RDP of 13 units shall be satisfied as follows:

Table H: Proposed Projects Addressing the Fourth Round RDP Township of Springfield, Union County, NJ				
Fourth Round RDP	2 RDP units from one (1) vacant and developable parcel identified in the VLA.			
	11 RDP units from two (2) developed or pending approval properties determined to generate an RDP.			
	<b><u>TOTAL RDP: 13</u></b>			
Mechanisms	Completed Units	Proposed Units	Bonus Credits	Total
<b><i>Inclusionary Age-Restricted Rental</i></b>				
<b>597 Morris Ave Redevelopment (Scotty's) Block 505, Lot 1</b>	-	6	3	<b>9</b>
<b><i>Inclusionary Family Rental</i></b>				
<b>175 Morris Avenue Redevelopment (Bank of America) Block 810, Lot 10</b>	-	5	2.5	<b>7.5</b>
<b>TOTAL UNITS AND CREDITS</b>	<b>16.5</b>			

## 8. Detailed Summary of Fourth Round RDP Satisfaction

### a. 5 affordable family rental units from the following inclusionary project:

- i. 5 affordable family rental units from the Redevelopment of 175 Morris Avenue (Block 810, Lot 10). This site is the former location of a Bank of America, which closed the branch in July of 2023. The Redevelopment Plan (see *Appendix BB*), dated February 2025, was adopted on second reading



at the April 8, 2025 Township Committee meeting via Ordinance 2025-09. The Redevelopment Agreement associated with this project includes provisions to set-aside 15% of the 30 total units as affordable family rental units.

**b. 6 affordable age-restricted rental units from the following project:**

- i. 6 affordable age-restricted rental units from the Redevelopment of 597 Morris Avenue (Block 505, Lot 1). The Redevelopment Plan (see Appendix CC), dated April 2025, was adopted on second reading at the May 13, 2025 Township Committee meeting via Ordinance 2025-12. The Redevelopment Plan “envisions the redevelopment of the Redevelopment Area with an age-restricted residential development consisting of thirty-eight (38) age-restricted rental units, with a fifteen percent (15%) set aside for inclusionary affordable age-restricted housing of six (6) units.”

**c. 5.5 “redevelopment” bonus credits.**

- i. Per the amended FHA, 0.5 bonus credits may be credited for each unit of low- or moderate-income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space. 175 Morris Avenue (Block 810, Lot 10) is developed with a former Bank of America branch, and 597 Morris Avenue (Block 505, Lot 1) is developed with a restaurant/commercial use. Therefore, the 11 affordable units provided by these two properties are eligible for 5.5 bonus credits.

#### **Fourth Round Unmet Need Obligation**

The Township’s Fourth Round prospective need obligation of 262 units subtracted by the 16.5 credits attributed towards the Township’s 13-unit Fourth Round RDP results in a Fourth Round unmet need obligation of 245.5 units. The Township will address its 245.5-unit unmet need through the mechanisms detailed in the table below:

<b>Table I: Proposed Projects Addressing the Fourth Round Unmet Need Township of Springfield, Union County, NJ</b>			
<b>Fourth Round Unmet Need</b>	<b>245.5</b>		
<b>Mechanisms</b>	<b>Completed Units</b>	<b>Proposed Units</b>	<b>Total</b>
<b>Inclusionary Overlay Zoning</b>	-	<b>116</b>	<b>116</b>
<b>Amended AHO-1 Zone</b>	-	116	116
<b>a. 673 &amp; 675-679 Morris Ave (Block 503, Lots 1 &amp; 2)</b>	-	11	11
<b>b. 350 Route 22 West Bound (Block 3701, Lots 1, 2 and 4)</b>	-	35	35
<b>c. Future Projects Generated from Amended AHO-1 Zone</b>	-	70	70
<i>Additional Mechanisms</i>	-	70	70
<b>Extension of Expiring Controls</b>	-	TBD	



<b>Amended Mandatory Set Aside Ordinance (MSO)</b>	-	TBD	<b>70</b>
<b>Redevelopment of Block 4001, Lot 2.315 in the PUD Zone</b>	-	TBD	
<b>Increasing Set-Aside for Redevelopment Plans adopted after July 1, 2025</b>	-	TBD	
<b>Remaining Bonus Credits to be 25% Cap</b>			<b>59.5</b>
<b>TOTAL CREDITS FOR UNMET NEED</b>			<b>245.5</b>

## 1. Detailed Summary of Fourth Round Unmet Need Satisfaction

### a. 116 units from amendments to the existing Affordable Housing Overlay – 1 (AHO-1) Zone.

The Township will amend the existing AHO-1 Zone (see *Appendix S*) to increase the maximum permitted density to 25 du/ac and require a 20% affordable housing set-aside for both rental and for-sale units (see *Appendix U*).

- i. 11 affordable units from 673 & 675-679 Morris Avenue (Block 503, Lots 1 & 2). The properties are currently developed with three-story office buildings and associated surface parking. Based on the increased density (25 du/ac) and set-aside (20% for both rental and for-sale units) of the amended AHO-1 Zone, this 2.19-acre site will yield 54 total units, inclusive of 11 affordable units.
- ii. 35 affordable units from 841 South Springfield Ave and 350 Route 22 West (Block 3701, Lots 1, 2 and 4). The lots have a combined acreage of 6.93 acres and are currently developed with two retail stores (Christmas Tree Shops (permanently closed) and Macy's Furniture Gallery) and associated surface parking. Based on the increased density (25 du/ac) and set-aside (20% for both rental and for-sale units) of the amended AHO-1 Zone, this 6.93-acre site will yield 173 total units, inclusive of 35 affordable units.
- iii. Remaining net yield of 70 units from future projects general from the amended AHO-1 Zone. The existing AHO-1 Zone permits a density of 16 units per acre, unless the total size of the property is five acres or more, in which case the maximum density permitted is 18 units per acre, and a set-aside of 20% for sales units and 15% for rental units. The total unconstrained area of properties in the AHO-1 Zone is approximately 119.78 acres; therefore, based on a density of 18 du/ac and a 20% set-aside, the number of affordable units generated would be 432 (i.e. the affordable unit yield assigned towards satisfaction of the Third Round RDP). For the same unconstrained area (+/- 119.78 acres), increasing the density to 25 du/ac and using a 20% set-aside based on the proposed amendments to the AHO-1 Zone would yield 599 affordable units, therefore generating a net yield of 167 affordable units (599-432). Additionally, 97 affordable units from properties within the AHO-1 Zone already used towards the Township's affordable housing compliance (11 units 673 & 675-679 Morris Ave + 35 units from 841 South Springfield Ave and 350 Route 22 West + 11 units from 175 Morris Avenue and 597 Morris Avenue + 21 from Gomes Property + 15 from Rica Property + 4 from SPDSAIL) are subtracted from the net yield, therefore generating a final net yield of 70 due to amendments to the AHO-1 Zone.

### b. 70 units from Additional Mechanisms

- i. Extension of Expiring Controls. Springfield Township may receive credits by extending controls on affordability that are scheduled to expire during the



- period of repose (July 1, 2025 through June 30, 2035). The extended controls must be consistent with the applicable State and UHAC regulations. To obtain this credit, the municipality must obtain a certified statement from its building inspector stating that the affordable unit complies with all code standards. The Township of Springfield will evaluate the expiring controls of the affordable units within the fourth round and may use available affordable housing trust fund dollars to update and secure extension of controls of existing affordable housing units (credits) in the 4<sup>th</sup> round provided the units are creditworthy.
- ii. **Mandatory Set-Aside Ordinance.** The Township will amend its already adopted Township wide Mandatory Set-Aside Ordinance (MSO), to require that any site that benefits from a rezoning, variance or redevelopment plan approved by the Township or the Township's Land Use Board that results in multi-family residential development of five (5) or more dwelling units to produce affordable housing at a set-aside rate of 20% for for-sale affordable units and at a set aside rate of 20% for rental affordable units. In addition, sites that fall under the terms and conditions of the MSO shall not be subdivide so as to avoid compliance with the requirements of the MSO (see *Appendix U*).
  - iii. Township will consider the redevelopment of the existing office building located at Block 4001, Lot 2.315 in the PUD Zone. As part of the redevelopment of this property, a minimum 20% affordable housing set-aside for rentals and for sale would be established, and the density shall be subject to a redevelopment plan to be prepared at a later date.
  - iv. **Increasing Set-Aside for Redevelopment Plans** adopted after July 1, 2025. The Township will amend its Land Use Ordinance to increase the affordable housing set-aside for rentals and for sales to 20% for residential developments in Redevelopment Plans adopted after July 1, 2025 (see *Appendix U*).
  - v. **59.5 bonus credits.** Based on the 25% bonus credit cap of the Township's Fourth Round prospective need obligation ( $262 \times 25\% = 65$ ), the Township will be eligible for an additional 59.5 bonus credits upon full build out of its Fourth Round prospective need obligation.





Springfield Housing Element and Fair Share Housing Plan

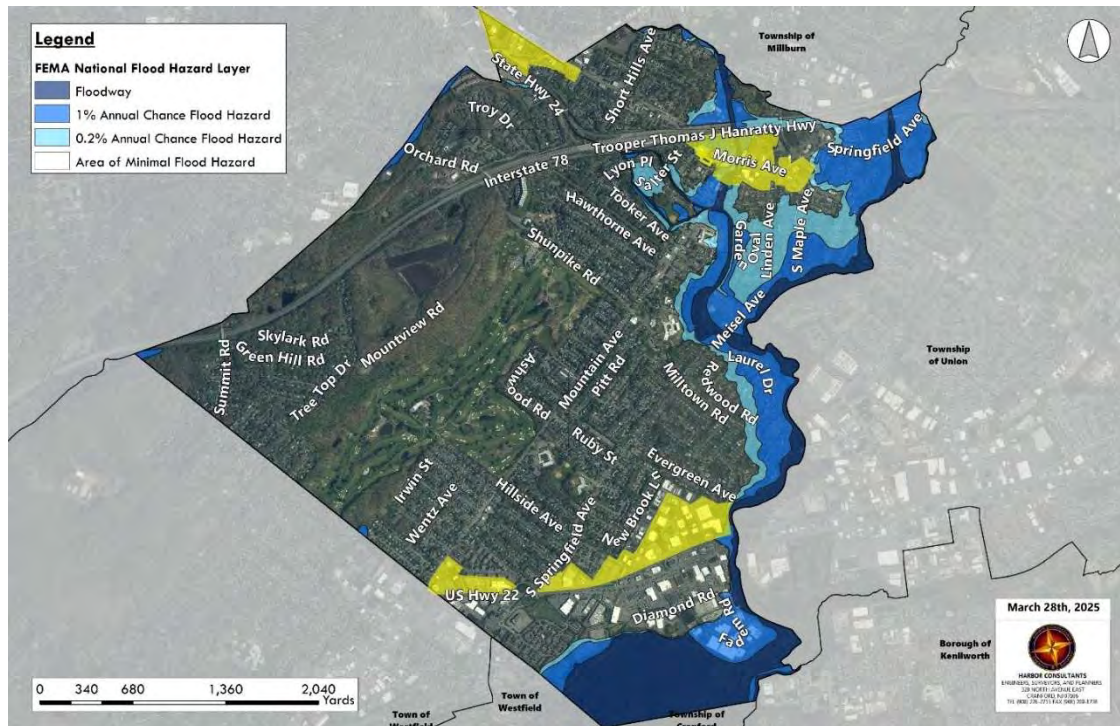


Figure 1: Township-wide Aerial View of AHO-1 Overlay Zone Locations

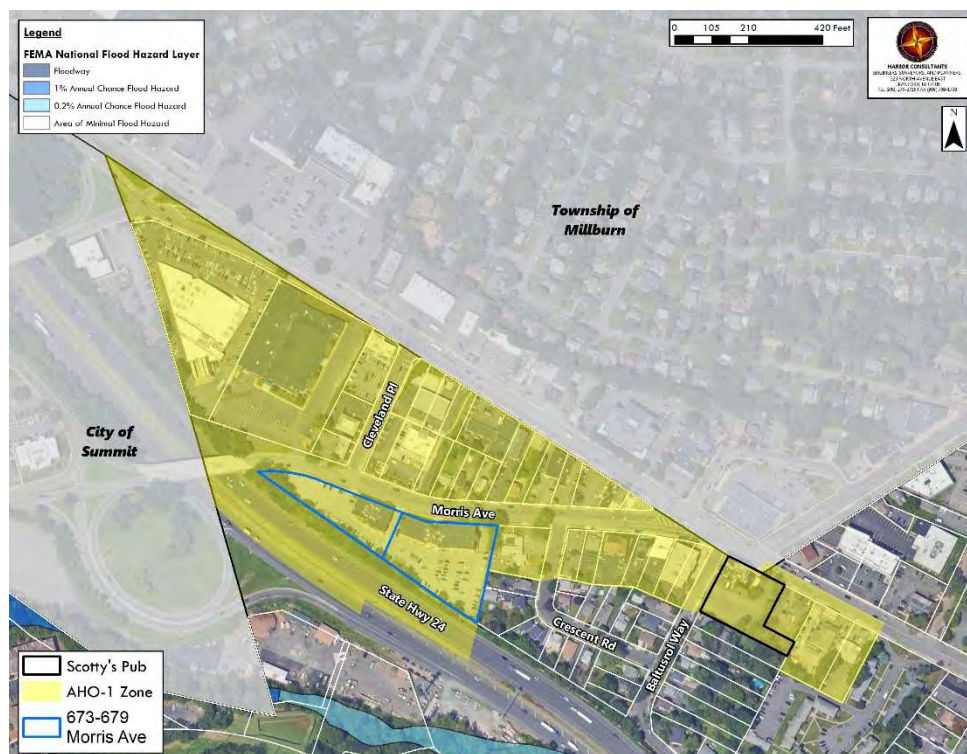


Figure 2: AHO-1 Overlay Zone Along West Morris Ave





## Springfield Housing Element and Fair Share Housing Plan

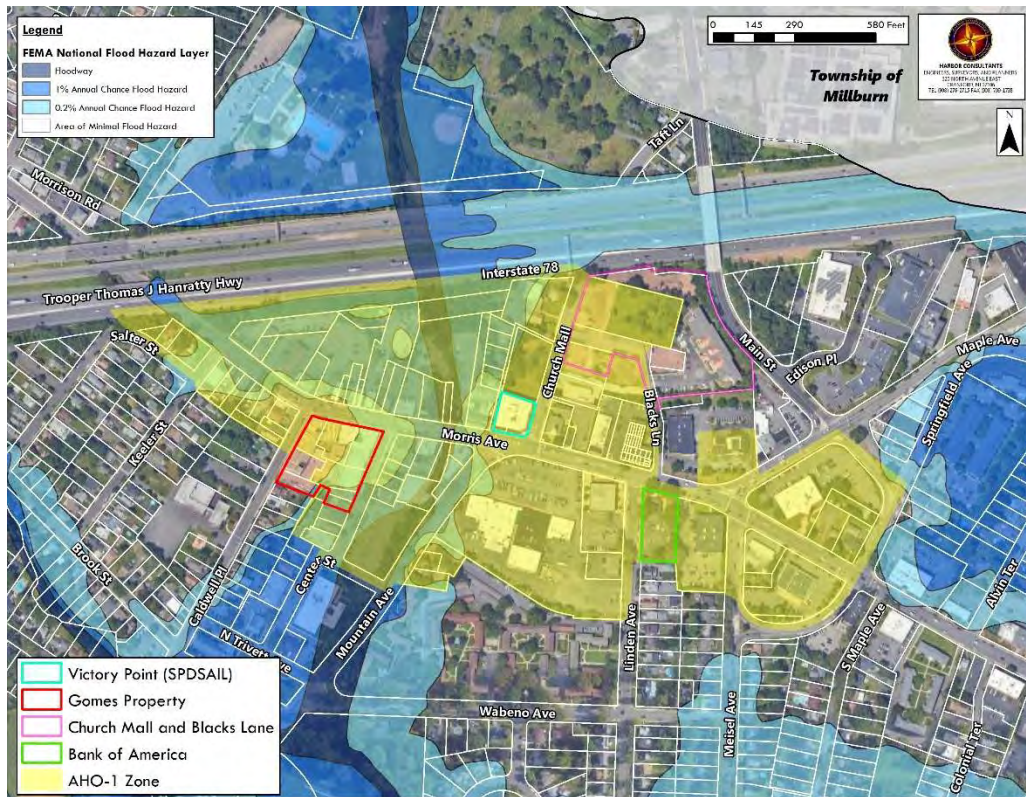


Figure 3: AHO-1 Overlay Zone Along East Morris Ave



Figure 4: AHO-1 Overlay Zone Along Route 22 Corridor





Additionally, the Township is required to meet 25% of its unmet need obligation through properties “likely to redevelop.” The Township’s compliance with the “likely to redevelop” requirement is detailed within the VLA (see Appendix L).

### C. SITES FOR INCLUSIONARY DEVELOPMENT

As required by the FHA, several proposals for inclusionary affordable residential development have been considered during the preparation of this Housing Element and Fair Share Plan and were ultimately included in this Plan. These sites are outlined below. These sites also comply with N.J.A.C. 5:93-1.1, 5.3 and 5.6, which require all new construction sites to be available, approvable, developable and suitable.

#### 1. 597 Morris Avenue Redevelopment (Block 505, Lot 1)



Figure 5: Aerial Map of 597 Morris Avenue Redevelopment (Block 505, Lot 1)

#### a. Site Description and Project History

- i. The site is comprised of one (1) property, identified as Block 505, Lot 1, having a street address of 597 Morris Avenue and totaling approximately 0.83 acres. The site is a corner property with frontage on Morris Avenue and Baltusrol Way. Existing on the property is a two-story commercial building with associated parking located on the rear of the property. Ingress and egress to the property is from Baltusrol Way. The property is occupied by Scotty’s Pub and Comedy Cove, a restaurant use with a stage area for live performances such as comedic acts. The property is surrounded by retail and commercial uses along Morris Avenue and single family residential at the rear. The property was designated as an area in need of redevelopment via Resolution No. 2024-98, adopted by the Township Committee on April 9, 2024. A



redevelopment plan (see Appendix CC) for the property was adopted by the Township Committee on May 13, 2025. Per the Redevelopment Plan, the principal permitted use on the property is as follows: "Inclusionary age-restricted residential development in one (1) building consisting of a maximum of thirty-eight (38) age-restricted apartment units, with six (6) affordable age-restricted apartment units or 15% of the total number of residential units."

- ii. **Proforma and Construction Schedule.** The Redevelopment Project will be constructed pursuant to a project schedule to be set forth in the redevelopment agreement between the Township and Redeveloper. The project schedule shall abide to a provision that the Redevelopment Project will commence construction of the Redevelopment Project within one hundred eighty (180) days after the receipt of all non-appealable governmental approvals; and that the Redeveloper shall complete construction of the Redevelopment Project on or before twenty-four (24) months after the commencement of construction.
- iii. **Administrative Agent.** The Township's Administrative Agent will ensure that all units are affirmatively marketed and all applicants for the project are properly income qualified in compliance with all UHAC requirements per N.J.A.C. 5:80-26.1 et seq.

#### **b. Site Suitability**

- i. There are no known title encumbrances that would prohibit or otherwise impact the development of the property in general.
- ii. The site has access to appropriate streets and is adjacent to compatible land uses. The site has frontage on and access via Morris Avenue and Baltusrol Way. Surrounding uses are a mix of residential and retail. At the northeastern corner of the property and along the Morris Avenue right-of-way, there is a bus stop for NJ Transit Bus 70 providing service from Florham Park to Newark.
- iii. There is adequate water infrastructure and water capacity to serve the site.
- iv. The site is located in a sewer service area, and there is adequate sewer infrastructure and sewer capacity to serve the site.
- v. It is anticipated the site can be developed consistent with the parking standards established in the Redevelopment Plan.
- vi. Per NJDEP mapping, there are no C-1 streams on-site.
- vii. There are no slopes greater than 15 percent on the site.
- viii. The site location is consistent with the adopted State Development and Redevelopment Plan. It is located in Planning Area 1, where development is encouraged.
- ix. Per NJDEP, the site is not on the Known Contaminated Sites List.
- x. There are no wetlands or flood plains on the site.



## 2. 175 Morris Avenue Redevelopment (Block 810, Lot 10)



Figure 6: Aerial Map of 175 Morris Avenue Redevelopment (Block 810, Lot 10)

### a. Site Description and Project History

- i. The site is comprised of one (1) property, identified as Block 810, Lot 10, having a street address of 175 Morris Avenue and totaling approximately 0.697 acres. The subject property has frontage on Morris Avenue and is located between Linden Avenue and Meisel Avenue. Access to the property is provided by two curb cuts along Linden Avenue: one for the rear parking lot and another for the drive-thru lane. Existing on the property is a one-story commercial building with associated parking located at the rear of the property, as well as a drive-through lane previously used for banking services. The property was formerly occupied by Bank of America, which closed the branch in July of 2023, and is currently vacant. The property is surrounded by office and commercial uses along Morris Avenue and single family residential at the rear. The property was designated as an area in need of redevelopment via Resolution No. 2024-99, adopted by the Township Committee on April 9, 2024. A redevelopment plan for the property (see *Appendix BB*) was adopted by the Township Committee on April 8, 2025. Per the Redevelopment Plan, the principal permitted use on the property is as follows: “Multi-family residential development in one (1) building consisting of a maximum of thirty (30) residential apartment units, with five (5) affordable family apartment units or 15% of the total number of residential units.”
- ii. Proforma and Construction Schedule. The Redevelopment Project will be constructed pursuant to a project schedule to be set forth in the redevelopment agreement between the Township and Redeveloper. The project schedule shall abide to a provision that the Redevelopment Project will commence construction of the Redevelopment Project within one hundred eighty (180) days after the receipt of all non-appealable governmental approvals; and that the Redeveloper shall





complete construction of the Redevelopment Project on or before twenty-four (24) months after the commencement of construction.

- iii. Administrative Agent. The Township's Administrative Agent will ensure that all units are affirmatively marketed and all applicants for the project are properly income qualified in compliance with all UHAC requirements per N.J.A.C. 5:80-26.1 et seq.

#### **b. Site Suitability**

- i. There are no known title encumbrances that would prohibit or otherwise impact the development of the property in general.
- ii. The site has access to appropriate streets and is adjacent to compatible land uses. The site has frontage on Morris Avenue and is located between Linden Avenue and Meisel Avenue. Access to the property is provided by two curb cuts along Linden Avenue: one for the rear parking lot and another for the drive-thru lane. Surrounding uses are a mix of residential, office and commercial.
- iii. There is adequate water infrastructure and water capacity to serve the site.
- iv. The site is located in a sewer service area, and there is adequate sewer infrastructure and sewer capacity to serve the site.
- v. It is anticipated the site can be developed consistent with the parking standards established in the Redevelopment Plan.
- vi. Per NJDEP mapping, there are no C-1 streams on-site.
- vii. There are no slopes greater than 15 percent on the site.
- viii. The site location is consistent with the adopted State Development and Redevelopment Plan. It is located in Planning Area 1, where development is encouraged.
- ix. Per NJDEP, the site is not on the Known Contaminated Sites List.
- x. There are no wetlands or flood plains on the site.

#### **D. AFFORDABLE HOUSING ORDINANCE AND AFFIRMATIVE MARKETING PLAN**

The Township adopted an Affordable Housing Ordinance (see *Appendix S* and *Appendix T*) and Affirmative Marketing Plan (see *Appendix V*) applicable to all new and existing affordable housing units created within the Township during the Third Round. The Township will update the Affordable Housing Ordinance once final new UHAC regulations have been adopted, and will also amend its Affirmative Marketing Plan as necessary to reflect the projects included in the Township's compliance with its Fourth Round Prospective Need Obligation. The Township is currently contracted with a qualified affordable housing administrator, Community Grants, Planning & Housing ('CGP&H'), to act as the Administrative Agent to manage the affordability controls and the affirmative marketing plan for all affordable housing units in the Township (see *Appendix W*).



Additionally, an Administration of Affordable Units Operating Manual was prepared for Township during the Third Round (see Appendix Q).

#### **E. DEVELOPMENT FEE ORDINANCE AND SPENDING PLAN**

As part of the Third Round, the Township revised its Affordable Housing Development Fee Ordinance, which was adopted by Township Committee via Ord. No. 2014-11 (see Appendix Y). The Township will revise the Development Fee Ordinance if necessary to comply with statutory changes in the Fourth Round.

The Township has prepared a draft Spending Plan for the Fourth Round period for adoption by the Township Committee, which is attached hereto as Appendix Z. The Spending Plan outlines the anticipated collection and distribution of mandatory development fees and in lieu contributions and the Township's proposals for spending the money that comes into the Affordable Housing Trust Fund. The Township understands that no funds may be expended without the Court's approval of the Spending Plan. The Township's Administrative Agent prepared an Affordability Assistance Manual as part of the Third Round, and will a draft Affordability Assistance Manual for the Fourth Round has been provided under Appendix AA. The Affordability Assistance Manual will be updated as necessary to reflect the adopted Spending Plan and Fourth Round projects.

#### **F. CONCLUSION**

In summary, the following map and table provide a visual depiction of all affordable mechanisms that are existing or proposed within the Township of Springfield as part of its compliance with its Fourth Round affordable housing obligations.

<b>Table J: Summary of Springfield's Fourth Round Affordable Housing Plan Township of Springfield, Union County, NJ</b>		
<b>Obligation</b>	<b>#</b>	<b>Summary of Affordable Housing Strategies</b>
<b>Fourth Round Present Need</b>	<b>53</b>	The Township will continue to participate in the Union County Community Home Improvement Program until the remaining rehabilitation obligation has been fully satisfied.
<b>Fourth Round Prospective Obligation</b>	<b>262</b>	
RDP	13	<p>TOTAL CREDITS USED TOWARDS RDP OF 13 = 16.5</p> <p>Total new units : 11</p> <p>Bonus credits: 5.5</p> <ul style="list-style-type: none"> <li>• 5 affordable family rental units from the Redevelopment of 175 Morris Avenue (Block 810, Lot 10).</li> <li>• 6 affordable age-restricted rental units from the Redevelopment of 597 Morris Avenue (Block 505, Lot 1).</li> <li>• 5.5 "redevelopment" bonus credits.</li> </ul>



Unmet Need	245.5	<p>TOTAL CREDITS FOR UNMET NEED = 245.5</p> <p>Total new units through Unmet Need Strategies : 245.5</p> <ul style="list-style-type: none"> <li>• <b>116 units from amendments to the existing Affordable Housing Overlay – 1 (AHO-1) Zone.</b> The Township will amend the existing AHO-1 Zone (see <i>Appendix S</i>) to increase the maximum permitted density to 25 du/ac and require a 20% affordable housing set-aside for both rental and for-sale units. <ul style="list-style-type: none"> <li>i. 11 affordable units from 673 &amp; 675-679 Morris Avenue (Block 503, Lots 1 &amp; 2).</li> <li>ii. 35 affordable units from 841 South Springfield Ave and 350 Route 22 West (Block 3701, Lots 1, 2 and 4).</li> <li>iii. Remaining net yield of 70 units from future projects general from the amended AHO-1 Zone.</li> </ul> </li> <li>• <b>70 units from Additional Mechanisms</b> <ul style="list-style-type: none"> <li>i. Extension of Expiring Controls.</li> <li>ii. Amended Mandatory Set-Aside Ordinance.</li> <li>iii. Redevelopment of Block 4001, Lot 2.315 in the PUD Zone.</li> <li>iv. Increasing Set-Aside for Redevelopment Plans adopted after July 1, 2025.</li> </ul> </li> <li>• <b>Remaining 59.5 bonus credits to reach 25% bonus credit cap</b></li> </ul>
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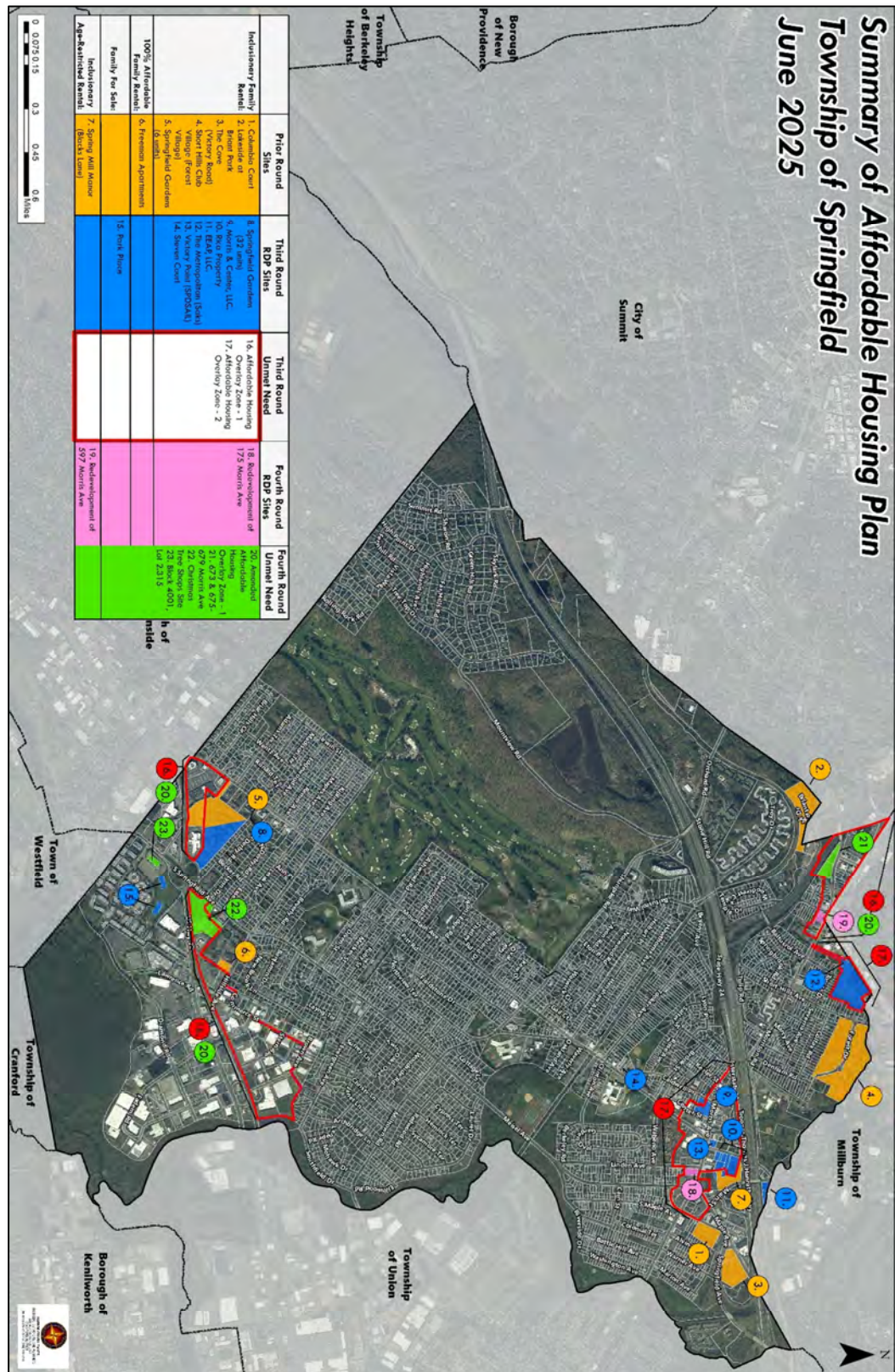


Figure 7: Map of All Affordability Mechanisms in the Township of Springfield



#### **IV. APPENDICES**

## **APPENDIX A**

**Explanation: This resolution of the Township Committee of the Township of Springfield is committing to Fourth Round Present and Prospective Need Affordable Housing Obligations.**

**TOWNSHIP OF SPRINGFIELD  
RESOLUTION NO. 2025-59**

**WHEREAS**, the Township of Springfield (hereinafter the “Township” or Springfield”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 7, 2015, the Township of Springfield filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine,” and

**WHEREAS**, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits until July 1, 2025; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

**WHEREAS**, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and

**WHEREAS**, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, the DCA Report calculates the Township’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of 53 and a Prospective Need (New Construction) Obligation of 284; and

**WHEREAS**, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”, a deadline which was later extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 19, 2024; and

**WHEREAS**, the Township accepts the conclusions in the DCA Report, which includes accepting the DCA’s Fourth Round Present Need (Rehabilitation) calculation of 53, but does not accept the DCA’s calculations of the Township’s Income Capacity Factor and Land Capacity



Factor, which are factors that are part of the DCA's calculation of the Township's Fourth Round Prospective Need (New Construction) calculation of 284; and

**WHEREAS**, as to the Land Capacity Factor, the Township notes that the DCA belatedly provided the data it used to establish this factor, i.e., on or about November 25, 2024, instead of by October 20, 2024; and

**WHEREAS**, the Township further notes that the link to the DCA GIS data that the DCA belatedly made available to municipalities includes the following language: "The land areas identified in this dataset are based on ... the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program."; and

**WHEREAS**, the Township maintains that the Income Capacity Allocation factor has to be adjusted and that the areas the DCA identified as developable are indeed overinclusive and, consequently, the Township's Affordable Housing Planner, has prepared an expert report, attached hereto as **Exhibit A**; and

**WHEREAS**, correcting the Income Capacity Factor and Land Capacity Allocation Factor results in the reduction of Springfield Township's Fourth Round Prospective Need (New Construction) Obligation from 284 to 239; and

**WHEREAS**, Section 3 of the Amended FHA provides that: "the municipality's determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7" of the Amended FHA; and

**WHEREAS**, the Township's acceptance of the Fourth Round obligations calculated by the DCA are entitled to a "presumption of validity" because it complies with Sections 6 and 7 of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the Township specifically reserves the right to adjust its fair share obligations in accordance with applicable Council on Affordable Housing ("COAH") regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a Structural Conditions Survey or similar exterior survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning document; and

**WHEREAS**, in addition to the foregoing, the Township specifically reserves all rights to revoke or amend this resolution and commitment, as may be necessary, in the event of a



successful challenge to the Amended FHA in the context of the case The Borough of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the Township reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

**WHEREAS**, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the Township's Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

**WHEREAS**, in addition to the foregoing, the Acting Administrative Director of the AOC issued Directive #14-24 on December 19, 2024; and

**WHEREAS**, pursuant to Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter "the Program"), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and

**WHEREAS**, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of AOC Directive #14-24 and the Township reserves any and all rights and remedies in relation to the AOC Directive; and

**WHEREAS**, the Township seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and

**WHEREAS**, in light of the above, the Mayor and Township Committee finds that it is in the best interest of the Township to declare its obligations in accordance with this Resolution; and

**NOW, THEREFORE, BE IT RESOLVED** on this 28<sup>th</sup> day of January of 2025, by the Committee of the Township of Springfield, Union County, State of New Jersey, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full.

2. For the reasons set forth in this Resolution, the Mayor and Township Committee hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 53 and the Fourth Round Prospective Need (New Construction) Obligation of 239 as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:

- a) The right to adjust the Township's fair share obligations based on a Structural Conditions survey or similar exterior survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and
- b) The right to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and
- c) The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the Township's fair share obligations.

3. Pursuant to the requirements of the FHA as amended, and the Administrator of the Court's (AOC) Directive #14-24 issued on December 19, 2024, the Township Committee hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint, along with this Resolution, a Case Information Statement (Civil CIS), and supporting expert report, in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution, so that the Township's Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.

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

TOWNSHIP OF SPRINGFIELD

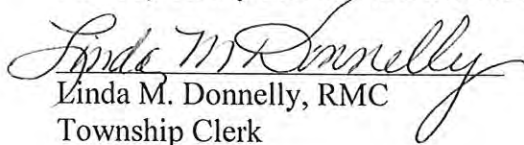
By: 

Richard Huber, Mayor

Adopted:

January 28, 2025

I hereby certify that this is a true and correct copy.

  
Linda M. Donnelly, RMC  
Township Clerk



## **APPENDIX B**



**SURENIAN, EDWARDS, BUZAK & NOLAN LLC**

311 Broadway, Suite A

Point Pleasant Beach, NJ 08742

(732) 612-3100

By: Erik C. Nolan, Esq. (Attorney ID: 014032006)

*Attorneys for Declaratory Plaintiff, Township of Springfield*

**IN THE MATTER OF THE  
APPLICATION OF THE TOWNSHIP OF  
SPRINGFIELD, COUNTY OF UNION,  
STATE OF NEW JERSEY**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: UNION COUNTY**

DOCKET NO.: UNN-L-\_\_\_\_

CIVIL ACTION  
AFFORDABLE HOUSING DISPUTE  
RESOLUTION PROGRAM  
PER DIRECTIVE # 14-24

**COMPLAINT FOR DECLARATORY  
RELIEF PURSUANT TO AOC  
DIRECTIVE # 14-24**

Declaratory Plaintiff, the Township of Springfield, County of Union, State of New Jersey (hereinafter, “Springfield” or the “Township”), a municipal corporation of the State of New Jersey, with principal offices located at 100 Mountain Ave, Springfield, New Jersey 07081, by way of filing this Declaratory Judgment Complaint to start this Declaratory Judgment Action (“DJ Action”) as authorized under Directive # 14-24 of the Administrative Office of the Courts (“AOC”) alleges and says:

***Background***

1. Springfield is a municipal corporation of the State of New Jersey.
2. The Planning Board of the Township of Springfield (hereinafter, “Planning Board”) is a municipal agency created and organized under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq., (“MLUL”), and, among other duties and obligations, is responsible for adopting the Fourth Round Housing Element and Fair Share Plan (“HEFSP”) of Springfield’s Master Plan.

3. Through this DJ Action, Springfield seeks the following relief in relation to its Fourth Round (2025-2035) affordable housing obligation: (a) to secure the jurisdiction of the Affordable Housing Dispute Resolution Program (the “Program”) pursuant to P.L. 2024, c.2 (hereinafter, the “Act”) and the Court, pursuant to AOC Directive # 14-24; (b) to have the Program and the Court approve the Township of Springfield’s Present and Prospective affordable housing obligations as set forth in the binding resolution adopted by the Township, attached hereto as **Exhibit 1**; (c) to have the Program and the Court approve the Township’s HEFSP, to be adopted by the Planning Board and endorsed by the Township Committee, and issue a conditional or unconditional “Compliance Certification” pursuant to the Act or other similar declaration; (d) through the filing of this DJ Action and binding resolution, to have the Program and the Court confirm Springfield’s immunity from all exclusionary zoning litigation, including builder’s remedy lawsuits, during the pendency of the process outlined in the Act and for the duration of Fourth Round, i.e., through June 30, 2035; and (e) to have the Program and the Court take such other actions and grant such other relief as may be appropriate to ensure that the Township receives and obtains all protections as afforded to it in complying with the requirements of the Act, including, without limitation, all immunities and presumptions of validity necessary to satisfy its affordable housing obligations voluntarily without having to endure the expense and burdens of unnecessary third party litigation.

## **COUNT I**

### **ESTABLISHMENT OF JURISDICTION UNDER P.L.2024, C. 2**

4. The Township of Springfield repeats and realleges each and every allegation as set forth in the previous paragraphs of this Declaratory Judgment Complaint as if set forth herein in full.

5. The Act represents a major revision of the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 *et. seq.*

6. Among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program, and also authorized the Director of the AOC (hereinafter, “Director”) to create a framework to process applications for a Compliance Certification.

7. On or about December 19, 2024, the Director issued Directive #14-24, which among other things, required municipalities seeking Compliance Certification to file an action in the form of a Declaratory Judgment Complaint and Civil Case Information Statement in the County in which the municipality is located within 48 hours after the municipality’s adoption of a binding resolution establishing the municipality’s Fourth Round numbers, as authorized under the Act, with an attached copy of said binding resolution.

8. The Township adopted a binding resolution establishing its Fourth Round present and prospective affordable housing obligations within the statutory window of time set forth in the Act and in accordance with the methodology and formula set forth in the Act, a certified copy of which resolution is attached to this Declaratory Judgment Complaint as **Exhibit 1**.

9. Based on the foregoing, the Township has established the jurisdiction of the Program and the Court in regard to this DJ Action for a Compliance Certification as set forth hereinafter.

**WHEREFORE**, the Township of Springfield seeks a declaratory judgment for the following relief:

- a. Declaring that the Township has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set

forth in the binding resolution attached as **Exhibit 1** to this Declaratory Judgment Complaint or to adjust such determination consistent with the Act;

- b.** Declaring the present and prospective affordable housing obligations of the Township under the Act;
- c.** Declaring the approval of the Township's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Township Committee, including, as appropriate and applicable, (i) a Structural Conditions Survey or similar exterior survey which accounts for a higher-resolution estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations;
- d.** Declaring that the Township continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e.** Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive #

14-24 to the Township of Springfield for the period beginning July 1, 2025 and ending June 30, 2035; and

- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

## **COUNT II**

### **DETERMINATION OF THE PRESENT AND PROSPECTIVE NEED OF THE TOWNSHIP OF SPRINGFIELD**

**10.** Springfield repeats and realleges each and every allegation set forth in the previous paragraphs of this Declaratory Judgment Complaint as if set forth herein in full.

**11.** The Act adopted the methodology to calculate every municipality's present and prospective need affordable housing obligation for the Fourth Round (2025-2035) and beyond.

**12.** The Act directed the Department of Community Affairs ("DCA") to apply the methodology and to render a non-binding calculation of each municipality's present and prospective affordable housing obligations to be contained in a report to be issued no later than October 20, 2024.

**13.** The DCA issued its report on October 18, 2024.

**14.** Pursuant to the October 18, 2024 report, the DCA calculated Springfield's present and prospective affordable housing obligations as follows:

<b>FOURTH ROUND PRESENT NEED (REHABILITATION) OBLIGATION</b>	<b>FOURTH ROUND PROSPECTIVE NEED OBLIGATION (2025-2035)</b>
53	284

**15.** Pursuant to the Act, a municipality desiring to participate in the Program is obligated to adopt a “binding resolution” determining its present and prospective affordable housing obligations to which it will commit based upon the methodology set forth in the Act.

**16.** Springfield adopted a binding resolution, a copy of which resolution is attached hereto and made a part hereof as **Exhibit 1** to this Declaratory Judgment Complaint.

**17.** The binding resolution maintains that Springfield’s Round 4 (2025-2035) Present Need (Rehabilitation) Obligation is 53 and its Prospective Need (“New Construction”) Obligation is 239.

**18.** Springfield seeks the approval of, and confirmation by, the Program and the Court of the Round 4 (2025-2035) Present and Prospective affordable housing obligations as set forth in the binding resolution attached hereto and made a part hereof as **Exhibit 1**, or the adjustment of those obligations consistent with the Act and all applicable regulations.

**19.** Pursuant to the binding resolution, the Township of Springfield reserves all rights to amend its affordable housing obligations in the event of a successful legal challenge, or legislative change, to the Act.

**20.** Pursuant to the binding resolution, Springfield specifically reserves the right to seek and obtain 1) a Structural Conditions Survey or similar exterior survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 5) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 6) an adjustment based upon any ruling in litigation involving affordable housing obligations; and 7)

any other applicable adjustment permitted in accordance with the Act and/or applicable COAH regulations.

**WHEREFORE**, the Township of Springfield seeks a declaratory judgment for the following relief:

- a. Declaring that the Township has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this Declaratory Judgment Complaint or to adjust such determination consistent with the Act;
- b. Declaring the present and prospective affordable housing obligations of the Township under the Act;
- c. Declaring the approval of the Township's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Township Committee, including, as appropriate and applicable, (i) a Structural Conditions Survey or similar exterior survey which accounts for a higher-resolution estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or all applicable regulations;



- d. Declaring that the Township continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e. Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to Springfield for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

### **COUNT III**

#### **APPROVAL OF TOWNSHIP'S HOUSING ELEMENT AND FAIR SHARE PLAN**

**21.** The Township of Springfield repeats and realleges each and every allegation set forth in the previous paragraphs of this Declaratory Judgment Complaint as if set forth herein in full.

**22.** Pursuant to the Act, a HEFSP must be prepared, adopted by the Planning Board and endorsed by the municipality by June 30, 2025.

**23.** Springfield hereby commits for its professionals to prepare the appropriate HEFSP to address its affordable housing obligations, as determined by the Program and the Court, which HEFSP shall apply as appropriate, any applicable adjustments, including, without limitation, 1) a Structural Conditions Survey or similar exterior survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of

sanitary sewer or lack of water); 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; 5) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; 6) an adjustment based upon any ruling in litigation involving affordable housing obligations; and 7) any other applicable adjustment permitted in accordance with the Act and/or applicable regulations.

**WHEREFORE**, the Township of Springfield seeks a declaratory judgment for the following relief:

- a. Declaring that Springfield has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this Declaratory Judgment Complaint or to adjust such determination consistent with the Act;
- b. Declaring the present and prospective affordable housing obligations of the Township under the Act;
- c. Declaring the approval of the Township's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Township Committee, including, as appropriate and applicable, (i) a Structural Conditions Survey or similar exterior survey which accounts for a higher-resolution estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be

adopted that allows an adjustment of the affordable housing obligations; (vi) an adjustment based upon any ruling in litigation involving affordable housing obligations; and/or (vii) any other applicable adjustment permitted in accordance with the Act and/or all applicable regulations;

- d.** Declaring that the Township of Springfield continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e.** Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the Township of Springfield for the period beginning July 1, 2025 and ending June 30, 2035; and
- f.** Declaring such other relief that the program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

#### **COUNT IV**

#### **CONFIRMATION OF IMMUNITY**

**24.** The Township of Springfield repeats and realleges each and every allegation set forth in the previous paragraphs of this Declaratory Judgment Complaint as if set forth herein in full.

**25.** Pursuant to the Act, a municipality that complies with the deadlines in the Act for both determining present and prospective affordable housing obligations and for adopting an appropriate HEFSP shall have immunity from exclusionary zoning litigation.

**26.** The Township of Springfield has met the deadline for the adoption and filing of its binding resolution not later than January 31, 2025, and the filing of this DJ Action in accordance with AOC Directive #14-24 not later than February 3, 2025, by adopting the binding resolution attached to this Declaratory Judgment Complaint as **Exhibit 1**, and has also committed to the adoption of its HEFSP by June 30, 2025.

**WHEREFORE**, the Township of Springfield seeks a declaratory judgment for the following relief:

- a.** Declaring that the Township has established jurisdiction for the Program and the Court to confirm its present and prospective affordable housing needs as set forth in the binding resolution attached as **Exhibit 1** to this Declaratory Judgment Complaint or to adjust such determination consistent with the Act;
- b.** Declaring the present and prospective affordable housing obligations of the Township under the Act;
- c.** Declaring the approval of the Township's HEFSP subsequent to its adoption by the Planning Board and its endorsement by the Township Committee, including, as appropriate and applicable, (i) a Structural Conditions Survey or similar exterior survey which accounts for a higher-resolution estimate of present need; (ii) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; (iii) a Durational Adjustment (whether predicated upon lack of sanitary sewer or lack of water); (iv) an adjustment predicated upon regional planning entity formulas, inputs or considerations, as applicable; (v) an adjustment based on any future legislation that may be adopted that allows an adjustment of the affordable housing obligations; (vi) an

adjustment based upon any ruling in litigation involving affordable housing obligations; and (vii) any other applicable adjustment permitted in accordance with the Act and/or all applicable regulations;

- d. Declaring that the Township continues to have immunity from all exclusionary zoning litigation and all litigation related to its affordable housing obligations as established by the Act;
- e. Declaring and issuing a Compliance Certification and continuing immunity from exclusionary zoning litigation in accordance with the Act and Directive # 14-24 to the Township of Springfield for the period beginning July 1, 2025 and ending June 30, 2035; and
- f. Declaring such other relief that the Program and Court deems just and proper within the parameters of the Act and all applicable regulations related to affordable housing within the State of New Jersey.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, Township of  
Springfield

By



Erik C. Nolan, Esq.

Dated: January 29, 2025



**CERTIFICATION PURSUANT TO R. 4:5-1**

Erik C. Nolan, Esq., of full age, hereby certifies as follows:

1. I am a member of the Firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for declaratory plaintiff, Township of Springfield.
2. To the best of my knowledge, there is no other action pending in any court or any pending arbitration proceeding of which the matter in controversy herein is the subject and no such other action or arbitration proceeding is contemplated. To the best of my knowledge, there are no other parties who should be joined in this action.
3. The within Complaint was filed and served within the time prescribed by the Rules of Court.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, Township of  
Springfield

By



Erik C. Nolan, Esq.

Dated: January 29, 2025

**CERTIFICATION PURSUANT TO R. 1:38-7(b)**

Erik C. Nolan, Esq., of full age, hereby certifies as follows:

1. I am a member of the firm of Surenian, Edwards, Buzak & Nolan LLC, attorneys for Declaratory Plaintiff, Township of Springfield.

2. I certify that confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future in accordance with R. 1:38-7(b).

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, Township of  
Springfield

By



Erik C. Nolan, Esq.

Dated: January 29, 2025

**DESIGNATION OF TRIAL COUNSEL**

Pursuant to R. 4:25-4, notice is hereby given that Erik C. Nolan, Esq., attorney for the Declaratory Plaintiff, Township of Springfield is designated as trial counsel in the above captioned matter.

**SURENIAN EDWARDS BUZAK & NOLAN LLC**  
Attorneys for Declaratory Plaintiff, Township of  
Springfield

By



Erik C. Nolan, Esq.

Dated: January 29, 2025



**Explanation: This resolution of the Township Committee of the Township of Springfield is committing to Fourth Round Present and Prospective Need Affordable Housing Obligations.**

**TOWNSHIP OF SPRINGFIELD  
RESOLUTION NO. 2025-59**

**WHEREAS**, the Township of Springfield (hereinafter the “Township” or Springfield”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 7, 2015, the Township of Springfield filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine,” and

**WHEREAS**, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits until July 1, 2025; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

**WHEREAS**, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and

**WHEREAS**, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, the DCA Report calculates the Township’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of 53 and a Prospective Need (New Construction) Obligation of 284; and

**WHEREAS**, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”, a deadline which was later extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 19, 2024; and

**WHEREAS**, the Township accepts the conclusions in the DCA Report, which includes accepting the DCA’s Fourth Round Present Need (Rehabilitation) calculation of 53, but does not accept the DCA’s calculations of the Township’s Income Capacity Factor and Land Capacity



Factor, which are factors that are part of the DCA's calculation of the Township's Fourth Round Prospective Need (New Construction) calculation of 284; and

**WHEREAS**, as to the Land Capacity Factor, the Township notes that the DCA belatedly provided the data it used to establish this factor, i.e., on or about November 25, 2024, instead of by October 20, 2024; and

**WHEREAS**, the Township further notes that the link to the DCA GIS data that the DCA belatedly made available to municipalities includes the following language: "The land areas identified in this dataset are based on ... the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program."; and

**WHEREAS**, the Township maintains that the Income Capacity Allocation factor has to be adjusted and that the areas the DCA identified as developable are indeed overinclusive and, consequently, the Township's Affordable Housing Planner, has prepared an expert report, attached hereto as **Exhibit A**; and

**WHEREAS**, correcting the Income Capacity Factor and Land Capacity Allocation Factor results in the reduction of Springfield Township's Fourth Round Prospective Need (New Construction) Obligation from 284 to 239; and

**WHEREAS**, Section 3 of the Amended FHA provides that: "the municipality's determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7" of the Amended FHA; and

**WHEREAS**, the Township's acceptance of the Fourth Round obligations calculated by the DCA are entitled to a "presumption of validity" because it complies with Sections 6 and 7 of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the Township specifically reserves the right to adjust its fair share obligations in accordance with applicable Council on Affordable Housing ("COAH") regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a Structural Conditions Survey or similar exterior survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning document; and

**WHEREAS**, in addition to the foregoing, the Township specifically reserves all rights to revoke or amend this resolution and commitment, as may be necessary, in the event of a



successful challenge to the Amended FHA in the context of the case The Borough of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the Township reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

**WHEREAS**, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the Township's Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

**WHEREAS**, in addition to the foregoing, the Acting Administrative Director of the AOC issued Directive #14-24 on December 19, 2024; and

**WHEREAS**, pursuant to Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter "the Program"), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and

**WHEREAS**, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of AOC Directive #14-24 and the Township reserves any and all rights and remedies in relation to the AOC Directive; and

**WHEREAS**, the Township seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and

**WHEREAS**, in light of the above, the Mayor and Township Committee finds that it is in the best interest of the Township to declare its obligations in accordance with this Resolution; and

**NOW, THEREFORE, BE IT RESOLVED** on this 28<sup>th</sup> day of January of 2025, by the Committee of the Township of Springfield, Union County, State of New Jersey, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full.



2. For the reasons set forth in this Resolution, the Mayor and Township Committee hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 53 and the Fourth Round Prospective Need (New Construction) Obligation of 239 as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:

- a) The right to adjust the Township's fair share obligations based on a Structural Conditions survey or similar exterior survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and
- b) The right to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and
- c) The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the Township's fair share obligations.

3. Pursuant to the requirements of the FHA as amended, and the Administrator of the Court's (AOC) Directive #14-24 issued on December 19, 2024, the Township Committee hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint, along with this Resolution, a Case Information Statement (Civil CIS), and supporting expert report, in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution, so that the Township's Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.

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

TOWNSHIP OF SPRINGFIELD

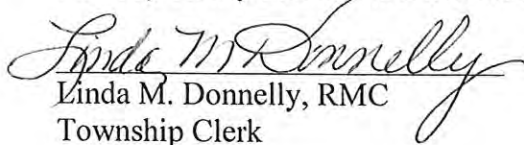
By: 

Richard Huber, Mayor

Adopted:

January 28, 2025

I hereby certify that this is a true and correct copy.

  
Linda M. Donnelly, RMC  
Township Clerk





## EXHIBIT A

Date: January 22, 2025

To: Erik Nolan, Esq., Township Affordable Housing Attorney

From: Michael Mistretta, PP, LLA, Harbor Consultants, Inc.  
Wyatt Grant, Harbor Consultants, Inc.

**Re: Fourth Round (2025-2035) Affordable Housing Obligation Calculation  
Township of Springfield, Union County, New Jersey**

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This memo has been prepared to outline the municipal requirements for the Township of Springfield to establish its Fourth Round (July, 2025 – July, 2035) present and prospective fair share obligation as mandated by the A4/S50 legislation, as well as detail the process and calculations used to determine the Township's Fourth Round present need obligation and prospective need obligation, which are to be adopted by binding resolution prior to January 31, 2025.

### **Background**

On March 20, 2024, Governor Murphy signed into law affordable housing bill A4/S50, which established new guidelines for determining and regulating the affordable housing obligations of New Jersey municipalities for the fourth 10-year-round (July, 2025 – July, 2035). Per A4/S50, before a municipality establishes its Fourth Round present and prospective fair share obligation, “the [Department of Community Affairs] shall prepare and submit a report to the Governor, and, pursuant to section 2 of P.L.1991, c.164 (C.52:14- 19.1), to the Legislature providing a report on the calculations of regional need and municipal obligations for each region of the State within the earlier of seven months following the effective date of P.L.2024, c.2 (C.52:27D-304.1 et al.) or December 1, 2024” (N.J. Stat. § 52:27D-304.1). Then, “with consideration of the calculations contained in the relevant report published by the department... for each 10-year round of affordable housing obligations beginning with the fourth round, 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 (C.52:27D-304.2 and C.52:27D-304.3) by resolution, which shall describe the basis for the municipality's determination and bind the municipality to adopt a housing element and fair share plan” (N.J. Stat. § 52:27D-304.1). For the Fourth Round, the municipal “determination of present and prospective fair share obligation shall be made by binding resolution no later than January 31, 2025” (N.J. Stat. § 52:27D-304.1).

In compliance with the aforementioned requirements, the Department of Community Affairs (DCA) released a report on October 18, 2024, titled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background,” inclusive of a calculation spreadsheet, which detailed the datasets and calculations used to generate the non-binding affordable housing obligation for each municipality within New Jersey for the Fourth Round. This report was amended several days later to include revised language on the methodology for the land capacity factor

calculation. Per this report, the Township's Fourth Round present need was calculated as 53 and the Township's Fourth Round prospective need was calculated as 284.

The Township has reviewed the DCA report and methodology established in A4/S50, which serve as the basis for the Township's evaluation and determination of its Fourth Round present and prospective fair share obligation. The ensuing sections of this memo provide an analysis of the process used to calculate the Township's Fourth Round present and prospective fair share obligation.

### **Present Need**

Per A4/S50, "A municipality's present need obligation shall be determined by estimating the existing deficient housing units currently occupied by low- and moderate-income households within the municipality, following a methodology comparable to the methodology used to determine third round present need, through the use of datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof" (N.J. Stat. § 52:27D-304.2). A4/S50 further defines "deficient housing units" as "housing that: (1) is over fifty years old and overcrowded; (2) lacks complete plumbing; or (3) lacks complete kitchen facilities" (N.J. Stat. § 52:27D-304).

In the Third Round, municipal present need calculations were based on the number of housing units lacking complete kitchen facilities, the number of units lacking complete plumbing facilities, and the number of overcrowded units. The present need calculations for the Fourth Round conducted by the DCA similarly use datasets measuring these three factors, but as explained in their report, "The US Department of Housing and Urban Development (HUD) and the US Census Bureau publish separate tables on housing age, lack of plumbing facilities, lack of kitchen facilities, and overcrowding. However, there is no data source that reports the number of units that meet any one of those three conditions. Therefore, this number must be estimated using data from existing tables, with measures taken to account for overlap and to narrow the scope to deficient housing units occupied by low- and moderate-income [(LMI)] households." The DCA therefore used a combination of the latest data from HUD's Comprehensive Housing Affordability Strategy (CHAS) LMI dataset corresponding to the latest Census Bureau American Community Survey (ACS) data (which was 2017-2021 5 Year Estimates at the time of the report's release), data from the IPUMS Center for Data Integration, and the ACS Public Data Microdata Sample (PUMS) at the Public Use Microdata Area (PUMA) level to estimate the number of substandard/deficient low- and moderate-income occupied units ("present need") for each municipality in New Jersey.

Per the methodology outlined above and described in further detail in the DCA report, the Fourth Round present need obligation for the Township of Springfield is calculated as 53. The Township has reviewed the datasets and methodology used to calculate the Township's Fourth Round present need as published in the DCA report and spreadsheet, and the Township concurs with the report's Fourth Round present need calculation of 53 for the Township of Springfield.

### **Prospective Need**

As described in A4/S50 and summarized in the DCA report, a municipality's Fourth Round prospective need obligation is calculated by multiplying its average allocation factor to the total prospective need of its corresponding Housing Region.

The average allocation factor is the average of three measures indicative of a municipality's capacity/potential to address the regional prospective need (equalized nonresidential valuation factor, income capacity factor, and land capacity factor), which are further explained in the subsections below.

The Fourth Round prospective need for each Housing Region is determined by calculating the change in the number of households within each Housing Region between the 2010 Census and 2020 Census. Per A4/S50, "this household change, if positive, shall be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region and to determine the regional prospective need for a 10-year round of low- and moderate-income housing obligations. If household change is zero or negative, the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region and the regional prospective need shall be zero" (N.J. Stat. § 52:27D-304.2).

The Township of Springfield is in Housing Region 2, which consists of Essex County, Morris County, Union County, and Warren County. Per the DCA report, the regional prospective need for Housing Region 2 is calculated as 20,506, and the Township's average allocation factor is calculated as 1.39%. The regional need of 20,506 multiplied by the Township's average allocation factor of 1.39% therefore results in a non-binding Fourth Round prospective need obligation calculation of 284.

The Township has evaluated the accuracy of the methodology and datasets used to calculate each of the three measures (equalized nonresidential valuation factor, income capacity factor, and land capacity factor) used to compute the average allocation factor and resulting Fourth Round prospective need, and based on this analysis, has arrived at a reduced Fourth Round prospective need obligation calculation of 239. The process for the Township's adjustment to the Fourth Round prospective need obligation published in the DCA report is detailed in the subsections below.

#### Equalized Nonresidential Valuation Factor

The equalized nonresidential valuation factor is one of the three components of the average allocation factor for each municipality. The equalized nonresidential valuation factor is representative of a municipality's share of the change in nonresidential property value within its Housing Region.

Per A4/S50, "the changes in nonresidential property valuations in the municipality, since the beginning of the round preceding the round being calculated, shall be calculated using data published by the Division of Local Government Services in the department. For the purposes of this paragraph, the beginning of the round of affordable housing obligations preceding the fourth round shall be the beginning of the gap period in 1999. The change in the municipality's nonresidential valuations shall be divided by the regional total change in nonresidential valuations to determine the municipality's share of the regional change as the equalized nonresidential valuation factor" (N.J. Stat. § 52:27D-304.3).

Following this methodology and as described in the DCA report, the equalized nonresidential factor for each municipality is calculated as follows:



1. The valuations of commercial properties and industrial properties in each municipality in 2023, per data from the NJ Division of Local Government Services, is summed and then divided by the 2023 State Equalization Table Average Ratio corresponding with the municipality to obtain a total equalized nonresidential valuation for 2023.
2. The valuations of commercial properties and industrial properties in each municipality in 1999, per data from the NJ Division of Local Government Services, is summed and then divided by the 1999 State Equalization Table Average Ratio corresponding with the municipality to obtain a total equalized nonresidential valuation for 1999.
3. The difference in total equalized nonresidential valuation from 1999-2023 is calculated for each municipality.
4. The difference in total nonresidential valuation from 1999-2023 is summed for all municipalities (excluding Qualified Urban Aid municipalities) within each Housing Region.
5. The difference in total nonresidential valuation from 1999-2023 for each municipality is divided by the sum of differences in total nonresidential valuation from 1999-2023 for its corresponding Housing Region to compute the municipality's share of the regional nonresidential valuation change from 1999-2023.

Following this methodology, the Township of Springfield's equalized nonresidential valuation factor of 2.07% is calculated as follows:

1. **\$637,429,400** (2023 commercial valuation) + **\$199,968,900** (2023 industrial valuation) = **\$837,398,300** (2023 total nonresidential valuation). **\$837,398,300** (2023 total nonresidential valuation) / **0.9337** (2023 State Equalization Table Average Ratio) = **\$896,860,126** (2023 total equalized nonresidential valuation).
2. **\$217,726,900** (1999 commercial valuation) + **\$60,095,900** (1999 industrial valuation) = **\$277,822,800** (1999 total nonresidential valuation). **\$277,822,800** (1999 total nonresidential valuation) / **0.7652** (1999 State Equalization Table Average Ratio) = **\$363,072,138** (1999 total equalized nonresidential valuation).
3. **\$896,860,126** (2023 total equalized nonresidential valuation) - **\$363,072,138** (1999 total equalized nonresidential valuation) = **\$533,787,988** (difference in total equalized nonresidential valuation from 1999-2023).
4. **Housing Region 2 sum of differences in total equalized nonresidential valuation from 1999-2023, excluding Qualified Urban Aid municipalities = \$25,808,891,055.**
5. **\$533,787,988** (difference in total equalized nonresidential valuation from 1999-2023) / **\$25,808,891,055** (Housing Region 2 sum of differences in total equalized nonresidential valuation from 1999-2023, excluding Qualified Urban Aid municipalities) = **0.0207 or 2.07%**

The Township has reviewed the datasets and methodology used to calculate the Township's Fourth Round equalized nonresidential valuation factor as published in the DCA report and spreadsheet (see above), and the Township concurs with the report's Fourth Round equalized nonresidential valuation factor calculation of 2.07% for the Township of Springfield.

#### Income Capacity Factor

The second component of the average allocation factor for each municipality is the income capacity factor. The income capacity factor measures the degree to which a municipality's median

household income differs from an income floor of \$100 below the lowest median household income in its Housing Region.

Per A4/S50, a municipality's income capacity factor shall be "determined by calculating the average of the following measures:

- (a) The municipal share of the regional sum of the differences between the median municipal household income, according to the most recent American Community Survey Five-Year Estimates, and an income floor of \$100 below the lowest median household income in the region; and
- (b) The municipal share of the regional sum of the differences between the median municipal household incomes and an income floor of \$100 below the lowest median household income in the region, weighted by the number of the households in the municipality" (N.J. Stat. § 52:27D-304.3).

At the time of the release of the DCA report on October 18, 2024, the most recent American Community Survey Five-Year Estimates data for median household income and number of households were found in Table S1903 of the Census Bureau's American Community Survey 2018-22 5-Year Estimates.

Using the American Community Survey 2018-22 5-Year Estimates data, and following the methodology in A4/S50 outlined above, the Township of Springfield's income capacity factor of 1.37% was calculated in the DCA report as follows:

1. **\$141,759** (Median household income in the past 12 months in Springfield per 2022 ACS) - **\$46,360** (\$100 below the lowest median household income in Housing Region 2 of \$46,460 belonging to the City of Newark) = **\$95,399** (Municipal difference in median household income from Housing Region 2 income floor). **\$95,399** (Municipal difference in median household income from Housing Region 2 income floor) / **\$8,307,878** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities) = **0.0115 or 1.15%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities).
2. **\$95,399** (Municipal difference in median household income from Housing Region 2 income floor) x **6,610** (Number of households in Springfield) = **\$630,587,390** (Municipal difference in median household income from Housing Region 2 income floor, weighted by households). **\$630,587,390** (Municipal difference in median household income from Housing Region 2 income floor, weighted by households) / **\$39,453,600,987** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0160 or 1.60%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households).
3. **Average of 1.15%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities) **and 1.60%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0137 or 1.37%**



While the Township agrees with the Township's income capacity factor calculation of 1.37% at the time of the DCA report, A4/S50 states that the income capacity factor shall be calculated "according to the most recent American Community Survey Five-Year Estimates." On December 12, 2024, the United States Census Bureau released American Community Survey 2019-23 5-Year Estimates data. The Township therefore seeks to adjust its income capacity factor calculation based on the American Community Survey 2019-23 5-Year Estimates data for the municipalities in Housing Region 2, which can be found in Table S1903. The adjusted calculation of the Township's income capacity factor using the American Community Survey 2019-23 5-Year Estimates data is detailed below:

1. **\$146,059** (Median household income in the past 12 months in Springfield per 2023 ACS) - **\$48,316** (\$100 below the lowest median household income in Housing Region 2 of \$48,416 belonging to the City of Newark) = **\$97,743** (Municipal difference in median household income from Housing Region 2 income floor). **\$97,743** (Municipal difference in median household income from Housing Region 2 income floor) / **\$8,646,298** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities) = **0.0113 or 1.13%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities).
2. **\$97,743** (Municipal difference in median household income from Housing Region 2 income floor) x **6,615** (Number of households in Springfield) = **\$646,569,945** (Municipal difference in median household income from Housing Region 2 income floor, weighted by households). **\$646,569,945** (Municipal difference in median household income from Housing Region 2 income floor, weighted by households) / **\$41,118,073,874** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0157 or 1.57%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households).
3. **Average of 1.13%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities) **and 1.57%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0135 or 1.35%**

Based on the re-calculation of the Township's income capacity factor based on the most recent American Community Survey Five-Year Estimates, the Township derives an income capacity factor calculation of 1.35% rather than 1.37% as calculated in the DCA report.

#### Land Capacity Factor

The third component of the average allocation factor for each municipality is the land capacity factor. The land capacity factor indicates the percentage share of total "developable" land in a Housing Region accounted for by each municipality within that Region, excluding land area corresponding to Qualified Urban Aid municipalities.

A4/S50 states that the land capacity factor "shall be determined by estimating the area of developable land in the municipality's boundaries, and regional boundaries, that may accommodate development through the use of the 'land use / land cover data' most recently published by the Department of Environmental Protection, data from the American Community Survey and Comprehensive Housing Affordability Strategy dataset thereof, MOD-IV Property

Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from the Department of Community Affairs and weighing such land based on the planning area type in which such land is located. After the weighing factors are applied, the sum of the total developable land area that may accommodate development in the municipality and in the region shall be determined. The municipality's share of its region's developable land shall be its land capacity factor" (N.J. Stat. § 52:27D-304.3).

Following this methodology, the DCA conducted a GIS analysis to identify the "developable" land within the state using several publicly-available datasets, including but not limited to 2020 land use/land cover (LULC) data, New Jersey State Plan Planning Areas weighted by area type, statewide parcel data, open space and preserved farmland, category 1 waterways and wetlands, steep slopes, and open waters.

The steps below provide a summary of the analysis conducted by DCA to identify the "developable" land in the state and calculate each municipality's land capacity factor, which is further expanded upon in their report.

1. Weights were applied to all New Jersey State Plan Planning Areas as specified in A4/S50.
2. The layer of weighted Planning Areas was merged with land use/land cover (LULC) data for the entire state sourced from 2020 aerial imagery. 18 different types of LULC, such as cropland and pastureland, deciduous forest, and coniferous forest, were identified and extracted as "vacant, developable land" from this merged dataset.
3. Of these areas identified as "developable" from the merged dataset, areas without underlying parcel data and areas with MOD-IV Property Tax data with property class codes for residential, commercial, industrial, apartment, railroad, and school uses were removed to prevent rights-of-way, tree-covered rear yards on residential properties and buffer areas on non-residential development from being included in the "developable" land calculation.
4. Municipally-reported construction permit data was used to remove properties otherwise identified as vacant through the LULC analysis.
5. Areas mapped as open space, preserved farmland, category 1 waterways and wetlands (and associated buffers based on special resource area restrictions) were removed from the "developable" land dataset.
6. Using 10 foot digital elevation LiDAR data, steep slope areas exceeding 15% and steep slope areas consisting of 5,000 square feet or less were removed from the "developable" land dataset.
7. DCA reviewed an unspecified 22,000 vacant parcels to further remove homeowner association common areas, detention basins, and road and utility rights of way.
8. After the removal of all the aforementioned layers from the "developable" land dataset, remaining "slivers" of land with an area of 2,500 square feet or less were also removed due to their inability to support development.
9. The remaining land was identified as "developable" land and was summed based on the limits of each Housing Region and its corresponding municipalities.
10. The municipality's percentage of total identified "developable" land within its Housing Region constitutes its land capacity factor.

Through this analysis, the DCA reported 38.397 acres of “developable” land in the Township of Springfield and 5,358.483 acres of “developable” land in Housing Region 2, therefore computing a land capacity factor of 0.72% for the Township.

On November 27, 2024, the DCA released the output geospatial data (titled “Land Capacity Analysis for P.L. 2024, c.2”) generated from the GIS analysis used to compute the land capacity factor as described in the October 18, 2024 report. However, the DCA indicates in the description of this dataset that, “The land areas identified in this dataset are based on the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program.”

The Township has therefore reviewed and mapped this dataset to evaluate the accuracy of the 38.397 acres of “developable” land identified in the Township used to calculate the Township’s land capacity factor of 0.72% in the DCA report. Under further analysis, the Township finds that several areas identified as “developable” in the Township by the DCA’s geoprocessing model are in fact not “developable.”

As part of this analysis, the Township has prepared the following:

1. A map of the “developable” lands within the Township as identified in the DCA report (see Exhibit A).
2. A redlined spreadsheet of the “developable” lands within the Township as identified in the DCA report (see Exhibit B), which was prepared by merging the “vacant and developable” land spatial data features in the “Land Capacity Analysis for P.L. 2024, c.2” dataset released by the DCA with current parcel MOD-IV data for the Township as provided by the Union County Board of Taxation. The spreadsheet details the “developable” land areas to be removed from the land capacity factor calculation, which are outlined in red, as well as a description of the reason for removal.

Based on this analysis, the Township finds that +/- 34.043 acres of the 38.397 acres of “developable” land identified in the DCA report are to be removed from the land capacity factor calculation, resulting in a recalculation of the land capacity factor based on +/- 4.354 total acres of “developable” land within the Township. The adjustment to the “developable” land within the Township consequently reduces the total “developable” land within Housing Region 2 from 5,358.483 acres to 5,324.440 acres.

The land capacity factor is therefore re-calculated as follows:

4.354 acres of “developable” land in the Township of Springfield / 5,324.440 acres of “developable” land in Housing Region 2 = 0.0008 or 0.08%.

### **Summary**

Based on the adjustments to the income capacity factor and land capacity factor as described above, the Township’s average allocation factor is reduced from 1.386% to 1.167%, which when

applied to the regional perspective need of 20,506 for Housing Region 2, lowers the Township's prospective need obligation from 284 to 239.

The table below summarizes the Township's Fourth Round present need obligation and prospective need obligation compared to the Township's Fourth Round obligations as calculated in the DCA report. Cells shaded **red** indicate an adjustment to a calculation provided in the DCA report.

SPRINGFIELD FOURTH ROUND OBLIGATION SUMMARY TABLE							
PRESENT NEED OBLIGATION							
DCA Calculation	Township Calculation						
53	53 (Township accepts DCA calculation)						
PROSPECTIVE NEED OBLIGATION							
DCA Calculation							
Equalized Nonresidential Valuation Factor	Income Capacity Factor	Land Capacity Factor			Average Allocation Factor	Regional Perspective Need	Springfield Prospective Need Obligation
		Housing Region 2 “Developable” Land (acres)	Township “Developable” Land (acres)	Land Capacity Factor Calculation			
2.07%	1.37%	5,358.483	38.397	0.72%	1.386%	20,506	284
Township Calculation							
Equalized Nonresidential Valuation Factor	Income Capacity Factor	Land Capacity Factor			Average Allocation Factor	Regional Perspective Need	Springfield Prospective Need Obligation
		Housing Region 2 “Developable” Land (acres)	Township “Developable” Land (acres)	Land Capacity Factor Calculation			
2.07% (Township accepts DCA calculation)	1.35%	5,324.440	4.354	0.08%	1.167%	20,506 (Township accepts DCA calculation)	239

## **EXHIBIT A**

“Map of the ‘Developable’ Lands within the Township of Springfield per the DCA Report”





**HARBOR CONSULTANTS**  
ENGINEERS, SURVEYORS, AND PLANNERS  
330 NORTH AVENUE EAST  
CRANFORD, NJ 07016



**Summit City**

**Millburn Township**

**Union Township**

**Mountainside Borough**

**Kenilworth Borough**

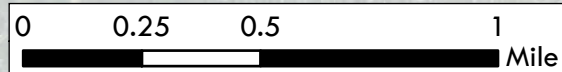
**Westfield Town**

**Cranford Township**

## Legend



Developable Land  
per DCA Report





## **EXHIBIT B**

“Redlined Spreadsheet of the ‘Developable’ Lands within the Township of  
Springfield per the DCA Report”

BOOK	LOT	PROPERTY CLASS	ADDRESS	FACILITY NAME (MOD-V)	OWNER NAME	OWNER ADDRESS	OWNER ADDRESS CITY/STATE	OWNER ADDRESS ZIP CODE	BUILDING DETAIL (MOD-V)	LAND DESCR. (MOD-V)	CALCULATED AREA (MOD-V)	FACILITY NAME (MOD-V)	ZONE	PARCEL AREA - SF (STATE PARCEL MOD.)	PARCEL AREA - AC (STATE PARCEL MOD.)	DEVELOPABLE LAND AREA - AC (STATE PARCEL MOD.)	COMMENTS
202	30	15C	MOUNTAIN RD	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE	TRENTON, NJ	8625		1.411 AC	1.411	RIGHT OF WAY	OSU	16051.1308	1.15157	10107.21627	0.18718
204	1	15C	MAIN ST	RIGHT OF WAY	EMAP LLC / J LIMITED LIABILITY CO	16 KEEPER STREET	MALDEN, NJ	7041		2.2005F	0.524	RIGHT OF WAY	AH16	20073.4535	0.46632	14743.72277	0.33919
204	2	1	MAIN ST - REAR	RIGHT OF WAY	EMAP LLC / REE THAMM LTD	16 BAKER ST	MALDEN, NJ	7041		0.297 AC	0.297	RIGHT OF WAY	AH16	15519.67968	0.36028	1875.90838	0.04006
206	1	1	302 MORRIS AVE		302 308 MORRIS AVE LLC	302 308 MORRIS AVE	SPRINGFIELD, NJ	7081		824.68	0	AH0Z	AH0Z	10093.80489	0.23172	2098.82161	0.08618
206	6	15C	280 MORRIS AVE	PARKING AREAS	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVENUE	SPRINGFIELD, NJ	7081		0.84 AC	0.84	PARKING AREAS	AH0Z	38976.5162	0.8886	569.88650	0.01508
206	22	1B0	41 CHURCH HALL	PARISH HOUSE	FIRST PRESBYTERIAN CHURCH	37 CHURCH HALL	SPRINGFIELD, NJ	7081		8799F	0.0201	PARISH HOUSE	AH0Z	841.9733	0.01938	711.9647	0.01639
206	23	150	41 CHURCH HALL	PARISH HOUSE	FIRST PRESBYTERIAN CHURCH	37 CHURCH HALL	SPRINGFIELD, NJ	7081	25C8.8	0.870 AC	0.87	PARISH HOUSE	AH0Z	39016.17938	0.89569	9715146	0.0223
206	24	150	CHURCH HALL (REAR)	VACANT	FIRST PRESBYTERIAN CHURCH	37 CHURCH HALL	SPRINGFIELD, NJ	7081		50 AC	0.5	VACANT	AH0Z	22476.5345	0.51595	17557.97164	0.40807
206	26	1	MORRIS AVE - REAR		302 308 MORRIS AVE LLC	302 308 MORRIS AVE	SPRINGFIELD, NJ	7081		16023.501 FT	0.3638	AH0Z	AH0Z	11507.34481	0.26546	7034.15726	0.16148
210	2	1	71 EDSON PLACE		ATLANTIC FEDERAL CREDIT UNION	37 MARKET STREET	KEENWORTH, NJ	7033		0.397 AC	0.397		00	17360.35536	0.39831	3188.26468	0.08872
210	3	15C	MAIN ST	VACANT LAND	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVE	SPRINGFIELD, NJ	7081		21009F	0.0480	VACANT LAND	00	2060.9496	0.04731	215.24343	0.00546
210	4	15C	MAIN ST	VACANT LAND	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVE	SPRINGFIELD, NJ	7081		0.5 AC	0.5	VACANT LAND	00	22788.39697	0.52223	17473.8424	0.40115
210	5	15C	MAIN ST	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		97260F	0.2218	RIGHT OF WAY	00	15065.40705	0.34448	9963.52457	0.22877
210	6	15C	MAIN ST	VACANT LAND	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVE	SPRINGFIELD, NJ	7081		140009F	0.3305	VACANT LAND	00	12790.05051	0.29274	12790.05051	0.29274
210	7	15C	MAIN ST	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		140009F	0.3313	RIGHT OF WAY	00	1066.12482	0.02447	952.76287	0.02187
210	8	15C	MAIN ST	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		8009F	0.0189	RIGHT OF WAY	00	990.71031	0.02282	1591.08133	0.03646
210	9	1	MAIN ST - REAR		JA WAREHOUSE LLC	11 EDSON PLACE	SPRINGFIELD, NJ	7081		9540.521 FT	0.219		00	8866.59332	0.20383	5518.88294	0.01271
203	4	15C	SPRINGFIELD AVE	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		1.693 AC	1.693	RIGHT OF WAY	00	12731.41586	1.7156	687.67976	0.51787
206	1	150	0 TOWNE DRIVE	TEMPLE BETH AM	TEMPLE BETH AM	SPRINGFIELD NJ	SPRINGFIELD, NJ	7081	238	5.4630 AC	5.463	VACANT LAND	AH18	24570.1718	5.5903	12093.9136	0.2784
206	3	15C	653 MORRIS AVE REAR	VACANT LAND	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE	TRENTON, NJ	8625		1.05 AC	1.05	VACANT LAND	AH18	7251.12421	1.6464	1845.74825	0.12855
206	50	15C	REAR TROY DRIVE	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		8.84 AC	8.86	RIGHT OF WAY	AH18	33886.0089	8.81276	39347.9546	4.43407
601	18	150	TEMPLE DRIVE	PARKING AREAS	TEMPLE BETH AM	0 TOWNE DRIVE	SPRINGFIELD, NJ	7081		5460F	0.125	PARKING AREAS	560	6664.06981	0.13921	2282.3387	0.0524
801	15.01	15C	MORRIS AVE	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		4.29 AC	4.29	PARK	OSU	131797.7042	4.40284	0.28037	0.00001
801	50	15C	MOUNTAIN TO MOUNTAIN	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		3.64 AC	3.6	RIGHT OF WAY	560	115102.731	3.49181	69122.0085	1.46765
808	1	15C	80 WASHINGTON AVE	VACANT LAND	TOWNSHIP OF SPRINGFIELD	1035 PARKWAY AVENUE	SPRINGFIELD, NJ	7081		1307.888	0.02986	VACANT LAND	560	112801.2497	0.27896	97148.1201	0.22022
1001	1	15C	301 SHUNING RD	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		14.59 ACRES	14.59	PARK	M4	613097.1309	14.48806	1.46355	0.00003
1103	27	15C	BALTOUCH WAY - REAR	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE/CL600	TRENTON, NJ	8625		69 AC	0.09	RIGHT OF WAY	560	4024.52148	0.09738	811.69342	0.01877
1103	50	15C	BRYANT & BALTOUCH WAY	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		2.42 AC	2.42	RIGHT OF WAY	560	105847.0025	2.42395	17771.30609	0.40957
1105	25	150	240-248 SHUNING RD	CHURCH	CANARY ASSEMBLY OF GOD	240-248 SHUNING RD	SPRINGFIELD, NJ	7081	238	3.32 AC	3.32	CHURCH	575	118017.1486	3.18912	8250.5787	0.18841
1106	1	15C	SHUNING RD	QUARRY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE CHNOO	TRENTON, NJ	8625		60 AC	0.6	QUARRY	M4	25703.72919	0.59008	6151.00345	0.15007
1108	2	15C	SHUNING RD	VACANT LAND	TOWNSHIP OF SPRINGFIELD	1035 PARKWAY AVENUE	SPRINGFIELD, NJ	7081		23.452	0.232	VACANT LAND	148	7515.62912	0.17372	3213.69311	0.03918
1202	50	15C	MOUNTAIN TO MOUNTAIN	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		23.2 AC	23.2	RIGHT OF WAY	560	14565.7726	0.28236	10282.5333	0.28236
1203	6	150	40 SPRINGFIELD AVE	ST JAMES CATH CH	ST JAMES CATHOLIC CHURCH	40 SPRINGFIELD AVE	SPRINGFIELD, NJ	7081	238	556 AC	556	ST JAMES CATH CH	575	211895.3646	4.86349	49786.0986	1.29804
1402	19	1	47 ST WALTER AVE		JEFFER CENTRAL P & L E T W OFFT	PO BOX 6747	CHANDLER, IL	605124387		7651 ACRES	0.7661		00	33902.11132	0.78543	32035.797	0.07054
1402	20	15C	MORRIS AVE	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		27.94 AC	27.94	PARK	OSU	1218188.706	27.29455	1.2388	0.00003
1503	50	15C	MORRIS AVE	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		0.837 AC	0.837	RIGHT OF WAY	575	24266.52155	0.55043	10475.52487	0.2405
1601	1	15C	SHUNING RD	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		6.09 ACRES	6.09	PARK	OSU	239186.3985	5.96012	10646.8715	0.24442
1602	5	15C	OLD SHUNING RD	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		1.5775 AC	1.5775	PARK	OSU	63950.12701	1.4681	138.29758	0.00917
1603	50	15C	SHUNING RD	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		4.82 AC	4.82	RIGHT OF WAY	OSU	207325.383	4.66314	76672.26148	1.71492
1604	1	15C	SHUNING RD	QUARRY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE CHNOO	TRENTON, NJ	8625		94.12 AC	94.12	QUARRY	OSU	4602180.037	91.29519	949594.0497	21.79288
1605	3	15C	SHUNING RD	QUARRY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE CHNOO	TRENTON, NJ	8625		260688	0	QUARRY	OSU	270613.9113	0.62087	4153.50718	0.09465

BLOCK	LOT	PROPERTY CLASS	ADDRESS	FACILITY NAME (MOD-V)	OWNER NAME	OWNER ADDRESS	OWNER ADDRESS CITY, STATE	OWNER ADDRESS ZIP CODE	BUILDING DETAIL (MOD-V)	LAND DETAIL (MOD-V)	CALCULATED AREA - AC (MOD-V)	FACILITY NAME (MOD-V)	ZONE	PARKING AREA - SF (STATE PLANE PROJ.)	STREET NAME (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - AC (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - AC (STATE PLANE PROJ.)	COMMENTS
26021	8	1	SUMMIT RD - REAR		JAGTAP, JAGMEET & DARBARA, SHEFALI	126 BALUSO, RD	SUMMIT, NJ	7801		877.68	0		S120	63961.34023	1.46836	10211.97207	0.23444	
26022	17	1SC	THREE TOP DR	PUMPING STATION	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVE	SPRINGFIELD, NJ	7081	RETENTION BASIN	14418 SF	0.3315	PUMPING STATION	S120	201950.7471	4.6817	54913.55111	0.75	Env. constraints, used as retention basin, property owned by Township of Springfield, NJ. The property is undevelopable land and from ~55,000 SF to 0.75 acre (12,670 sq. ft.)
26023	34	1SC	SPRINGFIELD ROAD		DEPARTMENT OF TRANSPORTATION	105 E. MARION AVENUE	TRINICON, NJ	6125		20342	0.328	RIGHT OF WAY	S120	16011.16135	0.22721	6145.01325	0.1112	
26024	38	1SC	BALUSO MOUNTAIN	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	105 E. MARION AVENUE	TRINICON, NJ	6125		100909	0.2344	RIGHT OF WAY	S120	22040.80212	0.26486	10077.23812	0.2110	
33022	1	1SC	NEWESTON ROAD	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETH PLAZA	ELIZABETH, NJ	7207		33505F	0.0808	PARK	OS6U	15584.9357	0.35603	0.17717	0	K&B property - Wetland Restoration Area 0.15 SF of undevelopable land area - 96' wide
33023	2	1SC	NEWESTON ROAD	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	105 E. MARION AVENUE	TRINICON, NJ	6125		86209F	0.1934	RIGHT OF WAY	OS6U	19107.21552	0.44036	12514.42712	0.2865	
33024	1	1SC	NEWESTON ROAD	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	105 E. MARION AVENUE	TRINICON, NJ	6125		100059F	0.2344	RIGHT OF WAY	OS6U	34362.21453	0.78637	12283.24872	0.28159	
33025	2	1SC	SUMMIT RD	RIGHT OF WAY	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVENUE	SPRINGFIELD, NJ	7081	158	6185 SF	0.142	RIGHT OF WAY	OS6U	6271.20228	0.14597	638.80688	0.01467	Used as ROW by Township. Also 639,100 SF of undevelopable land since
33026	1	1	BALUSO, ROAD		NEW JERSEY DEPT. OF TRANSPORTATION	RD 6024 2149	ADIRONDACK, TX	72601		26709 SF	0.567		OS6U	33557.25157	0.59636	18321.94513	0.18179	



**HARRISON CONSULTANTS**  
BOARD OF TAXATION  
320 MOUNTAIN AVENUE  
TRINICON, NJ 07081-2138  
TEL: 908.723.3100 FAX: 908.723.3138

Prepared on 1/22/2025 by:

Note: This spreadsheet was not prepared or officially released by the DOA. The DOA only provided spatial data of the land areas identified as "vacant and developable" as part of the land capacity factor calculation. Our office prepared this spreadsheet of the spatial data for the "land capacity analysis by P.L. 2024, L2" released by the DOA (see <https://pda.maps.arcgis.com/home/item.html?id=12a6ef6d510d7f6a1f6d49d0816724> with current parcel MOD-V data for the Township as provided by the Union County Board of Taxation (see <https://www.nj.com/public/gov/cg/kenilworth/2023/03/kenilworth-board-of-taxation-2023.html>)).

FOURTH ROUND										Regional Permp. Need	
CALCULATION											
Developable Land	5,324,483	Proposed Region 1 Developable Land	5,324,440	Existing Land	Capacity Factor per DCA	Equipped Hours, Variation Factor	Income Capacity Factor	Average Abatement	Existing Obligation		
38,397	0.72%	38,397	0.72%	38,397	1.37%	2.07%	1.36%	1.36%	234		
Proposed Developable Land	4,354	Proposed Land Capacity Factor	0.08%	Proposed Hours, Variation	2.07%	Proposed Income Capacity Factor	1.36%	Proposed Average Abatement Factor	1.36%	Proposed Obligation	239

**Explanation: This resolution of the Township Committee of the Township of Springfield is committing to Fourth Round Present and Prospective Need Affordable Housing Obligations.**

**TOWNSHIP OF SPRINGFIELD  
RESOLUTION NO. 2025-59**

**WHEREAS**, the Township of Springfield (hereinafter the “Township” or Springfield”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

**WHEREAS**, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 7, 2015, the Township of Springfield filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfies its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine,” and

**WHEREAS**, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits until July 1, 2025; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

**WHEREAS**, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and

**WHEREAS**, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, the DCA Report calculates the Township’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of 53 and a Prospective Need (New Construction) Obligation of 284; and

**WHEREAS**, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s)...by binding resolution no later than January 31, 2025”, a deadline which was later extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 19, 2024; and

**WHEREAS**, the Township accepts the conclusions in the DCA Report, which includes accepting the DCA’s Fourth Round Present Need (Rehabilitation) calculation of 53, but does not accept the DCA’s calculations of the Township’s Income Capacity Factor and Land Capacity



Factor, which are factors that are part of the DCA's calculation of the Township's Fourth Round Prospective Need (New Construction) calculation of 284; and

**WHEREAS**, as to the Land Capacity Factor, the Township notes that the DCA belatedly provided the data it used to establish this factor, i.e., on or about November 25, 2024, instead of by October 20, 2024; and

**WHEREAS**, the Township further notes that the link to the DCA GIS data that the DCA belatedly made available to municipalities includes the following language: "The land areas identified in this dataset are based on ... the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program."; and

**WHEREAS**, the Township maintains that the Income Capacity Allocation factor has to be adjusted and that the areas the DCA identified as developable are indeed overinclusive and, consequently, the Township's Affordable Housing Planner, has prepared an expert report, attached hereto as **Exhibit A**; and

**WHEREAS**, correcting the Income Capacity Factor and Land Capacity Allocation Factor results in the reduction of Springfield Township's Fourth Round Prospective Need (New Construction) Obligation from 284 to 239; and

**WHEREAS**, Section 3 of the Amended FHA provides that: "the municipality's determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7" of the Amended FHA; and

**WHEREAS**, the Township's acceptance of the Fourth Round obligations calculated by the DCA are entitled to a "presumption of validity" because it complies with Sections 6 and 7 of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the Township specifically reserves the right to adjust its fair share obligations in accordance with applicable Council on Affordable Housing ("COAH") regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a Structural Conditions Survey or similar exterior survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning document; and

**WHEREAS**, in addition to the foregoing, the Township specifically reserves all rights to revoke or amend this resolution and commitment, as may be necessary, in the event of a



successful challenge to the Amended FHA in the context of the case The Borough of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and

**WHEREAS**, in addition to the foregoing, the Township reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

**WHEREAS**, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the Township's Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

**WHEREAS**, in addition to the foregoing, the Acting Administrative Director of the AOC issued Directive #14-24 on December 19, 2024; and

**WHEREAS**, pursuant to Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter "the Program"), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and

**WHEREAS**, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of AOC Directive #14-24 and the Township reserves any and all rights and remedies in relation to the AOC Directive; and

**WHEREAS**, the Township seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and

**WHEREAS**, in light of the above, the Mayor and Township Committee finds that it is in the best interest of the Township to declare its obligations in accordance with this Resolution; and

**NOW, THEREFORE, BE IT RESOLVED** on this 28<sup>th</sup> day of January of 2025, by the Committee of the Township of Springfield, Union County, State of New Jersey, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full.

2. For the reasons set forth in this Resolution, the Mayor and Township Committee hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 53 and the Fourth Round Prospective Need (New Construction) Obligation of 239 as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:

- a) The right to adjust the Township's fair share obligations based on a Structural Conditions survey or similar exterior survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and
- b) The right to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and
- c) The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the Township's fair share obligations.

3. Pursuant to the requirements of the FHA as amended, and the Administrator of the Court's (AOC) Directive #14-24 issued on December 19, 2024, the Township Committee hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint, along with this Resolution, a Case Information Statement (Civil CIS), and supporting expert report, in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, to initiate an action within 48 hours of the adoption of this Resolution, so that the Township's Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.

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

TOWNSHIP OF SPRINGFIELD

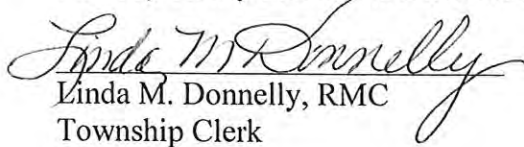
By: 

Richard Huber, Mayor

Adopted:

January 28, 2025

I hereby certify that this is a true and correct copy.

  
Linda M. Donnelly, RMC  
Township Clerk







## EXHIBIT A

Date: January 22, 2025

To: Erik Nolan, Esq., Township Affordable Housing Attorney

From: Michael Mistretta, PP, LLA, Harbor Consultants, Inc.  
Wyatt Grant, Harbor Consultants, Inc.

**Re: Fourth Round (2025-2035) Affordable Housing Obligation Calculation  
Township of Springfield, Union County, New Jersey**

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This memo has been prepared to outline the municipal requirements for the Township of Springfield to establish its Fourth Round (July, 2025 – July, 2035) present and prospective fair share obligation as mandated by the A4/S50 legislation, as well as detail the process and calculations used to determine the Township's Fourth Round present need obligation and prospective need obligation, which are to be adopted by binding resolution prior to January 31, 2025.

### **Background**

On March 20, 2024, Governor Murphy signed into law affordable housing bill A4/S50, which established new guidelines for determining and regulating the affordable housing obligations of New Jersey municipalities for the fourth 10-year-round (July, 2025 – July, 2035). Per A4/S50, before a municipality establishes its Fourth Round present and prospective fair share obligation, “the [Department of Community Affairs] shall prepare and submit a report to the Governor, and, pursuant to section 2 of P.L.1991, c.164 (C.52:14- 19.1), to the Legislature providing a report on the calculations of regional need and municipal obligations for each region of the State within the earlier of seven months following the effective date of P.L.2024, c.2 (C.52:27D-304.1 et al.) or December 1, 2024” (N.J. Stat. § 52:27D-304.1). Then, “with consideration of the calculations contained in the relevant report published by the department... for each 10-year round of affordable housing obligations beginning with the fourth round, 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 (C.52:27D-304.2 and C.52:27D-304.3) by resolution, which shall describe the basis for the municipality's determination and bind the municipality to adopt a housing element and fair share plan” (N.J. Stat. § 52:27D-304.1). For the Fourth Round, the municipal “determination of present and prospective fair share obligation shall be made by binding resolution no later than January 31, 2025” (N.J. Stat. § 52:27D-304.1).

In compliance with the aforementioned requirements, the Department of Community Affairs (DCA) released a report on October 18, 2024, titled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background,” inclusive of a calculation spreadsheet, which detailed the datasets and calculations used to generate the non-binding affordable housing obligation for each municipality within New Jersey for the Fourth Round. This report was amended several days later to include revised language on the methodology for the land capacity factor

calculation. Per this report, the Township's Fourth Round present need was calculated as 53 and the Township's Fourth Round prospective need was calculated as 284.

The Township has reviewed the DCA report and methodology established in A4/S50, which serve as the basis for the Township's evaluation and determination of its Fourth Round present and prospective fair share obligation. The ensuing sections of this memo provide an analysis of the process used to calculate the Township's Fourth Round present and prospective fair share obligation.

### **Present Need**

Per A4/S50, "A municipality's present need obligation shall be determined by estimating the existing deficient housing units currently occupied by low- and moderate-income households within the municipality, following a methodology comparable to the methodology used to determine third round present need, through the use of datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof" (N.J. Stat. § 52:27D-304.2). A4/S50 further defines "deficient housing units" as "housing that: (1) is over fifty years old and overcrowded; (2) lacks complete plumbing; or (3) lacks complete kitchen facilities" (N.J. Stat. § 52:27D-304).

In the Third Round, municipal present need calculations were based on the number of housing units lacking complete kitchen facilities, the number of units lacking complete plumbing facilities, and the number of overcrowded units. The present need calculations for the Fourth Round conducted by the DCA similarly use datasets measuring these three factors, but as explained in their report, "The US Department of Housing and Urban Development (HUD) and the US Census Bureau publish separate tables on housing age, lack of plumbing facilities, lack of kitchen facilities, and overcrowding. However, there is no data source that reports the number of units that meet any one of those three conditions. Therefore, this number must be estimated using data from existing tables, with measures taken to account for overlap and to narrow the scope to deficient housing units occupied by low- and moderate-income [(LMI)] households." The DCA therefore used a combination of the latest data from HUD's Comprehensive Housing Affordability Strategy (CHAS) LMI dataset corresponding to the latest Census Bureau American Community Survey (ACS) data (which was 2017-2021 5 Year Estimates at the time of the report's release), data from the IPUMS Center for Data Integration, and the ACS Public Data Microdata Sample (PUMS) at the Public Use Microdata Area (PUMA) level to estimate the number of substandard/deficient low- and moderate-income occupied units ("present need") for each municipality in New Jersey.

Per the methodology outlined above and described in further detail in the DCA report, the Fourth Round present need obligation for the Township of Springfield is calculated as 53. The Township has reviewed the datasets and methodology used to calculate the Township's Fourth Round present need as published in the DCA report and spreadsheet, and the Township concurs with the report's Fourth Round present need calculation of 53 for the Township of Springfield.

### **Prospective Need**

As described in A4/S50 and summarized in the DCA report, a municipality's Fourth Round prospective need obligation is calculated by multiplying its average allocation factor to the total prospective need of its corresponding Housing Region.



The average allocation factor is the average of three measures indicative of a municipality's capacity/potential to address the regional prospective need (equalized nonresidential valuation factor, income capacity factor, and land capacity factor), which are further explained in the subsections below.

The Fourth Round prospective need for each Housing Region is determined by calculating the change in the number of households within each Housing Region between the 2010 Census and 2020 Census. Per A4/S50, "this household change, if positive, shall be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region and to determine the regional prospective need for a 10-year round of low- and moderate-income housing obligations. If household change is zero or negative, the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region and the regional prospective need shall be zero" (N.J. Stat. § 52:27D-304.2).

The Township of Springfield is in Housing Region 2, which consists of Essex County, Morris County, Union County, and Warren County. Per the DCA report, the regional prospective need for Housing Region 2 is calculated as 20,506, and the Township's average allocation factor is calculated as 1.39%. The regional need of 20,506 multiplied by the Township's average allocation factor of 1.39% therefore results in a non-binding Fourth Round prospective need obligation calculation of 284.

The Township has evaluated the accuracy of the methodology and datasets used to calculate each of the three measures (equalized nonresidential valuation factor, income capacity factor, and land capacity factor) used to compute the average allocation factor and resulting Fourth Round prospective need, and based on this analysis, has arrived at a reduced Fourth Round prospective need obligation calculation of 239. The process for the Township's adjustment to the Fourth Round prospective need obligation published in the DCA report is detailed in the subsections below.

#### Equalized Nonresidential Valuation Factor

The equalized nonresidential valuation factor is one of the three components of the average allocation factor for each municipality. The equalized nonresidential valuation factor is representative of a municipality's share of the change in nonresidential property value within its Housing Region.

Per A4/S50, "the changes in nonresidential property valuations in the municipality, since the beginning of the round preceding the round being calculated, shall be calculated using data published by the Division of Local Government Services in the department. For the purposes of this paragraph, the beginning of the round of affordable housing obligations preceding the fourth round shall be the beginning of the gap period in 1999. The change in the municipality's nonresidential valuations shall be divided by the regional total change in nonresidential valuations to determine the municipality's share of the regional change as the equalized nonresidential valuation factor" (N.J. Stat. § 52:27D-304.3).

Following this methodology and as described in the DCA report, the equalized nonresidential factor for each municipality is calculated as follows:

1. The valuations of commercial properties and industrial properties in each municipality in 2023, per data from the NJ Division of Local Government Services, is summed and then divided by the 2023 State Equalization Table Average Ratio corresponding with the municipality to obtain a total equalized nonresidential valuation for 2023.
2. The valuations of commercial properties and industrial properties in each municipality in 1999, per data from the NJ Division of Local Government Services, is summed and then divided by the 1999 State Equalization Table Average Ratio corresponding with the municipality to obtain a total equalized nonresidential valuation for 1999.
3. The difference in total equalized nonresidential valuation from 1999-2023 is calculated for each municipality.
4. The difference in total nonresidential valuation from 1999-2023 is summed for all municipalities (excluding Qualified Urban Aid municipalities) within each Housing Region.
5. The difference in total nonresidential valuation from 1999-2023 for each municipality is divided by the sum of differences in total nonresidential valuation from 1999-2023 for its corresponding Housing Region to compute the municipality's share of the regional nonresidential valuation change from 1999-2023.

Following this methodology, the Township of Springfield's equalized nonresidential valuation factor of 2.07% is calculated as follows:

1. **\$637,429,400** (2023 commercial valuation) + **\$199,968,900** (2023 industrial valuation) = **\$837,398,300** (2023 total nonresidential valuation). **\$837,398,300** (2023 total nonresidential valuation) / **0.9337** (2023 State Equalization Table Average Ratio) = **\$896,860,126** (2023 total equalized nonresidential valuation).
2. **\$217,726,900** (1999 commercial valuation) + **\$60,095,900** (1999 industrial valuation) = **\$277,822,800** (1999 total nonresidential valuation). **\$277,822,800** (1999 total nonresidential valuation) / **0.7652** (1999 State Equalization Table Average Ratio) = **\$363,072,138** (1999 total equalized nonresidential valuation).
3. **\$896,860,126** (2023 total equalized nonresidential valuation) - **\$363,072,138** (1999 total equalized nonresidential valuation) = **\$533,787,988** (difference in total equalized nonresidential valuation from 1999-2023).
4. **Housing Region 2 sum of differences in total equalized nonresidential valuation from 1999-2023, excluding Qualified Urban Aid municipalities = \$25,808,891,055.**
5. **\$533,787,988** (difference in total equalized nonresidential valuation from 1999-2023) / **\$25,808,891,055** (Housing Region 2 sum of differences in total equalized nonresidential valuation from 1999-2023, excluding Qualified Urban Aid municipalities) = **0.0207 or 2.07%**

The Township has reviewed the datasets and methodology used to calculate the Township's Fourth Round equalized nonresidential valuation factor as published in the DCA report and spreadsheet (see above), and the Township concurs with the report's Fourth Round equalized nonresidential valuation factor calculation of 2.07% for the Township of Springfield.

#### Income Capacity Factor

The second component of the average allocation factor for each municipality is the income capacity factor. The income capacity factor measures the degree to which a municipality's median

household income differs from an income floor of \$100 below the lowest median household income in its Housing Region.

Per A4/S50, a municipality's income capacity factor shall be "determined by calculating the average of the following measures:

- (a) The municipal share of the regional sum of the differences between the median municipal household income, according to the most recent American Community Survey Five-Year Estimates, and an income floor of \$100 below the lowest median household income in the region; and
- (b) The municipal share of the regional sum of the differences between the median municipal household incomes and an income floor of \$100 below the lowest median household income in the region, weighted by the number of the households in the municipality" (N.J. Stat. § 52:27D-304.3).

At the time of the release of the DCA report on October 18, 2024, the most recent American Community Survey Five-Year Estimates data for median household income and number of households were found in Table S1903 of the Census Bureau's American Community Survey 2018-22 5-Year Estimates.

Using the American Community Survey 2018-22 5-Year Estimates data, and following the methodology in A4/S50 outlined above, the Township of Springfield's income capacity factor of 1.37% was calculated in the DCA report as follows:

1. **\$141,759** (Median household income in the past 12 months in Springfield per 2022 ACS) - **\$46,360** (\$100 below the lowest median household income in Housing Region 2 of \$46,460 belonging to the City of Newark) = **\$95,399** (Municipal difference in median household income from Housing Region 2 income floor). **\$95,399** (Municipal difference in median household income from Housing Region 2 income floor) / **\$8,307,878** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities) = **0.0115 or 1.15%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities).
2. **\$95,399** (Municipal difference in median household income from Housing Region 2 income floor) x **6,610** (Number of households in Springfield) = **\$630,587,390** (Municipal difference in median household income from Housing Region 2 income floor, weighted by households). **\$630,587,390** (Municipal difference in median household income from Housing Region 2 income floor, weighted by households) / **\$39,453,600,987** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0160 or 1.60%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households).
3. **Average of 1.15%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities) **and 1.60%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0137 or 1.37%**

While the Township agrees with the Township's income capacity factor calculation of 1.37% at the time of the DCA report, A4/S50 states that the income capacity factor shall be calculated "according to the most recent American Community Survey Five-Year Estimates." On December 12, 2024, the United States Census Bureau released American Community Survey 2019-23 5-Year Estimates data. The Township therefore seeks to adjust its income capacity factor calculation based on the American Community Survey 2019-23 5-Year Estimates data for the municipalities in Housing Region 2, which can be found in Table S1903. The adjusted calculation of the Township's income capacity factor using the American Community Survey 2019-23 5-Year Estimates data is detailed below:

1. **\$146,059** (Median household income in the past 12 months in Springfield per 2023 ACS) - **\$48,316** (\$100 below the lowest median household income in Housing Region 2 of \$48,416 belonging to the City of Newark) = **\$97,743** (Municipal difference in median household income from Housing Region 2 income floor). **\$97,743** (Municipal difference in median household income from Housing Region 2 income floor) / **\$8,646,298** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities) = **0.0113 or 1.13%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities).
2. **\$97,743** (Municipal difference in median household income from Housing Region 2 income floor) x **6,615** (Number of households in Springfield) = **\$646,569,945** (Municipal difference in median household income from Housing Region 2 income floor, weighted by households). **\$646,569,945** (Municipal difference in median household income from Housing Region 2 income floor, weighted by households) / **\$41,118,073,874** (Housing Region 2 sum of differences from income floor, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0157 or 1.57%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households).
3. **Average of 1.13%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities) **and 1.57%** (Springfield's share of the sum of the differences from the income floor in Housing Region 2, excluding Qualified Urban Aid municipalities, weighted by households) = **0.0135 or 1.35%**

Based on the re-calculation of the Township's income capacity factor based on the most recent American Community Survey Five-Year Estimates, the Township derives an income capacity factor calculation of 1.35% rather than 1.37% as calculated in the DCA report.

#### Land Capacity Factor

The third component of the average allocation factor for each municipality is the land capacity factor. The land capacity factor indicates the percentage share of total "developable" land in a Housing Region accounted for by each municipality within that Region, excluding land area corresponding to Qualified Urban Aid municipalities.

A4/S50 states that the land capacity factor "shall be determined by estimating the area of developable land in the municipality's boundaries, and regional boundaries, that may accommodate development through the use of the 'land use / land cover data' most recently published by the Department of Environmental Protection, data from the American Community Survey and Comprehensive Housing Affordability Strategy dataset thereof, MOD-IV Property

Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from the Department of Community Affairs and weighing such land based on the planning area type in which such land is located. After the weighing factors are applied, the sum of the total developable land area that may accommodate development in the municipality and in the region shall be determined. The municipality's share of its region's developable land shall be its land capacity factor" (N.J. Stat. § 52:27D-304.3).

Following this methodology, the DCA conducted a GIS analysis to identify the "developable" land within the state using several publicly-available datasets, including but not limited to 2020 land use/land cover (LULC) data, New Jersey State Plan Planning Areas weighted by area type, statewide parcel data, open space and preserved farmland, category 1 waterways and wetlands, steep slopes, and open waters.

The steps below provide a summary of the analysis conducted by DCA to identify the "developable" land in the state and calculate each municipality's land capacity factor, which is further expanded upon in their report.

1. Weights were applied to all New Jersey State Plan Planning Areas as specified in A4/S50.
2. The layer of weighted Planning Areas was merged with land use/land cover (LULC) data for the entire state sourced from 2020 aerial imagery. 18 different types of LULC, such as cropland and pastureland, deciduous forest, and coniferous forest, were identified and extracted as "vacant, developable land" from this merged dataset.
3. Of these areas identified as "developable" from the merged dataset, areas without underlying parcel data and areas with MOD-IV Property Tax data with property class codes for residential, commercial, industrial, apartment, railroad, and school uses were removed to prevent rights-of-way, tree-covered rear yards on residential properties and buffer areas on non-residential development from being included in the "developable" land calculation.
4. Municipally-reported construction permit data was used to remove properties otherwise identified as vacant through the LULC analysis.
5. Areas mapped as open space, preserved farmland, category 1 waterways and wetlands (and associated buffers based on special resource area restrictions) were removed from the "developable" land dataset.
6. Using 10 foot digital elevation LiDAR data, steep slope areas exceeding 15% and steep slope areas consisting of 5,000 square feet or less were removed from the "developable" land dataset.
7. DCA reviewed an unspecified 22,000 vacant parcels to further remove homeowner association common areas, detention basins, and road and utility rights of way.
8. After the removal of all the aforementioned layers from the "developable" land dataset, remaining "slivers" of land with an area of 2,500 square feet or less were also removed due to their inability to support development.
9. The remaining land was identified as "developable" land and was summed based on the limits of each Housing Region and its corresponding municipalities.
10. The municipality's percentage of total identified "developable" land within its Housing Region constitutes its land capacity factor.



Through this analysis, the DCA reported 38.397 acres of “developable” land in the Township of Springfield and 5,358.483 acres of “developable” land in Housing Region 2, therefore computing a land capacity factor of 0.72% for the Township.

On November 27, 2024, the DCA released the output geospatial data (titled “Land Capacity Analysis for P.L. 2024, c.2”) generated from the GIS analysis used to compute the land capacity factor as described in the October 18, 2024 report. However, the DCA indicates in the description of this dataset that, “The land areas identified in this dataset are based on the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program.”

The Township has therefore reviewed and mapped this dataset to evaluate the accuracy of the 38.397 acres of “developable” land identified in the Township used to calculate the Township’s land capacity factor of 0.72% in the DCA report. Under further analysis, the Township finds that several areas identified as “developable” in the Township by the DCA’s geoprocessing model are in fact not “developable.”

As part of this analysis, the Township has prepared the following:

1. A map of the “developable” lands within the Township as identified in the DCA report (see Exhibit A).
2. A redlined spreadsheet of the “developable” lands within the Township as identified in the DCA report (see Exhibit B), which was prepared by merging the “vacant and developable” land spatial data features in the “Land Capacity Analysis for P.L. 2024, c.2” dataset released by the DCA with current parcel MOD-IV data for the Township as provided by the Union County Board of Taxation. The spreadsheet details the “developable” land areas to be removed from the land capacity factor calculation, which are outlined in red, as well as a description of the reason for removal.

Based on this analysis, the Township finds that +/- 34.043 acres of the 38.397 acres of “developable” land identified in the DCA report are to be removed from the land capacity factor calculation, resulting in a recalculation of the land capacity factor based on +/- 4.354 total acres of “developable” land within the Township. The adjustment to the “developable” land within the Township consequently reduces the total “developable” land within Housing Region 2 from 5,358.483 acres to 5,324.440 acres.

The land capacity factor is therefore re-calculated as follows:

4.354 acres of “developable” land in the Township of Springfield / 5,324.440 acres of “developable” land in Housing Region 2 = 0.0008 or 0.08%.

### **Summary**

Based on the adjustments to the income capacity factor and land capacity factor as described above, the Township’s average allocation factor is reduced from 1.386% to 1.167%, which when

applied to the regional perspective need of 20,506 for Housing Region 2, lowers the Township's prospective need obligation from 284 to 239.

The table below summarizes the Township's Fourth Round present need obligation and prospective need obligation compared to the Township's Fourth Round obligations as calculated in the DCA report. Cells shaded **red** indicate an adjustment to a calculation provided in the DCA report.

SPRINGFIELD FOURTH ROUND OBLIGATION SUMMARY TABLE							
PRESENT NEED OBLIGATION							
DCA Calculation	Township Calculation						
53	53 (Township accepts DCA calculation)						
PROSPECTIVE NEED OBLIGATION							
DCA Calculation							
Equalized Nonresidential Valuation Factor	Income Capacity Factor	Land Capacity Factor			Average Allocation Factor	Regional Perspective Need	Springfield Prospective Need Obligation
		Housing Region 2 “Developable” Land (acres)	Township “Developable” Land (acres)	Land Capacity Factor Calculation			
2.07%	1.37%	5,358.483	38.397	0.72%	1.386%	20,506	284
Township Calculation							
Equalized Nonresidential Valuation Factor	Income Capacity Factor	Land Capacity Factor			Average Allocation Factor	Regional Perspective Need	Springfield Prospective Need Obligation
		Housing Region 2 “Developable” Land (acres)	Township “Developable” Land (acres)	Land Capacity Factor Calculation			
2.07% (Township accepts DCA calculation)	1.35%	5,324.440	4.354	0.08%	1.167%	20,506 (Township accepts DCA calculation)	239

## **EXHIBIT A**

“Map of the ‘Developable’ Lands within the Township of Springfield per the DCA Report”





**HARBOR CONSULTANTS**  
ENGINEERS, SURVEYORS, AND PLANNERS  
330 NORTH AVENUE EAST  
CRANFORD, NJ 07016



**Summit City**

**Millburn Township**

**Union Township**

**Mountainside Borough**

**Kenilworth Borough**

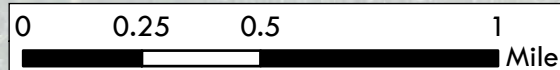
**Westfield Town**

**Cranford Township**

## Legend



Developable Land  
per DCA Report






## **EXHIBIT B**

“Redlined Spreadsheet of the ‘Developable’ Lands within the Township of  
Springfield per the DCA Report”



BLOCK	LOT	PROPERTY CLASS	ADDRESS	FACILITY NAME (MOD-V)	OWNER NAME	OWNER ADDRESS	OWNER ADDRESS CITY/STATE	OWNER ADDRESS ZIP CODE	BUILDING DETAIL (MOD-V)	LAND DESCR. (MOD-V)	CALCULATED AREA (MOD-V)	FACILITY NAME (MOD-V)	ZONE	PARCEL AREA - SF (STATE PARCEL MOD.)	PARCEL AREA - AC (STATE PARCEL MOD.)	DEVELOPABLE LAND AREA - AC (STATE PARCEL MOD.)	COMMENTS
202	30	15C	MOUNTAIN RD	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE	TRENTON, NJ	8625		1.411 AC	1.411	RIGHT OF WAY	OSU	16051.1308	1.15157	0.18718	
204	1	15C	MAIN ST	RIGHT OF WAY	EMAP LLC / J LIMITED LIABILITY CO	16 KEEFER STREET	MALDEN, NJ	7041		2.2005F	0.524	RIGHT OF WAY	AH16	20073.4535	0.46632	0.38719	Used as ROW by NJDOT
204	2	1	MAIN ST - REAR	RIGHT OF WAY	EMAP LLC / REE TRAMM LTD	16 KEEFER ST	MALDEN, NJ	7041		0.297 AC	0.267	RIGHT OF WAY	AH16	15519.6798	0.36028	0.24806	
206	1	1	302 MORRIS AVE		302 308 MORRIS AVE LLC	302 308 MORRIS AVE	SPRINGFIELD, NJ	7081		824.68	0	AH0Z		10093.80489	0.23172	0.08618	Developed with landscape design firm "X" and C Land Design and Construction
206	6	15C	280 MORRIS AVE	PARKING AREAS	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVENUE	SPRINGFIELD, NJ	7081		0.84 AC	0.84	PARKING AREAS	AH0Z	38976.5162	0.8866	0.01508	Township-owned parking lot. 560.89 SF of developable land area - share
206	22	1B0	41 CHURCH HALL	PARISH HOUSE	FIRST PRESBYTERIAN CHURCH	37 CHURCH HALL	SPRINGFIELD, NJ	7081		8799F	0.0201	PARISH HOUSE	AH0Z	841.9733	0.01938	0.00819	First Presbyterian Church property. 713.76 SF of developable land area - share
206	23	150	41 CHURCH HALL	PARISH HOUSE	FIRST PRESBYTERIAN CHURCH	37 CHURCH HALL	SPRINGFIELD, NJ	7081	2528.8	0.870 AC	0.87	PARISH HOUSE	AH0Z	39016.17938	0.89569	0.02233	First Presbyterian Church property. 971.51 SF of developable land area - share
206	24	150	CHURCH HALL (REAR)	VACANT	FIRST PRESBYTERIAN CHURCH	37 CHURCH HALL	SPRINGFIELD, NJ	7081		50 AC	0.5	VACANT	AH0Z	22476.5345	0.51595	0.48807	
206	26	1	MORRIS AVE - REAR		302 308 MORRIS AVE LLC	302 308 MORRIS AVE	SPRINGFIELD, NJ	7081		16023.501 FT	0.3678	AH0Z		11507.34481	0.26546	0.16148	Developed with landscape design firm "X" and C Land Design and Construction
210	2	1	71 EDSON PLACE		ATLANTIC FEDERAL CREDIT UNION	37 MARKET STREET	KEENWORTH, NJ	7033		0.397 AC	0.397		00	17360.35536	0.39811	0.08872	lot owned by Atlantic Federal Credit Union and occupied by various parking for adjacent office building
210	3	15C	MAIN ST	VACANT LAND	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVE	SPRINGFIELD, NJ	7081		21009F	0.0482	VACANT LAND	00	2060.9496	0.04731	0.00546	235.26 SF of developable land -
210	4	15C	MAIN ST	VACANT LAND	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVE	SPRINGFIELD, NJ	7081		0.5 AC	0.5	VACANT LAND	00	22788.39697	0.52223	0.40115	Parcel (Block 4277 - Page 187) near Main, 55699 residents that property be used for public use.
210	5	15C	MAIN ST	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		97260F	0.2218	RIGHT OF WAY	00	15065.42075	0.34448	0.22877	
210	6	15C	MAIN ST	VACANT LAND	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVE	SPRINGFIELD, NJ	7081		140005F	0.3305	VACANT LAND	00	12790.05051	0.29274	0.29274	Dead (Block 4277 - Page 187) near Main, 55699 residents that property be used for public use.
210	7	15C	MAIN ST	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		140005F	0.3313	RIGHT OF WAY	00	1066.12482	0.02447	0.02187	
210	8	15C	MAIN ST	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		8009F	0.0181	RIGHT OF WAY	00	990.71011	0.02282	0.01966	
210	9	1	MAIN ST - REAR		JA WAREHOUSE LLC	11 EDSON PLACE	SPRINGFIELD, NJ	7081		9540.521 FT	0.219		00	8866.93132	0.20583	0.01271	Developed as parking lot for adjacent office building. Also 551.68 SF of developable land area - share
203	4	15C	SPRINGFIELD AVE	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		1.691 AC	1.693	RIGHT OF WAY	00	12721.41588	1.7156	0.57377	Used as parking lot with adjacent parking lot
206	1	150	60 TOWNE DRIVE	TEMPLE BETH AM	TEMPLE BETH AM	SPRINGFIELD, NJ	SPRINGFIELD, NJ	7081	238	5.4636 AC	5.463	SYNAGOGUE	AH18	24570.17138	5.5503	0.2784	Developed with synagogue - Temple Beth Am (Share)
206	3	15C	653 MORRIS AVE REAR	VACANT LAND	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE	TRENTON, NJ	8625		1.05 AC	1.05	VACANT LAND	AH18	7251.12421	1.6464	0.12865	NJDOT property developed with parking lot
206	50	15C	REAR TOWNE DRIVE	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		8.84 AC	8.86	RIGHT OF WAY	AH18	33886.0089	8.81276	4.43407	Used as ROW by NJDOT; parcel follows an abandoned rail line
601	18	150	TEMPLE DRIVE	PARKING AREAS	TEMPLE BETH AM	60 TOWNE DRIVE	SPRINGFIELD, NJ	7081		5465F	0.125	PARKING AREAS	560	6664.68981	0.13921	0.0524	
801	15.01	15C	MORRIS AVE	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		4.29 AC	4.29	PARK	OSU	131797.7042	4.40284	0.28037	OSU property - "Meadow Run" property. 4.63 SF of developable land area - share
801	50	15C	MOUNTAIN TO MARKET	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		3.64 AC	3.6	RIGHT OF WAY	560	151202.731	3.49181	0.69222085	Used as ROW by NJDOT
808	1	15C	80 WASHINGTON AVE	VACANT LAND	TOWNSHIP OF SPRINGFIELD	1035 PARKWAY AVENUE	SPRINGFIELD, NJ	7081		1327.888	0.2896	VACANT LAND	560	112801.2497	0.2896	0.22622	Used as ROW by NJDOT
1001	1	15C	301 SHUPLINE RD	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		14.59 ACRES	14.59	PARK	M4	613097.1309	14.48806	1.46555	Brant Park property
1103	27	15C	BALTOUCH WAY - REAR	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE/CL600	TRENTON, NJ	8625		69 AC	0.09	RIGHT OF WAY	560	4024.52148	0.09758	0.01877	Used as ROW by NJDOT - Also 817.88 SF of developable land area - share
1103	50	15C	BRUNN & BALTOUCH WAY	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		2.42 AC	2.42	RIGHT OF WAY	560	105847.0025	2.42395	0.40957	Used as ROW by NJDOT - Also 70 foot elevation gain from one end of parcel to the other
1105	25	150	240-248 SHUPLINE RD	CHURCH	CANARY ASSEMBLY OF GOD	240-248 SHUPLINE RD	SPRINGFIELD, NJ	7081	258	3.32 AC	3.32	CHURCH	575	118817.1486	3.18912	0.18841	Developed with church - "Canary Assembly of God"
1106	1	15C	SHUPLINE RD	QUARRY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE CHNOO	TRENTON, NJ	8625		60 AC	0.6	QUARRY	M4	25703.72919	0.59008	0.15007	Former Houshale Quarry lands sold to NJDOT (See Block 1516 Page 92) (See Map 22311)
1108	2	15C	SHUPLINE RD	VACANT LAND	TOWNSHIP OF SPRINGFIELD	1035 PARKWAY AVENUE	SPRINGFIELD, NJ	7081		23.452	0.232	VACANT LAND	148	751.42032	0.17372	0.00918	
1202	50	15C	MOUNTAIN TO MARKET	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		23.2 AC	23.2	RIGHT OF WAY	560	14565.7726	0.26256	0.26256	Used as ROW by NJDOT
1205	6	150	463 SPRINGFIELD AVE	ST JAMES CATH CH	ST JAMES CATHOLIC CHURCH	463 SPRINGFIELD AVE	SPRINGFIELD, NJ	7081	238	5.06 AC	5.06	ST JAMES CATH CH	575	211895.3546	4.86349	0.98604	St. James the Apostle Roman Catholic Church property
1402	19	1	47 ST WATKINS AVE		JBEST CENTRAL P & LE TPA OFFT	PO BOX 6147	CHANDLER, IL	60523.9387		7651 ACRES	0.7661		00	33902.11132	0.76543	0.07554	Developed with public utilities
1402	20	15C	MORRIS AVE	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		27.74 AC	27.74	PARK	OSU	1218188.706	27.73655	1.2388	NOT property - developed as Meadow Ave Park
1503	50	15C	MORRIS AVE	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		0.837 AC	0.837	RIGHT OF WAY	575	24266.52155	0.55043	0.2405	Used as ROW by NJDOT - share
1601	1	15C	SHUPLINE RD	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		6.09 ACRES	6.09	PARK	OSU	239186.3985	5.96012	0.44442	Union County Parks and Recreation
1602	5	15C	OLD SHUPLINE RD	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETHOWN PLAZA	ELIZABETH, NJ	7207		1.5775 AC	1.5775	PARK	OSU	63950.12701	1.4681	0.00917	Union County Parks and Recreation
1603	50	15C	SHUPLINE RD	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVENUE	TRENTON, NJ	8625		4.82 AC	4.82	RIGHT OF WAY	OSU	207325.3835	4.86314	1.71492	Former Houshale Quarry lands sold to NJDOT (See Block 1516 Page 92) (See Map 22311)
1604	1	15C	SHUPLINE RD	QUARRY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE CHNOO	TRENTON, NJ	8625		94.12 AC	94.12	QUARRY	OSU	4602180.037	91.29219	21.79288	Former Houshale Quarry lands sold to NJDOT (See Block 1516 Page 92) (See Map 22311) Also very steep slopes
1605	3	15C	SHUPLINE RD	QUARRY	DEPARTMENT OF TRANSPORTATION	1035 PARKWAY AVE CHNOO	TRENTON, NJ	8625		260688	0	QUARRY	OSU	27061.19113	0.62087	0.09465	Former Houshale Quarry lands sold to NJDOT (See Block 1516 Page 92) (See Map 22311)

BLOCK	LOT	PROPERTY CLASS	ADDRESS	FACILITY NAME (MOD-V)	OWNER NAME	OWNER ADDRESS	OWNER ADDRESS CITY, STATE	OWNER ADDRESS ZIP CODE	BUILDING DETAIL (MOD-V)	LAND DETAIL (MOD-V)	CALCULATED AREA - AC (MOD-V)	FACILITY NAME (MOD-V)	ZONE	PARKING AREA - SF (STATE PLANE PROJ.)	STREET NAME (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - AC (STATE PLANE PROJ.)	DEVELOPABLE LAND AREA - AC (STATE PLANE PROJ.)	COMMENTS
26021	8	1	SUMMIT RD - REAR		JAGTAP, JAGDEET & DARBBA, SHEFALI	126 BALUSO, RD	SUMMIT, NJ	7901		877.68	0		S120	63961.34023	1.46836	10211.97207	0.23444	
26022	17	15C	THREE TOP DR	PUMPING STATION	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVE	SPRINGFIELD, NJ	7081	RETENTION BASIN	14418 SF	0.3315	PUMPING STATION	S120	201950.7471	4.6817	54913.55111	0.75	Env. constraints, used as retention basin, property owned by Township of Springfield, NJ. The property is undevelopable land and from ~55,000 SF to 0.75 acre (12,670 sq. ft.)
26023	34	15C	SPRINGFIELD ROAD		DEPARTMENT OF TRANSPORTATION	105 E. MARION AVENUE	TRINICON, NJ	6125		2034C	0.328	RIGHT OF WAY	S120	16011.16135	0.22721	6145.02325	0.3112	
26024	38	15C	BALUSO MOUNTAIN	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	105 E. MARION AVENUE	TRINICON, NJ	6125		10030SF	0.2946	RIGHT OF WAY	S120	22043.80212	0.26486	10077.23812	0.2110	
33022	1	15C	NEWESTON ROAD	PARK	DIV PARKS & RECREATION CO ADMIN BLDG	ELIZABETH PLAZA	ELIZABETH, NJ	7207		3350SF	0.0808	PARK	OS6U	15598.9357	0.35603	0.17717	0	KOS property - Wetland Restoration Also 0.15 SF of undevelopable land area - 20' wide
33023	2	15C	NEWESTON ROAD	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	105 E. MARION AVENUE	TRINICON, NJ	6125		8620SF	0.1936	RIGHT OF WAY	OS6U	19107.21552	0.44036	12514.42712	0.2863	
33024	1	15C	NEWESTON ROAD	RIGHT OF WAY	DEPARTMENT OF TRANSPORTATION	105 E. MARION AVENUE	TRINICON, NJ	6125		10000SF	0.2341	RIGHT OF WAY	OS6U	34362.21453	0.78637	12283.24872	0.28109	
33025	2	15C	SUMMIT RD	RIGHT OF WAY	TOWNSHIP OF SPRINGFIELD	100 MOUNTAIN AVENUE	SPRINGFIELD, NJ	7081	158	6185 SF	0.142	RIGHT OF WAY	OS6U	6271.20228	0.14597	638.80088	0.01667	Used as ROW by Township Also 0.01667 SF of undevelopable land area - 20' wide
33026	1	1	BALUSO, ROAD		NEW JERSEY DEPT. OF TRANS. & INFRA.	RD 6024 2149	ADIRONDACK, TX	72601		26709 SF	0.567		OS6U	33507.20157	0.59636	18321.94813	0.41979	



**HUDSON COUNTY PLANNING DEPARTMENT**  
320 MOUNTAIN AVENUE  
SPRINGFIELD, NJ 07081  
TEL: 908.272.3100 FAX: 908.272.3108

Prepared on 1/22/2025 by:

TOTAL CALCULATED DEVELOPABLE LAND WITHIN PANEL LINES

38.89911

TOTAL DEVELOPABLE AREA PER DCA REPORT

38.39710

LAND TO BE REMOVED FROM DEVELOPABLE AFTER REMOVAL OF RMP'S

4.35419

Notes: This spreadsheet was not prepared or officially released by the DCA. The DCA only provided spatial data of the land areas identified as "vacant and developable" as part of the land capacity factor calculation. Our office prepared this spreadsheet of property containing "vacant and developable" land as identified by the DCA by merging the spatial data for the "Land Capacity Analysis by P.L. 2024, L2" released by the DCA here <https://pda.maps.arcgis.com/home/item.html?id=12a6ef6d510d7f6a1f6d490d8c724> with current parcel MOD-V data for the Township as provided by the Union County Board of Taxation (see <https://www.uncnj.com/paid/gis/gis.cfm>, users:tb383333@weld.state.nj.us, type:cdm-admin, type=2).

FOURTH ROUND CALCULATION										Regional Permp. Need	
Developable Land										20,506	
Proposed Region 1 Developable Land										234	
Existing	Developable Land Capacity Factor per DCA	Equipped Hous., Variation Factor	Income Opportunity Factor	Average Abatement	Existing	Developable Land Capacity Factor per DCA	Equipped Hous., Variation Factor	Income Opportunity Factor	Average Abatement	234	
38.397	0.72%	2.07%	1.37%	1.36%	38.397	0.72%	2.07%	1.37%	1.36%	234	239
Proposed	Proposed Land Capacity Factor	Proposed Income Variation	Proposed Income Capacity Factor	Proposed Average Abatement Factor	Proposed	Proposed Land Capacity Factor	Proposed Income Variation	Proposed Income Capacity Factor	Proposed Average Abatement Factor	239	
4.354	0.08%	2.07%	1.30%	1.30%	4.354	0.08%	2.07%	1.30%	1.30%	239	

# Civil Case Information Statement

## Case Details: UNION | Civil Part Docket# L-000409-25

**Case Caption:** IN THE MATTER OF SPRINGFIELD TWP  
**Case Initiation Date:** 01/29/2025  
**Attorney Name:** ERIK C NOLAN  
**Firm Name:** SURENIAN, EDWARDS, BUZAK & NOLAN LLC  
**Address:** 311 BROADWAY STE A  
 POINT PLEASANT BEACH NJ 08742  
**Phone:** 7326123100  
**Name of Party:** PLAINTIFF : Township of Springfield  
**Name of Defendant's Primary Insurance Company**  
 (if known): None

**Case Type:** AFFORDABLE HOUSING  
**Document Type:** Complaint  
**Jury Demand:** NONE  
**Is this a professional malpractice case?** NO  
**Related cases pending:** NO  
**If yes, list docket numbers:**  
**Do you anticipate adding any parties (arising out of same transaction or occurrence)?** NO  
**Does this case involve claims related to COVID-19?** NO  
**Are sexual abuse claims alleged by: Township of Springfield?** NO

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

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

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

**If yes, is that relationship:**

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

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

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

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

**Will an interpreter be needed?** NO

**If yes, for what language:**

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

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

01/29/2025  
 Dated

/s/ ERIK C NOLAN  
 Signed

**APPENDIX C**

**[RESERVED]**



## **APPENDIX D**

**Explanation: This resolution of the Township Committee of the Township of Springfield commits to Fourth Round Present and Prospective Need Affordable Housing Obligations via a Settlement.**

**TOWNSHIP OF SPRINGFIELD  
RESOLUTION NO. 2025-118**

**WHEREAS**, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2 (hereinafter "P.L. 2024, c.2" or "Amended FHA"); and

**WHEREAS**, P.L. 2024, c.2 modified the process upon which municipalities could comply with their affordable housing obligations pursuant to the Mount Laurel doctrine; and

**WHEREAS**, P.L. 2024, c.2 required the Department of Community Affairs (the "DCA") to prepare a report with the calculation of the regional and municipal Present and Prospective Need for the Fourth Round, and said report calculated Springfield Township's ("Springfield" or the "Township") Fourth Round Present Need Obligation to be 53 and its Fourth Round Prospective Need Obligation to be 284; and

**WHEREAS**, P.L. 2024, c.2 required the Township to pass a binding resolution determining its Fourth Round Present Need Obligation and its Fourth Round Prospective Need Obligation by January 31, 2025, and file it, along with a Declaratory Judgment Complaint ("DJ Complaint") in the Superior Court of New Jersey, Union Vicinage; and

**WHEREAS**, in furtherance of P.L. 2024, c.2, the Township adopted Resolution 2025-59 on January 28, 2025, and thereafter filed a DJ complaint with the Court within 48 hours of its passage, which has resulted in the case In the Matter of the Application of the Township of Springfield, Docket No. UNN-L-409-25; and

**WHEREAS**, the Township determined its Fourth Round Present Need Obligation to be 53 and its Fourth Round Prospective Need Obligation to be 239; and

**WHEREAS**, P.L. 2024, c.2 enabled interested parties to challenge a municipality's number prior to February 28, 2025; and

**WHEREAS**, the New Jersey Builders Association ("NJBA") filed an objection to the Township's Round 4 number; and

**WHEREAS**, the NJBA argued that the Township's Fourth Round Prospective Need Obligation was 284; and

**WHEREAS**, pursuant to P.L. 2024, c.2, the Township and the NJBA were to engage in negotiations regarding the Township's Round 4 number; and

**WHEREAS**, representatives of the Township and the NJBA engaged in negotiations and, as a result of those negotiations, the Township and the NJBA agreed to a Fourth Round Present

Need Obligation of 53 and a Fourth Round Prospective Need Obligation of 262 for the Township; and

**WHEREAS**, the Township seeks to bind itself to the agreed upon numbers between itself, and the NJBA for a Fourth Round Present Need Obligation of 53 and a Fourth Round Prospective Need Obligation of 262; and

**WHEREAS**, the Township agreeing upon its Fourth Round Present and Prospective Need Obligations should result in its continuing immunity from all Mount Laurel lawsuits, as a result of following the procedural requirements of P.L. 2024, c.2; and

**NOW, THEREFORE, BE IT RESOLVED** on this 8th day of April 2025, by the Committee of the Township of Springfield, Union County, State of New Jersey, as follows:

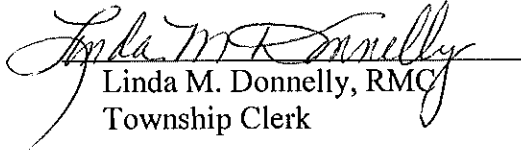
1. The Mayor and Committee hereby commit to a Fourth Round Present Need Obligation of 53 and a Fourth Round Prospective Need Obligation of 262 units, as agreed upon with the NJBA, subject to the following conditions and/or reservations of rights:
  - a. Nothing in this resolution shall be interpreted as an adjudication or determination of the Township's right to an adjustment of its Fourth Round Prospective Need Obligation predicated upon a lack of developable land, sewer, water or similar adjustments.
  - b. If a third party successfully challenges this resolution or any order, judgment or determination effectuating this agreed-upon number, the Township reserves the right to return to *status quo ante* and reserve all litigation rights.
2. The Township Committee hereby authorizes the Township's affordable housing special counsel to take whatever steps are necessary to effectuate the terms of this resolution with the Program or a court of competent jurisdiction, which authorization shall include, the execution by the Mayor of a Mediation Agreement between the Township and the New Jersey Builder's Association, which has been executed by the NJBA and is attached hereto as Exhibit A.
3. This resolution shall take effect immediately.

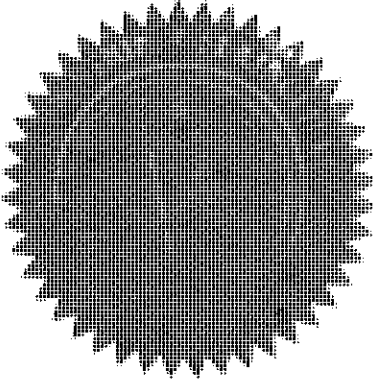
TOWNSHIP OF SPRINGFIELD

By:   
Richard Huber, Mayor

**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Township Committee of the Township of Springfield at a regular meeting held on the 8th day of April 2025, a quorum being present and voting in the majority.

  
Linda M. Donnelly, RMC  
Township Clerk





MEDIATION AGREEMENT BEFORE THE AFFORDABLE HOUSING DISPUTE  
RESOLUTION PROGRAM

IN THE MATTER OF THE APPLICATION OF THE TOWNSHIP OF SPRINGFIELD,  
DOCKET NO. UNN-L-000409-25

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L. 2024, c.2., into law, which established a new framework for determining and enforcing municipalities' affordable housing obligations under the Mount Laurel doctrine and the Fair Housing Act (the "Amended Act"); and

**WHEREAS**, the Amended Act required the Department of Community Affairs (the "DCA") to prepare a report with the calculation of the regional and municipal Prospective Need and the municipal Present Need for the Fourth Round in accordance with the formula required by the Amended Act; and

**WHEREAS**, the DCA released this report entitled "Affordable Housing Obligations for 2025-2035 (Fourth Round)" on October 18, 2024; and

**WHEREAS**, the DCA report concluded that Springfield Township's ("Springfield" or the "Township") fair share obligations for the Fourth Round included a Present Need of 53 units and a Prospective Need of 284 units; and

**WHEREAS**, on January 29, 2025, the Township filed a Declaratory Judgment Action along with an adopted January 28, 2025 resolution of participation with the Affordable Housing Dispute Resolution Program (the "Program"), in accordance with the requirements of N.J.S.A. 52:27D-301, et seq., and the timeframes set forth in the Administrative Office of the Court's Directive #14-24 (the "Directive"); and

**WHEREAS**, the Township's resolution proposed to set Springfield's affordable housing obligations for the Fourth Round to include a Present Need of 53 units and a Prospective Need of 239 units; and