

FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

Hardwick Township
Warren County, New Jersey

June 5, 2025

Adopted by the Land Use Board on June 18, 2025

Prepared By:



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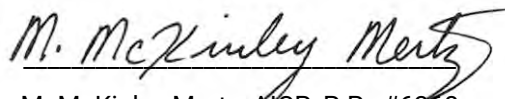
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The original of this report was signed and
sealed in accordance with N.J.S.A. 45:14A-12



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EXECUTIVE SUMMARY

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

Hardwick Township is a 37.9 square mile community located in northwest New Jersey, within the northern portion of Warren County that abuts the neighboring State of Pennsylvania. The Township shares municipal boundaries with Stillwater Township to the northeast, Blairstown Township and Knowlton Township to the southwest, and Frelinghuysen Township to the southeast. Primary County routes, including Sussex and Warren County Routes 602, 521, and 659 run through the Township, and Interstate 80 runs through the southwestern corner of the Township.

The Township can be characterized as a rural municipality and, according to the State Development and Redevelopment Plan (SDRP), is located in a handful of Planning Areas, including: Rural Planning Area 4; Rural Environmentally Sensitive Planning Area 4b; Environmentally Sensitive Planning Area 5; and Parks and Natural Areas.

The Worthington State Forest encompasses a significant portion of the Township, and approximately one half of the Township is located within the boundaries of the Delaware Water Gap National Recreation area. Further, within the Township's borders are many historical sites, including Millbrook Village, the historic Vass Farmstead, White Lake, the Pahaquarry Copper Mines, Spring Valley Christian Church and Cemetery, and Old Mine Road. As a result, preserving Hardwick's natural resources and rural character has remained a planning priority.

According to the 2020 Census, Hardwick Township's population was 1,598, which represents a decrease of 5.8% from 2010. In 2020, the Township's median age was 47.6 years, representing an 8.7% increase from the median age of 43.8 years in 2010. The Township's average household size in 2020 was 2.78 persons, which was slightly higher than the average at the County level (2.45 persons).

The housing stock of the Township is predominantly single-family detached dwelling units. Approximately 34.3% of the housing stock was built prior to 1970, making these dwellings older than fifty years. According to the guidelines originally established by COAH, the Township is located in Housing Region 2, a region that consists of Essex, Morris, Union, and Warren counties. Based on the 2024 Regional Income Limits (released by Affordable Housing Professionals of New Jersey on May 5, 2025), the median income in Region 2 for a four-person household is \$135,300, the moderate-income is \$108,240, the low-income is \$67,650, and the very-low-income level is \$40,590.

Affordable housing obligations in New Jersey are divided into "housing rounds," as will be discussed in detail later in this Plan. Each municipality in New Jersey has a constitutional obligation to provide its fair

share of the calculated regional need for affordable housing within the respective housing round. These obligations to construct new affordable housing are known as the “Prospective Need” obligations. Municipalities also have an obligation to rehabilitate units that are deemed substandard, pursuant to the criteria of the Fair Housing Act. This obligation is known as the Present Need, or Rehabilitation Share. The housing rounds are as follows: Prior Round (1987-1999), Third Round (1999-2025), and Fourth Round (2025-2035).

The Township of Hardwick has participated in each of the three housing rounds. In the Third Round, Hardwick entered into a Settlement Agreement with Fair Share Housing Center to establish the Township’s Third Round affordable housing obligation. The subsequent compliance efforts were approved by the Court in a Judgement of Compliance and Repose, dated January 10, 2019, confirming the town satisfied its Third Round obligations.

The Township was able to fully meet its Prior Round and Third Round obligations through credit-worthy units that are existing, under construction or proposed, as well as rental bonus credits.

The Township has a Fourth Round obligation as follows:

Rehabilitation Share: 0

Prospective Need: 29

The Township is seeking a durational adjustment for its entire 29-unit Fourth Round Prospective Need obligation.

INTRODUCTION

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

In Southern Burlington County NAACP v. Township of Mount Laurel, 92 N.J. 158, 456 A.2d 390 (1983), decided on January 20, 1983 (commonly known as Mount Laurel II), the Supreme Court responded to the response of municipalities to Mount Laurel II. The builder's remedy created a mechanism for developers to sue non-compliant municipalities and force them to comply. Mount Laurel II also created the Judgment of Repose to incentivize municipalities to comply. A Judgment of Repose protects municipalities from potential lawsuits and those who would claim entitlement to a builder's remedy or other relief based upon the claim that the municipality was noncompliant.

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

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

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

FIRST AND SECOND ROUNDS

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

THIRD ROUND

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

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

On October 8, 2010, in response to numerous legal challenges to the second iteration of COAH’s Third Round regulations, the Appellate Divisions ruled that COAH could not allocate obligations through a “growth share” formula and directed COAH to use similar methods to those used in the First and Second Rounds. COAH proposed Third Round regulations a third time in 2014 using a formula similar to the one it had used in the first and second rounds. However, when COAH met to consider adopting these rules on October 20, 2014, it was deadlocked.

On March 10, 2015, the New Jersey Supreme Court decided In re Adoption of N.J.A.C. 5:96 & 5:97 by the N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (Mount Laurel IV), wherein it responded to COAH’s failure to adopt definitive rules for Round 3. This decision changed the landscape by which municipalities are required to comply with their constitutional obligations to provide their fair share of affordable housing. The Supreme Court held that since COAH was no longer functional, trial courts were to resume their role as the forum of first instance for evaluating municipal compliance with Mount Laurel obligations, and also established a transitional process for municipalities to seek temporary immunity and ultimately a

Judgment of Compliance and Repose (“JOR”) from a Court, which was the “judicial equivalent” of Substantive Certification from COAH.

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

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

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

FOURTH ROUND

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

The amended FHA called on the DCA to issue a non-binding report on the new Present Need Obligation (commonly referred to as the rehab obligation) and the Prospective Need for Round 4 and subsequent rounds. The amended FHA requires the DCA to base its analysis of the obligations for each municipality upon the standards set forth in the amended FHA. Accordingly, on October 18, 2024, the DCA released a report outlining the Fourth Round (2025-2035) Fair Share methodology and its calculations of low- and moderate-income obligations for each of the State’s municipalities. The amended FHA gave municipalities until January 31, 2025, to review the obligation reported by the DCA and perform their own analysis of their

obligation based on the methodology in the legislation and previously established by the Courts. If any municipality wished to commit to an obligation different from the one reported by the DCA, the amended FHA required the municipality to adopt a resolution by January 31, 2025, committing to the number that it contended was the appropriate obligation. If a municipality wished to commit to the numbers that the DCA reported, the amended FHA required the municipality to adopt a resolution committing to the DCA numbers.

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

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

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

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

HARDWICK TOWNSHIP'S HISTORY OF AFFORDABLE HOUSING

Hardwick Township has a history of compliance with COAH's regulations. The Township first petitioned COAH for substantive certification on March 7, 2002, and received Prior Round approval to maintain its Affordable Housing Trust Fund on June 24, 2002, and substantive certification for its Housing Element and Fair Share Plan on May 7, 2003.

In response to Mount Laurel IV, the Township filed its complaint for a Declaratory Judgement on July 8, 2015 (Docket No. WRN-L-240-15). Given the uncertainty at the time regarding the appropriate manner by which to calculate a municipality's fair share obligation, many towns, including Hardwick, determined that a settlement agreement with the Fair Share Housing Center ("FSHC") was in the best interest of the households in need of low- and moderate-income housing. A settlement agreement with FSHC was executed on September 20, 2017 ("Settlement Agreement", See Appendix A) establishing the mechanisms by which the Township would meet its Third Round obligation.

The Honorable Thomas C. Miller, P.J.S.C. conducted a Fairness Hearing on October 23, 2017, at which he ruled that the settlement agreement between the Township and FSHC was fair and reasonable to low- and moderate-income households. A Compliance Hearing was held on May 3, 2018, and an Order of Final Judgement and Repose was issued by the Honorable Thomas C. Miller, P.J.S.C. on January 10, 2019 (See Appendix B). The Township's Land Use Board subsequently adopted a Housing Element and Fair Share Plan in 2018, effectuating the terms of the Court-approved settlement agreement.

Hardwick Township continues to take steps to satisfy its affordable housing obligation. The Township adopted a binding resolution on January 15, 2025 (Resolution #2025-22) which accepted the DCA-obligation numbers, and established its Fourth Round housing obligation of a 0-unit Present Need obligation and a 29-unit Prospective Need obligation (see Appendix C).

Further, on January 17, 2025, the Township filed a Complaint (Docket No. WRN-L-000027-25) seeking the entry of a declaratory judgment (i) declaring that Hardwick has established jurisdiction for the Dispute Resolution Program and the Court to confirm its present and prospective affordable housing needs as set forth in Township resolution #2025-22; (ii) declaring the present and prospective affordable housing obligations of Hardwick under the Fair Housing Act; (iii) declaring that Hardwick continues to have immunity from all exclusionary zoning litigation related to its affordable housing obligations; (iv) declaring the approval of Hardwick's HEFSP subsequent to its adoption by the Land Use Board and its endorsement by the Committee; (v) declaring and issuing compliance certification and immunity from exclusionary zoning litigation in accordance with the Act and Directive #14-24 to the Township of Hardwick for the period beginning July 1, 2025 and ending June 30, 2035; and (vi) declaring that such relief that the Program and Court deem equitable and just. See Appendix D. A Court-approved order fixing the obligation numbers was filed on March 25, 2025 (See Appendix E).

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

PLANNING FOR AFFORDABLE HOUSING

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

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate-income households and substandard housing capable of being rehabilitated;
- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing, as established pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1);
- f. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52:27D-329.20);
- h. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), an analysis of compliance

of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands conforming municipalities. This analysis shall include consideration of the municipality's most recent Highlands Municipal Build Out Report, consideration of opportunities for redevelopment of existing developed lands into inclusionary or 100 percent affordable housing, or both, and opportunities for 100 percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and

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

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

Table 1 below depicts the population trends experienced in Hardwick, Warren County, and the State of New Jersey in the 93-year period between 1930 and 2023. In 2023, there were 1,436 residents in Hardwick, which indicates an decrease of 162 people (-10.1%) from 2020 and is the most notable decrease in population in this time frame. Proportionally speaking, the Township's most significant period of growth occurred in the decade between 1970 and 1980 when the Township saw a 72.8% increase in its population. Overall, the Township has seen a growth of 1,125 residents during the 93-year time frame, reflecting a 361.7% increase in its population. These trends are reflected at the County and State level, as well. While population growth has been steady during this time period in Warren County and the State of New Jersey as a whole, the Township's overall growth (361.7%) has proportionally exceeded that of the County (124.9%) and State (129.2%) by nearly 4.5 times.

Table 1: Population Trends, 1930-2023 Hardwick Township, Warren County, and New Jersey									
	Hardwick Township			Warren County			New Jersey		
Year	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1930	311	-	-	49,319	-	-	4,041,334	-	-
1940	367	56	18.0%	50,181	862	1.7%	4,160,165	118,831	2.9%
1950	370	3	0.8%	54,374	4,193	8.4%	4,835,329	675,164	16.2%
1960	370	0	0.0%	63,220	8,846	16.3%	6,066,782	1,231,453	25.5%
1970	548	178	48.1%	73,960	10,740	17.0%	7,171,112	1,104,330	18.2%
1980	947	399	72.8%	84,429	10,469	14.2%	7,365,011	193,899	2.7%
1990	1,235	288	30.4%	91,607	7,178	8.5%	7,730,188	365,177	5.0%
2000	1,463	228	18.5%	102,437	10,830	11.8%	8,414,350	684,162	8.9%
2010	1,696	233	15.9%	108,982	6,255	6.1%	8,791,894	377,544	4.5%
2020	1,598	-98	-5.8%	105,730	940	0.9%	9,288,994	497,100	5.7%
2023	1,436	-162	-10.1%	110,238	1,294	1.2%	9,261,699	-27,295	-0.3%
Total Change	-	1,125	361.7%	-	61,607	124.9%	-	5,220,365	129.2%

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

Population Composition by Age

The median age of the residents in Hardwick in 2020 was 47.6 years, which shows an 8.7% increase from the 2010 median age of 43.8 years. Analysis of age group characteristics provides insight into the actual changes in population. This comparison is helpful in determining the impact these changes have on housing needs, community facilities and services for the municipality. As detailed in Table 2 below, the entire composition of Hardwick experienced notable shifts in the years between 2010 and 2020. The most significant shift occurred in the population aged 65 and over, which collectively saw a 98-person (46%) increase. Simultaneously, the Township experienced a significant decrease in its population 5 to 14 years old (-36.9%) and between the ages 35 to 54 (-27.6%). This data suggests that a larger portion of the Township's residents are transitioning into the senior citizen age range, which will require the Township to consider planning tools and approaches that encourage aging-in-place.

Table 2: Population by Age, 2010 to 2020						
Hardwick Township						
Population	2010		2020		Change (2010 to 2020)	
	Number	Percent	Number	Percent	Number	Percent
Under 5 years	72	4.2%	73	4.6%	1	1.4%
5 to 14	260	15.3%	164	10.3%	-96	-36.9%
15 to 24	226	13.3%	186	11.6%	-40	-17.7%
25 to 34	113	6.7%	166	10.4%	53	46.9%
35 to 44	214	12.6%	164	10.3%	-50	-23.4%
45 to 54	343	20.2%	234	14.6%	-109	-31.8%
55 to 64	255	15.0%	300	18.8%	45	17.6%
65 and over	213	12.6%	311	19.5%	98	46.0%
Total population	1,696	100.00%	1,598	100.00%	-98	-5.8%
Median Age	43.8	-	47.6	-	3.8	8.7%

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

Warren County experienced population fluctuation as well. The County also saw the greatest shift of 35.1% in its population aged 65 and over, which was proportionally similar to the increase at the Township level. The County experienced rather significant decreases in its population aged 5 to 14 (-15.1%) as well as those aged 35 to 54 (-19.3%), directly mirroring shifting age trends occurring in the Township. This data is displayed in Table 3 below.

Table 3: Population by Age, 2010 to 2020						
Warren County						
Population	2010		2020		Change (2000 to 2010)	
	Number	Percent	Number	Percent	Number	Percent
Under 5 years	6,084	5.6%	4,951	4.5%	-1,133	-18.6%
5 to 14	14,725	13.5%	12,507	11.4%	-2,218	-15.1%
15 to 24	13,434	12.4%	13,220	12.1%	-214	-1.6%
25 to 34	10,671	9.8%	12,281	11.2%	1,610	15.1%
35 to 44	15,484	14.2%	12,551	11.4%	-2,933	-18.9%
45 to 54	19,174	17.6%	15,413	14.1%	-3,761	-19.6%
55 to 64	13,828	12.7%	18,054	16.5%	4,226	30.6%
65 and over	15,292	14.1%	20,655	18.8%	5,363	35.1%
Total population	108,692	100.0%	109,632	100.0%	940	0.9%
Median Age	41.5	-	44.4	-	2.9	7.0%

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

Households

A household is defined as one or more persons, either related or not, living together in a housing unit. In 2020 there was a total of 578 households in Hardwick. Over half of the Township's households comprised two or less people. In fact, two-person households were the most common household size at both the Township (37.7%) and County (34.3%) levels, followed by one-person households. The average household size of the Township in 2020 was 2.78, which was slightly higher than that of the County's average of 2.45.

Table 4: Household Size of Occupied Housing Units, 2020				
Hardwick Township and Warren County				
	Hardwick Township		Warren County	
	Number	Percent	Number	Percent
1-person household	113	19.6%	11,741	27.7%
2-person household	218	37.7%	14,511	34.3%
3-person household	95	16.4%	7,024	16.6%
4-person household	102	17.6%	5,829	13.8%
5-person household	25	4.3%	2,583	6.1%
6-person household	8	1.4%	1,060	2.5%
7-or-more-person household	17	2.9%	579	1.4%
Total Households	578	100.0%	42,327	100.0%
Average Household Size	2.78		2.45	

Source: US Census Bureau 2020, Table H9

According to the United States Census, family households are defined as two or more persons living in the same household, related by birth, marriage, or adoption. As shown in Table 5, most (80.4%) of all households in the Township in 2020 were categorized as family households and the average family size was 3.13 persons. Approximately 22.5% of the married-couple families within the Township had children under the age of 18. Approximately 19.6% of the Township's households were one-person households and is split almost evenly between female householders (9.2%) and male householders (10.7%).

In providing more detail on American households, the 2020 Census includes the sub-groups of non-traditional households, including "Other Family" and "Non-Family" households. "Other Family" households accounted for 28% of all households, broken down into 15.1% female householders with no spouse or partner present and 13% male householders with no spouse or partner present. "Non-Family" households are defined as those that consist of a householder living alone or sharing the home exclusively with people to whom he/she is not related. Non-family households comprised approximately 24.6% of all households in the Township.

Table 5: Household Size and Type, 2020 Hardwick Township		
	Total	Percent
Total Households	578	100.0%
1-person household	113	19.6%
Male householder	62	10.7%
Female householder	53	9.2%
2-or-more-person household	465	80.4%
Family households	436	75.4%
Married Couple Family	386	66.8%
With own children under 18 years	130	22.5%
Other Family	162	28.0%
Male householder, no spouse/partner present	75	13.0%
With own children under 18 years	4	0.7%
Female householder, no spouse/partner present	87	15.1%
With own children under 18 years	7	1.2%
Nonfamily Households	142	24.6%
Male householder	76	13.1%
Female householder	66	11.4%
Average Family Size*	3.13	

Source: US Census Bureau 2020, Table P20; 2023: ACS 5-Year Estimates, Table S1101*

Income

As measured in 2023, Hardwick had a significantly higher median household income compared to Warren County and the State of New Jersey. The median income in Hardwick was \$124,167, which was roughly \$25,000 greater than that of the County and State. The per capita income in Hardwick was comparable to that of the County and State. This data is outlined in Table 6 below.

Table 6: Per Capita Household Income, 2023 Hardwick Township, Warren County, and New Jersey		
	Per Capita Income	Median Household Income
Hardwick Township	\$51,597	\$124,167
Warren County	\$49,023	\$99,596
New Jersey	\$52,583	\$101,050

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

In 2023, roughly 84.2% percent of all households in the Township earned an income of \$50,000 or more, as compared to roughly 76.6% of households in the County. The income range that accounted for the most Township households was the \$100,000 to \$149,999 bracket, which comprised nearly 21.7% of households in Hardwick; this was also the case across Warren County as a whole, but at a higher percentage of 23.3%. The second largest income bracket in the Township was \$200,000 or more, comprising 20.5% of households. At the County level, this same income bracket accounted for a lesser, 13.7% of households. This suggests that the Township's household income distribution is slightly skewed toward these higher income brackets as compared to the County, which may at least partially help explain the stark difference between the median income reported at the Township (\$124,167) and County (\$99,596) levels.

Table 7: Household Income, 2023 Hardwick Township and Warren County				
	Hardwick Township		Warren County	
	Number	Percent	Number	Percent
Less than \$10,000	0	0.0%	1,663	3.7%
\$10,000 to \$14,999	17	3.4%	944	2.1%
\$15,000 to \$24,999	3	0.6%	2,382	5.3%
\$25,000 to \$34,999	19	3.8%	2,292	5.1%
\$35,000 to \$49,999	40	8.0%	3,236	7.2%
\$50,000 to \$74,999	87	17.5%	6,697	14.9%
\$75,000 to \$99,999	47	9.4%	5,348	11.9%
\$100,000 to \$149,999	108	21.7%	10,472	23.3%
\$150,000 to \$199,999	75	15.1%	5,753	12.8%
\$200,000 or more	102	20.5%	6,157	13.7%
Total Households	498	100.0%	44,943	100.0%
Median Household Income	\$124,167		\$99,596	

Source: 2023 ACS 5-Year Estimates, Table B19001

Poverty Status

Of the 1,419 people in Hardwick for which poverty status was determined, 113 (8%) individuals lived in poverty in 2023; this was the same as the County's poverty rate of 8%. Of Hardwick's population that fell below the poverty level in 2023, nearly half were between the ages of 18 to 64; this trend was mirrored at the County level as well. Proportionally the Township and County had similar percentages of children and elderly living in poverty. This data is presented in Table 8 below.

Table 8: Poverty Status, 2023				
Hardwick Township and Warren County				
	Hardwick Township		Warren County	
	Number	Percent	Number	Percent
Total persons	1,419	100.0%	110,238	100.0%
Total persons below poverty level	113	8.0%	8,827	8.0%
Under 18	17	1.2%	2,119	1.9%
18 to 64	62	4.4%	5,381	4.9%
65 and over	34	2.4%	1,327	1.2%

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

Household Costs

Tables 9 and 10 below show the expenditure on housing as a percentage of household income for those who own and rent in Hardwick and Warren County. In 2023, most Township residents lived in homes they owned, which was the same at the County level as well. General affordability standards set a limit of 30% of gross income to be allocated for owner-occupied housing costs and 28% of gross income to be allocated for renter-occupied housing costs. Approximately 29.3% of Township residents who owned the units they occupied spent 30% or more of their household income on housing, as compared to 53.9% of Township residents who rented the units they occupied. The County data shows lower levels of homeowners and renters spending more than 30%.

Table 9: Selected Monthly Owner Costs as a Percentage of Household Income, 2023				
Hardwick Township and Warren County				
	Hardwick Township		Warren County	
	Number	Percent	Number	Percent
Total Owner-Occupied Housing Units	433	100.0%	34,186	100.0%
Less than 20.0%	205	47.3%	17,503	51.2%
20.0 to 24.9%	62	14.3%	5,018	14.7%
25.0 to 29.9%	39	9.0%	3,704	10.8%
30.0 to 34.9%	32	7.4%	2,112	6.2%
35.0% or more	95	21.9%	5,829	17.1%
Not computed	0	0.0%	20	0.1%

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

Table 10: Gross Rent as a Percentage of Household Income, 2023				
Hardwick Township and Warren County				
	Hardwick Township		Warren County	
	Number	Percent	Number	Percent
Total Renter-Occupied Housing Units	65	100.00%	11,077	100.00%
Less than 10%	0	0.0%	464	4.2%
10.0 to 14.9%	13	20.0%	965	8.7%
15.0 to 19.9%	0	0.0%	1,576	14.2%
20.0 to 24.9%	4	6.2%	1,244	11.2%
25.0 to 29.9%	6	9.2%	1,321	11.9%
30.0 to 34.9%	0	0.0%	1,050	9.5%
35.0 to 39.9%	0	0.0%	762	6.9%
40.0 to 49.9%	18	27.7%	809	7.3%
50% or more	17	26.2%	2,184	19.7%
Not computed	7	10.8%	702	6.3%

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

EXISTING HOUSING CONDITIONS

Housing Unit Data

Hardwick's housing stock is largely comprised of structures built prior to the year 2000. In 2023, Hardwick had a total of 557 occupied housing units, roughly 77.7% of which were owner-occupied and 11.7% of which were renter-occupied. The Township experienced a housing boom between 1970 and 1990, during which approximately 40% of the Township's housing structures were constructed, respectively. According to 2019-2023 American Community Survey Estimates, the Township has seen very few housing structures built between 2010 and 2023. The median year of construction for the housing stock in Hardwick is 1981. This data is outlined in Tables 11 and 12 below.

Table 11: Housing Data, 2023			
Hardwick Township			
	Number	% of Total Housing Units	% of Occupied Housing Units
Total Housing Units	557	100.00%	-
Occupied Housing Units	498	89.4%	100.00%
Owner Occupied	433	77.7%	86.9%
Renter Occupied	65	11.7%	13.1%
Vacant Housing Units	59	10.6%	-

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

Table 12: Year Structure Built, 2023		
Hardwick Township		
	Number	Percent
Total Housing Units	557	100.00%
Built 1939 or earlier	68	12.2%
Built 1940 to 1949	28	5.0%
Built 1950 to 1959	50	9.0%
Built 1960 to 1969	45	8.1%
Built 1970 to 1979	97	17.4%
Built 1980 to 1989	126	22.6%
Built 1990 to 1999	68	12.2%
Built 2000 to 2009	62	11.1%
Built 2010 to 2019	5	0.9%
Built 2020 or later	8	1.4%
Median Year Structure Built	1981	

Source: 2023 American Community Survey 5-Year Estimates, Tables B25034 and B25035

According to the 2023 American Community Survey, Hardwick has a high occupancy rate, with very few of their housing units vacant. Of Hardwick's 557 housing units, 498 (89.4%) were occupied and 59 (10.6%) were vacant. Nearly three-quarters (72.8%) of vacant units could be attributed to "For Sale Only" and "Other Vacant" categories, with "For Seasonal, Recreational or Occasional Use" making up another 27.1%. This data is represented in Table 13 below.

Table 13: Housing Occupancy, 2023			
Hardwick Township			
	Total	% of Total Housing Units	% of Vacant Housing Units
Total Housing Units	557	100.00%	-
Occupied	498	89.4%	-
Vacant Housing Units	59	10.6%	100.0%
For Rent/Rented Not Occupied	0	0.0%	0.0%
For Sale Only	10	1.8%	16.9%
Sold, not occupied	0	0.0%	0.0%
For Seasonal, Recreational or Occasional Use	16	2.9%	27.1%
For migrant workers	0	0.0%	0.0%
Other Vacant	33	5.9%	55.9%

Source: 2023 ACS 5-Year DP04 and B25004

Housing Type and Size

In 2023, single-family detached housing made up the vast majority of the Township's housing stock at 96.4%. The next most common housing type are 3 or 4 family homes, representing 1.8% of the Township's housing stock. The median number of rooms within housing structures in the Township was 7.0, with 73.4% of housing units having a minimum of 6 rooms and 4.5% of housing units having 2 or less rooms.

Table 14: Housing Type and Size, 2023 Hardwick Township		
Units in Structure	Total	Percent
1, detached	537	96.4%
1, attached	4	0.7%
2	0	0.0%
3 or 4	10	1.8%
5 to 9	6	1.1%
10 to 19	0	0.0%
20 or more	0	0.0%
Mobile home	0	0.0%
Boat, RV, van, etc.	0	0.0%
Total Housing Units	557	100.00%
Rooms	Total	Percent
1 room	11	2.0%
2 rooms	14	2.5%
3 rooms	28	5.0%
4 rooms	30	5.4%
5 rooms	65	11.7%
6 rooms	75	13.5%
7 rooms	116	20.8%
8 rooms	110	19.7%
9 or more rooms	108	19.4%
Total Housing Units	557	100.00%
Median number of rooms	7.0	

Source: 2023 ACS 5-Year Estimates, Tables DP04 and B25024

Housing Growth and Projections

In terms of residential growth, the issuance of building permits serves as one of the indicators that help to determine housing needs in a given municipality. Table 15 below illustrates the number of building permits that were issued over the 10-year period between January 2014 through December 2024, when the Township issued building permits authorizing the development of 22 housing units. Within this time frame, the busiest years for building permits occurred between 2020 and 2024, with roughly 72% of all building permits since 2014 having been issued in those years. The vast majority of the permits issued during this time frame were for single and two-family homes, while only 1 permit was issued for mixed-use structures,

and none were issued for multifamily structures. It is expected the majority of residential development within Hardwick will occur through single-family residential development. Given the extensive land that is either protected or environmentally constrained, it's anticipated that new development will predominantly happen through tear downs and rebuilds, or minor subdivisions where oversized lots exist.

Further, throughout the same 10-year period, Hardwick issued permits authorizing the demolition of 7 units, which averages to approximately 0.6 units per year. If the demolition rate were to remain relatively constant over the next approximately 13-year period, an additional 7 residential units could be expected to be demolished between January 2024 and the end of 2035, resulting in a projected net increase of 15 units.

Table 15: Housing Units Authorized by Building Permits, 2014-2024 Hardwick Township				
Year	1 & 2 Family	Multi Family	Mixed-Use	Total
2014	1	0	0	1
2015	1	0	0	1
2016	1	0	1	2
2017	0	0	0	0
2018	1	0	0	1
2019	1	0	0	1
2020	4	0	0	4
2021	1	0	0	1
2022	2	0	0	2
2023	4	0	0	4
2024*	5	0	0	5
Total 2014-2024	21	0	1	22
10-Year Average				2.0
10-Year Permit Projection (2025-2035)				22

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

*Note: 2024 Data includes January-November

Table 16: Housing Units Demolished by Building Permits, 2014-2024				
Hardwick Township				
Year	1 & 2 Family	Multi Family	Mixed-Use	Total
2014	0	0	0	0
2015	0	0	0	0
2016	1	0	0	1
2017	1	0	0	1
2018	0	0	0	0
2019	1	0	0	1
2020	1	0	0	1
2021	1	0	0	1
2022	1	0	0	1
2023	1	0	0	1
2024*	0	0	0	0
Total 2014-2024	7	0	0	7
10-Year Average				0.6
10-Year Demolition Projection (2025-2035)				7

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

*Note: 2024 Data includes January-November

Housing Values and Contract Rents

According to the 2019-2023 American Community Survey, 83.4% of the owner-occupied housing stock in Hardwick in 2023 was valued at over \$300,000, as compared to 55.5% of the County's housing stock. In addition, the Township's median home value (\$421,800) exceeded that of the County (\$323,100) by an almost \$100,000. This data is outlined in Table 17 below.

Table 17: Value for Owner-Occupied Housing Units, 2023				
Hardwick Township and Warren County				
	Hardwick Township		Warren County	
	Number	Percent	Number	Percent
Total	433	100.0%	33,386	100.0%
Less than \$50,000	3	0.7%	935	2.8%
\$50,000 to \$99,999	3	0.7%	694	2.1%
\$100,000 to \$149,999	0	0.0%	1,683	5.0%
\$150,000 to \$199,999	5	1.2%	2,917	8.7%
\$200,000 to \$299,999	61	14.1%	8,609	25.8%
\$300,000 to \$499,999	268	61.9%	13,850	41.5%
\$500,000 to \$999,999	78	18.0%	4,522	13.5%
\$1,00,000 and greater	15	3.5%	176	0.5%
Median Value	\$421,800		\$323,100	

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

As shown in Table 18 below, it is estimated that 275 (63.5%) owner-occupied units in the Township were financed by a primary mortgage, contract to purchase, or similar debt. Owner-occupied units in the Township without a mortgage equaled 36.5%. The same trends were seen at the County level and can be seen in Table 18 below.

Table 18: Mortgage Status, 2023 Hardwick Township and Warren County						
	Hardwick Township			Warren County		
	Number	% of Total Units	% of Units with Mortgage	Number	% of Total Units	% of Units with Mortgage
Total Owner-Occupied Units	433	100.00%	-	34,186	100.00%	-
Owner-Occupied Housing Units with a Mortgage	275	63.5%	100.00%	22,323	65.3%	100.0%
Second mortgage and/or home equity loan	14	-	-	2,595	-	-
Second mortgage only	0	-	0.0%	809	-	3.6%
Home equity loan only	14	-	5.1%	1,786	-	8.0%
Second mortgage and home equity loan	0	-	0.0%	0	-	0.0%
Home equity loan without a primary mortgage	16	-	5.8%	848	-	3.8%
No second mortgage and no home equity loan	245	-	89.1%	18,880	-	84.6%
Owner-Occupied Housing units without a mortgage	158	36.5%	-	11,863	34.7%	-

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

As shown in Table 19 below, the median contract rent in Hardwick in 2023 was \$1,286, which was roughly \$100 lower than the County median rent of \$1,322. Within the Township, the highest percentage of renters paid between \$1,000 to \$1,499 for monthly rent (41.5%), followed by \$500 to \$999 (21.5%), and \$2,000 to \$2,499 (15.4%). Overall, 89.2% of renters in the Township paid under \$2,499 for monthly rent in 2023. At the County level most (91.8%) of renters paid under \$2,499 for monthly rent. This data suggests that rent in the Township is similar to that of the County as a whole.

Table 19: Contract Rent, 2023 Hardwick Township and Warren County				
	Hardwick Township		Warren County	
	Number	Percent	Number	Percent
Total Renter-Occupied Units	65	100.0%	11,557	100.0%
Less than \$500	0	0.0%	1004	8.7%
\$500 to \$999	14	21.5%	1824	15.8%
\$1,000 to \$1,499	27	41.5%	4,892	42.3%
\$1,500 to \$1,999	7	10.8%	2,162	18.7%
\$2,000 to \$2,499	10	15.4%	727	6.3%
\$2,500 to \$2,999	0	0.0%	116	1.0%
\$3,000 or More	0	0.0%	0	0.0%
No Rent Paid	7	10.8%	562	4.9%
Median Contract Rent	\$1,286		\$1,322	

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

Housing Conditions

Table 20 below details the conditions of the Township's housing stock in 2023. Overcrowding, age, plumbing, and kitchen facilities are used to determine housing deficiency. In 2023, over half (52.5%) of the Townships housing stock relied on fuel oil and kerosene (52.2%), followed by Wood (16.7%). A total of 5 (1.0%) occupied housing units experienced overcrowding (more than one person per room). Throughout the Township, there were 31 occupied housing units that lacked complete plumbing and kitchen facilities, and only 19 (3.8%) units lacked telephone service.

Table 20: Housing Conditions, 2023 Hardwick Township		
	Number	Percent
House Heating Fuel-Occupied Housing Units		
Total	498	100.0%
Utility gas	21	4.2%
Bottled, tank, or LP gas	81	16.3%
Electricity	53	10.6%
Fuel oil, kerosene, etc.	260	52.2%
Coal or coke	0	0.0%
Wood	83	16.7%
Solar energy	0	0.0%
Other fuel	0	0.0%
No fuel used	0	0.0%
Occupants per Room – Occupied Housing Units		
Total	498	100.0%
1.00 or Less	493	99.0%
1.01 to 1.50	5	1.0%
1.51 or More	0	0.0%
Facilities – Total Units		
Total	557	100.0%
Lacking complete plumbing facilities	31	5.6%
Lacking complete kitchen facilities	31	5.6%
Telephone Service – Occupied Housing Units		
Total	498	100.0%
No Service	19	3.8%

Sources: 2023 ACS 5-Year Estimates, Tables DP04, B25047, B25051

EMPLOYMENT DATA

Tables 21, 22, and 23 below detail the changes in employment between the years 2010 and 2023 in Hardwick, Warren County, and New Jersey, respectively. Throughout this thirteen-year period, the Township saw an overall 12.3% decrease in its unemployment rate; although the Township experienced a 4.1% spike in unemployment between 2019 and 2020 due to the COVID-19 pandemic. It has rebounded to a considerably lower unemployment rate in recent years. This overall trend is mirrored at both the County and State level. although in comparison the Township has consistently exhibited a lower unemployment rate throughout this time period. In 2023, the Township's unemployment rate was 3.4%, which was 0.6% lower than the County and 1.0% lower than the State (both at 4.4%).

Table 21: Employment and Residential Labor Force, 2010 to 2023 Hardwick Township				
Year	Labor Force	Employment	Unemployment	Unemployment Rate
2010	920	776	144	15.7%
2011	896	780	115	12.9%
2012	951	866	85	8.9%
2013	928	861	67	7.2%
2014	923	865	58	6.3%
2015	920	873	47	5.1%
2016	914	876	38	4.2%
2017	922	885	37	4.0%
2018	917	882	35	3.8%
2019	932	900	32	3.4%
2020	912	844	68	7.5%
2021	922	874	48	5.2%
2022	942	909	33	3.5%
2023	952	920	32	3.4%

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

Table 22: Employment and Residential Labor Force, 2010 to 2023				
Hudson County				
Year	Labor Force	Employment	Unemployment	Unemployment Rate
2010	354,033	319,761	34,272	9.7%
2011	357,688	325,075	32,613	9.1%
2012	360,326	328,212	32,114	8.9%
2013	358,402	329,693	28,709	8.0%
2014	358,235	335,556	22,679	6.3%
2015	359,627	340,535	19,092	5.3%
2016	360,852	344,126	16,726	4.6%
2017	373,664	357,779	15,885	4.3%
2018	370,168	356,342	13,826	3.7%
2019	376,568	364,570	11,998	3.2%
2020	372,954	335,061	37,893	10.2%
2021	370,608	344,250	26,358	7.1%
2022	377,810	363,504	14,306	3.8%
2023	385,860	368,978	16,882	4.4%

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

Table 23: Employment and Residential Labor Force, 2010 to 2023				
New Jersey				
Year	Labor Force	Employment	Unemployment	Unemployment Rate
2010	4,559,778	4,118,982	440,796	9.7%
2011	4,561,786	4,134,708	427,078	9.4%
2012	4,576,286	4,147,221	429,065	9.4%
2013	4,528,019	4,147,661	380,358	8.4%
2014	4,493,894	4,191,318	302,576	6.7%
2015	4,494,606	4,237,876	256,730	5.7%
2016	4,492,821	4,271,201	221,620	4.9%
2017	4,614,953	4,406,151	208,802	4.5%
2018	4,604,787	4,420,713	184,074	4.0%
2019	4,687,390	4,525,044	162,346	3.5%
2020	4,638,386	4,200,980	437,406	9.4%
2021	4,648,814	4,337,793	311,021	6.7%
2022	4,736,213	4,552,563	183,650	3.9%
2023	4,829,671	4,615,722	213,949	4.4%

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

Employment Status

It is estimated that nearly two-thirds (64.0%) of Hardwick's population over the age of 16 was in the labor force in 2023, which was slightly lower than the County's rate of 66.6%. Of the Township's labor force, 100% of workers were civilians and a vast majority (91.4%) was employed. At the County level, 99.9% of workers were civilians and 94.3% of the labor force was employed, indicating that the Township and County exhibited similar trends. This data is shown in Table 24 below.

Table 24: Employment, 2023 Hardwick Township and Warren County						
	Hardwick Township			Warren County		
	Number	% of 16+ Population	% of Labor Force	Number	% of 16+ Population	% of Labor Force
Population 16 years and over	1,177	100.0%	-	91,893	100.0%	-
In labor force	753	64.0%	100.0%	61,167	66.6%	100.0%
Civilian Labor Force	753	64.0%	100.0%	61,106	66.5%	99.9%
Employed	688	58.5%	91.4%	57,702	62.8%	94.3%
Unemployed	65	5.5%	8.6%	3,404	3.7%	5.6%
Armed Forces	0	0.0%	0.0%	61	0.1%	0.1%
Not in labor force	424	36.0%	-	30,726	33.4%	-

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

Class of Worker and Occupation

According to the 2019-2023 American Community Survey Estimates, the majority of workers (75.9%) living in Hardwick were a part of the private wage and salary worker group. This group includes people who work for wages, salary, commission, and tips for a private for-profit employer or a private not-for-profit, tax-exempt or charitable organization. The next largest category was self-employed or an unpaid family worker (12.5%), followed by those who were local government workers (8.1%). This data is outlined in Table 25 below.

Table 25: Class of Worker, 2020 Hardwick Township		
	Number	Percent
Total Civilian Employed Workers (Age 16+)	688	100.0%
Private Wage and Salary Worker	522	75.9%
Local Government Worker	56	8.1%
State Government Worker	24	3.5%
Federal Government Worker	0	0.0%
Self-Employed Worker or Unpaid Family Worker	86	12.5%

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

The occupational breakdown shown in Table 26 below includes only private wage and salary workers. Township residents who worked within the private wage field were concentrated heavily in Management, Business, Science, and Arts occupations, as well as Sales and Office occupations. Collectively, the two fields accounted for just over 61% of the entire resident workforce over the age of 16.

Table 26: Resident Employment by Occupation, 2023 Hardwick Township		
	Number	Percent
Employed Civilian population 16 years and over	688	100.0%
Management, business, science and arts occupations	259	37.6%
Service occupations	122	17.7%
Sales and office occupations	162	23.5%
Natural resources, construction and maintenance occupations	88	12.8%
Production Transportation and material moving occupations	57	8.3%

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

As portrayed in Table 27, the industry that employed the greatest number of Hardwick residents in 2023 was the Educational Services, and Health Care and Social Assistance sector, which accounted for 17.4% of the Township's resident workforce. The second most common industry during this time was the Construction sector, which accounted for 16.4% of jobs occupied by Township residents.

Table 27: Employment by Industry, 2023 Hardwick Township		
Industry	Number	Percent
Employed Civilian Population 16 Years and Over	688	100.00%
Agriculture, forestry, fishing and hunting, mining	3	0.4%
Construction	113	16.4%
Manufacturing	49	7.1%
Wholesale Trade	10	1.5%
Retail Trade	72	10.5%
Transportation and Warehousing, and Utilities	18	2.6%
Information	20	2.9%
Finance and insurance, and real estate and rental and leasing	47	6.8%
Professional, scientific, and management, and administrative and waste management services	101	14.7%
Educational services, and health care and social assistance	120	17.4%
Arts, entertainment, and recreation, and accommodation and food services	80	11.6%
Other Services, except public administration	34	4.9%
Public administration	21	3.1%

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

Commuting to Work

In 2023, it is estimated that over half (59.5%) of the employed population that did not work from home, commuted up to 35 minutes to their place of work. Nearly three-quarters of the township's workers commuted up to an hour, with the last quarter of the population traveling between an hour to an hour and a half to get to work. A vast majority (69.6%) of the Township's working population drove alone as their primary means of travel to work. Roughly 16.1% of workers carpooled, walked, utilized a taxicab, motorcycle, bike, or other means of transportation to commute to work. The remaining 14.2% of the population worked from home. This data is outlined in Tables 28 and 29 below.

Table 28: Travel Time to Work, 2023 Hardwick Township		
	Number	Percent
Workers who did not work at home	584	100.0%
Less than 5 minutes	10	1.7%
5 to 9 minutes	41	7.0%
10 to 14 minutes	114	19.5%
15 to 19 minutes	19	3.3%
20 to 24 minutes	60	10.3%
25 to 29 minutes	33	5.7%
30 to 34 minutes	70	12.0%
35 to 39 minutes	45	7.7%
40 to 44 minutes	47	8.0%
45 to 59 minutes	35	6.0%
60 to 89 minutes	75	12.8%
90 or more minutes	35	6.0%
Mean Travel Time to Work (minutes)	32.9	

Source: 2023 American Community Survey 5-Year Estimates, Table B08303 and DP03

Table 29: Means of Travel to Work, 2023 Hardwick Township		
	Number	Percent
Workers 16 years and over	681	100.0%
Car, truck, van - Drove Alone	474	69.6%
Car, truck, van - Carpooled	80	11.7%
Public Transportation	0	0.0%
Walked	17	2.5%
Taxicab, Motorcycle, Bike, or Other	13	1.9%
Worked at home	97	14.2%

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

Covered Employment

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

The only statistic available for Hardwick was 150 jobs in 2021, which can be found in Table 30 below.

Table 30: Private Wage Covered Employment 2013 - 2023			
Hardwick Township			
Year	Number of Jobs	# Change	% Change
2013	-	-	-
2014	-	-	-
2015	-	-	-
2016	-	-	-
2017	-	-	-
2018	-	-	-
2019	-	-	-
2020	-	-	-
2021	150	-	-
2022	-	-	-
2023	-	-	-

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

In-Township Establishments and Employees by Industry: 2022

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

In 2022, the Township had an annual average of 6 establishments employing an average of 12 persons in the private sector of construction.

Table 31: Average Number of Establishments and Employees by Industry, 2023 Hardwick Township			
Industry ID and Description		2023 Average	
		Units	Employment
11	Agriculture	-	-
23	Construction	6	12
31	Manufacturing	-	-
42	Wholesale Trade	-	-
44	Retail Trade	-	-
48	Transp/Warehousing	-	-
	Information	-	-
52	Finance/Insurance	-	-
53	Real Estate	-	-
54	Professional/Technical	-	-
56	Admin/Waste Remediation	-	-
61	Education	-	-
62	Health/Social	-	-
71	Arts/Entertainment	-	-
72	Accommodations/Food	-	-
81	Other Services	-	-
	Unclassifieds	-	-
	Private Sector Totals	-	-
	Local Government Totals	-	-

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

Data have been suppressed (-) for industries with few units or where one employer is a significant percentage of employment or wages of the industry.

Probable Future Employment Opportunities

The North Jersey Transportation Planning Authority (NJTPA) completes regional forecasts for the New York/New Jersey metropolitan area every four years for population, households, and employment. The most recent report was released in 2021, documenting projections between 2015 and 2050. The 2021 report predicts that 0.3% of the Township's population and 0.7% of Township households, will see steady annualized growth through 2050, while employment will see a decrease (-0.3%). It is estimated that the population will see an overall 12.7% increase, while households will increase by 25.8% and employment will decrease by -10.4%.

Table 32: Population and Employment Projections, 2015 to 2050 Hardwick Township					
Category	2015	2050 (Projected)	Annualized	Overall Projected Change	
			Percent Change	Number	Percent
Population	1,644	1,853	0.30%	209	12.7%
Households	573	721	0.70%	148	25.8%
Employment	211	189	-0.30%	-22	-10.4%

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

PART 2: FAIR SHARE PLAN

INTRODUCTION

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

Prior Round Obligation	6
Third Round Obligation	78
Fourth Round Prospective Need	29
Fourth Round Present Need / Rehabilitation Obligation	0

CURRENT STANDARDS

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

Age-Restricted Housing

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

Transitional Housing

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

Veterans Housing

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

Families with Children

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

Rental Units

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

Very-Low Income Requirement

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

Low/Moderate Income Split

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

Affordability Controls

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

Affirmative Marketing

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

Uniform Housing Affordability Controls (UHAC)

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

Unit Adaptability

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

Bonus Credits

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

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

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

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

³ 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.

HARDWICK'S AFFORDABLE HOUSING OBLIGATIONS

The Township's comprehensive affordable housing obligations are as follows:

Prior Round Obligation	6
Third Round Obligation	78
Fourth Round Prospective Need	29
Fourth Round Present Need / Rehabilitation Obligation	0

REVIEW OF PREVIOUS ROUND COMPLIANCE

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

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

Prior Round Compliance 1987-1999

The Township had a Prior Round obligation of 6 units. Per the court approved Third Round settlement agreement and the Township's Third Round JOR, Hardwick has met their Prior Round obligation through the following mechanisms:

Little-Hill Alina Lodge

Little-Hill Alina Lodge is an existing residential addiction treatment center located at 61 Ward Road, on Lot 7 of Block 1103. The facility was founded in 1957 and originally contained a total of 60 beds. In 1981, 19 additional bedrooms were added, and considered for Prior Round credit. These units (i.e., bedrooms) were categorized as very-low-income, as clients receiving treatment stay at the site for a considerable period of time (between 28 and 365 days, depending on the rehabilitation program). Also in 1981, 30-year affordability controls went into effect for the facility. These controls expired in 2011 and have not been renewed.

Third Round Compliance

The Township had a Third Round obligation of 78 units. Per the Court-approved Third Round settlement agreement and the Township's Third Round JOR, Hardwick has met its Third Round obligation through the following mechanisms:

Habitat for Humanity Home

Habitat for Humanity Home, located at 65 Millbrook-Stillwater Road (Block 503, Lot 1), is a 100% affordable development. This for-sale single family home provides one (1) low-income unit with three (3) bedrooms. The home was occupied in 2012, and the 30-year affordability controls went into effect that year on June 6, 2012. All associated documentation can be found in the appendix of the Township's Court-approved Third Round Housing Element and Fair Share Plan, adopted April 12, 2018.

Durational Adjustment

Hardwick Township sought a durational adjustment for its remaining 77-unit obligation, due to a lack of water and sewer infrastructure. Pursuant to N.J.S.A. 52:27D-307(c)(2) and N.J.A.C. 5:93-4.1-4.3 a municipality can seek a durational adjustment based on a lack of infrastructure. The adjustment allows the municipality to defer its low and moderate-income housing obligation until the infrastructure required to develop additional housing is implemented.

Summary of Hardwick's Third Round Obligation of 78	
100% Affordable Development	
<i>Habitat for Humanity Home</i>	<i>1</i>
Durational Adjustment	<i>77</i>
TOTAL THIRD ROUND	78

FOURTH ROUND OBLIGATION

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

On October 18, 2024, the New Jersey Department of Community Affairs ("DCA") released a report outlining the Fourth Round (2025-2035) Fair Share methodology and its calculations of present need and prospective need low- and moderate-income obligations for each of the State's municipalities. The obligations were calculated in alignment with the formulas and criteria found in P.L.2024, c.2. The DCA calculated a Present Need obligation for the Township of 0 units, and a Prospective Need obligation of 29 units.

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

On January 15, 2025, the Township Committee adopted a binding resolution (Resolution 2025-22, see Appendix C) accepting the DCA’s numbers. Resolution 2025-22 accepted a Rehabilitation obligation of 0 units, and a Prospective Need of 29 units. Following the adoption of Resolution 2025-22, Hardwick filed a declaratory judgment complaint (Docket No. WRN-L-000027-25) with the affordable housing dispute resolution program.

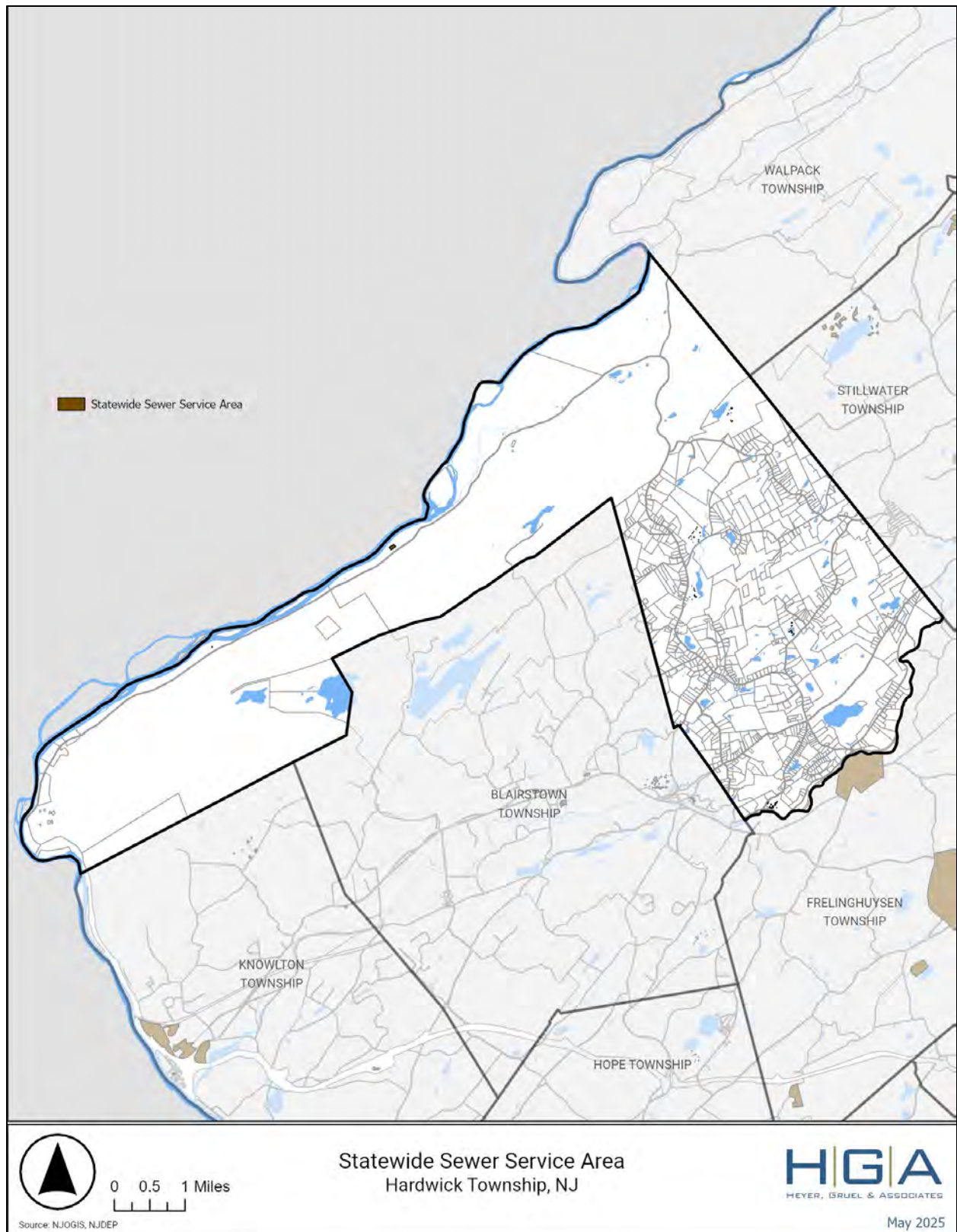
Durational Adjustment

Hardwick Township is seeking a durational adjustment for their entire Fourth Round obligation of 29 units, based upon the lack of adequate sewer capacity and sewer infrastructure within the Township, pursuant to N.J.S.A. 52:27D-307(c)(2).

As Hardwick falls within Planning Areas 4 (Rural Planning Area), 4b (Rural/Environmentally Sensitive Planning Area), and 5 (Environmentally Sensitive Planning Area) under the State of New Jersey Planning Map, severe development restrictions have been established. Its existing large lot zoning standards (including a 3-acre minimum lot size) significantly reduce the potential for large developments, and any associated package treatment plants. The Township’s only existing package treatment plants are located at the Little-Hill Alina Lodge and a handful of campgrounds and recreation areas.

It is not feasible to bring in sewer from neighboring municipalities (including Blairstown Township, Stillwater Township, and Frelinghuysen Township), as they also lack their own infrastructure. Additionally, Hardwick Township does not have a Wastewater Management Program.

Hardwick Township is ultimately deferring its low and moderate-income housing obligation until the infrastructure required to develop additional housing is implemented. It will reserve and set aside new water and/or sewer capacity, when it becomes available, for low- and moderate-income housing, on a priority basis.



Additional Mechanisms

Affordable Housing Ordinance

An Affordable Housing Ordinance was adopted by the Township in 2002 and was most recently amended on April 18, 2018 (Ordinance No. 2018-04), establishing the criteria for implementing affordable housing units in conformance with the Uniform Housing Affordability Controls (UHAC). While the HEFSP acknowledges that an amendment to the UHAC was released on an emergency basis in December 2024, those rules are set to expire in December 2025. It is also the understanding that the Housing Mortgage and Finance Agency (HMFA), the entity currently responsible for the UHAC regulations, is in the process of establishing further amendments to those rules. Due to the uncertainty with the UHAC regulations, the Township will refrain from adopting an updated ordinance until such rules are finalized, acknowledging that the December 2024 UHAC rules adopted under emergency measures are the current governing regulations. Should there be any discrepancy between the Township's adopted ordinance and the current UHAC regulations, the current UHAC regulations shall govern.

Development Fee Ordinance

An amended Development Fee Ordinance was adopted by the Township on March 19, 2025 (Ordinance No. 2025-01) (Appendix F).

CONSISTENCY WITH STATE PLANNING REQUIREMENTS

State Plan

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

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

The 2024 draft SDRP maintains and expands upon the 2001 objectives for Rural Planning Areas (PA4), the Rural Environmentally Sensitive Planning Areas (PA4b), and Environmentally Sensitive Planning Areas (PA5), which are the primary land designation assigned to Hardwick Township. The PA4, PA4b, and PA5 objectives are outlined below:

The adopted 2001 SDRP identifies the following combined intents of the Rural Planning (4) and Rural Environmentally Sensitive Planning (4b) Areas:

- Maintain the Environs as large contiguous areas of farmland and other lands.
- Revitalize cities and towns.
- Accommodate growth in Centers.

-
- Promote a viable agricultural industry.
 - Protect the character of existing, stable communities.
 - Confine programmed sewers and public water services to Centers.

The 2024 draft SDRP maintains and expands upon the 2001 intentions:

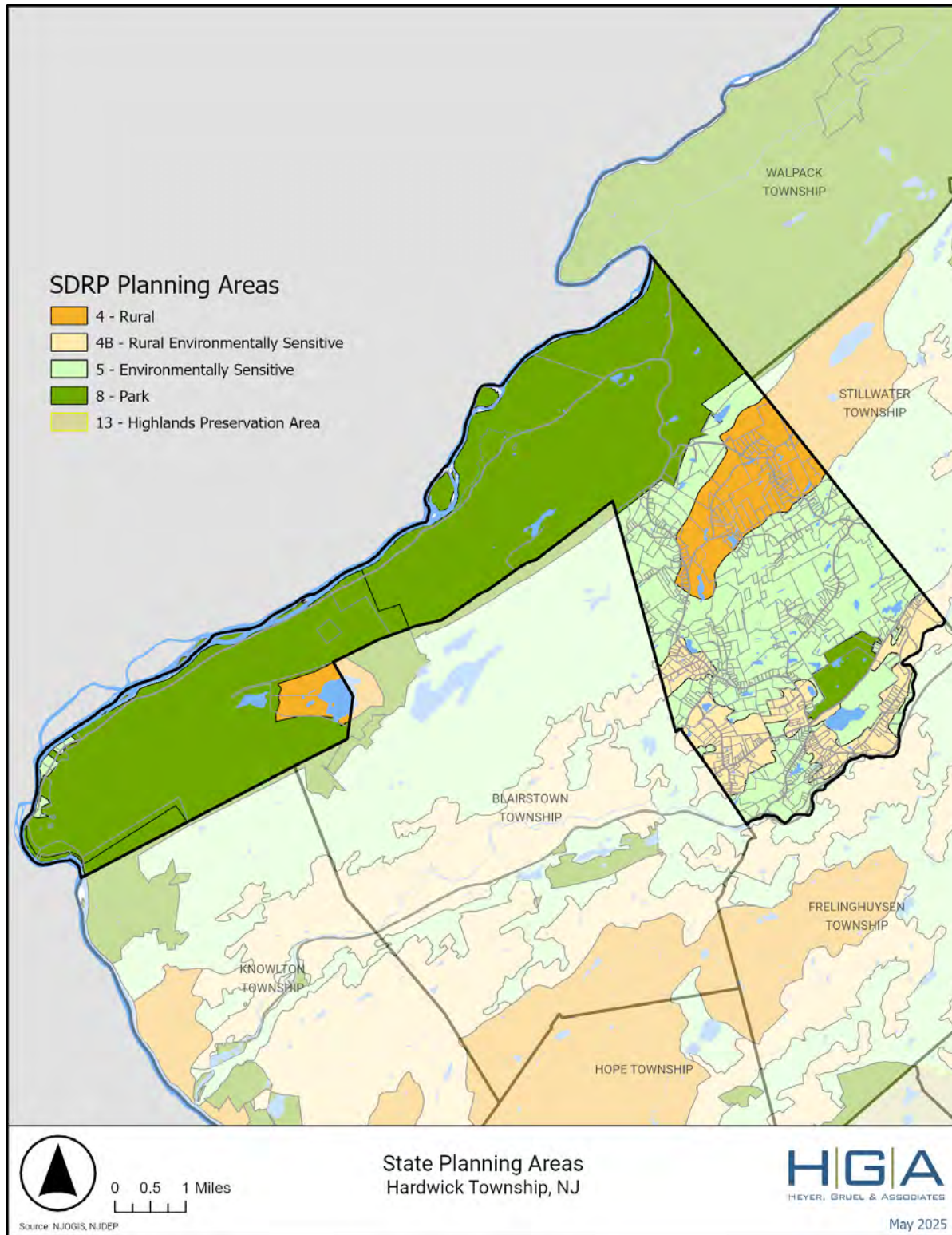
- Maintain the Environs as large contiguous areas of farmland, open space, and forested areas.
- Enhance habitats and sensitive lands.
- Accommodate growth in Centers.
- Reverse auto-oriented patterns of development.
- Promote a viable agricultural or forestry industry.
- Revitalize cities, towns, and other traditional settlements.
- Protect, enhance, and diversify the existing character and agricultural economy of stable communities.
- Confine programmed sewers and public water services to Centers, except where public health is at stake.

The policy objectives for the Rural Environmentally Sensitive Planning Area (4) are those of the Environmentally Sensitive Planning Area (PA5). Relative objectives include:

- **Land Use:** Protect natural systems and environmentally sensitive features by guiding development and redevelopment into Centers and establishing Center Boundaries and buffers and greenbelts around these boundaries. Maintain open space networks, critical habitat and large contiguous tracts of land in the Environs by a variety of land use techniques. Development and redevelopment should use creative land use and design techniques to ensure that it does not exceed the capacity of natural and infrastructure systems and protects areas where public investments in open space preservation have been made. Development and redevelopment in the Environs should maintain and enhance the natural resources and character of the area.
- **Housing:** Provide for a full range of housing choices primarily in Centers at appropriate densities to accommodate projected growth. Ensure that housing in general—and in particular affordable, senior citizen, special needs and family housing—is developed with access to a range of commercial, cultural, educational, recreational, health and transportation services and facilities. Focus multi-family and higher-density, single-family housing in Centers. Any housing in the Environs should be planned and located to maintain or enhance the cultural and scenic qualities and with minimum impacts on environmental resources.

This Plan aligns with the goals of the 2001 SDRP and the draft 2024 SDRP, specifically in the sense that utilizing a durational adjustment is intended to protect the natural and water resources and environment both within and surrounding Hardwick Township. Further, due to the severe development restrictions

placed upon the Township, the use of a durational adjustment in Hardwick Township reflects sound planning practice.



Multigenerational Family Housing

A previous amendment to the Fair Housing Act requires “an analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of section 1 of P.L.2021, c.273 (C.52:27D-329.20).” As of the date of this Housing Plan there have been no recommendations by the Multigenerational Family Housing Continuity Commission in which to provide an analysis.

USE OF SURPLUS CREDITS

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

SPENDING PLAN

A Spending Plan has been prepared in accordance with the provisions of the amended Fair Housing Act. A municipality may not spend or commit to spend any affordable housing development fees, including Statewide non-residential fees collected and deposited into the municipal affordable housing trust fund, without first obtaining the approval of the expenditure as part of its compliance certification. The draft Spending Plan can be found in Appendix G and is expected to be adopted by the Township Committee at their June 18, 2025, public meeting.

CONSIDERATION OF LANDS OFFERED FOR INCLUSIONARY DEVELOPMENT

During the preparation of this Fourth Round HEFSP, there were no developers who expressed interest in putting forth a piece of land for affordable development, nor did any property owner offer a parcel as available.

SUMMARY OF FAIR SHARE COMPLIANCE

Summary of Hardwick Township's Obligation				
	Total	Very Low	Low	Moderate
Fourth Round Present Need Obligation	0			
Prior Round Obligation	6	-	-	-
Little-Hill Alina Lodge	6	6	0	0
TOTAL PRIOR ROUND	6	6	-	-
Third Round Obligation	78			
Habitat for Humanity Home	1	0	1	0
Durational Adjustment	77	-	-	-
TOTAL THIRD ROUND	78	-	1	-
Fourth Round Obligation	29			
Durational Adjustment	29			
TOTAL FOURTH ROUND	29	-	-	-

APPENDIX A

2017 Settlement Agreement with FSHC



Peter J. O'Connor, Esq.
 Kevin D. Walsh, Esq.
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 Laura Smith-Denker, Esq.
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 Joshua D. Bowers, Esq.

September 20, 2017

Katrina Campbell, Esq.
 Lavery, Selvaggi, Abromitis & Cohen, P.L.
 1001 Route 517
 Hackettstown, NJ 07840

**Re: In the Matter of the Township of Hardwick, County of Warren, Docket
 No. L-240-15**

Dear Ms. Campbell:

This letter memorializes the terms of an agreement reached between the Township of Hardwick (the Township or "Hardwick"), the declaratory judgment plaintiff, and Fair Share Housing Center (FSHC), a Supreme Court-designated interested party in this matter in accordance with In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1, 30 (2015)(Mount Laurel IV) and, through this settlement, a defendant in this proceeding.

Background

Hardwick filed the above-captioned matter on July 8, 2015 seeking a declaration of its compliance with the Mount Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq. in accordance with In re N.J.A.C. 5:96 and 5:97, supra. Through the declaratory judgment process, the Township and FSHC agreed to settle the litigation and to present that settlement to the trial court with jurisdiction over this matter to review, recognizing that the settlement of Mount Laurel litigation is favored because it avoids delays and the expense of trial and results more quickly in the construction of homes for lower-income households.

Settlement terms

The Township and FSHC hereby agree to the following terms:

1. FSHC agrees that the Township, through the adoption of a Housing Element and Fair Share Plan conforming with the terms of this Agreement (hereafter "the Plan") and through the implementation of the Plan and this Agreement, satisfies its obligations under the Mount Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., for the Prior Round (1987-1999) and Third Round (1999-2025).
2. At this time and at this particular point in the process resulting from the Supreme Court's Mount Laurel IV decision, when Third Round fair share obligations have yet to be definitively determined, it is appropriate for the parties to arrive at a settlement regarding a municipality's Third Round present and prospective need instead of doing so through plenary adjudication of the present and prospective need.
3. FSHC and Hardwick hereby agree that Hardwick's affordable housing obligations are as follows:

September 20, 2017

Rehabilitation Share (per Kinsey Report ¹)	4
Prior Round Obligation (pursuant to N.J.A.C. 5:93)	6
Third Round (1999-2025) Prospective Need (per Kinsey Report, as adjusted through this Agreement)	78

4. For purposes of this Agreement, the Third Round Prospective Need shall be deemed to include the Gap Period Present Need, which is a measure of households formed from 1999-2015 that need affordable housing, that was recognized by the Supreme Court in In re Declaratory Judgment Actions Filed By Various Municipalities, 227 N.J. 508 (2017).
5. The Township's efforts to meet its four- unit present need include participation in the Warren County Housing Rehabilitation Program. The program will be available for income eligible owner occupied households. Not including renter occupied households will be the focus of a waiver in that there is a scarcity of renter occupied households in Hardwick. Hardwick has 573 occupied housing units of which 527 are owner occupied and only 46 are renter occupied. FSHC is supportive of the waiver request.
6. As noted above, the Township has a Prior Round prospective need of 6 units, which is met through the following compliance mechanisms:
 - Six of the COAH – certified bedrooms of Little Hill Alina Lodge address the Prior Round Obligation.
7. The Township has implemented or will implement the following mechanisms to address its Third Round prospective need of 78 units:
 - 1 Habitat for Humanity - Hardwick subsidized the purchase and rehabilitation of a single family home that was sold to the Warren County Habitat for Humanity by The Nature Conservancy in 2012. Hardwick provided \$60,000 from its Affordable Housing Trust Fund to write-down the cost of the market rate home and assist with emergency repairs. The home is restricted to a low income household.
8. The municipality will address its remaining Third Round prospective need obligation in part through a durational adjustment:
 - As demonstrated by the following facts, the Township does not have capacity for water or sewer now or in the foreseeable future to support inclusionary and thus is entitled to a durational adjustment in accordance with N.J.A.C. 5:93-4.3:

As seen by the attached letter by Ted Rodmon, Hardwick's engineer, there are no sewers and/or package treatment plants, now or in the future and because of the 10 acre density and three acre minimum lot zoning (nitrate dilution model) no large developments are expected in Hardwick. The municipalities bordering Hardwick have no sewers and Hardwick has no WMMP. Exhibit A.

In addition, no sewers are contemplated for at least 20 years, if then.

As a result, Hardwick is requesting that the balance of its Third Round Obligation be deferred.

¹ David N. Kinsey, PhD, PP, FAICP, NEW JERSEY LOW AND MODERATE INCOME HOUSING OBLIGATIONS FOR 1999-2025 CALCULATED USING THE NJ COAH PRIOR ROUND (1987-1999) METHODOLOGY, July 2016.

September 20, 2017

- The municipality agrees to comply with N.J.A.C. 5:93-4.3 as follows:
 - i. The Township will seek court approval for, and FSHC will support, a durational adjustment of 77 units. In accordance with N.J.A.C. 5:93-4.3(c), the requirement to address Third Round prospective need obligation of 77 units shall be deferred until adequate water and/or sewer are made available. The Township shall reserve and set aside new water and/or sewer capacity, when it becomes available, for low and moderate income housing, on a priority basis. Municipal officials shall endorse all applications to the Department of Environmental Protection (DEP) or its agent to provide water and/or sewer capacity. Where the DEP or its designated agent approves a proposal to provide infrastructure to a site for the development of low and moderate income housing, the Township shall permit such development. Where the DEP or its designated agent approves a proposal to provide water and/or sewer to a site, the Township shall amend its housing element and fair share housing plan to permit development of such site for low and moderate income housing. The amended housing element and fair share housing plan shall be submitted to the Court and FSHC, with a copy to the Special Master, within 90 days of the site's approval by the DEP or its agent.
 - ii. The Township agrees to require 13% of any future units to be very low income units, with half of the very low income units being available to families.
9. The Township agrees to require 13% of all units referenced in this Agreement, excepting those units that were constructed or granted preliminary or final site plan approval prior to July 1, 2008, to be very low income units, with half of the very low income units being available to families. The municipality will comply with those requirements by requiring that 13% of all future affordable housing units generated in the Township shall be reserved for very low-income households.
10. The Township shall meet its Third Round Prospective Need in accordance with the following standards as agreed to by the Parties and reflected in the table in paragraph 6 above:
- Third Round bonuses will be applied in accordance with N.J.A.C. 5:93-5.15(d).
 - At least 50 percent of the units addressing the Third Round Prospective Need shall be affordable to very-low-income and low-income households with the remainder affordable to moderate-income households.
 - At least twenty-five percent of the Third Round Prospective Need shall be met through rental units, including at least half in rental units available to families.
 - At least half of the units addressing the Third Round Prospective Need in total must be available to families.
 - The Township agrees to comply with an age-restricted cap of 25% and to not request a waiver of that requirement. This shall be understood to mean that in no circumstance may the municipality claim credit toward its fair share obligation

for age-restricted units that exceed 25% of all units developed or planned to meet its cumulative prior round and third round fair share obligation.

11. The Township shall add to the list of community and regional organizations in its affirmative marketing plan, pursuant to N.J.A.C. 5:80-26.15(f)(5), Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, NORWESCAP and Supportive Housing Association, and shall, as part of its regional affirmative marketing strategies during its implementation of the affirmative marketing plan, provide notice to those organizations of all available affordable housing units. The Township also agrees to require any other entities, including developers or persons or companies retained to do affirmative marketing, to comply with this paragraph.
12. All units shall include the required bedroom distribution, be governed by controls on affordability and affirmatively marketed in conformance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et. seq. or any successor regulation, with the exception that in lieu of 10 percent of affordable units in rental projects being required to be at 35 percent of median income, 13 percent of affordable units in such projects shall be required to be at 30 percent of median income, and all other applicable law. The Township as part of its HEFSP shall adopt and/or update appropriate implementing ordinances in conformance with standard ordinances and guidelines developed by COAH to ensure that this provision is satisfied. Income limits for all units that are part of the Plan required by this Agreement and for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26.1 shall be updated by the Township annually within 30 days of the publication of determinations of median income by HUD as follows:
 - Regional income limits shall be established for the region that the Township is located within (i.e. Region 2) based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in the Township's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.
 - The income limits attached hereto as Exhibit B are the result of applying the percentages set forth in paragraph (a) above to HUD's determination of median income for FY 2017, and shall be utilized until the Township updates the income limits after HUD has published revised determinations of median income for the next fiscal year.
 - The Regional Asset Limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by the

Township annually by taking the percentage increase of the income limits calculated pursuant to paragraph (a) above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.

- The parties agree to request the Court prior to or at the fairness hearing in this matter to enter an order implementing this paragraph of this Agreement.

13. All new construction units shall be adaptable in conformance with P.L.2005, c.350/N.J.S.A. 52:27D-311a and -311b and all other applicable law.
14. As an essential term of this Agreement, within one hundred and twenty (120) days of Court's approval of this Agreement, the Township shall introduce an ordinance or ordinances providing for the amendment of the Township's Affordable Housing Ordinance and Zoning Ordinance to implement the terms of this Agreement and the zoning contemplated herein and adopt a Housing Element and Fair Share Plan and Spending Plan in conformance with the terms of this Agreement.
15. The parties agree that if a decision of a court of competent jurisdiction in Warren County or if fair share obligations are not adjudicated for Warren County, then a decision of a court of competent jurisdiction within COAH Region 2 (Essex, Morris, Warren or Union) or Vicinage 13 (Somerset, Hunterdon, Warren), or a determination by an administrative agency responsible for implementing the Fair Housing Act, or an action by the New Jersey Legislature, would result in a calculation of an obligation for the Township for the period 1999-2025 that would be lower by more than twenty (20%) percent than the total prospective Third Round need obligation established in this Agreement, and if that calculation is memorialized in an unappealable final judgment, the Township may seek to amend the judgment in this matter to reduce its fair share obligation accordingly. Notwithstanding any such reduction, the Township shall be obligated to adopt a Housing Element and Fair Share Plan that conforms to the terms of this Agreement and to implement all compliance mechanisms included in this Agreement, including by adopting or leaving in place any site specific zoning adopted or relied upon in connection with the Plan adopted pursuant to this Agreement; taking all steps necessary to support the development of any 100% affordable developments referenced herein; maintaining all mechanisms to address unmet need; and otherwise fulfilling fully the fair share obligations as established herein. The reduction of the Township's obligation below that established in this Agreement does not provide a basis for seeking leave to amend this Agreement or seeking leave to amend an order or judgment pursuant to R. 4:50-1. If the Township prevails in reducing its prospective need for the Third Round, the Township may carry over any resulting extra credits to future rounds in conformance with the then-applicable law.
16. The Township shall prepare a Spending Plan within the period referenced above, subject to the review of FSHC and approval of the Court, and reserves the right to seek approval from the Court that the expenditures of funds contemplated under the Spending Plan constitute "commitment" for expenditure pursuant to N.J.S.A. 52:27D-329.2 and -329.3, with the four-year time period for expenditure designated pursuant to those provisions beginning to run with the entry of a final judgment approving this settlement in accordance with the provisions of In re Tp. Of Monroe, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563). On the first anniversary of a Judgment of Compliance and Repose and on every anniversary of that date thereafter through the

September 20, 2017

end of the period of protection from litigation referenced in this Agreement, the Township agrees to provide annual reporting of trust fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services. The reporting shall include an accounting of all housing trust fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.

17. On the first anniversary of a Judgment of Compliance and Repose and every anniversary thereafter through the end of this compliance period, the Township agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Special Master and FSHC.
18. The Fair Housing Act includes two provisions regarding action to be taken by the Township during the ten-year period of protection provided in this Agreement. The Township agrees to comply with those provisions as follows:
 - For the midpoint realistic opportunity review due on July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Township will post on its municipal website, with a copy provided to Fair Share Housing Center, a status report as to its implementation of the Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the municipality, with a copy to Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the court regarding these issues.
 - For the review of very low income housing requirements required by N.J.S.A. 52:27D-329.1, within 30 days of the third anniversary of a Judgment of Compliance and Repose, and every third year thereafter, the Township will post on its municipal website, with a copy provided to Fair Share Housing Center, a status report as to its satisfaction of its very low income requirements, including the family very low income requirements referenced herein. Such posting shall invite any interested party to submit comments to the municipality and Fair Share Housing Center on the issue of whether the municipality has complied with its very low income housing obligation under the terms of this settlement.
19. FSHC is hereby deemed to have party status in this matter and to have intervened in this matter as a defendant without the need to file a motion to intervene or an answer or other pleading. The parties to this Agreement agree to request the Court to enter an order declaring FSHC is an intervenor, but the absence of such an order shall not impact FSHC's rights.
20. This Agreement must be approved by the Court following a fairness hearing as required by Morris Cty. Fair Hous. Council v. Boonton Twp., 197 N.J. Super. 359, 367-69 (Law

September 20, 2017

Div. 1984), aff'd o.b., 209 N.J. Super. 108 (App. Div. 1986); East/West Venture v. Borough of Fort Lee, 286 N.J. Super. 311, 328-29 (App. Div. 1996). The Township shall present its planner as a witness at this hearing. FSHC agrees to support this Agreement at the fairness hearing. In the event that the Court approves this proposed settlement, FSHC contends that the municipality will receive "the judicial equivalent of substantive certification and accompanying protection as provided under the FHA," as addressed in the Supreme Court's decision in In re N.J.A.C. 5:96 & 5:97, 221 N.J. 1, 36 (2015). The Township contends that it is entitled to a Judgment of Compliance and Repose through July 2025. Both parties agree to let the trial judge make a final determination as to the form of judgment entered at the compliance hearing and not appeal any such determination. The "accompanying protection" shall remain in effect through July 1, 2025. If this Agreement is rejected by the Court at a fairness hearing it shall be null and void.

21. If an appeal is filed of the Court's approval or rejection of this Agreement, the Parties agree to defend the Agreement on appeal, including in proceedings before the Superior Court, Appellate Division and New Jersey Supreme Court, and to continue to implement the terms of this Agreement if the Agreement is approved before the trial court unless and until an appeal of the trial court's approval is successful, at which point the Parties reserve their right to rescind any action taken in anticipation of the trial court's approval. All Parties shall have an obligation to fulfill the intent and purpose of this Agreement.
22. This Agreement may be enforced through a motion to enforce litigant's rights or a separate action filed in Superior Court, Warren County. A prevailing movant or plaintiff in such a motion or separate action shall be entitled to reasonable attorney's fees.
23. Unless otherwise specified, it is intended that the provisions of this Agreement are to be severable. The validity of any article, section, clause or provision of this Agreement shall not affect the validity of the remaining articles, sections, clauses or provisions hereof. If any section of this Agreement shall be adjudged by a court to be invalid, illegal, or unenforceable in any respect, such determination shall not affect the remaining sections.
24. This Agreement shall be governed by and construed by the laws of the State of New Jersey.
25. This Agreement may not be modified, amended or altered in any way except by a writing signed by each of the Parties.
26. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same Agreement.
27. The Parties acknowledge that each has entered into this Agreement on its own volition without coercion or duress after consulting with its counsel, that each party is the proper person and possess the authority to sign the Agreement, that this Agreement contains the entire understanding of the Parties and that there are no representations, warranties, covenants or undertakings other than those expressly set forth herein.
28. Each of the Parties hereto acknowledges that this Agreement was not drafted by any one of the Parties, but was drafted, negotiated and reviewed by all Parties and, therefore, the presumption of resolving ambiguities against the drafter shall not apply. Each of the Parties expressly represents to the other Parties that: (i) it has been

September 20, 2017

represented by counsel in connection with negotiating the terms of this Agreement; and (ii) it has conferred due authority for execution of this Agreement upon the persons executing it.

29. Any and all Exhibits and Schedules annexed to this Agreement are hereby made a part of this Agreement by this reference thereto. Any and all Exhibits and Schedules now and/or in the future are hereby made or will be made a part of this Agreement with prior written approval of both Parties.
30. This Agreement constitutes the entire Agreement between the Parties hereto and supersedes all prior oral and written agreements between the Parties with respect to the subject matter hereof except as otherwise provided herein.
31. No member, official or employee of the Township shall have any direct or indirect interest in this Agreement, nor participate in any decision relating to the Agreement which is prohibited by law, absent the need to invoke the rule of necessity.
32. Anything herein contained to the contrary notwithstanding, the effective date of this Agreement shall be the date upon which all of the Parties hereto have executed and delivered this Agreement.
33. All notices required under this Agreement ("Notice[s]") shall be written and shall be served upon the respective Parties by certified mail, return receipt requested, or by a recognized overnight or by a personal carrier. In addition, where feasible (for example, transmittals of less than fifty pages) shall be served by facsimile or e-mail. All Notices shall be deemed received upon the date of delivery. Delivery shall be affected as follows, subject to change as to the person(s) to be notified and/or their respective addresses upon ten (10) days notice as provided herein:

TO FSHC:

Kevin D. Walsh, Esq.
Fair Share Housing Center
510 Park Boulevard
Cherry Hill, NJ 08002
Phone: (856) 665-5444
Telecopier: (856) 663-8182
E-mail: kevinwalsh@fairsharehousing.org

TO THE TOWNSHIP:

Katrina Campbell, Esq.
Lavery, Selvaggi, Abromitis & Cohen, P.L.
1001 Route 517
Hackettstown, NJ 07840
Phone: 908-852-2800
Telecopier: (908) 852-8225
Email: kcampbell@lsaclaw.com

**WITH A COPY TO THE
MUNICIPAL CLERK:**


Judith M. Fisher, Municipal Clerk
40 Spring Valley Road
Hardwick, NJ 07825
Phone: 908 362-6528
Telecopier: (908) 362-8840
Email: Hardwicktpclerk@yahoo.com

Please sign below if these terms are acceptable.

Sincerely,

Kevin D. Walsh, Esq.
Counsel for Intervenor/Interested Party
Fair Share Housing Center

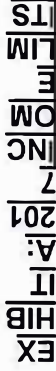
On behalf of the Township of Hardwick, with the authorization
of the governing body:



Mayor James J. Perry
Dated: September 20, 2017

{1-0Z00+500}

September 20, 2017



Prepared by Affordable Housing Professionals of New Jersey (AHPNJ) - August 2017

2017 AFFORDABLE HOUSING REGIONAL INCOME LIMITS BY HOUSEHOLD SIZE

Income limits not officially adopted by the State of New Jersey. Contact your municipality to see if applicable in your jurisdiction. Additional information about AHPNJ income limits is posted on AHPNJ.org

		1 Person	*1.5 Person	2 Person	*3 Person	4 Person	*4.5 Person	5 Person	6 Person	7 Person	8+ Person	Max Increase Rents** Sales***	Regional Asset Limit****
Region 1	Median	\$60,271	\$64,576	\$68,882	\$77,492	\$86,102	\$89,546	\$92,990	\$99,878	\$106,766	\$113,655		
	Moderate	\$48,217	\$51,661	\$55,105	\$61,993	\$68,882	\$71,637	\$74,392	\$79,903	\$85,413	\$90,924	1.7%	\$166,493
	Low	\$30,136	\$32,288	\$34,441	\$38,746	\$43,051	\$44,773	\$46,495	\$49,939	\$53,383	\$56,827	1.99%	
	Very Low	\$18,081	\$19,373	\$20,664	\$23,248	\$25,831	\$26,864	\$27,897	\$29,963	\$32,030	\$34,096		
Region 2	Median	\$65,953	\$70,663	\$75,374	\$84,796	\$94,218	\$97,987	\$101,755	\$109,293	\$116,830	\$124,368		
	Moderate	\$52,762	\$56,531	\$60,299	\$67,837	\$75,374	\$78,389	\$81,404	\$87,434	\$93,464	\$99,494	1.7%	\$180,756
	Low	\$32,976	\$35,332	\$37,687	\$42,398	\$47,109	\$48,993	\$50,878	\$54,646	\$58,415	\$62,184	3.25%	
	Very Low	\$19,786	\$21,199	\$22,612	\$25,439	\$28,265	\$29,396	\$30,527	\$32,788	\$35,049	\$37,310		
Region 3	Median	\$73,780	\$79,050	\$84,320	\$94,860	\$105,400	\$109,616	\$113,832	\$122,264	\$130,696	\$139,128		
	Moderate	\$59,024	\$63,240	\$67,456	\$75,888	\$84,320	\$87,693	\$91,066	\$97,811	\$104,557	\$111,302	1.7%	\$200,698
	Low	\$36,890	\$39,525	\$42,160	\$47,430	\$52,700	\$54,808	\$56,916	\$61,132	\$65,348	\$69,564	0.38%	
	Very Low	\$22,134	\$23,715	\$25,296	\$28,458	\$31,620	\$32,885	\$34,150	\$36,679	\$39,209	\$41,738		
Region 4	Median	\$66,022	\$70,738	\$75,454	\$84,885	\$94,317	\$98,090	\$101,862	\$109,408	\$116,953	\$124,498		
	Moderate	\$52,817	\$56,590	\$60,363	\$67,908	\$75,454	\$78,472	\$81,490	\$87,526	\$93,562	\$99,599	1.7%	\$177,413
	Low	\$33,011	\$35,369	\$37,727	\$42,443	\$47,158	\$49,045	\$50,931	\$54,704	\$58,476	\$62,249	1.53%	
	Very Low	\$19,807	\$21,221	\$22,636	\$25,466	\$28,295	\$29,427	\$30,559	\$32,822	\$35,086	\$37,349		
Region 5	Median	\$58,240	\$62,400	\$66,560	\$74,880	\$83,200	\$86,528	\$89,856	\$96,512	\$103,168	\$109,824		
	Moderate	\$46,592	\$49,920	\$53,248	\$59,904	\$66,560	\$69,222	\$71,885	\$77,210	\$82,534	\$87,859	1.7%	\$154,194
	Low	\$29,120	\$31,200	\$33,280	\$37,440	\$41,600	\$43,264	\$44,928	\$48,256	\$51,584	\$54,912	2.09%	
	Very Low	\$17,472	\$18,720	\$19,968	\$22,464	\$24,960	\$25,958	\$26,957	\$28,954	\$30,950	\$32,947		
Region 6	Median	\$51,085	\$54,734	\$58,383	\$65,681	\$72,979	\$75,898	\$78,817	\$84,655	\$90,494	\$96,332		
	Moderate	\$40,868	\$43,787	\$46,706	\$52,545	\$58,383	\$60,718	\$63,054	\$67,724	\$72,395	\$77,066	1.7%	\$136,680
	Low	\$25,543	\$27,367	\$29,192	\$32,840	\$36,489	\$37,949	\$39,409	\$42,328	\$45,247	\$48,166	0.00%	
	Very Low	\$15,326	\$16,420	\$17,515	\$19,704	\$21,894	\$22,769	\$23,645	\$25,397	\$27,148	\$28,900		

Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent or less of median income.

* These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.4(a).

**This column is used for calculating the pricing for rent increases for units as per N.J.A.C. 5:97-9.3. The increase for 2015 was 2.3%, the increase for 2016 was 1.1% and the increase for 2017 is 1.7% (Consumer price index for All Urban Consumers (CPI-U): Regions by expenditure category and commodity and service group). Landlords who did not increase rents in 2015 or 2016 may increase rent by up to the applicable combined percentage from their last rental increase for that unit. In no case can rent for any particular apartment be increased more than one time per year.

*** This column is used for calculating the pricing for resale increases for units as per N.J.A.C. 5:97-9.3. As per 5:97-9.3(b), The price of owner-occupied low and moderate income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.

Low income tax credit developments may increase based on the low income tax credit regulations.

**** The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)(3).

Note: Since the Regional Income Limits for Region 6 in 2016 were higher than the 2017 calculations, the 2016 income limits will remain in force for 2017. See N.J.A.C. 5:97-9.2(c).

Exhibit A

Rodman Associates

Licensed Professional Engineers
N. B. "Ted" Rodman
Phone 908-362-6079
Fax 908-362-9404

19 Main Street
P.O. Box 647
Blairstown, NJ 07825
tedrodman@earthlink.net

November 29, 2016

Shirley Bishop
Via email

Dear Shirley,

The following are the answers (to the best of my knowledge) to the questions presented in your November 29, 2016, email:

1. Existence of sewers and any package treatment plants now and in the future.

To my knowledge only one package treatment plant exist in the Township and it is for Little Hill Foundation, a drug and alcohol rehabilitation facility. I do not know of any additional facilities that are being proposed.

2. Possibility to create sewer and/or package treatment plants in the future.

I believe a future camp or development could install a package treatment plant for the new development. Hardwick Township has a 10 acre density with 3 acre minimum lot zoning. I do not anticipate any large developments in the Township.

3. Reality of bringing in sewer from a neighboring Town

Hardwick borders Frelinghuysen, Stillwater, Knowlton and Blairstown Townships. None of these Township presently have sewers.

4. Statement as to whether there was any septic or package plant application filed now or may be filed in the future.

As mentioned above, Little Hill Foundation has a limited treatment plant to service their facilities. I know of no pending applications for future treatment facilities.

5. Statement as to the cost of bringing sewer to Hardwick

Hardwick contains 37.8 square miles. Approximately 20 square miles of this area is Federal and State Parkland. Approximately 75% of the property in the Township is preserved property. The population is approximately 1,675. Hardwick has no "village area" where the residences are closely gathered. Blairstown is currently pricing sewers for their village area and the cost is well over 5 million dollars. That includes sharing the cost

continued Page 2

November 29, 2016

Page 2

TO: Shirley Bishop
Via email

with Blair Academy, a prep-school which would pay the other half of the cost for the treatment plant. Because Hardwick is so wide spread the idea of providing a sewer for the entire Township would be cost prohibitive for the residence to pay for the system.

6. Statement as to existing land availability if there were sewer.

Again, Hardwick has a 10 acre density with 3 acre minimum lot zoning ordinance. Unless the Ordinance was changed, I do not see more land being developed because of the availability of sewers.

I would like to note, that I am Blairstown Township Engineer and Knowlton Township Engineer. Neither of these Townships currently have sewer that Hardwick could tie into. Although Blairstown is currently contemplating a sewer for the village area, this area is not located adjacent to Hardwick Township.

Also, Hardwick Township has no WWMP.

Please let me know if you need any other information.

Sincerely,

Ted Rodman, P.E.
Hardwick Township Engineer

APPENDIX B

Hardwick Township Final Judgement of Compliance and Repose, dated January 10, 2019

KATRINA L. CAMPBELL, ESQ.
Lavery, Selvaggi, Abromitis & Cohen, P.C.
Attorney Id: 012992005
1001 Route 517
Hackettstown, NJ 07840
Ph. 908-852-2600
Fx. 908-852-8225
Email: kcampbell@lsaclaw.com
Attorney for Plaintiff,
Township of Hardwick

IN THE MATTER OF THE APPLICATION OF
THE TOWNSHIP OF HARDWICK,

Plaintiff/Petitioner.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: WARREN COUNTY
DOCKET NO: WRN-L-240-15

CIVIL ACTION
(Mount Laurel)

FINAL JUDGMENT OF
COMPLIANCE AND REPOSE

This matter having come before the court by way of a “fairness hearing” conducted on October 23, 2017 and a subsequent “compliance hearing” conducted on May 3, 2018, both pursuant to and in accordance with East/West Venture v. Bor. of Fort Lee, 286 N.J. Super. 311, 328-329 (App. Div. 1996), for the purpose of reviewing the Township of Hardwick’s compliance with its Third Round Mount Laurel affordable housing obligations via a declaratory judgment action (the “DJ action”) which was filed by the Township of Hardwick (the “Township”) on July 8, 2015 in accordance with In re N.J.A.C. 5:96 & 5:97, 221 N.J. 1 (2015) (Mount Laurel IV); and the Court having granted the Township and the Township of Hardwick Land Use Board (the “Board”) temporary immunity from the time of the filing of the DJ action from any and all exclusionary zoning lawsuits, including but not limited to “builder’s remedy” lawsuits; and the Court having appointed planning expert Elizabeth McManus, PP, AICP, as its special master (the

“special master”); and the Township and Fair Share Housing Center (“FSHC”) having engaged in settlement discussions with the aid and assistance of the special master, ultimately resulting in the entry into a settlement agreement by and between the Township and FSHC dated September 20, 2017 (the “settlement agreement”); and the Court, having conducted a fairness hearing and having found and concluded that the settlement agreement was reasonable and fair to, and adequately protected the interests of, low and moderate income persons / households, and having approved the settlement agreement as amended in certain respects by an order entered on December 11, 2017; and the Court determining that adequate notice of the compliance hearing was provided; and the Court conducting the compliance hearing on May 3, 2018 with the appearances of the following attorneys: Katrina L. Campbell, Esq. (Lavery, Selvaggi, Abromitis & Cohen, PC) on behalf of plaintiff Township, and Josh Bauers, Esq., on behalf of intervening defendant FSHC; and the Court having considered during the compliance hearing the testimony of Township planning expert, Shirley Bishop, P.P., the testimony of the special master, and for the reasons set forth on the record on May 3, 2018, the Court finding and concluding that, subject to the conditions set forth below, the 2018 Housing Element and Fair Share Plan (the “HEFSP”) and the land use regulations and affirmative devices adopted by the Township and Board comply with the Township’s Third Round Mount Laurel constitutional affordable housing obligations and, accordingly, that the within conditional judgment of compliance and repose should be entered;

IT IS on this 10th day of January, 2019, ORDERED AS FOLLOWS:

1. The Township’s 2018 Third Round Housing Element and Fair Share Plan comports to the standards set forth in N.J.S.A. 52:27D-314 and satisfies the criteria for the Township’s compliance with its Third Round affordable housing obligation.

2. The Township is granted a Final Judgment of Compliance and Repose and is granted immunity and protection from any Mount Laurel builder's remedy actions through July 1, 2025.

3. As a continuing obligation and condition of this Judgment of Compliance and Repose, the Township shall comply with all the monitoring and reporting requirements identified in the Settlement Agreement.

4. A copy of the within Judgment shall be served on counsel for all persons and/or entities on the municipal service list within five (5) days of receipt of this order by counsel for the Township.

/S/ THOMAS C. MILLER, P.J.Cv.
Thomas C. Miller, P.J.Civ.

APPENDIX C

Hardwick Township Resolution #2025-22

Establishing the Township's Present and Prospective Fair Share Obligations for Affordable Housing for the Fourth Round 10-Year Period of 2025-2035

EXHIBIT A

RESOLUTION NO. 2025-22

RESOLUTION OF HARDWICK TOWNSHIP, COUNTY OF WARREN, STATE OF NEW JERSEY, ESTABLISHING THE TOWNSHIP'S PRESENT AND PROSPECTIVE FAIR SHARE OBLIGATIONS FOR AFFORDABLE HOUSING FOR THE FOURTH ROUND 10-YEAR PERIOD OF 2025-2035 AND AUTHORIZING THE FILING OF A DECLARATORY JUDGMENT ACTION SEEKING A CERTIFICATE OF COMPLIANCE IN ACCORDANCE WITH THE FAIR HOUSING ACT

WHEREAS, on March 20, 2024, Governor Philip D. Murphy signed into law Amendments to the Fair Housing Act, N.J.S.A. 52:37D-301 et. seq., requiring the Department of Community Affairs (hereafter "DCA") to conduct a calculation of regional need and municipal present and prospective fair share obligations for affordable housing in accordance with the formulas established in N.J.S.A. 52:27D-304.2 and N.J.S.A. 52:27D-304.3 beginning with the fourth 10-year round of housing obligations commencing July 1, 2025, (hereafter "Fourth Round") and to render a report with regard to the same; and

WHEREAS, the Department of Community Affairs published its report in October of 2024 (hereinafter DCA Report"); and

WHEREAS, the DCA Report calculated the Township's Fourth Round (2025-2035) fair share affordable obligation as a present need of 0 and a prospective need of 29; and

WHEREAS, the DCA Report is not binding upon the municipalities; and

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

WHEREAS, COAH regulations also empower municipalities to secure vacant land adjustments, durational adjustment and other adjustments; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(3)(f)(1), with consideration of the calculation contained in the aforesaid DCA Report, each municipality must determine its present and prospective fair share obligation for affordable housing in accordance with the formulas established in sections N.J.S.A. 52:27D-304.2 and N.J.S.A. 52:27D-304.3 by resolution, which describes the basis for the municipality's determination and binds the municipality to adopt a housing element and fair share plan pursuant to paragraph 2 of N.J.S.A. 52:27D-304.1(3)(f); and

WHEREAS, the Township has reviewed the DCA Report titled Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background (hereafter "DCA Report"), and its supporting documents,; and

WHEREAS, based upon the foregoing, the Hardwick Township accepts the DCA calculations of Hardwick Township's fair share obligations and commits to its fair share of 0 present need units and 29 prospective need units subject to any vacant land and/or durational adjustment it may seek as part of the Housing Element and Fair Share Plan it subsequently submits in accordance with the Amended Fair Housing Act; and

WHEREAS, the Township is aware of certain litigation before the Courts and potential additional changes to the Fair Housing Act, and therefore reserves the right to adjust its obligation based upon any adjudication in the Courts, change in legislation, change in methodology or DCA Report, in the event of a Third-Party challenge, and commits to the within obligation numbers subject to all reservations of rights; and

WHEREAS, in light of the above, the Township Committee of Hardwick Township finds it is in the best interest of Hardwick Township to declare its commitment to the Present Need

obligation and Prospective Need Obligation reported in the DCA Report, subject to the reservations set forth herein; and

WHEREAS, pursuant to Directive #14-24, a municipality seeking a certificate of compliance with the Fair Housing Act shall file an action in the form of a declaratory judgment complaint in which the municipality is located within 48 hours after adoption of this resolution in Warren County.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of Hardwick Township, County of Warren, State of New Jersey, as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.

2. Pursuant to N.J.S.A. 52:27D-304.1(3)(f)(1) and in conformance with the formulas set forth in N.J.S.A. 52:27D-304.2 and N.J.S.A. 52:37D-304.3, the Township Committee of Hardwick Township commits to the present fair share obligation for affordable housing of 0 units and prospective fair share obligation for affordable housing of 29 units based upon the DCA Report, for the Fourth Round, subject to all reservation of rights, including but not limited to the following:

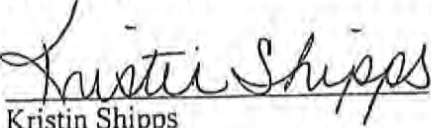
a. The right to a vacant land adjustment, durational adjustments, and all other applicable adjustments permitted ;

b. The right to comply with any future changes in legislation that changes its obligations under current law including any additional changes to the Fair Housing Act;

- c. The right to adjust the fair share obligations in the event of any future legislation that adjusts the fair share obligations as set forth in the DCA Report calculations;
 - d. The right to adjust its fair share obligation based on any future adjudication by a court of competent jurisdiction; and
 - e. The right to adjust its fair share obligation in the event of a Third-Party challenge to the fair share obligations and Hardwick Township's response, including that its prospective need obligation should be lower than described herein;
3. The Township Attorney is hereby authorized to file a Declaratory Judgment complaint in Warren County seeking a certificate of compliance as to the Township's Fourth Round Affordable Housing obligation, which action shall be filed within 48 hours of the adoption of this resolution and attaching this resolution as an exhibit.
 4. A certified copy of this resolution, along with the filing date of the Declaratory Judgment action shall be submitted and/or filed with the Alternate Dispute Resolution Program or any other such entity as may be determined to be appropriate. A certified copy of the resolution shall also be posted on the municipal website.
 5. The Township shall adopt a housing element and fair share plan based upon the determinations set forth in this Resolution and as may be adjusted by the Alternate Dispute Resolution Program in accordance with N.J.S.A. 52:27D-304.1(3)(f)(2) or as may be subsequently adjusted based upon the reservation of rights.
 6. This resolution shall take effect immediately, according to law.

I, Kristin Shipps, Clerk of the Hardwick Township, County of Warren, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Hardwick Township Committee on January 15, 2025.




Kristin Shipps
Township Clerk