

Housing Plan Element and Fair Share Plan

Independence Township
Warren County, New Jersey

1st DRAFT

JUNE, 2025

Public Hearing: June 16, 2025

Adopted: _____

***Prepared by the
Independence Township Land Use Board***

in consultation with Banisch Associates, Inc.
111 Main Street, Flemington, NJ 08822

The original of this report was signed and sealed
in accordance with NJAC 13:41-1.3

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EXECUTIVE SUMMARY

This Housing Plan Element and Fair Share Plan (“HPE/FSP” or “Housing Plan”) has been prepared in accordance with the Municipal Land Use Law (M.L.U.L.) and the Fair Housing Act, including the 2024 Amendments to the Fair Housing Act (“2024 Amendments”).

This is Independence Township’s Housing Plan for the ten (10) year municipal affordable housing obligation for the 4th Round (2025–2035). On April 23, 2025, the Honorable William G. Mennen, J.S.C. issued a Decision and Order In the Matter of Independence Township, Docket WRN L 000048-25 identifying Independence Township’s 4th Round affordable housing obligations: Present Need: six (6) units; Prospective Share: forty four (44) units.

The 2024 Amendments require the municipality to address the 4th Round obligations and assess fulfillment of municipal obligations for the Prior Rounds (1987-1999; 2000-2025). Independence Township has fully addressed past affordable housing obligations. Independence Township’s 3rd Round affordable housing plan earned Independence Township one (1) surplus unit of credit that may be applied to the 4th Round forty four (44) unit Prospective Share obligation, which leaves forty three (43) units of 4th Round Prospective Share to be addressed in this Housing Plan.

Independence Township is a Highlands Region municipality that includes both Highlands Preservation Area and Highlands Planning Area with a very limited sewer service area that is essentially fully developed. As a result the lack of sewer capacity available to the Township relegates the municipality to the status of a durational adjustment. In this Housing Plan, Independence Township sets forth a plan to address the 4th Round affordable housing obligations despite the lack of sewer to support development. The Prospective Share obligation of forty four (44) affordable units will be addressed as follows:

- (1) applying one (1) surplus credit from the 3rd Round to the 4th Round Prospective Share;
- (2) adopting durational adjustment inclusionary zoning in the Planning Area portion of the municipality to accommodate the development of twenty six (26) units of affordable housing; and
- (3) Applying a total of eighteen (18) credits and bonuses from two group homes

Table 1 below summarizes Independence Township’s cumulative affordable housing obligations, and the status of each:

Table 1: Independence Township’s Cumulative Prospective Share Affordable Housing Obligations from Past Rounds and 4th Round

	Affordable Units
Prior Round (1987-1999):	10
Prior Round (8 units / 2 bonuses):	-10
Remaining Prior Round Obligation:	0
3rd Round Prospective Share Obligation (2000 – 2025):	16

	Affordable Units
3 rd Units and Bonuses Completed (13 units/ 4 bonuses):	17
Remaining 3 rd Round Obligation:	0
3 rd Round Surplus:	1
Round 4 Prospective Share Obligations:	
Present Need:	6
2025 – 2-35 Prospective Share:	44
3 rd Round Three Surplus (Available for 4 th Round) ¹	-1
2025–2035 Prospective Share after applying 3 rd Round Surplus:	43 ²

INDEPENDENCE TOWNSHIP’S AFFORDABLE HOUSING COMPLIANCE

In accordance with NJAC.52:27D-304.1 3. f. (2) (a), “... As part of its housing element and fair share plan, the municipality shall include an assessment of the degree to which the municipality has met its fair share obligation from the prior rounds ... If a prior round obligation remains unfulfilled, ... the municipality shall address such unfulfilled prior round obligation in its housing element and fair share plan.” This section addresses this requirement in the 2024 Amendments and identifies how Independence Township has fully met the fair share obligations from the prior rounds.

For the 3rd Round, Independence Township followed the procedures set for in the New Jersey Supreme Court’s March 15, 2015 decision that recognized that the Council on Affordable Housing (COAH) was no longer functioning as intended under the FHA. The Supreme Court established a declaratory judgment procedure by which municipalities could file a declaratory judgment action in Superior Court to comply with municipal affordable housing obligations. During the declaratory judgment process, the Court recognized municipal affordable housing obligations established by agreement between municipalities and the Fair Share Housing Center (FSHC). Independence Township filed a declaratory judgment with the Superior Court on July 7, 2015 and entered into a settlement agreement with FSHC, dated September 26, 2017, which identified prior obligations and the 3rd Round obligations and included settlement terms for Independence Township to comply with 3rd Round obligations. Independence Township adopted the settlement terms in its March 19, 2018 adopted Housing Plan, which has been implemented to fully satisfy 3rd Round compliance, as explained below.

Settlement Terms of the FSHC 26, 2017 settlement agreement:

“The Township and FSHC hereby agree to the following terms:

¹ Independence Township satisfied the 3rd Round Prospective Share with a total of 12 new construction affordable family rental units and one (1) Habitat-for-Humanity single-family dwelling and 4 bonuses resulting in a total of 13 units and bonuses to address the 3rd Round 12-unit obligation, which yielded one (1) surplus credit that may be applied to the 4th Round.

² Applying 1 surplus credit from Round 3 to the 44-unit Prospective Share leaves 43-units of Prospective Share Obligation to be addressed, which will be addressed through inclusionary zoning.

1. FSHC agrees that the Township, through the adoption of a Housing Plan Element and Fair Share Plan ("the Plan") that sets forth the mechanisms and obligations described in this Agreement below, and the implementation of the Plan and this Agreement, satisfies its obligations under the Mount Laurel doctrine and the FHA for the Prior Round (1987- 1999) and Third Round (1999-2025).
2. FSHC and the Township hereby agree that the Township's affordable housing obligations are as follows:
 - (1) Rehabilitation Share (2015): 0 units;
 - (2) Prior Round Share (1987-1999): 10 units; and,
 - (3) Third Round Obligation, comprised of:
 - a. Gap Present Need (1999-2015) &
 - b. Prospective Need (2015-2025): 16 units"

Independence Township's 3rd Round HPE/FSP identified existing and proposed affordable housing units that fully addressed Independence Township's Prior Round (1987-1999) and 3rd Round (2000-2025) Prospective Share obligations. All units in the Court-approved HPE/FSP have been constructed and are occupied fully satisfying the terms of settlement with FSHC, including the following compliance mechanisms:

1. Prior Round (1987-1999) ten (10)-units: – Independence Township had a ten (10)-unit Prior Round obligation that was fully satisfied by eight (8) units of existing affordable housing and two (2) family rental bonuses for apartments at the Liberty House development, located at 2 Petersburg Road. The project consists of forty (40) one bedroom apartments, at least eight (8) of which with affordability controls under a PILOT between Independence Township and the property owner. Liberty House was completed in 1981 and provided senior affordable housing for more than twenty (20) years before it was converted to family housing in 2002, including the eight (8) family affordable rental units. Credit is granted, including two (2) bonus credits to this project in recognition of the project's conversion from senior to family housing and its fifty (50) year history of providing affordable housing in the community.

This complies with the Independence Township/FSHC September 26, 2017 Settlement Agreement and the Township's Third Round Housing Plan and fully addresses the Prior Round (1987-1999) Prospective Share obligation of 10 units.

2. Round Three (2000-2025) sixteen (16) units: Independence Township has a sixteen (16) unit Round Three obligation that was fully satisfied through development of the following two (2) projects:
 - a. Woodmont Independence Apartments was constructed as a redevelopment project. It consists of one hundred twenty (120) new construction apartments including twelve (12) affordable family rental apartments that comply with all U.H.A.C. requirements, including

affordability and bedroom mix, including The project is Block 6.02, Lot 3 and is located on Bilby Road adjacent to CR 517. The project was constructed during the 3rd Round and is fully constructed and occupied, including the twelve (12) affordable family rental units, consisting of seven (7) low-income units including two (2) very low-income units and five (5) moderate-income units, which yielded twelve (12) units and four (4) family rental bonuses of credit toward the Round Three obligation. All affordable units in this development meet the bedroom distribution and income requirements identified in the Agreement and the Plan, including the provision of two (2) very low-income rental apartments; and

- b. 27 Water Street Habitat-for-Humanity. This is a low-income single-family detached dwelling on Block 21, Lot 73 (.47-acres). The dwelling received municipal subsidy from Independence Township to create it and it was sold to a qualifying low-income household in 2015 and is occupied.

These projects were completed for compliance with Independence Township's sixteen (16) unit 3rd Round Prospective Share obligation. The two projects yield a total of seventeen (17) credits to address the 3rd Round twelve (12) Woodmont affordable apartments with four (4) family rental bonuses; and one (1) low-income Habitat-for-Humanity single-family dwelling). *One surplus credit may be applied to the 4th Round Prospective share of 44-units.*

Thus, Independence Township's Prior Round and 3rd Round affordable housing obligations have been fully satisfied in accordance with the terms of the Township's 3rd Round Housing Plan and the September 2017 Settlement Agreement with FSHC and there are no unfulfilled prior round (1987-1999) and 3rd Round (2000-2025) affordable housing obligations unmet that need to be addressed in the 4th Round Plan. The units produced to address 3rd Round result in one (1) surplus credit that may be applied to the 4th Round Prospective Share.

***Independence Township has no unfulfilled 3rd Round (2000-2025) Prospective Share; and,
One (1) surplus credit from Round 3 may be applied to 4th Round.***

STATUTORY AFFORDABLE HOUSING REQUIREMENTS

This HPE/FSP has been prepared in accordance with the Municipal Land Use Law (NJSA 40:55D-28b(3)) and the Fair Housing Act (FHA) as amended (NJSA 52:27D-310), to address Independence Township's 4th Round affordable housing obligations for the time period 2025-2035. As noted above, past affordable housing obligations for 1987-2025 have been addressed.

The MLUL (NJSA 40:55D-28.b(3)) and the FHA (NJSA 52:27D-310) identify the components of a municipality's housing element in the Master Plan.

NJSA 40:55D-28.b(3) identifies:

(3) A housing plan element pursuant to section 10 of PL1985, c 222(C 52:27D-310), including, but not limited to, residential standards and proposals for the construction and improvement of housing;

NJSA 52:27D-310 provides that:

“A municipal housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing, and shall contain at least:

a An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards;

- *This is addressed in Appendix A.*

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;

- *This is addressed in Appendix A.*

c An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;

- *This is addressed in Appendix A.*

d An analysis of the existing and probable future employment characteristics of the municipality;

- *This is addressed in Appendix A.*

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; and

- *This is the Fourth Round Fair Share Plan (below).*

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 PL 2021, c 273 (C 52:27D-329.20);

- *This is the Fourth Round Fair Share Plan (below).*

h For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, established pursuant to section 4 of PL 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 one hundred (100) percent affordable housing, or both, and opportunities for one hundred (100) percent affordable housing in both the Highlands Planning Area and Highlands Preservation Area that are consistent with the Highlands regional master plan; and,

- *Independence Township is a Highlands municipality, but Independence Township is not a conforming municipality.*

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.

- *The analysis of consistency with the State Plan is addressed in the section entitled SDRP Planning Consistency (below).*

FOURTH ROUND FAIR SHARE PLAN

PRESENT NEED OBLIGATION

Present Need is the obligation associated with the number of deteriorated housing units occupied by low- and moderate-income households in a municipality. Judge Mennen's April 23, 2025 Decision and Order In the Matter of Independence Township, Docket WRN L 000048-25 identified a 6-unit Present Need obligation for Independence Township. obligation.

Independence Township will use the Warren County HOME Rehabilitation Program to address the six (6) unit Present Need obligation. The Township will provide supplemental funding from the Affordable Housing Trust Fund for rehabilitation of the six (6) unit obligation on an as-needed basis, where HOME funding may need to be supplemented.

ROUND FOUR PROSPECTIVE SHARE

Independence Township's 4th Round Prospective Share of forty (44)-units is determined in Judge Mennen's April 23, 2025 Decision and Order In the Matter of Independence Township, Docket

WRN L 000048-25, Independence Township has a forty four (44)-unit Prospective Share 4th Round Obligation.

- Applying one (1) surplus credit from Independence Township's 3rd affordable housing production, reduces the planning target to address the 4th Round Prospective Share to 43-units. Inasmuch as Independence Township is not technically a durational adjustment municipality because a portion of the municipality does have sewer service, there is no sewer capacity available to lands that are developable to address the affordable housing obligation. The Township's 4th Round Housing Plan identifies durational adjustment inclusionary zoning, two (2) special needs housing projects with a total of nine (9) bedrooms, and a Mandatory Set-aside Ordinance (MSO) to address the 4th Round Prospective Share obligation.

THIRD ROUND COMPLIANCE – ONE SURPLUS CREDIT

As set forth above, Independence Township's Prior Round and 3rd Round Prospective Share obligations have been fully met. Independence Township has one (1) surplus credit that may be used to address a portion of the 4th Round Prospective Share obligation (See Table 1 above).

Independence Township is located in the New Jersey Highlands Region. Under the Highlands Water Protection and Planning Act (HWPPA), Independence Township is designated Planning Area and Preservation Area (see Figure 1). The Highlands WPPA has very restrictive development standards that severely limit residential development potential. The Planning Area is less restrictive than the Preservation Area, but in Independence Township, there are only two (2) Planning Area sites that could potentially redevelop in the Hackettstown MUA sewer service area and, for reasons set forth below, neither of the two (2) sites are available or approvable. There is no other sewer service in the Township's Planning Area. The Highlands Designations and HMUS Sewer Service Area in Independence Township is shown on Figure 1, entitled "Highlands Areas and HMUA SSA".

- **Prospective Share Obligation: 44 units – 1 surplus credit from 3rd Round = 43 units.**

A basic option for municipalities to address the municipal affordable housing obligation is to use the power of zoning to create a realistic opportunity for the municipality to satisfy the Prospective Share (new construction) obligation. This Housing Plan identifies a site that is potentially developable if sufficient wastewater disposal facilities could be developed. .

The municipal responsibility when zoning for inclusionary development is to identify sites that are approvable, available, developable and suitable. An affordable housing site has to meet the following criteria to create a realistic opportunity for development of affordable housing:

“Approvable site” means a site that may be developed for low and moderate income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing.



“Available site” means a site with clear title, free of encumbrances which preclude development for low and moderate income housing.

“Developable site” means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable areawide water quality management plan (including the wastewater management plan) or is included in an amendment to the areawide water quality management plan submitted to and under review by DEP.

“Suitable site” means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in NJAC 5:93-4. 5:93-5.6 Zoning for inclusionary development.

- For a site served by public wastewater collection facilities, a minimum of .83-acres in area is needed to support inclusionary zoning, based on the minimum inclusionary zoning standard of six (6) dwelling units per acre (6 du/ac). This is because .83 acres will support the development of five (5) dwelling units, including four (4) market-rate units and one (1) affordable housing units under the mandatory Highlands twenty percent (20%) set-aside requirement in the 2024 Amendments.
- Whatever density is assigned (i.e., more than 6 du/ac), all residential development of five (5) dwelling units or more in the Highlands must provide a twenty percent (20%) affordable housing set aside.

CONSIDERATION OF LANDS APPROPRIATE FOR AFFORDABLE HOUSING

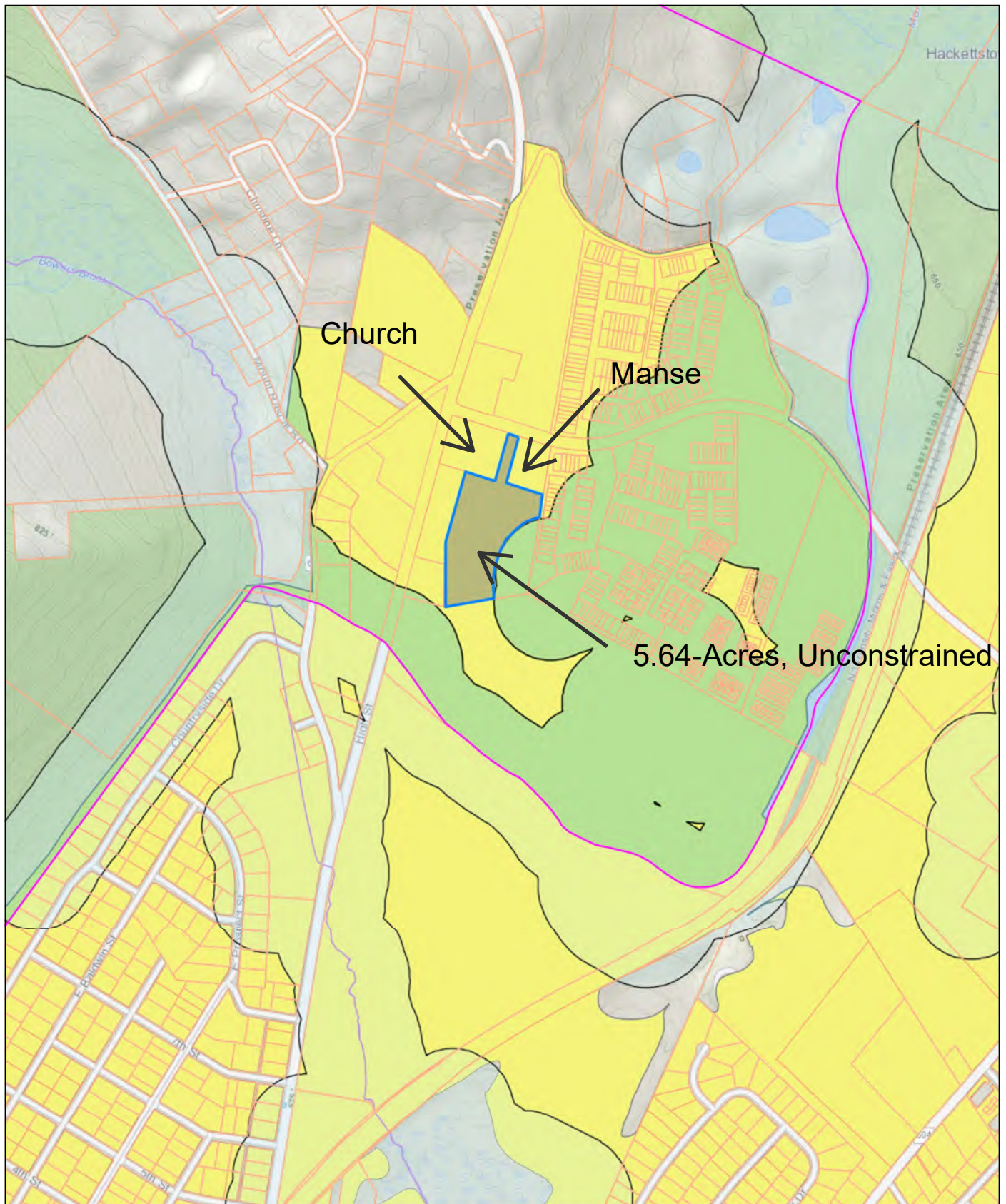
SEWER SERVICE AREA SITES

The Hackettstown Municipal Utilities Authority (HMUA) Sewer Service Area is the only designated sewer service area in Independence Township. It is located at the far east/northeast area of Independence Township within the Highlands Planning Area and it is primarily developed. There are no other public wastewater collection and treatment facilities serving Independence Township. This significantly narrows the range of options available for Independence Township to adopt inclusionary zoning to address affordable housing obligations.

Independence Township examined the entirety sewer service area to identify possible sites to address the forty three (43) units of Prospective Share in 4th Round and identified two (2) sites in the Highlands Planning area that have sewer service and meet the minimum undeveloped requirement (>.83-ac) that could support inclusionary zoning. For reasons set forth below, Independence Township has concluded that the two sites are not available for inclusionary zoning to address a portion of the 4th Round Prospective Share obligation.

1. 916 Route 517 (Hackettstown Baptist Church, Block 6.01, Lot 3.01) is located at the corner of Route 519 and Bilby Road with frontage on both roads (See Figure 2). The site includes a house of worship and parsonage. The lot and contains a total of 10.2 acres and is included in the HMUA sewer service area. There are approximately 5.64-acres of unconstrained land, not including the existing house of worship and parsonage. The house of worship is accessed by driveways from Route 517 and Bilby Road. The parsonage has driveway access to Bilby Road. The house of worship and parsonage are separated by approximately 180' along Bilby Road. Access for inclusionary development would

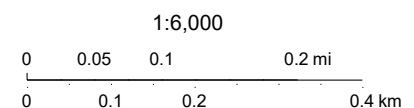
Figure 2 --916 Route 517, Block 6.01, Lot 3.01 --5.64 acres



April 20, 2025

- polygonLayer
- Highlands Resource Table
- Open Water Protection Area

- Category 1 Waters
- Sewer Service Areas



NJ Highlands Council

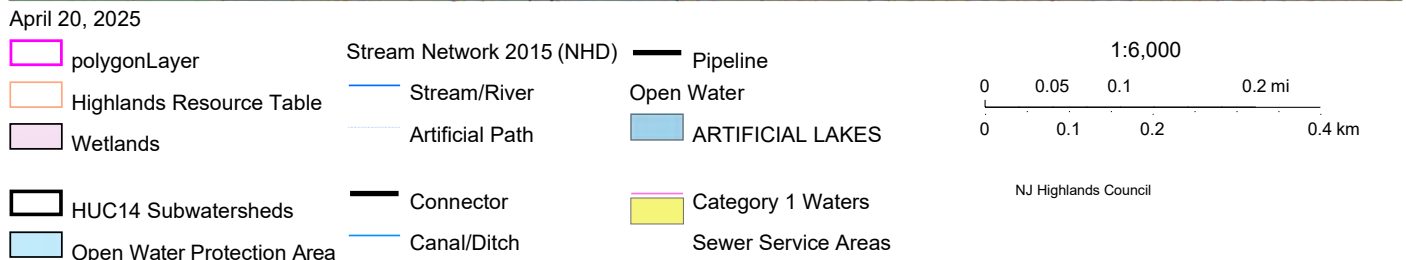
have to be established from Bilby Road between driveways to the house of worship and the parsonage. If the site were zoned for six (6) dwelling units per acre it could yield the following:

- $5.64 \text{ acres} \times 6 \text{ du/ac} = 33.84 \text{ (34) units}$, including 7 affordable units.



The Baptist Church is identified as developable land in the NJDCA October 2024 Report that identifies municipal 4th Round affordable housing responsibilities. As such this site was considered by Independence Township to address a portion of the affordable housing obligation. However, before proposing inclusionary zoning on the site, Independence Township inquired to determine if there was any objection to the Township zoning the site as a 4th Round Housing Plan inclusionary zoning site. Head Deacon of the Hackettstown Baptist Church, Ray Truax, advised that the Church does object to rezoning and it does not want to be zoned for inclusionary development. Mr. Truax indicated that the Church is a thriving worship community with no plans or desire to develop even a portion of the parcel. The church is financially sound, devoted to its mission and does not wish to be rezoned. Therefore, Block 6.01, Lot 3.01 will not be included as a Round Four inclusionary zoning development site because it is unavailable.

2. 7 Canal Lane (Block 4, Lot 24) is a single-family residential lot situated in the Highlands Preservation Area (See Figure 3). It is approximately rectangular in shape and located at the municipal boundary with Hackettstown on Route 46 (Main Street). It is included in the HMUA sewer service area and has extensive environmental and access constraints. The lot is 11.47-acres in area and has approximately 4.04 acres of unconstrained land that is isolated from the approximately 410' of lot frontage it has along Route 46. Lot 24 is bisected by wetlands and a Category 1 stream with a 600' wide Category 1 buffer (Flood Hazard Area Control Act) that separates the frontage from the upland area of the lot. These constraints subsume approximately 850' of lot depth from Route 46. These environmental constraints render access to the site impractical from Route 46.



There is an existing single-family dwelling on approximately 4.04 upland acres on Lot 24 that derives access from a driveway and easement through an adjoining single-family residential lot (9 Canal Lane, Block 41, Lot 26) that is not in common ownership with Lot 24. Canal Lane is a dead-end road that provides access to Route 46. Canal Lane has a variable right-of-way width from less than 20' to approximately 25' in width, which does not meet RSIS standards. If the site were zoned for six (6) dwelling units per acre, it would yield the following:

- 4.04 acres x 6 du/ac = 24 units, including 5 affordable units.



Due to environmental and access limitations that include the narrow public right-of-way (pictured above) and an off-site access driveway easement to 7 Canal Lane from 9 Canal Lane and the Highlands Preservation Area designation, 7 Canal Lane (Block 4, Lot 24) does not appear to be approvable for multi-family development under RSIS or the Highlands Water Protection and Planning Act. Therefore, Lot 24 is not included as an inclusionary zoning site to meet the Round Four Prospective Share obligation.

SEWER SERVICE AREA SUMMARY

Independence Township has a very limited area of the Township designated sewer service area. It is limited to the east/northeast area of the Township adjacent to the municipal boundary with Hackettstown, where Independence Township is primarily designated Highlands Preservation Area. Two (2) sewer service area parcels in Independence Township that have sufficient unconstrained lot area (i.e. >.83-acres) are not identified for inclusionary zoning in this plan due to (1) in the case of Block 6.01, Lot 3.01 (Hackettstown Baptist Church), the property owner does not want to be zoned for development; and, (2) in the case of Block 4, Lot 24, Highlands Preservation Area and environmental and access constraints prevent the site from being approvable for inclusionary multi-family zoning upland area. These two (2) sewer service area parcels are the only two parcels of land in the Township's sewer service area that could be rezoned with inclusionary zoning that meet the minimum developable land acreage requirement (at least .83-acres) to develop at least five (5) residential dwellings with a twenty (20%) percent

affordable housing set-aside. For the reasons stated above, these parcels are not candidate sites to address a portion of Independence Township's 4th Round Prospective Share.

NON-SEWER SERVICE AREA SITES

With no other sewer service areas in Independence Township, this Housing Plan has no choice but to look to non-sewer service area sites where there is available land. These are lands in the Highlands Preservation Area and Highlands Planning Area. The Highlands Water Protection and Planning Act places severe limitations on land disturbance, impervious coverage and it prevents extensions of sewer service to support development in the Preservation Area. This leaves the Planning Area portion of Independence Township where there is no sewer service, but development may be supported by alternative wastewater treatment systems that may be approved by the NJDEP to support higher density development, such as for inclusionary zoning. In addition, not all alternative treatment systems require Water Quality Management Plan amendments under recent NJDEP rules. As such, without sewer capacity, these lands are subject to the conditions of a durational adjustment – lack of sewer capacity and infrastructure, but sufficient land.

Pursuant to N.J.A.C. 5:93-4 (c),:

“The lack of adequate capacity, in and of itself, shall constitute a durational adjustment of the municipal housing obligation. The requirement to address the municipal housing obligation shall be deferred until adequate water and/or sewer are made available.”

Independence Township faces the unavailability of sewer in the only realistically, potentially developable lands in the municipality, which are Highlands Planning Area lands. In this Housing Plan, the Township chooses to address the durational adjustment by adopting a Mandatory Set-Aside Ordinance (MSO) and designating a site with sufficient acreage that could be developed to satisfy the portion of the Prospective Share that is not addressed by other components in the Plan (group homes).

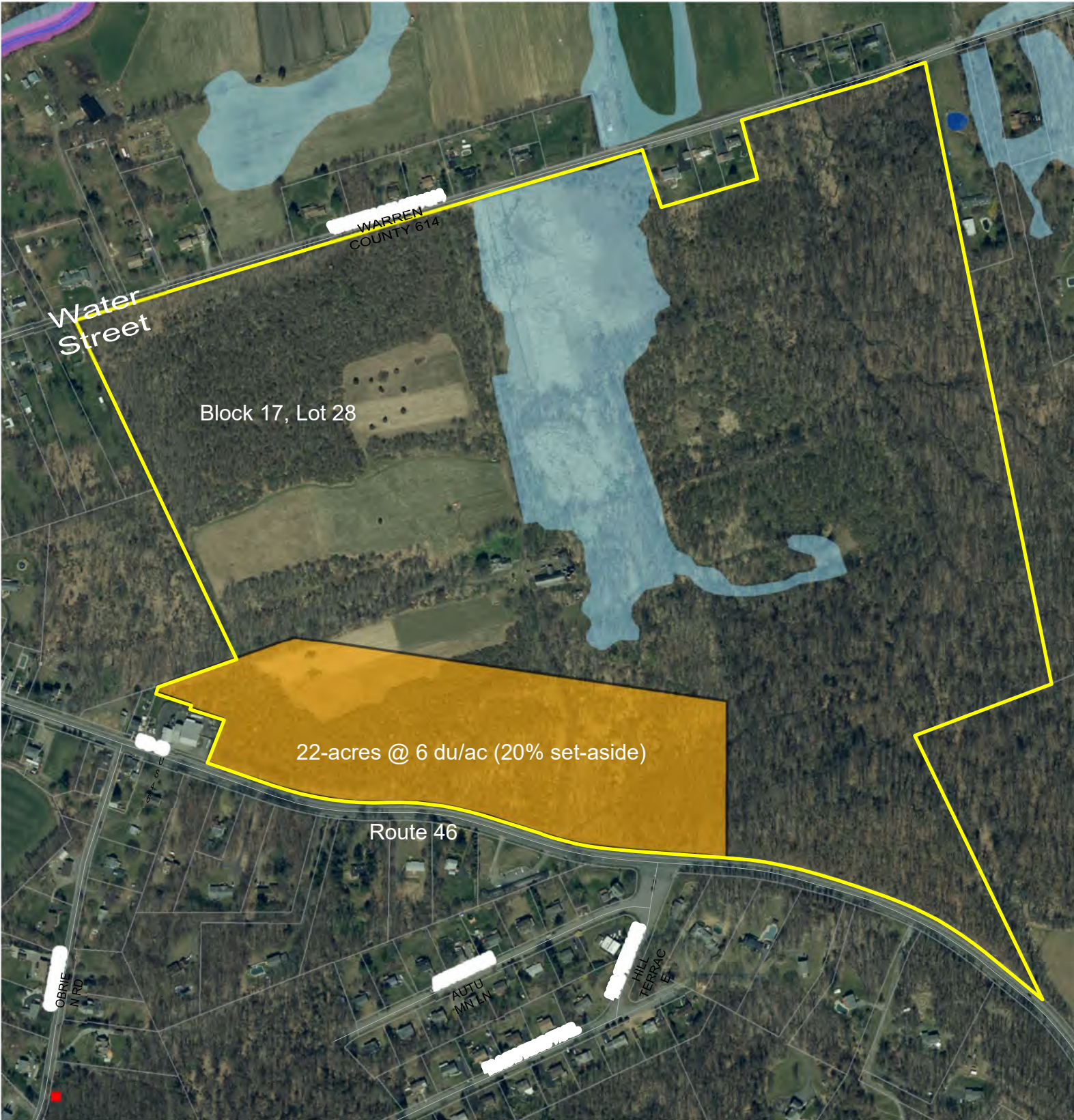
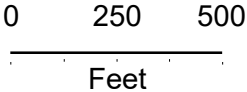
HIGHLANDS PLANNING AREA DURATIONAL ADJUSTMENT INCLUSIONARY ZONING

Non-sewered Highlands Planning Area Durational Adjustment Inclusionary Zoning:

3. South Side Water Street, Block 17, Lot 28 (see Figure 4): This is an abandoned one hundred fifty three (153) acre farm with fifty (51) upland acres. Independence Township will adopt inclusionary zoning to designate twenty two (22) acres of this site for inclusionary zoning at 6 dwelling units per acre with a twenty (20%) set-aside to provide twenty six (26) affordable housing units. The site extends between Route 46 and Water Street with extensive frontage along Route 46 (approximately 3,000'). The site has an existing abandoned farm lane that extends from the Route 46/Barker's Mill Road intersection to the interior of the site and a second driveway, a farm lane from Water Street that is currently used for farming purposes. The site has an abandoned farmhouse and barns in varying states of dilapidation. There is sufficient unconstrained upland (twenty two (22)-acres) that could support development and is

**Figure 4: Affordable Housing Durational Adjustment
Overlay - Inclusionary Zoning Area (Block 17, Lot 28)**

Independence Township
Warren County, NJ
June 2025



Legend

- Affordable Housing Overlay Area
- Block 17, Lot 28



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Streams Water

Wetlands
Slopes Greater than 15%

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BLACK BEAR
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potentially developable under the NJDEP rules that permit alternative wastewater treatment systems.

- a. Independence Township will zone a portion of Block 17, Lot 28 (twenty two 22--acres) to permit a density of six (6) dwelling units per acres (6 du/ac) and require a 20% affordable housing set-aside.
- b. The inclusionary zoning ordinance will require that all affordable units be rental units.
- c. The site is approvable, available, developable and suitable for development.
- d. Under the six (6) du/ac inclusionary zoning with a twenty (20%) percent affordable housing set-aside, the portion of the site to be rezoned for inclusionary development will yield a total of one hundred thirty two (132) rental apartments or townhouse dwelling units, including one hundred six (106) market-rate units and twenty six (26) affordable dwelling units.

26 credits to satisfy the Prospective Share.

Existing Special Needs Housing (Group Homes) to Address a Portion of the 4th Round:

Independence Township has two group homes for Special Needs persons that will address a portion of the 4th Round Prospective Share obligation, as follows:

4. Center for Family Services (114 Ketcham Road, Block 10, Lot 2.03): This is a Special Needs housing project consisting of a four (4) bedroom group home in a single-family detached dwelling operated by the Center for Family Services. The home is a conversion of a pre-existing single-family dwelling in a single-family residential neighborhood. Construction permits have been issued, construction has been completed and the project will receive inspections and a certificate of occupancy in June 2025, when initial occupancy is expected.
 - a. The unit of affordable housing credit available to a municipality for Special Needs housing (group home) is the bedroom.
 - b. This 4-bedroom Special Needs housing home yields four (4) units of credit.
 - c. This Special Needs home is also entitled to bonus credits.
 - d. Total 4th Round Credit: four (4) units and four (4) bonus credits

8 credits to satisfy the Prospective Share.

5. Sciotto Properties (Block 13, Lot 71): This is a Special Needs housing project consisting of a five (5) bedroom group home in a single-family detached dwelling operated by Sciotto Properties in a single-family residential neighborhood at 4 Dogwood Court.
 - a. The unit of affordable housing credit available to a municipality for Special Needs housing (group home) is the bedroom.
 - b. This 5-bedroom Special Needs housing home yields 5 units of credit.
 - c. The housing home also yields five (5) bonus credits.
 - d. Total 4th Round Credit: five (5) units and five (5) bonus credits.

10 credits to satisfy the Prospective Share.

SATISFACTION OF PROSPECTIVE SHARE & SUMMARY OF FAIR SHARE PLAN

The following table provides a summary of Independence Township's Satisfaction of the forty four (44) unit Prospective Share (2025-2035):

<u>Site</u>	<u>Project Type</u>	<u>Units</u>	<u>Bonus</u>	<u>Total</u>
Surplus from 3 rd Round:		1		1
Block 17, Lot 28 So. Side Water Street & Route 46	Inclusionary Zoning	26		26
Block 10, Lot 2.03 114 Ketcham	Special Needs Housing (Group Home) ³	4	4	8
Block 13, Lot 71 4 Dogwood Court	Special Needs Housing (Group Home) ³	5	5	10
		36	9	45

- This Plan satisfies the Round Four obligation with 1 surplus from the 3rd Round, thirty five (35) affordable housing units and nine (9) bonuses for a total of forty five (45) credits to address the forty four (44) unit Prospective share. One (1) bonus per bedroom is authorized under C.52:27D-311. 11.k. (1) ⁴.
- With respect to bonuses, up to 25% of Independence Township's 44-unit Prospective Share may be addressed with bonuses. A maximum of eleven (11) bonuses are permitted nine (9) bonus credits are applied to satisfy the Round Four Prospective Share.

FAIR SHARE PLAN FHA COMPLIANCE PARAMETERS

The following compliance parameters are identified in the 2024 FHA Amendments for addressing the Prospective Share:

“C.52:27D-311 l. A municipality may [1] **not** satisfy **more than 30 percent** of the affordable housing units, exclusive of any bonus credits, to address its prospective need affordable housing obligation through the creation **of age-restricted housing**. A municipality shall satisfy [2] **a minimum of 50 percent of the actual affordable**

³ (1) receive one unit of credit and one bonus credit for 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): “Special needs housing project” means a housing development, or such portion of a housing development, that is permanent supportive housing or a community residence that is primarily for occupancy by individuals with special needs who shall occupy such housing as their usual and permanent residence, together with any structures or facilities, appurtenant or ancillary thereto, and shall include the planning, development, acquisition, construction and rehabilitation of structures, and residences undertaken by a project sponsor for such purposes, including the cost of land and structures, construction, rehabilitation or any interest therein.”

⁴ According to C.52:27D-311 11, “a municipality shall: (1) receive one unit of credit and one bonus credit for 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)

housing units, exclusive of any bonus credits, created to address its prospective need affordable housing obligation through the creation of housing available to families with children and otherwise in compliance with the requirements and controls established pursuant to section 21 of P.L.1985, c.222 (C.52:27D-321). A municipality shall satisfy **[3] a minimum of 25 percent of the actual affordable housing units**, exclusive of any bonus credits, to address its prospective need affordable housing obligation, **through rental housing, [4] including at least half** of that [rental] number **[12.5%]** available to families with children. All units referred to in this section shall otherwise be in compliance with the requirements and controls established pursuant to section 21 of P.L.1985, c.222 (C.52:27D-321).

“C.52:27D-329.1_7. Housing elements and fair share plans adopted pursuant to section 3 of P.L.2024, c.2 (C.52:27D-304.1) shall ensure that **[5] at least 13 percent** of the housing units made available for occupancy by low-income and moderate-income households to address a municipality’s prospective need obligation will be **reserved for** occupancy by **very low income households**, as that term is defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), **[6] with at least half of such units made available for families with children**. The thirty (13%) percent shall count towards the minimum fifty (50%) percent of the housing units required to be made available for occupancy by low-income households to address a municipality’s prospective need obligation.

Independence Township claims nine (9) bonuses under the twenty five (25%) percent bonus cap to satisfy a portion of the forty four (44) unit Round Four Prospective Share ($44 \times .25 = 11$ bonus cap vs. 9 bonuses claimed). Independence Township’s Round Four Fair Share Plan to address the Prospective Share includes twenty six (26) inclusionary zoning units (under the durational adjustment) and nine (9) special needs (group) home credits for a total of thirty five (35) actual units to be provided to address the Prospective Share. Bonuses are added to achieve a total of forty four (44) credits to satisfy the forty four (44) unit obligation.

Independence Township’s Plan to satisfy the Prospective Share with 35 actual units complies with the compliance parameters from the 2024 FHA Amendments that are cited above. The table below provides a breakdown of each parameter as applied to Independence Township’s Fair Share Plan and identifies the affordable units satisfying each compliance parameter.

Compliance Parameter	Required	Total Provided	Project(s)	Complies
1. Age-restricted 30% cap ($35 \times .3 = 10.5(11)$):	None required		None	Yes
2. Family units (50% of actual = $35 \times .5 = 17.5(18)$)	18 family units	26	26 units (Bl. 17, Lot 28)	Yes
3. Rental units ($35 \times .25 = 8.79$)	9 rental units	26	26 units (Bl. 17, Lot 28)	Yes
4. Family rental units ($35 \times .125 = 4.37$)	5 family rentals	26	26 units (Bl. 17, Lot 28)	Yes

Compliance Parameter	Required	Total Provided	Project(s)	Complies
5. Very low-income (V L-I) units ($35 \times .13 = 4.55$)	5 V L-I units	13	4 units (114 Ketcham) 5 units (4 Dogwood) 4 units (Bl. 17, Lot 28)	Yes
6. 50% of V L-I families with children ($4.55 / 2 = 2.275$)	3 V L-I family units	4	4 units (Bl. 17, Lot 28)	Yes

Independence Township's Round Four Fair Share Plan satisfies all of the 2024 FHA compliance parameters to be addressed in the Fair Share Plan.

REDEVELOPMENT CONSIDERATIONS

As part of Independence Township's investigation to determine which sites may be appropriate for designation of inclusionary zoning, the Township Committee adopted a Resolution directing the Planning Board to investigate whether the municipal inventory of land could be designated to address affordable housing obligations. The Preliminary Investigation to determine whether one or more redevelopment area designations are warranted has not been completed; however, the following table lists the municipal land identified by the Township Committee for redevelopment investigation. Each site has been reviewed to determine whether any of the municipal land is suitable or approvable for affordable housing development and the results of the review are listed in the table below. A series of aerial photo depictions including each lot are appended to this Housing Plan.

Block/Lot	Address (If Constrained/Reason)	Lot size	Planning / Preservation	Developable Y/N
4/4	52 Mt. Rascal Rd	.23	Preservation	N
8/12	CR517 & Ridge Rd.	.19	Preservation	N
14/15	Off Barker's Mill Rd.	.38	Preservation	N
15.01/33.17	36-38 Fairview Drive (wetlands)	.65	Planning	N
15.02/33.01	19-25 Fariview Drive (detention basin)	2.08	Planning	N
17/50	32-A Vienna Hills Rd.	.18	Planning	N
21/32	Bacon Run (steep slopes side of mountain side – no public road frontage or access)	24.36	Planning	N (slope)
21/33	So. Side Alphano Road (steep slopes side of mountain-no access)	54.25	Planning	N (slope)
21/50	Municipal Bldg (28.4 ac. wetlands)	32.32	Planning	N
22/45	School & rec fields	24.62	Planning	N
22/49	Rec fields (Green Acres)	45.2	Planning	N
22/49.01	Rec fields (Green Acres)	29.62	Planning	N

Resolution # 25-36

A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE TOWNSHIP OF INDEPENDENCE TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPERTIES ON 916 ROUTE 517, BLOCK 6.01, LOT 3.01; 7 CANAL LANE, BLOCK 4, LOT 24; WATER STREET, BLOCK 17, LOT 28; 260-276 ROUTE 46, BLOCK 21, LOT 38; AND ANY OTHER TOWNSHIP OWNED PROPERTIES MEET THE STATUTORY CRITERIA FOR A “NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT” PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, NJSA 40A :12A-1 ET. SEQ.

WHEREAS, the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et. seq., (the “Redevelopment Law”) provides tools to assist municipalities encourage investment, development, and improvements of certain properties through programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth a specific procedure for designating an Area in Need of Redevelopment; and

WHEREAS, pursuant to NJSA 40A:12A-6, prior to a municipal governing body making a determination as to whether a study area qualifies as an Area in Need of Redevelopment, the governing body must authorize the municipal planning board by resolution to undertake a preliminary investigation to determine whether the area meets the criteria set forth at NJSA 40A:12A-5 for designation of the area as an Area in Need of Redevelopment; and

WHEREAS, the Township Council of the Township of Independence wishes to direct the Planning Board of the Township of Independence to undertake a preliminary investigation to determine whether the following properties: 916 Route 517, Block 6.01, Lot 3.01; 7 Canal Lane, Block 4, Lot 24; Water Street, Block 17, Lot 28; 260-276 Route 46, Block 21, Lot 38; and any Township owned properties on the Official Tax Map of the Township of Independence, County of Warren, qualifies as an Area in Need of Redevelopment without the power of condemnation (the “Non-Condemnation Area in Need of Redevelopment”) pursuant to the Redevelopment Law.

NOW, THEREFORE, BE IT RESOLVED on this 13th day of May, 2025, by the Township Committee of the Township of Independence, County of Warren, State of New Jersey, that it hereby directs and authorizes the Planning Board of the Township of Independence (the “Planning Board”) to determine whether the properties : 916 Route 517, Block 6.01, Lot 3.01; 7 Canal Lane, Block 4, Lot 24; Water Street, Block 17, Lot 28; 260-276 Route 46, Block 21, Lot 38; and any Township owned properties (the “Study Area”), qualifies as a Non-Condemnation Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, NJSA 40A:12A-1, et. seq.

BE IT FURTHER RESOLVED, that prior to the public hearing to be held by the Planning Board on the matter, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the property included therein, and appended to the map shall be statement setting forth the basis for the investigation; and

BE IT FURTHER RESOLVED, that the Planning Board shall specify a date for and give notice of the hearing for the purpose of hearing persons who are interested in or would be affected by the determination of the Study Area as a Non-Condemnation Area in Need of Redevelopment; and

Resolution # 25-36

BE IT FURTHER RESOLVED, that the hearing notice shall set forth the general boundaries of the Study Area and state that a map has been prepared and can be inspected at the office of the Township Clerk, and that a copy of the notice shall be published in an official newspaper as previously designated by the Township Committee, once a week for two consecutive weeks, and the last publication shall not be less than ten (10) days prior to the date set for the hearing, and that a copy of the notice shall be mailed ten (10) days prior to the date set for the hearing to property owners of each parcel of property within the Study Area, and within 200-feet of the Study Area, according to the assessment records of the Township of Independence, as well as persons at their last known address, if any, whose names are noted on the assessment records as claimants of an interest of any such parcel; and

BE IT FURTHER RESOLVED, that the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area qualifies under the redevelopment criteria and that all objections to such determination and evidence in support of those objections, given orally or in writing, shall be received and made part of the public records; and

BE IT FURTHER RESOLVED, that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a resolution with supporting documentation.

ATTEST:

***TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF INDEPENDENCE***

***Dena Hrebenak, RMC
Clerk/Administrator***

Robert M. Giordano, Mayor

Certification

I, Dena Hrebenak, Municipal Clerk/Administrator of the Township of Independence, do hereby certify that the foregoing Resolution is a true and exact copy adopted by the Township Committee of the Township of Independence on May 13, 2025.

***Dena Hrebenak, RMC
Clerk/Administrator***

Block/Lot	Address (If Constrained/Reason)	Lot size	Planning / Preservation	Developable Y/N
22/55.01	Open Space (Green Acres)	26.0	Planning	N
23/3.19	Open Space (Green Acres)	13.1	Preservation	N
22/42	Regina Lane (Post Office)	.57	Planning	N
23.03/1	1-7 Shire Drive (Green Acres (pond)	5.02	Preservation	N
25/17	327 Route 46 (Senior Center & cemetery	1.0	Planning	N
28/18	No. Side Alphano Road (former Dump; 1.3 unconstrained -wetlands)	5.7	Planning	N

Durational Adjustment:

As indicated above, the sewer service area in Independence Township is limited to areas adjacent to Hackettstown that are served by the Hackettstown MUA. Also as indicated above, Independence Township is entirely within the Highlands Region and it has both Preservation Area and Planning Area. The Planning Area portion of the HMUA sewer service area is limited to the east/northeast area of Independence Township, which is fully developed with the exception of the two (2) sites discussed above (Hackettstown Baptist Church and 7 Canal Lane), which are not available and approvable for inclusionary development. Where the sewer service area is designated in Independence Township, the character of the area is essentially built-out.

Where a municipality lacks infrastructure, such as water and / or sewer, and it has no sewer service, a “durational adjustment” to the municipal obligation may be claimed. The durational adjustment is warranted in Independence Township because there is no sewer service where the municipality has sufficient land resources to address the obligation. The Highlands Preservation and Planning Area prevent the designation of an inclusionary zoning site because sewer cannot be extended into Independence Township because the where the Township is designated Highlands Preservation Area where the HMUA sewer service area adjoins Independence Township. So, even though there are some land resources adjacent to the sewer service area, the Highlands Water Protection and Planning Act will not permit a sewer line extension into the Preservation Area.

To address a durational adjustment, a municipality is required to adopt a mandatory set-aside ordinance (MSO) that demonstrates a good faith effort to capture affordable housing in any residential development of five (5) dwelling units or more that may occur, either through new development or redevelopment. Under the 2024 FHA Amendments, all development in the NJ Highlands resulting in five (5) or more new residential dwelling units is required to provide at least twenty (20%) percent of the units as affordable housing. Nevertheless, Independence Township will adopt a Mandatory Set-aside Ordinance (MSO) to address the durational adjustment.

MANDATORY SET-ASIDE ORDINANCE

Independence Township will adopt an updated affordable housing ordinance which includes a mandatory set-aside for use variance, rezoning, or redevelopment, and require a twenty (20%) percent affordable housing set-aside for any residential development with five (5) or more units. Fractional affordable unit requirements shall be rounded down where the fraction is .49 or less and rounded up for those .50 or greater. All affordable units shall be restricted, regulated and administered consistent with the Township's affordable housing regulations, the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et seq.) and the New Jersey Fair Housing Act (NJSA 52:27D-301 et seq.). This shall include but is not limited to income distribution, bedroom distribution, and phasing. A sample MSO is provided below:

“Article_____: Mandatory Affordable Housing Set-Aside
Chapter 112 Affordable Housing, Chapter 255 Land Use

Purpose. The purpose of this ordinance is to ensure that all residential developments in Independence Township resulting in five (5) or more residential dwelling units provides a 20% affordable housing set-aside.

- A. Except as otherwise regulated in this chapter, any development application proposing five (5) or more new dwelling units shall be required to set aside twenty percent (20%) of said lots or units for affordable housing.
- B. This requirement shall apply for all new multi-family residential development of five (5) or more units that become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multi-family residential housing where not previously permitted, or new redevelopment plan, and subject to any and all applicable regulations set forth by the Highlands Council, NJDEP and any other agency with jurisdiction.
- C. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of the Independence Township to grant such rezoning, variance or other relief. A property shall not be permitted to be subdivided so as to avoid compliance with this requirement.”

ADOPTION OF ORDINANCES AND RESOLUTIONS TO ADDRESS ROUND FOUR

Third Round Affordable Housing Requirements

To comply with the 4th Round Affordable housing obligations, Independence Township will adopt all ordinances and resolutions to fully implement this plan and comply with the December 2024 Administrative Directive of the Court. These are listed below and may be provided in an errata sheet and appendix to this Housing Plan:

- (1) All affordable housing units will meet the required bedroom and income distribution requirements, including very low-income units, controls on affordability and will be affirmatively marketed in conformance with the Uniform Housing Affordability Controls, UHAC, (N.J.A.C. 5:80-26.1) as shown through the adoption of an updated Affordable Housing Ordinance.

- (2) Independence Township's designated Affordable Housing Liaison is Township Clerk/Administrator, Dena Hrebenak. Independence Township will adopt an updated Municipal Housing Liaison Resolution for 4th Round compliance.
- (3) Independence Township will adopt an updated Affirmative Marketing Plan in accordance with the requirements of the 2024 FHA Amendments. The ordinance shall include the income, bedroom, and affordability requirements set forth in the December 2024 U.H.A.C. amendments.
- (4) Independence Township requests a waiver from appointment of an Administrative Agent at this time because existing affordable units in the Township are either administered the services of a qualified Administrative Agent services whose services are retained by Woodmont for the Woodmont at Independence affordable rental units, or state agencies responsible for group home placement. At such time as the services of an administrative agent are required (i.e. 6 months prior to occupancy of new affordable units), the Township will retain the services of a qualified administrative agent.
- (5) Independence Township will adopt an updated affirmative marketing ordinance to address updated requirements of the 2024 FHA Amendments and U.H.A.C.
- (6) Independence Township will adopt an inclusionary zoning ordinance for development of Block 17, Lot 28 (So. Side of Water Street & Route 46).
- (7) Independence Township will adopt the Mandatory Set-aside Ordinance (MSO) included in this plan, which shall apply to all new residential development in Independence Township.

SDRP PLANNING CONSISTENCY

Independence Township is designated PA4-B (Rural – Environmentally Sensitive Planning Area) and PA 5 (Environmentally Sensitive Planning Area on the State Development and Redevelopment Plan Policy Map.

- The HMUA sewer service area in the east/northeast area of the Township is designated Highlands Planning Area and Rural-Environmentally Sensitive Planning Area. – No sites in this area of the Township are designated for Round Four Prospective Share Compliance.
- The remainder of the Township is designated Highlands Preservation Area and Highlands Planning Area.
- The Preservation Area portions of the municipality no longer have a SDRP designation – these areas are just Highlands Planning Area. – No sites in the Preservation Area are designated for Round Four Prospective Share Compliance.
- The Highlands Planning Area portion of Independence Township is designated PA4-B and PA5, all of it being “Environmentally Sensitive”, which is consistent with the Highlands Planning Area designation.

IN the Rural / Environmentally Sensitive Planning Area, the SDRP policy goals are to retain large contiguous areas of economically viable agriculture (preserve agriculture as an industry), and to protect environmentally sensitive areas from degradation due to development of these areas, or the effects of development adjacent to environmentally sensitive areas.

Block 17, Lot 28, South Side of Water Street & Route 46 is 51-acres. Independence Township will rezone twenty two (22) acres for durational adjustment inclusionary development at 6 du/ac with a twenty (20%) percent set-aside to address twenty six (26) units of the Township's forty four (44) unit Round Four Prospective Share obligation. This site is essentially free of environmental constraints and includes forested and farmland areas. The area to be rezoned is oriented along Route 46 and includes forested lands and a portion of a field that is currently farmed; however, the majority of actively farmed land on Lot 28 is not included in the area to be rezoned. In addition, the proposed density of development is sufficient to allow for the avoidance of development of the farmlands in the portion of Lot 28 to be rezoned, particularly under either townhouse or multi-family apartment development.

To the extent achievable, Independence Township has selected a site that is least disruptive to SDRP policy objectives, while at the same time, identifying an available, developable and suitable site to respond to the municipal affordable housing responsibility. The selection of Route 46 provides approximately the best accessibility for new residents to commercial and employment centers to the east, including Hackettstown and the northeast region.

APPENDIX A – HOUSING ELEMENT PLAN

The remaining section of this Housing Plan addresses the statutory requirements for essential elements of a Housing Plan in accordance with the 2024 FHA Amendments.

Inventory of Municipal Housing Conditions

The primary source of information for the inventory of the Township's housing stock is the 2023 American Community Survey (ACS) 5-year estimates, which the Census now utilizes for demographic and housing data reporting.

According to the 2023 Census, the Township had 2,488 housing units, of which 2,404 (97%) were occupied. Table A1 below identifies the units in a structure by tenure; as used throughout this Plan Element, "tenure" refers to whether a unit is owner-occupied or renter-occupied. While the Township largely consisted of one-family, detached dwellings (54% of the total, compared to 68% in the County), there were 1,126 units in attached or multi-family structures. The Township had a relatively low percentage of renter-occupied units, 19%, compared to 26% in Warren County and 36% in the State. The Township's housing stock indicates a stable residential community with limited rental options.

Table A1: Units in Structure by Tenure

Units in Structure	Total Units	Vacant Units	Occupied Units		
			Total	Owner	Renter
1, detached	1,362	84	1,278	1,239	39
1, attached	602	0	602	501	101
2	19	0	19	0	19
3 or 4	67	0	67	0	67
5+	438	0	438	203	235
Other	0	0	0	0	0
Mobile Home	0	0	0	0	0
Total	2,488	84	2,404	1,943	461

Source: 2023 ACS 5-year estimates B25032 and B25024

Table A2 below indicates the year housing units were built by tenure, while Table A3 below compares the Township to Warren County and the State. The distribution of housing units by year built highlights a mix of older and newer structures, with the majority of homes constructed in the 1980s and 1990s. The largest share of housing was built between 1990 and 1999, comprising 39% (964 units) of the total, followed by 1890s at 18% (443 units). Rental units are concentrated in the 1990s (159 units) and those from the 1970s (129 units). Older housing stock suggests potential concerns for maintenance and modernization, particularly for renter-occupied units. The presence of older housing stock is one of the factors that correlates highly with filtering. Filtering is a

downward adjustment of housing needs that recognizes that the housing requirements of lower-income groups can be served by supply additions to the higher-income sections of the housing market.

Table A2: Year Structure Built by Tenure

Year Built	Total Units	% of Total	Vacant Units	Occupied Units		
				Total	Owner	Renter
2020 or later	0	0.0%	0	0	0	0
2010 - 2019	0	0.0%	0	0	0	0
2000 – 2009	90	3.6%	0	90	90	0
1990 – 1999	964	38.7%	0	964	805	159
1980 – 1989	443	17.8%	0	443	353	90
1970 – 1979	274	11.0%	0	274	145	129
1960 – 1969	145	5.8%	0	145	80	65
1950 - 1959	199	8.0%	0	199	199	0
1940 – 1949	18	0.7%	0	18	0	18
Pre-1940	355	14.3%	84	271	271	0
Total	2,488		84	2,404	1,943	461

Source: 2023 ACS 5-year estimates DP-04 and B25036

Table A3 compares the year of construction for all dwelling units in the Township to Warren County and the State. Independence had a larger percentage of units built between 1980 and 1999 than did the County or State and a smaller percentage of units built before and after that time.

Table A3: Comparison of Year of Construction for Township, County, and State

Year Built	%		
	Independence Township	Warren County	New Jersey
2020 or later	0.0%	0.3%	2%
2010 - 2019	0.0%	3.1%	6%
2000 – 2009	3.6%	11.1%	9%
1990 – 1999	38.7%	12.8%	8%
1980 – 1989	17.8%	12.2%	12%
1970 – 1979	11.0%	13.5%	12%
1960 – 1969	5.8%	9.6%	13%
1950 - 1959	8.0%	9.4%	13%
1940 – 1949	0.7%	5.4%	6%
Pre-1940	14.3%	22.6%	18%
Median Year	1987	1972	1970

Source: 2023 ACS 5-year estimates B25034 and B25035

The 2023 ACS documented household size in occupied housing units by tenure, and the number of bedrooms per unit by tenure; these data are reported in Tables A4 and A5, respectively. Table A4 indicates that renter-occupied units are mostly (55%) one (1) person households, with 25% of owner-occupied units having one (1) person.

Table A4: Household Size in Occupied Housing Units by Tenure

Household Size	Total Units	Owner-occupied Units	Renter-occupied Units
1 person	747	495	252
2 persons	861	777	84
3 persons	430	365	65
4 persons	216	195	21
5 persons	98	59	39
6 persons	30	30	0
7+ persons	22	22	0
Total	2,404	1,943	461

Source: 2023 ACS 5-year estimates B25009

The distribution of housing units by bedroom count indicates that the majority of homes in the area are larger, family-sized units, with two-bedroom and four-bedroom homes making up the bulk of the housing stock. Two (2) bedroom units are the most common, comprising 35.5% (882 units) of the total, followed by three (3) bedroom units at 25.1% (543 units). Meanwhile, smaller units are relatively limited, with no-bedroom homes accounting for only 2% (49 units) and one (1) bedroom units at 14.3% (357 units).

Regarding tenure, homeownership is the dominant form of occupancy, particularly among two-through four-bedroom homes. Two (2) bedroom units have 612 owner-occupied homes versus only 205 renter-occupied homes, while four (4) and five (5) bedroom units are entirely owner-occupied. In contrast, rental housing is more concentrated among smaller units, with one-bedroom (198 renter-occupied) and two-bedroom (205 renter-occupied) homes making up most of the rental stock.

Table A5: Number of Bedrooms per Unit by Tenure

Number of Bedrooms	Total Units	(%)	Occupied Units		
			Total	Owner	Renter
No bedroom	49	2.0%	49	30	19
1 bedroom	357	14.3%	338	140	198
2 bedrooms	882	35.5%	817	612	205
3 bedrooms	624	25.1%	624	585	39
4 bedrooms	543	21.8%	543	543	0
5+ bedrooms	33	1.3%	33	33	0

Source: 2023 ACS 5-year estimates DP-04 and B25042

Table A6 below compares the Township's average household size for all occupied units, owner-occupied units, and renter-occupied units in 2023 to those of the County and State. The Township's average household size for all units was lower than the State and County. Independence Township has smaller household sizes (2.27 overall) compared to Warren County (2.41) and New Jersey (2.58).

Table A6: Average Household Size for Occupied Units for Township, County, and State

Jurisdiction	All Occupied Units	Owner-occupied units	Renter-occupied units
Independence Township	2.27	2.36	1.91
Warren County	2.41	2.54	2.03
New Jersey	2.58	2.72	2.32

Source: 2023 ACS 5-year estimates B25010

The distribution of number of bedrooms per unit is shown in Table A7 below. The Township had fewer units with no or four (0) bedroom units and a higher percentage of two (2) or three (3) bedroom units than the State but comparable to the County.

Table A7: Percentage of All Units by Number of Bedrooms

Jurisdiction	None or one	Two or Three	Four or More
Independence Township	16%	61%	23%
Warren County	14%	59%	28%
New Jersey	18%	57%	26%

Source: 2023 ACS 5-year estimates DP-04

In addition to data concerning occupancy characteristics, the 2023 Census includes a number of indicators, or surrogates, which relate to the condition of the housing stock. These indicators are used in calculating a municipality's deteriorated units and indigenous need. The surrogates used to identify housing quality, in addition to age (Pre-1940 units in Table A2 above), are the following:

Persons per Room	1.01 or more persons per room is an index of overcrowding.
Plumbing Facilities	Inadequate plumbing is indicated by either a lack of exclusive use of plumbing or incomplete plumbing facilities.
Kitchen Facilities	Inadequate kitchen facilities are indicated by shared use of a kitchen or the non-presence of a sink with piped water, a stove, or a refrigerator.

Table A8 below compares the Township, County, and State for some of the above indicators of housing quality. The Township has no units that have inadequate plumbing or kitchen facilities and few units that are considered overcrowded. These indicators suggest relatively high housing quality in the Township.

Table A8: Housing Quality for Township, County, and State

Condition	%		
	Independence Township	Warren County	New Jersey
Overcrowding	1.7%	1.2%	4%
Lacking Complete plumbing Facilities	0%	0.1%	.3%
Lacking Complete Kitchen Facilities	0%	0.5%	.8%

Source: 2023 ACS 5-year estimates DP-04

The last factors used to describe the municipal housing stock are the assessed housing values and gross rents for residential units. Most homes fall within the \$300,000–\$499,999 range, with a median home value of \$350,400. High home values reflect a stable housing market but may present affordability barriers for lower-income residents. Future housing initiatives may consider affordable housing expansion.

Table A9: Value of Residential Units

Value	Number	%
Less than \$50,000	36	1.9%
\$50,000 to \$99,999	0	0.0%
\$100,000 to \$149,999	44	2.3%
\$150,000 to \$199,999	95	4.9%
\$200,000 to \$299,999	566	29.1%
\$300,000 to \$499,999	887	45.7%
\$500,000 to \$999,999	315	16.2%
\$1,000,000 or more	0	0.0%
Median (dollars)	\$350,400	

Source: 2023 ACS 5-year estimates DP-04

The majority of rental units exceed \$1,000 per month with the median rent at \$1,596. Rental affordability is a concern, as high rents may exclude lower-income households. Increasing affordable rental units could address housing accessibility challenges.

Table A10: Gross Rents for Specified Renter-Occupied Housing Units

Contract Monthly Rent	Number	%
Less than \$500	0	0.0%
\$500 to \$999	0	0.0%
\$1,000 to \$1,499	209	45.3%
\$1,500 to \$1,999	112	24.3%
\$2,000 to \$2,499	101	21.9%
\$2,500 to \$2,999	39	8.5%
\$3,000 or more	0	0.0%
Median (contract rent)	\$1,596	

Source: 2023 ACS 5-year estimates DP-04

The data in Table A11 below indicate that in 2023 there were 224 households earning less than \$35,000 annually. Many households earning under \$75,000 experience housing cost burdens, spending more than thirty (30%) percent of their income on housing. A figure of thirty (30%) percent is considered the limit of affordability for housing costs.

Table A11: Household Expense in 2023 by as a Percentage of Household Income in 2023

Income	Number of Households	Less than 30%	More than 30%
< \$20,000	51	0	51
\$20,000 – 34,999	173	0	173
\$35,000 - \$49,999	280	26	254
\$50,000 - \$74,999	429	223	206
\$75,000 +	1,471	1,293	178

Note: ¹The universe for this Table is specified occupied housing units.

Source: 2023 ACS 5-year estimates S2503

Tables A12 and A13 below show the production and demolition of housing units in the Township. The data on housing units authorized for new construction and demolished from 2013 to 2024 highlights a modest rate of residential development with an exclusive focus on single-family housing. Over this period, a total of one hundred and thirty eight (138) new housing units were authorized, however most of those occurred in 2022 with the construction of a multifamily development. Annual approvals outside of that year fluctuated between 1 and 4 units per year. All but one of these units fell under the one (1) & two (2) family category, with only a multi-family unit approved in 2023.

At the same time, fourteen (14) housing units were demolished between 2013 and 2023, with activity concentrated between 2016 and 2019. The highest number of demolitions occurred in 2016 (six (6) units), followed by smaller annual reductions. While demolitions have slowed in recent years, the overall net housing gain is relatively high due to the construction of the multi-family development.

Table A12: Housing Units Authorized by Building Permits for New Construction 2013-2024

Year	Total	1&2 family	Multifamily	Mixed use
2013	2	2	0	0
2014	4	4	0	0
2015	3	3	0	0
2016	4	4	0	0
2017	2	2	0	0
2018	2	2	0	0
2019	1	1	0	0
2020	3	3	0	0
2021	2	2	0	0
2022	114	5	109	0
2023	1	1	0	0

Source: New Jersey Department of Community Affairs, Development Trend Viewer

Table A13: Housing Units Demolished 2013-2024

Year	Total	1&2 family	Multifamily	Mixed use
2013	0	0	0	0
2014	0	0	0	0
2015	0	0	0	0
2016	6	6	0	0
2017	3	3	0	0
2018	0	0	0	0
2019	3	3	0	0
2020	1	1	0	0
2021	0	0	0	0
2022	1	1	0	0
2023	0	0	0	0

Source: New Jersey Department of Community Affairs, Development Trend Viewer

Table A14 shows certificates of occupancy in square feet for non-residential uses between 2013 and 2023. The data on non-residential space receiving Certificates of Occupancy (CO) from 2013 to 2023 shows fluctuating levels of commercial and industrial development, with notable peaks and declines. The highest volume of new non-residential space was recorded in 2022, with 135.1 thousand square feet, followed by 2014 (11.2 thousand square feet). Other years, such as 2013 (3 thousand square feet), 2015 (3.4 thousand square feet), and 2020 (3.7 thousand square feet), also saw moderate development activity. However, in 2019, no new non-residential space was recorded.

Table A14: Square Feet of Non-residential Space CO

Year	Total (thousands)
2013	3.0
2014	11.2
2015	3.4
2016	6.9
2017	9.9
2018	4.6
2019	0
2020	3.7
2021	4.5
2022	135.1
2023	3.6

New Jersey Department of Community Affairs, CO Yearly Summary
<https://www.nj.gov/dca/codes/reporter/co.shtml>

Analysis of Demographic Characteristics

As with the inventory of the municipal housing stock, the primary source of information for the analysis of the demographic characteristics of the Township's residents is the 2023 U.S. Census. The Census data provide a wealth of information concerning the characteristics of the Township's population in 2023.

The 2020 Decennial Census indicates that the Township had 5,469 residents, or 134 fewer residents than in 2000, representing a population decrease of approximately 2%. The Township's 2% decrease from the 2000's compares to a 7% increase in Warren County and 10% in New Jersey.

The age distribution of the Township's residents is shown in Table A15 below. The Township, similar to most areas in the State and Country, has an aging population, with a higher percentage of residents over 45 compared to county and state averages.

Table A15: Population by Age

Age	% Persons
Under 5 years	5.1%
5 to 9 years	3.5%
10 to 14 years	4.0%
15 to 19 years	4.9%
20 to 24 years	6.1%
25 to 34 years	15.6%
35 to 44 years	9.0%
45 to 54 years	15.4%
55 to 59 years	8.3%
60 to 64 years	7.0%
65 to 74 years	14.5%
75 to 84 years	3.9%
85 years and over	2.6%
Median Age	47.5

Source: 2023 DP-05 ACS 5-year Estimates

Table A16 below compares the Township to the County and State by age categories. The principal differences among the Township, County, and State occur in the 65-74 age category, where the Township had a larger proportion than the County and State. The Township generally had more persons in the 45 and older age categories than the County and State.

Table A16: Comparison of Age Distribution for Township, County, and State (% of persons)

Age	Independence Township	Warren County	New Jersey
Under 5 years	5.1%	4.6%	5.6%
5 to 9 years	3.5%	4.8%	5.8%
10 to 14 years	4.0%	6.2%	6.3%
15 to 19 years	4.9%	6.1%	6.3%
20 to 24 years	6.1%	5.7%	5.9%
25 to 34 years	15.6%	11.5%	12.7%
35 to 44 years	9.0%	12.1%	13.3%
45 to 54 years	15.4%	13.6%	12.8%
55 to 59 years	8.3%	8.0%	6.6%
60 to 64 years	7.0%	8.4%	6.8%
65 to 74 years	14.5%	11.3%	10.3%
75 to 84 years	3.9%	5.5%	5.5%
85 years and over	2.6%	2.2%	1.9%
Median	47.5	43.9	40.4

Source: 2023 DP-05 5-year estimates

Table A17 below provides Census data on household size for the Township, while Table A18 below compares household sizes in the Township to those in Warren County and the State. The Township has more households with one (1) to three (3) persons than the County or State and fewer four (4) person households.

Table A17: Persons in Household

Household Size	%
1 person	31.1%
2 persons	35.8%
3 persons	17.9%
4 or more persons	15.2%
Average Household Size	2.27

Source: 2023 ACS 5-year Estimates U.S. Census, S2501.

Table A18: Comparison of Persons in Household for Township, County, and State (% of households)

Household Size	Township	County	State
1 person	31.1%	28.6%	26.2%
2 persons	35.8%	33.9%	31.7%
3 persons	17.9%	16.0%	17.0%
4+ persons	15.2%	21.5%	25.0%
Average household Size	2.27	2.41	2.58

Source: 2023 ACS5-year estimate S2501 and S1101

Table A19 below presents a detailed breakdown of the Township's sixty five (65) and older population by household type and relationship. Family households dominate, but non-family households account for a substantial portion (30%). Planning should include housing that accommodates both family and non-family households, ensuring senior housing options as demand increases.

Table A19: Persons 65+ by Household Type and Relationship

	Persons
In households:	1,151
In family households:	805
Householder:	366
Male	189
Female	177
Spouse	352
Parent	19
Parent-in-law	34
Other relatives	34
Nonrelatives	0
In nonfamily households:	346
Householder:	335
Male:	153
Living alone	141
Not living alone	12
Female:	182
Living alone	182
Not living alone	0
Nonrelatives	11
In Group Quarters	2

Source: 2023 ACS B09020 5-year estimate.

Table A20 below provides 2023 income data for the Township, County and State. The Township's per capita and household incomes were higher than the County and State. Higher incomes suggest economic stability.

Table A20: 2023 Income for Township, County, and State

Jurisdiction	Per Capita Income	Median Income	
		Households	Families
Independence Township	\$57,117	\$101,282	\$109,954
Warren County	\$48,232	\$99,596	\$118,994
New Jersey	\$53,118	\$99,781	\$121,944

Source: 2023 U.S. Census ACS 5 Year Estimates B19301 and S1901,

Table A21 below addresses the lower end of the income spectrum, providing data on poverty levels for persons and families in 2023. According to the data in Table A21 below, the Township had proportionately fewer persons qualifying for poverty status than the State and the County.

**Table A21: Poverty Status for Persons and Families for Township, County, and State
(% with 2023 income below poverty)**

Jurisdiction	Persons (%)	Families (%)
Independence Township	3.5%	2.5%
Warren County	8.1%	5.6%
New Jersey	9.8%	7%

Source: 2023 ACS 5-year estimates S1701 and S1702

The U.S. Census includes a vast array of additional demographic data that provide insights into an area's population. For example, Table A22 below provides a comparison of the median year households moved into their current residences. This is a surrogate measure of the mobility/stability of a population. A higher percentage of renters have resided in the same home longer compared to county and state averages.

Table A22: Comparison of Median Year Householder Moved Into Unit for Township, County, and State

Jurisdiction	Owner Occupied	Renter Occupied
Independence Township	2008	2016
Warren County	2006	2017
New Jersey	2010	2019

Source: 2023 ACS 5-year estimates B25039

Table A23 below compares the educational attainment for Township, County, and State residents over age 25. The data indicate that more Township residents achieved a high school diploma or bachelor's than the State and County.

**Table A23: Educational Attainment for Township, County, and State Residents
(Persons 25 years and over)**

Jurisdiction	Percent (%) high school graduates or higher	Percent (%) with bachelor's degree or higher
Independence Township	95.6%	43.2%
Warren County	94%	36.4%
New Jersey	90.7%	42.9%

Source: 2023 ACS 5-year estimates DP02

The 2023 Census also provides data on the means of transportation that people use to reach their place of work. Table A24 below compares the Census data for the Township, County, and State relative to driving alone, carpooling, using public transit and using other means of transportation. The Township had a relatively high percentage (%) of those who drive alone and a relatively low percentage (%) of workers who carpool or use public transit.

Table A24: Means of Transportation to Work for Township, County and State Residents (Workers 16 years old and over)

	Independence Township	Warren County	New Jersey
Car, truck, or van -- drove alone	83.3%	77.0%	63.7%
Car, truck, or van -- carpooled	5.2%	6.6%	7.7%
Public transportation (excluding taxicab)	0.0%	1.3%	8.5%
Walked	0.0%	2.2%	2.6%
Other means	0.8%	1.4%	2.4%
Worked from home	10.7%	11.5%	15.0%

Source: 2023 ACS 5-year estimates DP-03

The employment distribution in Table A25 below reveals key insights into the local workforce composition. The Educational Services, Health Care, and Social Assistance sector dominates employment, accounting for (25.4%) of the workforce. Following this, the Professional, Scientific, Management, and Administrative Services sector employs 17.2%, highlighting the area's demand for skilled professionals and business services. Retail Trade (10.0%) and Manufacturing (8.9%) also contribute significantly, supporting both consumer needs and industrial production. The Construction industry represents (7.6%), suggesting ongoing development and infrastructure

projects. Sectors such as Agriculture, Forestry, Fishing, and Hunting (1.5%) and Information (1.7%) employ relatively fewer individuals, indicating they are not dominant industries in the region. Public Administration, at (3.9%), suggests a moderate government workforce presence. Overall, the employment landscape reflects a service-driven economy with a strong emphasis on education, healthcare, and professional services, while industries such as manufacturing, construction, and retail continue to provide substantial employment opportunities.

Table A25: Employment by Industry

Industry	Persons	%
Civilian employed population 16 years and over	2,843	
Agriculture, forestry, fishing and hunting, and mining	42	1.5%
Construction	217	7.6%
Manufacturing	253	8.9%
Wholesale trade	102	3.6%
Retail trade	285	10.0%
Transportation and warehousing, and utilities	133	4.7%
Information	48	1.7%
Finance and insurance, and real estate and rental and leasing	89	3.1%
Professional, scientific, and management, and administrative and waste management services	488	17.2%
Educational services, and health care and social assistance	722	25.4%
Arts, entertainment, and recreation, and accommodation and food services	194	6.8%
Other services, except public administration	159	5.6%
Public administration	111	3.9%

Source: 2023 ACS 5-year estimates DP-03

The employment rate, according to the 2023 census shows that the Township had fewer people employed and in the labor force than the County or State and less unemployment.

Table A26: Labor Force and Employment (%)

Jurisdiction	Percent in Labor Force	Employed	Unemployed
Independence Township	63%	60.3%	2.7%
Warren County	66.6%	62.8%	3.7%
New Jersey	66.2%	62.1%	4.1%

Source: 2023 ACS 5-year estimates DP-03

The forecast for employment and population growth from 2015 to 2050 suggests modest but steady expansion over the coming decades. The population is projected to grow from 5,543 in 2015 to 5,859 by 2050, reflecting an annualized growth rate of 0.2%. Meanwhile, employment is expected to rise from 767 jobs in 2015 to 868 by 2050, with a slightly higher annualized growth rate of 0.4%.

While both population and employment are anticipated to grow, the slower rate of population growth compared to employment could indicate a shift in economic opportunities or workforce participation trends. The increase in jobs suggests a potential expansion of business activity, though whether these jobs align with local skills and industries will impact economic stability.

Table A27: Forecast for Employment and Population

	2015	2050	Annualized % Change 2015-2045
Population	5,543	5,859	.2%
Employment	767	868	.4%

Source: NJTPA Municipal Forecasts 2015-2050 Appendix E

Overall, the forecast reflects a stable, slow-growing community with a slightly stronger employment expansion relative to population growth.

APPENDIX B – REDEVELOPMENT INVESTIGATION SITES (aerial photos)

