

Town of Westfield Union County Round 4: Housing Element and Fair Share Plan

Prepared For:



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Table of Contents

I.	Introduction	4
A.	History of New Jersey Affordable Housing Policy	4
B.	Housing Element and Fair Share Plan Requirements	7
II.	Housing Element: Municipal Summary	10
A.	Housing Conditions	10
	Table 1: Year Structure Built.....	11
	Table 2: Housing Condition.....	12
	Table 3: Value for Owner-Occupied Housing Units.....	12
	Table 4: Housing Cost Burden Overview Exceeding 30% Gross Income	13
	Table 5: Housing Tenure and Occupancy.....	13
	Table 6: Occupants Per Room + Inadequate Units in Occupied Housing Units	14
	Table 7: Housing Type and Size	14
	Table 8: Number of Bedrooms Per Unit.....	15
	Table 9: Substandard Housing Indicators	16
B.	Housing Projections	16
	Table 10: Housing Unit Projection	16
	Figure 1: Existing Land Use Map.....	17
	Figure 2: Existing Zoning Map	18
C.	Demographic Characteristics.....	19
	Table 11: Historic Population Growth	19
	Table 12: Population by Age	20
	Table 13: Population by Housing Type	21
	Table 14: Residents Place of Birth.....	21
	Table 15: Household Median Income.....	21
	Table 16: Poverty Status	22
D.	Multigenerational Housing Continuity.....	22
E.	Employment Data.....	23

Table 17: Employment Projection.....	23
III. Fair Share Plan: Obligations and Compliance Plan.....	24
A. Introduction.....	24
B. Bonus Credits	25
C. Prior Round Need Compliance “Look Back” (2015-2025)	25
D. Present and Prospective Need Obligation (2025-2035)	28
Figure 3: Prospective Need Projects Map	30
Table 18: Projects Description and Suitability Analysis.....	31
IV. Appendices	36
Appendix A – Decision and Order Fixing Obligation, Associated Program Settlement Recommendation	37
Appendix B – Vacant Land Adjustment.....	38
Appendix C – Third Round Settlement Agreement.....	39
Appendix D – Zoning Amendments (or redevelopment plans, if applicable)	40
Appendix E – Affordable Housing Ordinance.....	41
Appendix F – Development Fee Ordinance	42
Appendix G – Affirmative Marketing Plan	43
Appendix H – Spending Plan.....	44
Appendix I – Copies of resolutions appointing Administrative Agent(s) and ordinance creating the position of and appointing the Municipal Affordable Housing Liaison	53

I. Introduction

This Housing Element and Fair Share Plan will exhibit the Town of Westfield's (herein the "Town" or "Westfield") commitment to providing affordable housing within the municipality. This document seeks to frame Westfield's efforts based on the current best knowledge of the affordable housing framework created by the State, applicable past rules established by the Council on Affordable Housing (COAH), and the requirements of A4/S50¹ (the "Law" or "Amended Law") which governs municipal responsibilities concerning provisions of affordable housing in the Fourth Round.

This Plan has three sections. The first section ("Introduction") includes a brief history of New Jersey Housing Policy. The second section ("Housing Element") includes a Demographic Analysis, Housing Inventory, Employment Analysis, and review of land uses and policies, as required by statute. The third section ("Fair Share Plan") summarizes the Town's affordable housing obligations for 2025-2035 and its plan for complying with these obligations.

A. History of New Jersey Affordable Housing Policy

1975 – 1985 | Mount Laurel Doctrine and the Fair Housing Act

In 1975, the New Jersey Supreme Court decided *Southern Burlington County NAACP v. the Township of Mount Laurel*, more commonly referred to as "Mount Laurel I," wherein it interpreted the New Jersey Constitution to create an affirmative obligation for developing municipalities to provide a "realistic opportunity for the construction of low- and moderate-income housing in their communities." In 1983, the New Jersey Supreme Court expanded the obligation from only developing municipalities to all municipalities in a decision commonly referred to as "Mount Laurel II". In addition, the Supreme Court required the establishment of each municipality's fair share obligation and required each municipality, through its zoning, to provide a realistic opportunity for the construction of that established fair share obligation. Subject to several prerequisites, conditions and requirements, Mount Laurel II also created the "builder's remedy" as a mechanism to enforce the doctrine in instances where a developer successfully demonstrated a municipality's zoning failed to create the requisite realistic opportunity. Under such circumstances, a plaintiff may be entitled to have its site rezoned for an inclusionary development with an affordable set aside if the site is available, developable, approvable, and suitable for the proposed project and all other requirements for a successful builder's remedy are met and all defenses defeated.

In 1985, in response to Mount Laurel II and the flood of litigation stemming from it, the Legislature adopted the Fair Housing Act ("FHA") to discourage litigation and incentivize voluntary compliance (see N.J.S.A. 52-27D-303). The FHA established, among other things, the

¹ <https://www.njleg.state.nj.us/bill-search/2024/A4> and <https://www.njleg.state.nj.us/bill-search/2024/S50>

Council on Affordable Housing (“COAH”) as an administrative alternative to litigation and judicial intervention. COAH was charged with establishing various housing regions in the State, estimating regional affordable housing obligations, and adopting criteria and guidelines for the municipal determination of housing needs as well as guidelines for satisfying those obligations. The FHA also linked municipal planning and zoning powers to the satisfaction of affordable housing obligations. Under the FHA, a municipal zoning ordinance is presumptively invalid if a municipality fails to adopt a housing element as part of its master plan or enacts zoning regulations that are inconsistent with their housing plan.

1987 – 2004 | Establishment and Administration of First Round and Second Round COAH Rules

After the adoption of the Fair Housing Act, COAH adopted procedural and substantive rules to effectuate the FHA’s legislative intent in both the First Round (1987-1993) (N.J.A.C 5:91 and 5:92) and Second Round (1993-1999) (N.J.A.C. 5:93). The Second Round substantive regulations (Chapter 93) superseded the First Round substantive regulations (Chapter 92) and recalculated the First Round obligations. Under COAH’s regulations, low-income households were defined as those with incomes no greater than 50 percent of the area median income (AMI), adjusted for household size, and moderate-income households were those with incomes no greater than 80 percent and no less than 50 percent of the median household income. AMI limits were calculated based upon housing regions as established by COAH.

2004 – 2010 | Third Round Litigation and Revisions

In December 2004, COAH promulgated its Third Round “Growth Share” methodology, which adjusted prior round obligations and devised a new system for projecting future municipal housing obligations. Growth Share obligations were based upon municipal growth and the Third Round was defined as the period of 1999-2014. The initial Growth Share methodology required municipalities to provide one affordable housing unit for every eight market rate units and one affordable unit for every 25 jobs created. In January 2007, the Appellate Division invalidated the Growth Share Methodology and required COAH to revise its rules, which it did in May 2008 via the Third Round substantive regulations of Chapter 97.

The FHA was subsequently amended in July 2008. This round of amendments, among other things, eliminated Regional Contribution Agreements and reduced non-residential development fees. In September 2008, Executive Order #114 amended the COAH rules to ensure consistency with the Highlands Regional Master Plan.

2010 – 2023 | COAH’s Noncompliance and Resumption of Court Responsibility

During this period, there was inaction and increased uncertainty in the realm of affordable housing.

After taking office Governor Chris Christie signed Executive Order No. 12, establishing the Housing Opportunity Task Force and charging them with a full review of the Fair Housing Act, COAH, and COAH’s regulatory structure. Ultimately, the task force recommended a model

which included adjusted definitions of present and prospective need, a benchmark of 10 percent growth predicted by the State Planning Commission to guide obligations and transferred procedural responsibility from COAH to the Home Mortgage Finance Agency (HMFA).

Further complicating matters, in October 2010, the Appellate Division invalidated a substantial portion of COAH's rules. Most notably, the Court invalidated the Third Round Growth Share methodology and ordered COAH to revise its rules in accordance with the decision. In addition, the Court prohibited certification of housing plans that relied upon municipally sponsored affordable housing projects without specified funding and required COAH to create an incentive structure for inclusionary developments.

In January 2011, the legislature passed S-1 / A-3447, which was subsequently vetoed. Then, in June Governor Christie issued a reorganization plan which transferred the administration of the State's affordable housing program from COAH to the New Jersey Department of Community Affairs. Upon challenge by the Fair Share Housing Center, the Appellate Court invalidated Governor Christie's Reorganization Plan in March 2012. The Supreme Court upheld this decision in July 2013.

In September 2013, the Supreme Court confirmed the invalidation of the previously adopted Third Round regulations, upholding that the methodology used for projecting housing needs in these rules was unconstitutional. In that ruling, the court established a February 2014 deadline for development and adoption of new COAH rules, which was eventually extended to November 2014. Significantly, no rules were adopted.

In March 2015, in the case entitled *In re: Adoption of N.J.A.C. 5:96 & 5:97*, 221 N.J. 1 (2015), more commonly referred to as "Mount Laurel IV" the State Supreme Court determined that COAH was "moribund" and unable to carry out its duties as intended by the Fair Housing Act. The Court further held "that the courts may resume their role as the forum of first instance for evaluating municipal compliance with Mount Laurel obligations."

Thus, the Court designed a transitional process whereby municipalities could seek judicial approval of their HEFSPs. Those transitional procedures gave municipalities the choice whether to seek compliance voluntarily via a Declaratory Judgment (DJ) Action or to not file a DJ Action and risk being sued. During this period, and in the absence of COAH, many municipalities entered into court-mediated Settlement Agreements involving the Fair Share Housing Center.

2024 – Present | Adoption of A4 / S-50 and Fourth Round Methodology Changes and Department of Community Affairs

With the impending end of the Third Round in 2025, there was a push at the State level to implement new legislation that would reorganize the affordable housing process and end the transitional and court-oriented process initiated by Mount Laurel IV. The result of this effort was A-4 / S-50, which was signed into law by Governor Phil Murphy on March 20, 2024. This

legislation created a framework to be used for the Fourth Round and beyond. In summary, the Law:

1. Abolishes the Council on Affordable Housing ("COAH") and transfers its duties to the DCA and the Administrative Office of the Courts ("AOC");
2. Enables the DCA to implement the judicial methodology provided by Judge Mary C. Jacobson, A.J.S.C. in her March 8, 2018, decision, *In re Application of Municipality of Princeton* (the "Princeton Case"), to calculate every municipality's affordable housing obligation for the Fourth Round;
3. Creates the Affordable Housing Dispute Resolution Program (the "Program") to oversee disputes and provide for mediation; and
4. Expands the availability of bonus credits, while eliminating the previously offered "rental bonus credit." Bonus credits are further described in this Housing Element and Fair Share Plan.
5. Modifies applicable data and calculations underlying the methodology for calculation of affordable housing obligations, eliminating the prior dependence on Courts and court-appointed Special Masters to deploy accepted methodologies to determine each municipality's affordable housing obligation.
6. Sets timeframes under which municipalities must act to preserve immunity from exclusionary zoning litigation.

Critically, the Amended Law requires that municipalities adopt a housing element and fair share plan no later than June 30, 2025, to maintain immunity from exclusionary zoning litigation.

B. Housing Element and Fair Share Plan Requirements

Municipal Land Use Law ("MLUL") + Fair Housing Act ("FHA")

The MLUL, through incorporation of the New Jersey FHA, requires municipalities to include a housing element in their master plans as a prerequisite for their zoning power. The principal purpose is to enumerate and provide the data, policies, and methods by which municipalities will meet housing needs, with particular attention to low- and moderate-income households.

Pursuant to Section 10 of P.L.1985, c.222 (C.52:27D-310) and as amended by Bill A4², as amended, the required contents of the housing element shall contain at least:

- a. *An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated, and in conducting this*

² <https://law.justia.com/codes/new-jersey/title-52/section-52-27d-310/> and https://www.njleg.state.nj.us/bill-search/2024/A4/bill-text?f=A0500&n=4_R1

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;

- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;*
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;*
- d. An analysis of the existing and probable future employment characteristics of the municipality;*
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1);*
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing; and*
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52:27D-329.20).*
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and*
- i. An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission.*

In addition to the statutory components of the Housing Element and Fair Share Plan detailed in 52:27D-310, [Administrative Directive #14-24](#)³; which promulgated the procedures and guidelines for implementing the Affordable Housing Dispute Resolution Program; contains a section entitled “Required Elements of Housing Element and Fair Share Plan.” In summary, the Directive requires the following additional elements of the HEFSP to be included as an Appendix:

1. All ordinances and resolutions required to implement the plan.
2. An Affirmative Marketing Plan
3. A Spending Plan

The requirement to adopt all implementing ordinances to effectuate the HEFSP as set forth in the Fair Housing Act is March 15, 2026. Copies of draft ordinances are included as an appendix to this HEFSP.

³ https://www.njcourts.gov/sites/default/files/administrative-directives/2024/12/dir_14_24.pdf

II. Housing Element: Municipal Summary

The Town of Westfield occupies roughly 6.74 square miles of Union County. For regional and planning purposes, Westfield is located in Housing Region 2, a region that consists of Essex, Morris, Union and Warren counties.

In compiling the analysis for the Housing Element, this report utilizes the following data:

1. American Community Survey ("ACS"): The most up to date information is the ACS estimates, which are generated between the decennial censuses. ACS figures are based on data collected over a 5-year time period. The estimates represent the average characteristics of population and housing between 2018-2023 and DO NOT represent a single point in time. Comparisons will be made with the 2018-2023 ACS to show change over time. See URL link⁴ utilized in this HEFSP.
2. Decennial Census: Every ten years, the Census conducts detailed data collection to create an image that is as accurate as possible of the conditions throughout the country in that year. Data from the decennial census is used for comparison when equivalent ACS information is unavailable, as well as for longitudinal analysis. See URL link⁵ utilized in this HEFSP.
3. Comprehensive Housing Affordability Strategy ("CHAS"): The U.S. Department of Housing and Urban Development (HUD) utilizes both the ACS and Census to create the "CHAS" data, which demonstrates the extent of housing problems and housing needs, particularly for low income households. See URL link⁶ utilized in this HEFSP.
4. North Jersey Transportation Planning Authority ("NJTPA"): Every four years, the NJTPA updates its regional forecasts for population, households and employment as part of updating its long range transportation plan (LRTP), the region's blueprint for transportation investment. See URL link⁷ utilized in this HEFSP.
5. State or Other Agency Sources: for select data types, State sources are used instead of the Census Bureau when equivalent Census data does not exist, or the State data provides a more complete picture.

A. Housing Conditions

The analysis in this section shall satisfy Part A of P.L.1985, c.222 (C.52:27D-310), which requires:

⁴<https://data.census.gov/table>

⁵<https://data.census.gov/table?d=DEC%20Demographic%20Profile>

⁶<https://www.huduser.gov/portal/datasets/cp.html>

⁷<https://www.njtpa.org/NJTPA/media/Documents/Planning/Plans-Guidance/Planning%20for%202050/draft%20final/E-2050-Demographic-Forecasts.pdf>

- A) *“Inventory of 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”*

Housing Stock by Age and Condition

According to the 2023 ACS, there are an estimated 11,093 housing units in Westfield which represented a 1.1% increase from 2020.

63% of Westfield’s housing structures were built prior to 1960, suggesting that more than 1 out of 2 units are older than 65 years.

Table 1: Year Structure Built

	UNITS	PERCENT
Total housing units	11,093	
Built 2020 or later	119	1.1
Built 2010 to 2019	641	5.8
Built 2000 to 2009	534	4.8
Built 1990 to 1999	581	5.2
Built 1980 to 1989	504	4.5
Built 1970 to 1979	464	4.2
Built 1960 to 1969	1,262	11.4
Built 1950 to 1959	2,365	21.3
Built 1940 to 1949	627	5.7
Built 1939 or earlier	3,996	36.0
Source: American Community Survey 2023		

The table below details the condition of housing within Westfield based on heating fuel, plumbing facilities, kitchen facilities. These factors help determine the number of inadequate housing units within the Town. According to the current ACS estimate, 140 housing units in Westfield lacked either heating fuel, plumbing or kitchen facilities, an increase from 2018.

Table 2: Housing Condition

	2023	PERCENT	2018	PERCENT	PERCENT CHANGE
Total	140	1.3	131	1.3	0
Lacking heating fuel	10	0.1	81	0.8	-0.7
Lacking complete plumbing facilities	56	0.5	17	0.2	0.3
Lacking complete kitchen facilities	74	0.7	33	0.3	0.4
Source: American Community Survey 2023 and 2018					

Housing Values and Costs

Since 2018, home values in the Town for owner-occupied units have increased by \$202,900 (27.9%). This change is accompanied by an increase in homes worth more than \$1,000,000 and a decrease in homes worth between \$500,000 and \$999,999.

Table 3: Value for Owner-Occupied Housing Units

	2023	PERCENT	2018	PERCENT	PERCENT CHANGE
Total Owner-occupied units	8,568	-	8,636	-	-0.78
Less than \$50,000	24	0.3	45	0.5	-0.2
\$50,000 to \$99,999	7	0.1	11	0.1	0
\$100,000 to \$149,999	66	0.8	62	0.7	0.1
\$150,000 to \$199,999	26	0.3	125	1.4	-1.1
\$200,000 to \$299,999	228	2.7	222	2.6	0.1
\$300,000 to \$499,999	399	4.7	1,145	13.3	-8.6
\$500,000 to \$999,999	4,164	48.6	5,061	58.6	-10
\$1,000,000 or more	3,654	42.6	1,965	22.8	19.8
Median (dollars)	930,500	(X)	727,600	(X)	27.89
Source: American Community Survey 2023 and 2018					

The table below shows the housing expenditures for those who own and rent in Westfield. The general affordability standard is that no more than 30% of gross income should be allocated for housing costs.

A cost burden is the ratio of housing costs to household income. For renters, housing cost is the gross rent (lease rent plus utilities). For owners, housing costs are the monthly owner costs, which may include mortgage, utilities, association fees, insurance, and real estate taxes.

Table 4: Housing Cost Burden Overview Exceeding 30% Gross Income

RANGE	OWNER	RENTER	TOTAL	PERCENT
Cost Burden $\leq 30\%$	6,395	1,475	7,870	74.8%
Cost Burden $>30\%$ to $\leq 50\%$	980	315	1,295	12.3%
Cost Burden $>50\%$	1,030	285	1,315	12.5%
Cost Burden Not Available	20	25	45	0.4%
Total	8,420	2,095	10,515	

Source: [CHAS 2017-2021 ACS](#)

Occupancy Characteristics and Type of Housing

As of 2023, the Town is predominately comprised of owner-occupied households, which comprise 80.3% of Westfield's households. A total of 19.7% of households are renters, and 3.8% of the Town's housing units are vacant. Since 2018, the Town has seen a modest shift away from owner-occupied households, with a 2.9% increase in renters and a 1.1% decrease in the Town's vacancy rate.

Table 5: Housing Tenure and Occupancy

	2023	PERCENT	2018	PERCENT	PERCENT CHANGE
Total	11,093		10,906		
Owner Occupied	8,568	80.3	8,636	83.2	-2.9
Renter Occupied	2,108	19.7	1,740	16.8	2.9
Vacant Units	417	3.8	530	4.9	-1.1

Source: American Community Survey [2023](#) and [2018](#)

Housing units with more than one occupant per room are considered overcrowded. Overcrowded households in the Town rose by 2% since 2018.

Table 6: Occupants Per Room + Inadequate Units in Occupied Housing Units

OCCUPANTS PER ROOM	2023	PERCENT	2018	PERCENT
Total	10,676		10,376	
1.00 or less	10,435	97.7	10,352	99.8
1.01 to 1.50	13	0.1	0	0.0
1.51 or more	228	2.1	24	0.2
Source: American Community Survey 2023 and 2018				

Since 2018, the Town's housing stock has increased from 10,906 units to 11,093 units.

Table 7: Housing Type and Size

HOUSING UNITS	2023	PERCENT	2018	PERCENT	PERCENT CHANGE
Total housing units	11,093		10,906		
1-unit, detached	8,618	77.7	8,346	76.5	1.2
1-unit, attached	274	2.5	391	3.6	-1.1
2 units	974	8.8	757	6.9	1.9
3 or 4 units	431	3.9	405	3.7	0.2
5 to 9 units	117	1.1	297	2.7	-1.6
10 to 19 units	105	0.9	108	1.0	-0.1
20 or more units	554	5.0	575	5.3	-0.3
Mobile home	20	0.2	27	0.2	0
Boat, RV, van, etc.	0	0.0	0	0.0	0
Source: American Community Survey 2023 and 2018					

Since 2018, there has been an increase in the percentage of units with four or more bedrooms or more bedrooms.

Table 8: Number of Bedrooms Per Unit

ROOMS	2023 TOTAL	PERCENT	2018 TOTAL	PERCENT	PERCENT CHANGE
Total	11,093		10,906		
No Bedroom	265	2.4	200	1.8	0.6
1 Bedroom	945	8.5	997	9.1	-0.6
2 Bedrooms	1,177	10.6	1,367	12.5	-1.9
3 Bedrooms	2,821	25.4	3,101	28.4	-3
4 Bedrooms	4,037	36.4	3,548	32.5	3.9
5 or more Bedrooms	1,848	16.7	1,693	15.5	1.2

Source: American Community Survey [2023](#) and [2018](#)

Existing Low- and Moderate-Income Housing Units

Based on review of available records, there are 208 completed low- and moderate- income units in Westfield. Westfield is following the applicable requirements regarding unit monitoring and reporting. Specifically, the Town completed the statutorily required updates to its housing project status report by the DCA deadline of February 15, 2025. These updates are included in the State's new Affordable Housing Monitoring System and should be considered to fulfill the Town's obligation to specify the creditworthiness of existing affordable units.

Substandard Housing

Table 9 below utilizes data from the ACS and CHAS to analyze the "4 housing problems" in a consolidated format for consideration of overall substandard housing. The four housing problems as defined by HUD are:

1. Incomplete kitchen facilities;
2. Incomplete plumbing facilities;
3. Overcrowding (i.e. 1.01 or more persons per room); and
4. High housing costs (i.e. cost burden).

The following table shows data for indicators of substandard housing for Westfield.

Table 9: Substandard Housing Indicators

	OWNER	RENTER
Household has 1 of 4 Housing Problems	2,010	810
Household has none of 4 Housing Problems OR cost burden not available, no other problems	6,410	1,280
Source: CHAS 2017-2021 ACS		

B. Housing Projections

The analysis in this section shall satisfy Part B of P.L.1985, c.222 (C.52:27D-310), which requires:

- B) "A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands."

Projection of Housing Stock

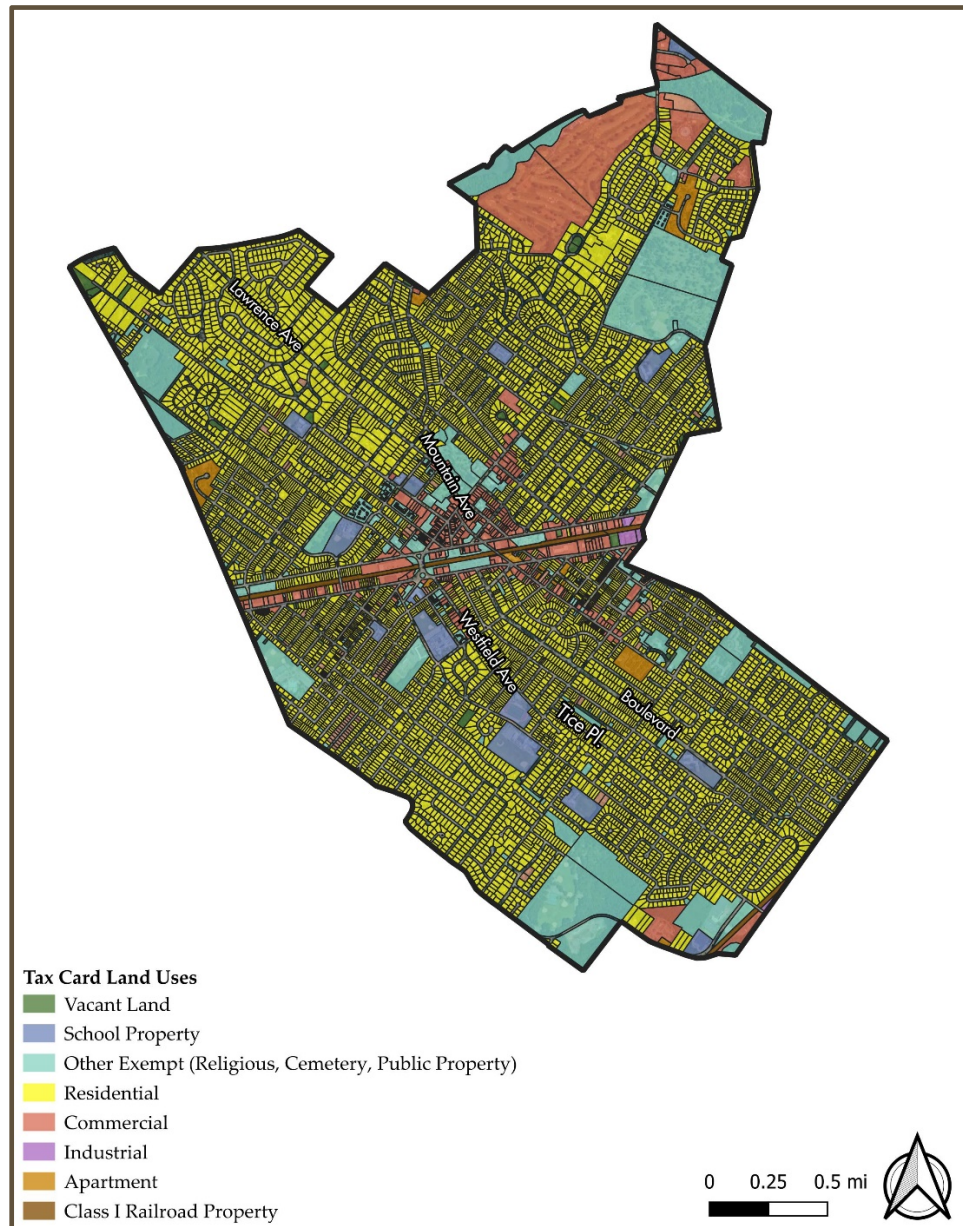
Below is a general prediction by NJTPA of Westfield's household population growth to 12,086 households in 2050. This 0.4% increase in households would require available units to accommodate and may be a prediction indicator of new projected housing stock.

Table 10: Housing Unit Projection

YEAR	POPULATION	ANNUALIZED % CHANGE
2015	10,631	
2050 (Predicted)	12,086	0.4%
Source: U.S. Census, NJTPA		

Zoning regulations and existing capital infrastructure may help determine where growth is expected and where new housing units are likely to be developed in the future.

Westfield expects new developments to bear the cost that such development puts upon the existing infrastructure, including its sewer and water systems, road infrastructure, school facilities, and emergency services. This includes the addition of capacity necessitated by the new development, as well as associated maintenance costs. New development should not be a burden on the Town's infrastructure.

Figure 1: Existing Land Use Map*Westfield Land Use Map⁸*

⁸ Map Note: Classifications are based on assessor records. "Vacant land" as depicted on this map should not be construed to limit or supersede any conclusions made in the Vacant Land Adjustments.

C. Demographic Characteristics

The analysis in this section shall satisfy Part C of P.L.1985, c.222 (C.52:27D-310), which requires:

- C) *“An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age.”*

Population General

The population estimate for Westfield in 2023 was 30,559, which represents a decrease of 473 from the 2020 Census (-1.5%). Despite this trend, the NJTPA predicts Westfield’s population to grow to 35,432 people in 2050.

Table 11: Historic Population Growth

YEAR	POPULATION	CHANGE	% CHANGE
1940	18,458	N/A	16.8%
1950	21,243	2,785	15.1%
1960	31,447	10,204	48.0%
1970	33,720	2,273	7.2%
1980	30,447	-3,273	-9.7%
1990	28,870	-1,577	-5.2%
2000	29,644	774	2.7%
2010	30,316	672	2.3%
2020	31,032	716	2.4%
2023	30,559	-473	-1.5%
2050 (Predicted)	35,432	4,873	15.9%

Source: [NJ State Data Center, New Jersey Population Trends 1790 to 2000](#), [US Census Bureau; NJTPA, "Appendix E - 2050 Demographic Forecasts"](#)

Population Composition by Age

The estimated current median age in Westfield is 41.0, compared to 39.1 for Union County and 40.1 for New Jersey.

Table 12: Population by Age

AGE RANGE	TOWN OF WESTFIELD	PERCENT	UNION COUNTY	PERCENT
Under 5 years	2,404	7.8	35,338	6.2
5 to 9 years	2,292	7.5	36,490	6.4
10 to 14 years	2,599	8.4	39,572	6.9
15 to 19 years	2,207	7.2	36,907	6.4
20 to 24 years	1,097	3.6	33,684	5.9
25 to 34 years	2,236	7.3	71,215	12.4
35 to 44 years	4,052	13.2	80,352	14.0
45 to 54 years	5,211	16.9	78,813	13.8
55 to 59 years	2,515	8.2	41,214	7.2
60 to 64 years	1,625	5.3	34,120	6.0
65 to 74 years	2,732	8.9	49,790	8.7
75 to 84 years	1,389	4.5	24,241	4.2
85 years and over	401	1.3	10,813	1.9
Median Age	41.0	(X)	39.1	(X)
Source: American Community Survey 2023				

Households

According to the US Census Bureau's classification system, people either live in a household, housing unit, or in "group quarters." Two types of "households" exist: family and non-family. A "household" consists of one or more persons living and eating together separately from other persons who may be in the same building. A "family" is a household with two or more related persons living together in the same housing unit.

Table 13: Population by Housing Type

	WESTFIELD	UNION COUNTY
	2019-2023	2019-2023
Total Households	10,676	201,663
Average Household Size	2.86	2.81
Source: American Community Survey 2019 - 2023		

Immigration

Foreign born residents make up 13.2% of Westfield's population, which is lower than County (32.8%) and State (23.5%) levels. Half of Westfield's foreign-born residents are not U.S. citizens, comprising 37.6% of the overall foreign-born population, a smaller share than that of Union County (48.7%) and the State (43.1%).

Table 14: Residents Place of Birth

	WESTFIELD		UNION COUNTY		NEW JERSEY	
	COUNT	PERCENT	COUNT	PERCENT	COUNT	PERCENT
Total	30,760		572,549		9,267,014	
Born in United States	26,330	85.6	367,882	64.3	6,849,548	73.9
Foreign Born	4,066	13.2	4,066	32.8	2,181,755	23.5
Naturalized Citizen	2,536	62.4	96,482	51.3	1,241,100	56.9
Not a Citizen	1,530	37.6	91,600	48.7	940,655	43.1
Source: American Community Survey 2023						

Income and Poverty Status

The median household income for Westfield grew dramatically from 2018 to 2023, growing 26.1% and outpacing the County (23.1%) and the State (22.1%).

Table 15: Household Median Income

	2023	2018	CHANGE	% CHANGE
Westfield	212,700	168,721	43,979	26.1
Union County	101,146	82,186	18,960	23.1
New Jersey	99,781	81,740	18,041	22.1
Source: American Community Survey 2023 and 2018 ; ACS Survey Union				

In Westfield, 630 residents (2.1%) live below the poverty line, a decrease from 2.9% in 2018. In this regard, the Town had a different trajectory than Union County, which experienced an increase from 7.3% to 8.5% over the same period.

Table 16: Poverty Status

WESTFIELD	2023	PERCENT	2018	PERCENT	CHANGE
Total Persons	30,568		29,865		703
Total Below Poverty	630	2.1	864	2.9	-0.8
UNION COUNTY	2023	PERCENT	2018	PERCENT	CHANGE
Total Persons	566,604		552,604		14,000
Total Below Poverty	48,328	8.5	40,484	7.3	1.2
Source: American Community Survey 2023 and 2018 ; ACS Survey Union					

D. Multigenerational Housing Continuity

The analysis in this section shall satisfy Part G of P.L.1985, c.222 (C.52:27D-310), which requires:

- G) “An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52:27D-329.20).”

On November 8, 2021, the Senate and General Assembly of the State of New Jersey adopted C.52:27D-329.20⁹, which establishes the “Multigenerational Family Housing Continuity Commission” for the purpose of conducting research, obtaining public input, and adopting recommendations on how to most effectively advance the goal of enhancing multigenerational family housing continuity, which can be defined broadly as the degree to which senior citizens are able to reside at the homes of their extended families.

In short, the bill requires a municipal housing plan element to provide 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 commission.

Westfield is committed to promoting multigenerational family continuity through the provision of diverse housing options in a manner consistent with the regulation. The municipality is employing a variety of approaches to accomplish this task, such as providing for a variety of

⁹ <https://pub.njleg.gov/Bills/2020/AL21/273 .HTM>

housing types and affordability levels in close proximity to the Westfield and Garwood rail stations, bus routes, and the goods and services within the Town’s Central Business District. The Town has formed Lifelong Westfield, which is an initiative of the Mayor’s Senior Advisory Council, a volunteer group that includes representatives of the Westfield Town Council, Westfield United Fund, Westfield Senior Citizens Housing, a geriatric physician, and other volunteers. The organization aims to help residents “age in place” by serving as a centralized clearinghouse for activities and services that help seniors and their caregivers. Furthermore, the municipality, in setting forth its compliance plan, is abiding by the limitations included in the statute

E. Employment Data

The analysis in this section shall satisfy Part D of P.L.1985, c.222 (C.52:27D-310), which requires:

- C) *“An analysis of the existing and probable future employment characteristics of the municipality.”*

Below is a general prediction by NJTPA of Westfield’s employment forecast, which predicts a growth of the labor force to 10,870 in 2050.

Table 17: Employment Projection

YEAR	LABOR FORCE	CHANGE	ANNUALIZED % CHANGE
2015	9,686		
2050 (Predicted)	10,870	1,184	0.3
Source: NJTPA			

III. Fair Share Plan: Obligations and Compliance Plan

A. Introduction

As noted, 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 Act sets forth the procedures for how New Jersey municipalities are assigned affordable housing obligations and how they may meet those obligations over a series of affordable housing "rounds." On July 1, 2025, the "Fourth Round" will begin and run for a ten year period ending on June 30, 2035.

The 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. The DCA released a report entitled "Affordable Housing Obligations for 2025-2035 (Fourth Round)" on October 18, 2024 and concluded that the Town of Westfield's ("Westfield") fair share obligations for the Fourth Round included a Present Need of 0 units and a Prospective Need of 397 units.

The Town filed a resolution of participation before the Affordable Housing Dispute Resolution Program (the "Program") on January 15, 2025, in accordance with the requirements of N.J.S.A. 52:27D-301, et seq. and the timeframes set forth in Directive #14-24. The Town's resolution proposed to set Westfield's affordable housing obligations for the Fourth Round to include a Present Need of 0 units and a Prospective Need of 364 units. The New Jersey Builders Association ("NJBA") filed an objection to Westfield's resolution on February 27, 2025. The parties conferred and reached a settlement agreement stating that Westfield's Fourth Round Prospective Need is 380 units.

Through a session held on March 26, 2025, the Town advised the Program that it was willing to settle its Prospective Need Obligation foreclosing the NJBA from further challenge to that obligation. The Honorable Thomas C. Miller A.J.S.C. reviewed and recommended an Order that the proposed settlement be directed to the vicinage Mount Laurel judge for review and the entry of an order as to the municipality's determination of its fair share obligation being in accordance with the terms of the settlement agreement, that the settlement disposes of all the challenges filed, that Westfield retains all the protections of the law and retains immunity from exclusionary zoning litigation, and that the program retains jurisdiction for the compliance phase of accordance with the statutory frame work and the Administrative Office of the Courts Directive #14-24. This recommendation is included as part of **Appendix A**.

On April 14, 2025 the Honorable Daniel R. Lindemann, J.S.C., Designated Mt. Laurel Judge – Union Vicinage, issued a Decision and Order Fixing Municipal Obligations for "Present Need" and "Prospective Need" for the Fourth Round Housing Cycle for Westfield. The Order fixed the "present need" for Westfield as 0 affordable housing units for the Fourth Round and the "prospective need" for Westfield as 380 affordable housing units for the Fourth Round. Acceptance of the settlement, the recommendation from The Honorable Thomas C Miller

A.J.S.C., and the Decision and Order from The Honorable Daniel R. Linemann, J.S.C. has allowed Westfield to move forward with preparation of its Fourth Round Housing Element and Fair Share Plan to further the interests of very-low, low-, and moderate-income households. This Decision and Order is included as part of **Appendix A**.

The purpose of this section of the Plan is to set forth the Town of Westfield's proposed approach to satisfying its Fourth Round obligation.

B. Bonus Credits

The Law sets forth opportunities for bonus credits. These credits include:

- a. One (1) bonus credit for special needs or permanent supportive housing;
- b. One (1) bonus credit for 100% affordable housing projects for which the host municipality has contributed towards the cost of the project, subject to certain minimum contribution requirements;
- c. One (1) bonus credit for market rate units that are converted to affordable units;
- d. One-half (0.5) bonus credit for ownership units created in a partnership sponsorship with a non-profit housing developer;
- e. One-half (0.5) bonus credit for units located within a one-half mile radius (or a one-mile radius for projects located in a Garden State Growth Zone) of NJ Transit or Port Authority rail, bus, or ferry stations, including all light rail stations;
- f. One-half (0.5) bonus credit for age-restricted units, subject to certain caps;
- g. One-half (0.5) bonus credit for each three-bedroom unit in excess of the three-bedroom requirements set forth in the Uniform Housing Affordability Controls;
- h. One-half (0.5) bonus credit for housing units constructed on previously developed land that was utilized for retail, office, or commercial space; and
- i. One-half (0.5) bonus credit for units whose affordability controls are extended for a new term of affordability;

Municipalities will also be restricted to only claim one type of bonus credit per affordable unit. Such bonus credits may only satisfy 25% of their Fourth Round obligation.

C. Prior Round Need Compliance "Look Back" (2015-2025)

Westfield has a history of fulfilling its affordable housing obligations. During the Third Round, in August 2018, the Town received a Final Judgment of Compliance and Repose ("JCR") which gave the Town and all of its boards repose and immunity from exclusionary housing lawsuits. The JCR was issued after a period of negotiation and settlement, primarily between the Town

and Fair Share Housing Center (“FSHC”). During this period of negotiation and in accordance with the Town’s settlement with FSHC, the Town adopted HEFSP in March 2018.

In June 2021, the Town adopted an amended HEFSP. Subsequently, in December 2021 an amended settlement agreement reflecting the provisions of the amended HEFSP was approved by the Superior Court. Subsequently, an amended JCR was issued in February 2022.

The HEFSP and settlement agreements set forth the Town’s Third Round obligation and identified the actions required by the Town to fulfill these obligations. At each step, the Town worked to ensure it complied with the requirements of these agreements.

The Town’s commitments, and the corresponding status of these commitments, is reflected in the tables below:

Projects cited to satisfy Third Round Realistic Development Potential:¹⁰

PROJECT	UNITS AS IDENTIFIED IN 2018/2021 HEFSP	STATUS
Williams Property (Block 1905, Lot 13)	22	Under construction
Myrtle Avenue Inclusionary (Block 4006, Lots 2 and 3)	3	Completed. Three affordable housing units required to be constructed at Westfield Crossing site per settlement <i>In re Town of Westfield Compliance with Third Round Mount Laurel Affordable Housing Obligations, Docket No. UNN-L-2391-15.</i>
339 W. Broad Street	5	Completed
New Street (Block 3207, Lot 1.01)	9	Completed
Sunnyside (Block 3905, Lot 27)	4	No approvals. Zoning in place.
Westfield Senior Citizens (Block 4901, Lot 9)	16	Completed ¹¹

¹⁰ All tables reflect commitments as amended in 2021 HEFSP, Table 24.

¹¹ “Thirty units (30) of the senior citizen’s development constructed in 1995 have not been credited against the prior obligation and are available to address any future affordable housing requirement... the remaining 14 units of the

Myrtle Avenue 100% Affordable (ARC) (Block 4007, Lot 13; Block 4006, Lot 1)	6	Completed (8 bedrooms of special needs housing)
Our House; 506 Boulevard	4	Completed
Homefirst Interfaith; 550 Trinity Place	2	Completed
Homefirst Interfaith; 706 Central Avenue	2	Completed
Homefirst Interfaith; 710 Central Avenue	2	Completed

Actions to Address Third Round Unmet Need:¹²

ACTION	STATUS
Adopt mandatory set-aside ordinance.	Adopted
Include mandatory set-aside language in all redevelopment plans.	Mandatory set-aside language included in all redevelopment plans.
Adopt amendment to North Avenue TOD.	Adopted
Adopt overlay zone for McMaster Site (aka Pan Am Site): 501 South Avenue (Block 3002, Lots 5, 6, 12, 13)	Constructed
Adopt overlay zone for Elite Homebuilding (Elite South): 418-448 South Avenue East (Block 4005, Lots 3 and 4; Block 4004, Lot 17)	Under construction. Permitted under South Avenue Redevelopment Plan, which included requirements previously contained in SW-AHO Overlay District.
Adopt overlay zone for Elite Homebuilding (Elite North): 421-449 South Avenue East (Block 3307, Lots 1 and 2)	Constructed. Permitted under South Avenue Redevelopment Plan, which included requirements previously contained in SW-AHO Overlay District.

Westfield Senior Citizens project shall carry forward for use as credits in the Mount Laurel affordable housing 4th Round.” – Town of Westfield 2018 Housing Element and Fair Share Plan, page 45.

¹² Actions as outlined in “Addressing Unmet Need” section beginning on pg. 37 of Town of Westfield 2018 Housing Element and Fair Share Plan, as well as Section 8 of the Settlement Agreement between the Town of Westfield and Fair Share Housing Center in the matter *In re Town of Westfield Compliance with Third Round Mount Laurel Affordable Housing Obligations*, Docket No. UNN-L-2391-15.

Adopt overlay zone for Ross Place: 203-215 Ross Place (Block 3007, Lots 3, 4, & 5)	Under construction
Adopt overlay zones for various parcels (GB1-AHO, GB2-AHO, GB3-AHO, C-AHO, SW-AHO, and PA-AHO overlay districts)	Adopted
Create a program to assist non-profit affordable housing organizations in the development of affordable housing in Westfield with a goal of providing 20 additional homes, half for families	Addressed. Town has a dedicated funding from its Affordable Housing Trust Fund towards this goal.
NJ Department of Motor Vehicle Site: Myrtle Avenue (Block 4005, Lot 2)	In the 2018 HEFSP, it was noted that this property was owned by the State of New Jersey. The property remains opened by the State of New Jersey.
New Jersey Armory: 550 Rahway Avenue (Block 2904, Lot 2)	In the 2018 HEFSP, it was noted that this property was owned by the State of New Jersey. The property remains opened by the State of New Jersey.

As demonstrated in the tables above and supported by the issuance of the 2022 amended JCR, the Town fully satisfied its obligations under the Third Round as articulated in its settlement with the FSHC. As such, no obligation is carried forward to the Fourth Round.

D. Present and Prospective Need Obligation (2025-2035)

The analysis in this section shall satisfy Part E of P.L.1985, c.222 (C.52:27D-310), which requires:

- E) *“A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing, as established pursuant to section 3 P.L.2024, c.2 (C.52:27D-304.1)”*

Present Need Obligation

The Town has a Fourth Round present need of zero (0) affordable housing units.

Prospective Need Obligation

The Town has a Fourth Round prospective need of 380 units/credits.

However, as demonstrated in the completed Vacant Land Analysis found in **Appendix B**, the Town does not have enough suitable land to address the obligation. Therefore, the Town seeks a vacant land adjustment (“VLA”) under the COAH Second Round Rules (N.J.A.C. 5:93-4.2) and an adjustment of its Fourth Round new construction obligation to reflect the available and developable land area within its municipal boundaries. It is the conclusion of this analysis that the Realistic Development Potential (“RDP”) is 4 units.

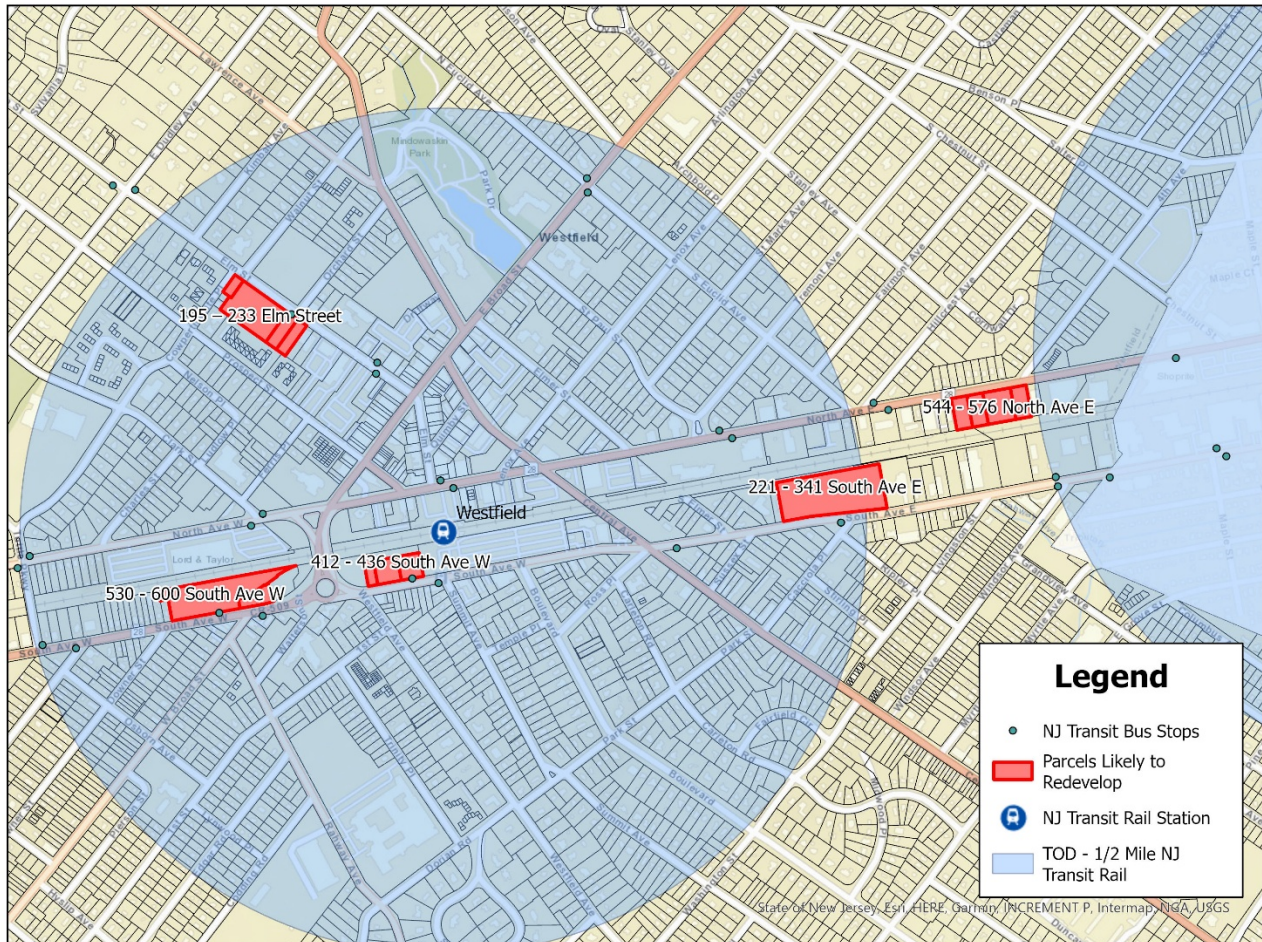
In addition to vacant properties that have a realistic development potential, the Town must also consider known projects in its RDP assessment likely to be redeveloped in the 2025-2035 Fourth Round obligation. The Legislation includes the following language (emphasis added):

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.

With a Fourth Round prospective need of 380 credits and Realistic Development Potential of 4, this leaves a remaining need to be addressed of 376 credits. In accordance with the above, twenty-five percent of the remaining need is 94.

The Town will satisfy its realistic development potential (RDP) of 4 units by way of credits received for the Fourth Round from the Westfield Senior Citizens project constructed in 1995. Pursuant to the Settlement Agreement, dated April 4, 2017, and subsequently amended May 11, 2021, (see **Appendix C**) between the Town and Fair Share Housing Center and consistent with the 2018 Housing Element and Fair Share Plan, the remaining 14 units of the Westfield Senior Citizens project shall carry forward (from the Third Round) “for use as credits in the Mount Laurel affordable housing Fourth Round.”

The Town will satisfy the obligation to address at least 25 percent of the prospective need obligation that has been adjusted through the following projects:

Figure 3: Prospective Need Projects Map

Prospective Need Projects Description and Suitability Analysis

Municipalities shall designate sites that are available, suitable, developable and approvable, as defined in N.J.A.C. 5:93-1. As such, the criteria for crediting units must meet the following:

1. "Available site" – a site with clear title, free of encumbrances which preclude development for low- and moderate-income housing.
2. "Suitable site" – a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.

3. “Developable site” – a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area wide water quality management plan (including the wastewater management plan) or is included in an amendment to the area wide water quality management plan submitted to and under review by DEP.
4. “Approvable site” – a site that may be developed for low- and moderate-income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low- and moderate-income housing.

Table 18: Projects Description and Suitability Analysis

PROJECT	DESCRIPTION
195 – 233 Elm Street (Stop & Shop)	<p>Total Units: 70 Units <u>Round Four LMI Units: 14 Units, 7 Bonus Credits (TOD)</u></p> <p>This site proposed for inclusionary redevelopment is located on the western side of Elm Street, just north of downtown Westfield, within a half mile of the Westfield Train Station. The site includes 4 tax lots; Lots 4, 5, 6 and 7 in Block 2505; with a total area of 2.8 acres and presently developed with a supermarket and vacant commercial buildings. There are no environmental constraints associated with the site.</p>
<i>Description of Availability</i>	The site has a clear title and is free of encumbrance which precludes the development of affordable housing. The site has a clear title and no legal encumbrances which would preclude its development as an affordable housing project.
<i>Description of Suitable</i>	The site is adjacent to compatible land uses and has access to appropriate streets. The site has about 550 feet of frontage along Elm Street and about 130 feet of frontage along Cowperthwaite Place. The site is adjacent to commercial and multifamily residential uses.
<i>Description of Developable</i>	Adequate sewer and water capacity and infrastructure is available from the Rahway Valley Sewerage Authority and New Jersey American Water.
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to accommodate multifamily residential development at a maximum density of 25 units per acre within a mixed-use structure containing ground floor non-residential use. To accommodate the ground floor non-residential use requirement a fourth story shall be permitted. The site can be developed in accordance with R.S.I.S. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.

PROJECT	DESCRIPTION
544 – 576 North Avenue East	<p>Total Units: 54 Units Round Four LMI Units: 11 Units, 5.5 Bonus Credits (TOD)</p> <p>This site proposed for inclusionary redevelopment is located on the southern side of North Avenue East, just east of downtown Westfield, and is located 500 feet from NJ Transit Bus Stops #29927 and #29928, with service on Route 113. The site includes 4 tax lots; Lots 1.03, 1.04 and 2 in Block 3305 and Lot 17 in Block 3202; with a total area of 2.18 acres and presently developed with commercial buildings. There are no environmental constraints associated with the site.</p>
<i>Description of Availability</i>	The site has a clear title and is free of encumbrance which precludes the development of affordable housing. The site has a clear title and no legal encumbrances which would preclude its development as an affordable housing project.
<i>Description of Suitable</i>	The site is adjacent to compatible land uses and has access to appropriate streets. The site has about 200 feet of frontage along North Avenue East. The site is adjacent to commercial and multifamily residential uses.
<i>Description of Developable</i>	Adequate sewer and water capacity and infrastructure is available from the Rahway Valley Sewerage Authority and New Jersey American Water.
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to accommodate multifamily residential development at a maximum density of 25 units per acre. The site can be developed in accordance with R.S.I.S. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.
221-341 South Avenue East	<p>Total Units: 96 Units Round Four LMI Units: 20 Units, 10 Bonus Credits (TOD)</p> <p>This site proposed for inclusionary redevelopment is located on the northern side of South Avenue East, just east of downtown Westfield, within a half mile of the Westfield Train Station. The site is comprised of Lot 9 in Block 3204; with a total area of 3.87 acres and presently developed with a commercial building. There are no environmental constraints associated with the site.</p>
<i>Description of Availability</i>	The site has a clear title and is free of encumbrance which precludes the development of affordable housing. The site has a clear title and no legal encumbrances which would preclude its development as an affordable housing project.

PROJECT	DESCRIPTION
<i>Description of Suitable</i>	The site is adjacent to compatible land uses and has access to appropriate streets. The site has about 285 feet of frontage along South Avenue East. The site is adjacent to commercial uses and residential uses are also located proximate to the site.
<i>Description of Developable</i>	Adequate sewer and water capacity and infrastructure is available from the Rahway Valley Sewerage Authority and New Jersey American Water.
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to accommodate multifamily residential development at a maximum density of 25 units per acre. The site can be developed in accordance with R.S.I.S. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.
530 – 600 South Avenue West	<p>Total Units: 78 Units <u>Round Four LMI Units: 16 Units, 8 Bonus Credits (TOD)</u></p> <p>This site proposed for inclusionary redevelopment is located on the northern side of South Avenue West, in downtown Westfield, within a half mile of the Westfield Train Station. The site is comprised of Lots 18 and 19 in Block 2510; with a total area of 3.13 acres and presently developed with commercial buildings. There are no environmental constraints associated with the site.</p>
<i>Description of Availability</i>	The site has a clear title and is free of encumbrance which precludes the development of affordable housing. The site has a clear title and no legal encumbrances which would preclude its development as an affordable housing project.
<i>Description of Suitable</i>	The site is adjacent to compatible land uses and has access to appropriate streets. The site has about 640 feet of frontage along South Avenue West. The site is adjacent to commercial uses and residential uses are also located proximate to the site.
<i>Description of Developable</i>	Adequate sewer and water capacity and infrastructure is available from the Rahway Valley Sewerage Authority and New Jersey American Water
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to accommodate multifamily residential development at a maximum density of 25 units per acre. The site can be developed in accordance with R.S.I.S. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.

PROJECT	DESCRIPTION
412 – 436 South Avenue West	<p>Total Units: 30 Units</p> <p><u>Round Four LMI Units: 6 Units, 3 Bonus Credits (TOD)</u></p> <p>This site proposed for inclusionary redevelopment is located on the northern side of South Avenue West, in downtown Westfield, adjacent to the Westfield Train Station. The site is comprised of Lots 2, 3, and 4 in Block 3101; with a total area of 1.21 acres and presently developed with commercial buildings. There is an existing motor vehicle service station with underground storage tanks that may require remediation as part of the redevelopment approach.</p>
<i>Description of Availability</i>	The site has a clear title and is free of encumbrance which precludes the development of affordable housing. The site has a clear title and no legal encumbrances which would preclude its development as an affordable housing project.
<i>Description of Suitable</i>	The site is adjacent to compatible land uses and has access to appropriate streets. The site has about 350 feet of frontage along South Avenue West. The site is adjacent to commercial uses and residential uses are also located proximate to the site.
<i>Description of Developable</i>	Adequate sewer and water capacity and infrastructure is available from the Rahway Valley Sewerage Authority and New Jersey American Water.
<i>Description of Approvable</i>	Pursuant to this plan, the site will be rezoned to accommodate multifamily residential development at a maximum density of 25 units per acre. The site can be developed in accordance with R.S.I.S. Development of the site will be consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21-1 et seq. There are no environmental constraints associated with the site.

Land Most Appropriate for Affordable Housing

The analysis in this section shall satisfy Part F of P.L.1985, c.222 (C.52:27D-310), which requires:

- F) “A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing”

As part of this Fair Share Plan, the Town has considered land that is appropriate for the construction of low- and moderate-income housing. As noted above, the Town can satisfy 25% of its prospective need through parcels likely to redevelop, in accordance with N.J.S.A. 52:27D-310.1. The strategies outlined in the tables above will provide 100.5 credits towards the prospective need obligation, which represents 27% of the adjusted prospective need obligation. The Town believes that the approach set forth in this document represents the best approach to

satisfying the requirements of the Amended Law. While the Town acknowledges that developers may express interest in proposing projects that include low or moderate income housing, the Town's position is that no additional projects are required to satisfy Westfield's present nor prospective need.

Notwithstanding this position, the sites discussed above are not the only areas in town where low- and moderate-income housing is permitted to be built. The Town maintains, and will maintain in full effect for the duration of the forthcoming round, an affordable housing ordinance which includes provisions establishing a mandatory affordable housing set-aside requirement (See Appendix E) and has established multiple inclusionary zone districts and affordable housing overlay zone districts which require the development of additional low- and moderate-income housing opportunities.

Mandatory Obligation Subsets

Below is a table reviewing additional obligation requirement thresholds. All low- and moderate-income housing projects proposed in this HEFSP as well as those that may result from development because of the Town's affordable housing ordinance, inclusionary zone districts, and affordable housing overlay zone districts. All inclusionary development and redevelopment shall comply with the mandatory obligations stipulated below and as will be amended and codified in the municipal code, consistent with current statute and applicable rules, following adoption of this HEFSP.

MANDATORY OBLIGATIONS	CITATION	# REQUIRED OF ACTUAL UNITS*
Very Low-Income Units (13% Minimum) <i>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.</i>	52:27D-329.1	38
Low-Income Units (50% Minimum) <i>Conversely, the maximum of Moderate-Income Units shall not exceed 50%.</i>	52:27D-329.1	143
Family Units (50% Minimum)	52:27D-311.l	143
Rental Units (25% Minimum)	52:27D-311.l	72
Minimum Family Rental Units (50% of Rental)	52:27D-311.k.5	36
Maximum age-restricted units (30%)	52:27D-302.q	86
Transitional Housing (10% Maximum)	52:27D-311.e	29
Senior Housing Bonus Credit (10% Maximum)	52:27D-311.k.4	29
*Actual units do not count bonus credits. In other words, actual units are the Prospective Need Credits of 380 minus bonus credits of 95 = 285 units. Note: Maximum bonus credits shall not exceed 25% of Prospective Need per 52:27D-311.k.		

IV. Appendices

- A. Decision and Order Fixing Obligation; Associated Program Settlement Recommendation
- B. Vacant Land Adjustment
- C. Third Round Settlement Agreement

Mandatory Requirements:

- D. Zoning Amendments (or redevelopment plans, if applicable)
- E. Affordable Housing Ordinance:
 - a. The Town's existing ordinance is attached and will remain in full force and effect during the Fourth Round. The Town will make all necessary modifications to this ordinance to comply with any forthcoming Fourth Round requirements as updated regulations and rules are released.
- F. Development Fee Ordinance
 - a. The Town's existing ordinance is attached and will remain in full force and effect during the Fourth Round. The Town will make all necessary modifications to this ordinance to comply with any forthcoming Fourth Round requirements as updated regulations and rules are released.
- G. Affirmative Marketing Plan
 - a. The Town's existing Affirmative Marketing Plan is attached and will remain in full force and effect during the Fourth Round. The Town will make all necessary modifications to this ordinance to comply with any forthcoming Fourth Round requirements as updated regulations and rules are released.
- H. Spending Plan
- I. Copies of resolutions appointing Administrative Agent(s) and ordinance creating the position of and appointing the Municipal Affordable Housing Liaison
 - a. The Town's existing appointing resolutions and ordinances are attached and will remain in full force and effect during the Fourth Round. The Town will make all necessary modifications to these resolutions and ordinances to comply with any forthcoming Fourth Round requirements as updated regulations and rules are released.
- J. Resolution of intent to fund cost of municipality's municipally sponsored affordable housing development as well as its rehabilitation program (Not Applicable)