

**RESOLUTION 2025-03**

**RESOLUTION ADOPTING THE  
2025 FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN  
TOWNSHIP OF WASHINGTON, WARREN COUNTY, NEW JERSEY**

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301 et al.); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

**WHEREAS**, the Township of Washington (the "Township") adopted a binding resolution on January 15, 2025 identifying its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, the Township filed a Declaratory Judgement on January 17, 2025 identifying its present and prospective fair share obligation for the Fourth Round and committing to adopting and submitting a fourth round housing element and fair share plan as required by the FHA; and

**WHEREAS**, the FHA now requires, among other actions, that municipalities submit an adopted housing element in fair share plan on or before June 30, 2025;

**WHEREAS**, on May 14, 2025, the Hon. William G. Mennan, J.S.C. issued an order finding in favor of the Borough's identified affordable housing obligation and authorizing the Borough to proceed with preparation and adoption of a fourth round housing plan by July 1, 2025;

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Land Use Board of the Township of Washington (the "Board") held a public hearing on the 2025 Fourth Round Housing Plan Element and Fair Share Plan on June 4, 2025 during which the document was presented to the public and Board, and opportunity for comments and questions were provided; and

**WHEREAS**, upon the conclusion of the public hearing, the Board determined that the proposed 2025 Fourth Round Housing Plan Element and Fair Share Plan is consistent with the goals and objectives of the Master Plan of the Township of Washington, will guide the use of lands in the

municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28, and is designed to access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310;

**NOW THEREFORE BE IT RESOLVED**, by motion duly made and seconded, that the Land Use Board of the Township of Washington, Warren County, State of New Jersey, hereby adopts the 2025 Fourth Round Housing Plan Element and Fair Share Plan.

Adoption: Motion by Fiore: Seconded by: Cote  
Ayes: Fiore, Cote, Smith, Foley, Vander Horn, Tiger, Artigliere, Pantuso  
Nays: None  
Absent: None

I hereby certify that this is a true copy of the resolution adopting the 2025 Fourth Round Housing Plan Element and Fair Share Plan of the Township of Washington, Warren County, State of New Jersey on June 4, 2025.

  
\_\_\_\_\_  
Eileen Parks, Land Use Board Secretary

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

Washington Township  
Warren County, New Jersey

May 2025

Adopted by the Land Use Board on June 4, 2025

Prepared By:



**Heyer, Gruel & Associates**  
Community Planning Consultants  
236 Broad Street, Red Bank, NJ 07701  
(732) 741-2900

## FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN

Washington Township  
Warren County, New Jersey

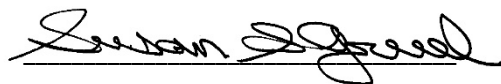
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The original of this report was signed and  
sealed in accordance with N.J.S.A. 45:14A-12



Susan Gruel, P.P. #1955

*With contributing content by Hanah Davenport, AICP Candidate*

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**EXECUTIVE SUMMARY**

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

Washington Township is an 18.05 square mile community located in northwest New Jersey, within the southern portion of Warren County that abuts the neighboring County of Hunterdon. The Township shares municipal boundaries with Mansfield Township to the northeast, Oxford Township to the north, White Township to the northwest, Franklin Township to the southwest, Bethlehem Township and Hampton Borough to the south, and Lebanon Township to the southeast. Primary County and State routes, including NJ Route 57, NJ Route 31, and Warren County Route 632, run through the Township. The Township can be characterized as a rural municipality.

Washington Township is located in the Highlands Region, which is an environmentally rich area that provides approximately 70% of the State's potable drinking water. More specifically, 31.1% of the Township's land falls within the Highlands Preservation Area while the remaining 68.9% falls within the Highlands Planning Area. On a more in depth-scale the Township falls within six out of seven of the Highlands Land Use Capability Zones, primarily within the Protection Zone (32.4% of Township land), Conservation Environmentally Constrained Subzone (29.0% of Township land), and Existing Community Zone (19.9% of Township land). The remainder of the Township's land area is split between the Conservation Zone, Existing Community Environmentally Constrained Subzone, and Wildlife Management Area.

According to the 2020 Census, Washington Township's population was 6,492, which represents a decrease of 2.4% from 2010. In 2020, the Township's median age was 47.5 years, representing a 12.6% increase from the median age of 42.2 years in 2010. The Township's average household size in 2020 was 2.55 persons, which was slightly higher than the average at the County level (2.41 persons).

The housing stock of the Township is predominantly (86.4%) single-family detached dwelling units. Approximately 57% of the housing stock was built prior to 1970, making over half of the Township's housing 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 2025 Regional Income Limits (released by New Jersey Housing and Mortgage Finance Agency on May 16, 2025), the median income in Region 2 for a four-person household is \$135,300, the moderate-income is \$108,240, the low-income is \$67,650, and the very-low-income level is \$40,590.

Affordable housing obligations in New Jersey are divided into "housing rounds," as will be discussed in detail later in this Plan. Each municipality in New Jersey has a constitutional obligation to provide their fair share of the calculated regional need for affordable housing within the respective housing round. These

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

The Township of Washington has participated in each of the three housing rounds. In the Third Round, the Borough entered into a Settlement Agreement with the Fair Share Housing Center to establish its Third Round affordable housing obligation. The subsequent compliance efforts were approved by the Court at a joint Fairness and Compliance Hearing heard by the Honorable Judge William G. Mennen on May 14, 2025. It was determined by the Court that the Plan is fair and reasonable and adequately protects the interests of low- and moderate-income households, and that the Township satisfied its Prior and 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: 31 units

Prospective Need: 152 units

Washington Township adopted the Highlands Conformance Ordinance (Ordinance #2025-09) on May 21, 2025 for its lands within both the Preservation and Planning Area, making it a fully conforming municipality (see Appendix R). As a fully conforming municipality, Washington Township utilized the Highlands Build Out Update and Build Out Portal to calculate its realistic development potential (“RDP”). As such, the Township’s Prospective Need is separated into a RDP of 25 units and an unmet need of 127 units. This analysis is discussed in further detail in the “Highlands Build Out Update” section of this Plan.

The Township will address its Fourth Round obligation through the following mechanisms:

- Existing Credits
- New Inclusionary Development – Woodmont Properties Development
- Mandatory Set-Aside Ordinance
- Development Fee Ordinance
- Continuation of Warren County Housing Rehabilitation Program



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## INTRODUCTION

The need to provide a realistic opportunity for the construction of affordable housing in New Jersey, the country's most densely populated state, has been recognized for decades. In the case of Southern Burlington County NAACP v. the Township of Mount Laurel 67 N.J. 151 (1975) (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities 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 acted to address 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 municipal compliance. A Judgment of Repose protected 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 builder's remedies. A decision by Judge Serpentelli, one of three judges appointed by Chief Justice Wilentz to implement Mount Laurel II, increased the need for a legislative cure. More specifically, in 1984, Judge Serpentelli issued the "AMG decision" (AMG Realty Co. v. Warren Twp), which established a formula for any developer to determine the fair share obligation of any municipality.

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

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

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## 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 the Second Round, it made the First and Second Round obligations cumulative for both periods.

## THIRD ROUND

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

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

On October 8, 2010, in response to numerous legal challenges to the second iteration of COAH’s Third Round regulations, the Appellate 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 ones it had used in the First and Second Rounds. However, when COAH met to consider adopting these rules on October 20, 2014, it 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 defensible rules for the Third Round. This decision changed the landscape by which municipalities are required to comply with their constitutional obligation to provide their fair share of affordable housing. The Supreme Court held that since COAH was no longer functioning, trial courts were to resume their role as the forum of first instance for evaluating municipal compliance with Mount Laurel

obligations, 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 need having accrued during the Gap Period (1999-2015) was part of the Present Need rather than the Prospective Need. The Supreme Court held that there is an obligation with respect to 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 wherein they negotiated their obligations for the Third Round.

Municipal obligations were therefore broken down in Round Three Housing Element and Fair Share Plans as Present Need/Rehabilitation, Prior Round (1987-1999), and Third Round and Gap Period (1999-2015). Municipalities that received their Final 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 amends the FHA, overhauled the process that municipalities undertake to establish and plan for their constitutionally mandated affordable housing obligation. Most notably, this legislation formally abolished COAH while transferring its functions to the New Jersey Department of Community Affairs (DCA) and Housing Mortgage and Finance Agency (HMFA). As a result, the legislation codified the method for calculating regional and municipal affordable housing needs and returned most of the process from the Courts to state administrative departments.

The amended FHA called on the DCA to issue a non-binding report on the new Present Need Obligation (commonly referred to as the rehab obligation) and the Prospective Need for the Fourth Round (2025-2035) and subsequent rounds. The amended FHA requires the DCA to base its analysis of the obligations for each municipality based upon the standards set forth in the amended FHA. Accordingly, on October 18, 2024 the DCA released a report outlining the Fourth Round 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. Further, 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.

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

The amended FHA gives municipalities until June 30, 2025, to file a Housing Element and Fair Share Plan and related documents showing how the municipality will comply with its obligations. The Fourth Round Plans will follow the same general format as plans from previous rounds, 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).

### **WASHINGTON TOWNSHIP'S HISTORY OF AFFORDABLE HOUSING**

Washington Township has a long history of compliance with COAH's regulations. The Township received First Round certification on May 1, 1991. Subsequently, the Township petitioned COAH for Second Round Certification on May 1, 1997, and received substantive certification on December 1, 1999. The Township's Second Round Certification expired on December 1, 2005.

The Township also participated in the Third Round Certification process. The Township Land Use Board adopted a Third Round Housing Element and Fair Share Plan on November 9, 2005. Washington Township

then petitioned COAH on June 7, 2010, but did not receive Third Round Certification as the Third Round Rules were invalidated by the Court.

In response to Mount Laurel IV, the Township filed its complaint for a Declaratory Judgement on July 8, 2015 (Docket No. WRN-L-244-15). A settlement agreement with the Fair Share Housing Center ("FSHC") was executed on May 7, 2019 ("Settlement Agreement") (see Appendix A).

The Honorable Thomas C. Miller, P.J.S.C. conducted a Fairness and Preliminary Compliance Hearing on June 18, 2019, at which time the Court approved the Settlement Agreement between the Township and FSHC and deemed the agreement fair and reasonable and that it adequately protects the interest of low- and moderate-income households. The Township initially had a Compliance Hearing scheduled for March 14, 2022, but the Township requested that it be converted to a Case Management Conference to be held on the same date. This request was approved, and a Case Management Order was issued by the Honorable Thomas C. Miller, P.J.S.C. on March 14, 2022.

On March 15, 2023, an amended Settlement Agreement between the Township and FSHC was executed. This amendment was necessitated by the removal of a proposed inclusionary zone on Township property Block 71, Lot 5 that had been approved as a mechanism in the May 7, 2019 Settlement Agreement (see Appendix B). It was subsequently found that this particular property was subject to New Jersey Department of Environmental Protection constraints prohibiting the extension of public sewers and, therefore, did not provide a realistic opportunity to meet the Township's obligation.

The Washington Township Land Use Board adopted the Township's Third Round Housing Element/Fair Share Plan and Spending Plan at its meeting on February 5, 2025 via Resolution #2025-01 (see Appendix C). The HEFSP was subsequently endorsed by the Township Committee via Resolution #2025-74 at its February 19, 2025 meeting (see Appendix D). The Township came before the Court on May 14, 2025 for a Fairness and Compliance Hearing for its Prior Round and Third Round Plan, heard by the Honorable Judge William G. Mennen. It was determined by the Court that the plan (a) is fair and reasonable and adequately protects the interests of low- and moderate-income households, and (b) demonstrates compliance with the amended 2023 settlement agreement with Fair Share Housing Center. This determination granted the Township immunity from builder's remedy actions through the end of the Third Round, July 1, 2025.

On January 15, 2025, in accordance with the standards established by the amended FHA and described above, the Township adopted Resolution #2025-70 (see Appendix E). This resolution established a Fourth Round (a) Present Need obligation of 31 units as calculated by the Department of Community Affairs ("DCA") and (b) a recalculated Prospective Need of 94 units. This adopted Prospective Need represented a reduction from the DCA's calculated obligation of 181. Further, on January 17, 2025, in accordance with the standards established by the amended FHA and described above, the Township filed a Complaint (Docket No. WRN-L-000028-25) seeking the entry of a declaratory judgment (see Appendix F).

In response to the Township's adopted numbers, both the Fair Share Housing Center ("FSHC") and the New Jersey Builder's Association ("NJBA") filed challenges through the Affordable Housing Program contesting the reduced Prospective Need calculation. On March 18, 2025, the Township and FSHC convened for a settlement conference under the facilitation of the Program. Based on the agreements reached during this conference, the Program subsequently issued a Settlement Recommendation dated April 8, 2025 establishing a Present Need of 31 units and Prospective Need of 152 units (see Appendix G). Further information on this can be found in the "Round 4 Obligation (2025-2035)" subsection of the Fair Share Plan portion of this Plan.

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

### 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 that occurred in Washington Township, Warren County, and the State of New Jersey in the 93-year period between 1930 and 2023. In 2023, there were 6,597 residents in Washington Township, which indicates an increase of 105 people (1.6%) from 2020. Overall, Washington Township has experienced steady growth over the past 93 years, with one minor decrease of 2.4% between 2010 and 2020. The Township has seen a growth of 5,590 residents during this time frame, reflecting a 555.1% increase in its population. Proportionally speaking, the Township's most significant period of growth occurred in the decade between 1950 and 1960 when Washington saw a 73.1% increase in its population. These trends are reflected at the County and State level, as well, which saw a similarly significant increase in population throughout the 1950s. While population growth has been steady during this time period in Warren County and the State of New Jersey as a whole, the Township's overall growth (547.7%) has proportionally exceeded that of the County (124.9%) and State (129.2%) by nearly 4.5 times.

<b>Table 1: Population Trends, 1930-2023</b>									
<b>Washington Township, Warren County, and New Jersey</b>									
<b>Year</b>	<b>Washington Township</b>			<b>Warren County</b>			<b>New Jersey</b>		
	<b>Population</b>	<b>Change</b>		<b>Population</b>	<b>Change</b>		<b>Population</b>	<b>Change</b>	
		<b>Number</b>	<b>Percent</b>		<b>Number</b>	<b>Percent</b>		<b>Number</b>	<b>Percent</b>
<b>1930</b>	1,007	-	-	49,319	-	-	4,041,334	-	-
<b>1940</b>	1,320	313	31.1%	50,181	862	1.7%	4,160,165	118,831	2.9%
<b>1950</b>	1,765	445	33.7%	54,374	4,193	8.4%	4,835,329	675,164	16.2%
<b>1960</b>	3,055	1,290	73.1%	63,220	8,846	16.3%	6,066,782	1,231,453	25.5%
<b>1970</b>	3,585	530	17.3%	73,960	10,740	17.0%	7,171,112	1,104,330	18.2%
<b>1980</b>	4,243	658	18.4%	84,429	10,469	14.2%	7,365,011	193,899	2.7%
<b>1990</b>	5,367	1,124	26.5%	91,607	7,178	8.5%	7,730,188	365,177	5.0%
<b>2000</b>	6,248	881	16.4%	102,437	10,830	11.8%	8,414,350	684,162	8.9%
<b>2010</b>	6,651	403	6.5%	108,692	6,255	6.1%	8,791,894	377,544	4.5%
<b>2020</b>	6,492	-159	-2.4%	109,632	940	0.9%	9,288,994	497,100	5.7%
<b>2023</b>	6,597	105	1.6%	111,252	1,620	1.5%	9,267,014	-21,980	-0.2%
<b>Total Change</b>	-	<b>5,590</b>	<b>555.1%</b>	-	<b>61,933</b>	<b>125.6%</b>	-	<b>5,225,680</b>	<b>129.3%</b>

Source: 1930-2020 U.S. Decennial Census; 2023 ACS 5-Year Estimates, Table S0101

**Population Composition by Age**

The median age of the residents in Washington Township in 2020 was 47.5 years, which shows a 12.6% increase from the 2010 median age of 42.2 years. Analysis of age group characteristics provides insight into the actual changes in population. This comparison is helpful in determining the impacts these changes have on housing needs, community facilities and services for the municipality. As detailed in Table 2 below, the entire composition of Washington Township experienced notable shifts in the years between 2010 and



2020. The most significant shift occurred in the population aged 55 and over, which collectively saw a 755-person (44.1%) increase. Simultaneously, the Township experienced a significant decrease in its population under 14 years old (-52.6%) and between the ages 35 to 54 (-58.7%).

<b>Table 2: Population by Age, 2010 to 2020 Washington Township</b>						
<b>Population</b>	<b>2010</b>		<b>2020</b>		<b>Change (2010 to 2020)</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Under 5 years	350	5.3%	267	4.1%	-83	-23.7%
5 to 14	987	14.8%	702	10.8%	-285	-28.9%
15 to 24	784	11.8%	809	12.5%	25	3.2%
25 to 34	531	8.0%	624	9.6%	93	17.5%
35 to 44	968	14.6%	663	10.2%	-305	-31.5%
45 to 54	1,318	19.8%	959	14.8%	-359	-27.2%
55 to 64	850	12.8%	1,220	18.8%	370	43.5%
65 and over	863	13.0%	1,248	19.2%	385	44.6%
<b>Total population</b>	<b>6,651</b>	<b>100.00%</b>	<b>6,492</b>	<b>100.00%</b>	<b>-159</b>	<b>-2.4%</b>
<b>Median Age</b>	<b>42.2</b>	<b>-</b>	<b>47.5</b>	<b>-</b>	<b>5.3</b>	<b>12.6%</b>

Source: 2010 and 2020 U.S. Decennial Census

Warren County experienced population fluctuation as well. The County also saw the greatest shift of roughly 33% in its population aged 55 and over, which was proportionally lower than the increase experienced at the Township level. The County experienced rather significant decreases in its population aged 14 and below (-33.7%) as well as those aged 35 to 54 (-38.5%), directly mirroring shifting age trends occurring in the Township. This data is displayed in Table 3 below.

<b>Table 3: Population by Age, 2010 to 2020 Warren County</b>						
<b>Population</b>	<b>2010</b>		<b>2020</b>		<b>Change (2010 to 2020)</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Under 5 years	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%
<b>Total population</b>	<b>108,692</b>	<b>100.0%</b>	<b>109,632</b>	<b>100.0%</b>	<b>940</b>	<b>0.9%</b>
<b>Median Age</b>	<b>41.5</b>	<b>-</b>	<b>44.4</b>	<b>-</b>	<b>2.9</b>	<b>7.0%</b>

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

### 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 2,426 households in Washington Township. 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 (36.5%) and County (34.3%) levels, followed by one-person households. The average household size of the Township in 2023 was 2.55, which was higher than the County's average of 2.41.

<b>Table 4: Household Size of Occupied Housing Units, 2020 Washington Township and Warren County</b>				
	<b>Washington Township</b>		<b>Warren County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
1-person household	446	18.4%	11,741	27.7%
2-person household	885	36.5%	14,511	34.3%
3-person household	427	17.6%	7,024	16.6%
4-person household	398	16.4%	5,829	13.8%
5-person household	166	6.8%	2,583	6.1%
6-person household	73	3.0%	1,060	2.5%
7-or-more-person household	31	1.3%	579	1.4%
<b>Total Households</b>	2,426	100.0%	<b>42,327</b>	<b>100.0%</b>
<b>Average Household Size (2023)</b>	<b>2.55</b>		<b>2.41</b>	

Source: U.S. Decennial Census 2020, H9; 2023 ACS 5-Year Estimates, Table S1101

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, an estimated three-quarters (75%) of all households in the Township in 2023 were categorized as family households, with approximately 20% of the Township's family households considered as married-couple families with children.

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. "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.

In 2023, "Other Family" households accounted for 7% of all households in the Township, broken down into 4% female householders with no spouse or partner present and 3% male householders with no spouse or partner present. Approximately 25% of the Township's households were nonfamily households, with female householders living alone (9% of total households) and male householders living alone (9% of total households) collectively accounting for the majority of nonfamily households.

<b>Table 5: Household Size and Type, 2023 Washington Township</b>		
	<b>Number</b>	<b>Percent of Total Households</b>
<b>Total Households</b>	<b>2,567</b>	<b>100%</b>
<b>Family Households</b>	<b>1914</b>	<b>75%</b>
Married Couple Family	1735	68%
With Children	521	20%
Without Children	1,214	47%
Other Family	179	7%
Male Householder, No Spouse	74	3%
With Children	31	1%
Without Children	43	2%
Female Householder, No Spouse	105	4%
With Children	11	0%
Without Children	94	4%
<b>Nonfamily Household</b>	<b>653</b>	<b>25%</b>
Male Householder	237	9%
Living Alone	228	9%
Not Living Alone	9	0%
With Children	0	0%
Female Householder	416	16%
Living Alone	238	9%
Not Living Alone	178	7%
With Children	13	1%

Source: 2023 ACS 5-Year B110005 and B11010

### Income

As measured in 2023, Washington Township had a significantly higher median household income compared to Warren County and the State of New Jersey. The median income in Washington Township was \$131,250, which was roughly \$30,718 higher than that of the County and \$30,200 higher than that of the State. The per capita income in Washington Township was also higher than that of the County and State. This data is outlined in Table 6 below.

<b>Table 6: Per Capita and Household Income, 2023 Washington Township, Warren County, and New Jersey</b>		
	<b>Per Capita Income</b>	<b>Median Household Income</b>
<b>Washington Township</b>	\$58,393	\$131,250
<b>Warren County</b>	\$49,023	\$100,532
<b>New Jersey</b>	\$53,118	\$101,050

Source: 2023 ACS 5-Year Estimates, Tables S1901 and S1902

In 2023 roughly 88.8% of all households in the Township earned an income of \$50,000 or more, as compared to roughly 77.3% 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 one-quarter (25.5%) of households in Washington; this was also the case across Warren County as a whole, at a comparable percentage of 23.4%. The second largest income bracket in the Township was the \$200,000 or more range, which comprised nearly another quarter (23.8%) of households. At the County level, this same income bracket accounted for a lesser 14.7% of households. This suggests that the Township's household income distribution is slightly skewed toward these higher income brackets when compared to the County, which may at least partially help explain the stark difference between the median income reported at the Township (\$108,659) and County (\$83,497) levels.

<b>Table 7: Household Income, 2023 Washington Township and Warren County</b>				
	<b>Washington Township</b>		<b>Warren County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Less than \$10,000	46	1.8%	2,082	4.6%
\$10,000 to \$14,999	0	0.0%	453	1.0%
\$15,000 to \$24,999	36	1.4%	2,218	4.9%
\$25,000 to \$34,999	44	1.7%	2,263	5.0%
\$35,000 to \$49,999	162	6.3%	3,214	7.1%
\$50,000 to \$74,999	272	10.6%	7,604	16.8%
\$75,000 to \$99,999	344	13.4%	4,617	10.2%
\$100,000 to \$149,999	655	25.5%	10,592	23.4%
\$150,000 to \$199,999	398	15.5%	5,522	12.2%
\$200,000 or more	611	23.8%	6,654	14.7%
<b>Total Households</b>	<b>2,567</b>	<b>100.0%</b>	<b>45,263</b>	<b>100.0%</b>
<b>Median Household Income</b>	<b>\$131,250</b>		<b>\$100,532</b>	

Source: 2023 ACS 5-Year Estimates, Table S1901

### Poverty Status

Of the 6,586 people in Washington Township for which poverty status was determined, 346 (5.3%) individuals lived in poverty in 2023; this was lower than the County's poverty rate of 9.2%. Of Washington Township's population that fell below the poverty level in 2023, nearly three-quarters (77.1%) were between the ages of 18 to 64. This trend was mirrored at the County level as well, where over half (59.7%) of the population living in poverty fell within this same age range. Of the Township's population living in poverty, 17.9% were under the age of 18 and 11.0% were over the age of 65. This was slightly lower than the County's impoverished population makeup, 26.8% of which was under the age of 18 and 13.5% of which was over the age of 65. This data is presented in Table 8 below.

**Table 8: Poverty Status, 2023**  
**Washington Township and Warren County**

	Washington Township		Warren County	
	Number	Percent	Number	Percent
<b>Total persons</b>	<b>6,586</b>	<b>100.0%</b>	<b>109,775</b>	<b>100.0%</b>
Total persons below poverty level	346	5.3%	10,061	9.2%
Under 18	62	0.9%	2,696	2.5%
18 to 64	246	3.7%	6,010	5.5%
65 and over	38	0.6%	1,355	1.2%

Source: 2023 ACS 5-Year Estimates, Table S1701

### Household Costs

Tables 9 and 10 below outline the expenditures for housing as a percentage of household income for those who own and rent in Washington Township and Warren County. In 2023, a majority (85.4%) of the Township's households lived in homes they owned, which was higher than that of the County level (75.5%). General affordability standards set a limit at 30% of gross income to be allocated for owner-occupied housing costs and 28% of gross income to be allocated for renter-occupied housing costs.

Approximately 26.1% of Township households that owned the units they occupied spent 30% or more of their household income on housing, as compared to 27.9% of Township households that rented the units they occupied. At the County level, a lesser 23.2% of households occupying units they owned spent 30% or more of their income on housing costs, and a higher 43.4% of households occupying rental units spent 30% or more of the household income on housing.

**Table 9: Selected Monthly Owner Costs as a Percentage of Household Income, 2023**  
**Washington Township and Warren County**

	Washington Township		Warren County	
	Number	Percent	Number	Percent
<b>Total Owner-Occupied Housing Units</b>	<b>2,191</b>	<b>100.0%</b>	<b>34,186</b>	<b>100.0%</b>
Less than 20.0%	1,273	58.1%	17,503	51.2%
20.0 to 24.9%	241	11.0%	5,018	14.7%
25.0 to 29.9%	106	4.8%	3,704	10.8%
30.0 to 34.9%	176	8.0%	2,112	6.2%
35.0% or more	395	18.0%	5,829	17.1%
Not computed	0	0.0%	20	0.1%

Source: 2023 ACS 5-Year Estimates, Table DP04

<b>Table 10: Gross Rent as a Percentage of Household Income, 2023 Washington Township and Warren County</b>				
	<b>Washington Township</b>		<b>Warren County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total Renter-Occupied Housing Units</b>	<b>376</b>	<b>100.00%</b>	<b>11,077</b>	<b>100.00%</b>
Less than 10.0%	0	0.0%	464	4.2%
10.0 to 14.9%	117	31.1%	965	8.7%
15.0 to 19.9%	68	18.1%	1,576	14.2%
20.0 to 24.9%	19	5.1%	1,244	11.2%
25.0 to 29.9%	48	12.8%	1,321	11.9%
30.0 to 34.9%	21	5.6%	1,050	9.5%
35.0 to 39.9%	0	0.0%	762	6.9%
40.0 to 49.9%	37	9.8%	809	7.3%
50.0% or more	47	12.5%	2,184	19.7%
Not computed	19	5.1%	702	6.3%

Source: 2023 ACS 5-Year Estimates, Table B25070

## EXISTING HOUSING CONDITIONS

### Housing Unit Data

Nearly all (97.3%) of Washington Township's housing stock consists of structures built prior to the year 2009. In 2023, Washington Township had a total of 2,619 occupied housing units, roughly 83.7% of which were owner-occupied and 14.4% of which were renter-occupied. The Township experienced housing booms in the 20-year period between 1970 and 1990 and again in the early 2000s, during which approximately 31.6% and 16.5% of the township's housing structures were constructed, respectively.

The 2023 American Community Survey data indicates that a slower rate of residential development has occurred since 2010, although it is worth noting that this data does not reflect structures built in 2024 or 2025. The median year of construction for the housing stock in Washington Township is 1976. This data is outlined in Tables 11 and 12 below.

In 2023, Washington Township had a high occupancy rate, with very few of its housing units vacant. Of the Township's 2,619 housing units, 98% were occupied and a mere 2% were vacant. All of the vacant units could be attributed to the "Other Vacant" category. This data is represented in Table 13 below.

<b>Table 11: Housing Data, 2023 Washington Township</b>			
	<b>Number</b>	<b>% of Total Housing Units</b>	<b>% of Occupied Housing Units</b>
<b>Total Housing Units</b>	<b>2,619</b>	<b>100.00%</b>	-
Occupied Housing Units	2,567	98.0%	100.00%
Owner Occupied	2,191	83.7%	85.4%
Renter Occupied	376	14.4%	14.6%
Vacant Housing Units	52	2.0%	-

Source: 2023 ACS 5-Year Estimates, Table DP04

<b>Table 12: Year Structure Built, 2023 Washington Township</b>		
	<b>Number</b>	<b>Percent</b>
<b>Total Housing Units</b>	<b>2,619</b>	<b>100.00%</b>
Built 1939 or earlier	375	14.3%
Built 1940 to 1949	154	5.9%
Built 1950 to 1959	285	10.9%
Built 1960 to 1969	218	8.3%
Built 1970 to 1979	463	17.7%
Built 1980 to 1989	364	13.9%
Built 1990 to 1999	257	9.8%
Built 2000 to 2009	433	16.5%
Built 2010 to 2019	70	2.7%
Built 2020 or later	0	0.0%
<b>Median Year Structure Built</b>	<b>1976</b>	

Source: 2023 ACS 5-Year Estimates, Tables B25034 and B25035

<b>Table 13: Housing Occupancy, 2023 Washington Township</b>			
	<b>Total</b>	<b>% of Total Housing Units</b>	<b>% of Vacant Housing Units</b>
Total Housing Units	2,619	100.00%	-
Occupied	2,567	98.0%	-
Vacant Housing Units	52	2.0%	100.0%
For Rent/Rented Not Occupied	0	0.0%	0.0%
For Sale Only	0	0.0%	0.0%
Sold, Not Occupied	0	0.0%	0.0%
For Seasonal, Recreational or Occasional Use	0	0.0%	0.0%
For Migrant Workers	0	0.0%	0.0%
Other Vacant	52	2.0%	100.0%

Source: 2023 ACS 5-Year Estimates, Tables DP04 and B25004

### Housing Type and Size

In 2023, single-family detached housing made up a majority of the Township's housing stock at 86.4%. Single-family attached homes were the next most common housing type, representing another 8.6% of the Township's housing stock. The median number of rooms within housing structures in the Township in 2023 was 7.5 rooms, with 89.9% of housing units having a minimum of 5 rooms, 10.1% of housing units having between 3 to 4 rooms, and no units having 2 or less rooms.

<b>Table 14: Housing Type and Size, 2023 Washington Township</b>		
<b>Units in Structure</b>	<b>Total</b>	<b>Percent</b>
1, detached	2,262	86.4%
1, attached	224	8.6%
2	117	4.5%
3 or 4	0	0.0%
5 to 9	0	0.0%
10 to 19	0	0.0%
20 or more	16	0.6%
Mobile home	0	0.0%
Boat, RV, van, etc.	0	0.0%
<b>Total Housing Units</b>	2,619	100.00%
<b>Rooms</b>	<b>Total</b>	<b>Percent</b>
1 room	0	0.0%
2 rooms	0	0.0%
3 rooms	98	3.7%
4 rooms	166	6.3%
5 rooms	298	11.4%
6 rooms	359	13.7%
7 rooms	358	13.7%
8 rooms	736	28.1%
9 or more rooms	604	23.1%
<b>Total Housing Units</b>	2,619	100.00%
<b>Median number of rooms</b>	7.5	

Source: 2023 ACS 5-Year Estimates, Table DP04

### 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 2013 through December 2023, when the Township issued building permits authorizing the development of 165 housing units.

The majority of building permit issuances within this time frame occurred between 2019 and 2023, with 93.3% of all building permits since 2013 having been issued in those years. All but 2 of the permits issued during this time frame were for one- and two-family units; the remaining 2 units were categorized under mixed use, and there were no permits issued for multifamily units during this time. If this rate were to remain relatively constant over the next 10-year period, theoretically the Township could expect to see an additional 165 residential units authorized through the end of 2035. It is worth noting, however, that this projection does not account for external factors such as zoning, redevelopment, environmental constraints, and economic cycles could limit development or cause fluctuations.



Further, throughout the same 10-year period, Washington Township issued permits authorizing the demolition of 20 units. The average demolition rate is approximately 12.1% of the abovementioned development rate (i.e., a home net increase of around 87.9%). If the demolition rate were to remain relatively constant over the next approximately 10-year period, theoretically an additional 20 residential units could be expected to be demolished through the end of 2035, resulting in a projected net increase of 145 units barring any external factors or limitations.

<b>Table 15: Housing Units Authorized by Building Permits, 2013-2023 Washington Township</b>				
<b>Year</b>	<b>1 &amp; 2 Family</b>	<b>Multi Family</b>	<b>Mixed-Use</b>	<b>Total</b>
2013	0	0	0	0
2014	2	0	0	2
2015	1	0	0	1
2016	4	0	0	4
2017	3	0	0	3
2018	1	0	0	1
2019	11	0	1	12
2020	15	0	0	15
2021	48	0	1	49
2022	53	0	0	53
2023	25	0	0	25
<b>Total 2013-2023</b>	<b>163</b>	<b>0</b>	<b>2</b>	<b>165</b>
<b>10-Year Average</b>				<b>16.5</b>
<b>10-Year Permit Projection (2025-2035)</b>				<b>165</b>

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

<b>Table 16: Housing Units Demolished by Building Permits, 2013-2023 Washington Township</b>				
<b>Year</b>	<b>1 &amp; 2 Family</b>	<b>Multi Family</b>	<b>Mixed-Use</b>	<b>Total</b>
2013	1	0	0	1
2014	1	0	0	1
2015	1	0	0	1
2016	0	0	0	0
2017	1	0	0	1
2018	1	0	0	1
2019	1	0	0	1
2020	0	0	0	0
2021	0	0	0	0
2022	6	0	0	6
2023	8	0	0	8
<b>Total 2013-2023</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>20</b>
<b>10-Year Average</b>				<b>2</b>
<b>10-Year Demolition Projection (2025-2035)</b>				<b>20</b>

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

**Housing Values and Contract Rents**

According to the American Community Survey, nearly two-thirds (60.3%) of the owner-occupied housing stock in Washington Township in 2023 was valued between \$300,000 to \$499,999, as compared to a lesser 42.9% of the County's housing stock. In addition, another 16.5% of the Township's housing stock was valued over \$500,000, whereas a slightly higher 19.5% of the County's housing stock reflected this same value range. The Township had a notably higher median home value (\$371,900) than the County (\$350,500) in 2023. From a broad perspective, the overall value of the Township's housing stock is comparable with the County as a whole. This data is outlined in Table 17 below.

<b>Table 17: Value for Owner-Occupied Housing Units, 2023 Washington Township and Warren County</b>				
	<b>Washington Township</b>		<b>Warren County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total</b>	<b>2,191</b>	<b>100.0%</b>	<b>34,186</b>	<b>100.0%</b>
Less than \$50,000	8	0.4%	1,511	4.4%
\$50,000 to \$99,999	0	0.0%	240	0.7%
\$100,000 to \$149,999	9	0.4%	1,028	3.0%
\$150,000 to \$199,999	80	3.7%	1,731	5.1%
\$200,000 to \$299,999	411	18.8%	8,347	24.4%
\$300,000 to \$499,999	1322	60.3%	14,651	42.9%
\$500,000 to \$999,999	351	16.0%	6,403	18.7%
\$1,00,000 and greater	10	0.5%	275	0.8%
<b>Median Value</b>	<b>\$371,900</b>		<b>\$350,500</b>	

Source: 2023 ACS 5-Year Estimates, Tables B25075 and B25077

As shown on Table 18 below, it is estimated that 72% of owner-occupied units in the Township were financed by a mortgage, contract to purchase, or similar debt in 2023. Approximately 8.6% of these units were associated with a home equity loan in addition to their primary mortgage and another 2.4% were tied to a home equity loan without a primary mortgage.

Proportionally there were slightly less owner-occupied housing units with a mortgage at the County level; more specifically, 65.3% of such units had a primary mortgage, while 34.7% of units did not. Of those units in the County tied to a housing-related debt, 84.6% did not have any additional lines of credit associated with the unit, while 8.0% were associated with a home equity loan, 3.6% were associated with a second mortgage, and 3.8% were associated with a home equity loan without a primary mortgage.

**Table 18: Mortgage Status, 2023**  
**Washington Township and Warren County**

	Washington Township			Warren County		
	Number	% of Total Units	% of Mortgage Units	Number	% of Total Units	% of Mortgage Units
Total Owner-Occupied Units	2,191	100.00%	-	34,186	100.0%	-
Owner-Occupied Housing Units with a Mortgage, Contract to Purchase, or similar Debt	1,578	72.0%	100.00%	22,323	65.3%	100.0%
Housing Units with No Second Mortgage and No Home Equity Loan	1,337	61.0%	84.7%	18,880	55.2%	84.6%
Housing Units with Multiple Mortgages	189	8.6%	12.0%	2,595	7.6%	11.6%
Mortgage with Both Second mortgage and Home Equity Loan	0	0.0%	0.0%	0	0.0%	0.0%
Mortgage with Only Home Equity Loan	189	8.6%	12.0%	1,786	5.2%	8.0%
Mortgage with Only Second Mortgage	0	0.0%	0.0%	809	2.4%	3.6%
Home Equity Loan without a Primary Mortgage	52	2.4%	3.3%	848	2.5%	3.8%
Owner-Occupied Housing units without a Mortgage	613	28.0%	-	11,863	34.7%	-

Source: 2023 ACS 5-Year Estimates, Table B25081

As shown in Table 19 below, the median contract rent in Washington Township in 2023 was \$1,741 which was roughly \$419 higher than the County median rent of \$1,322. Within the Township the highest percentage of renters paid between \$2,000 to \$2,499 for monthly rent (39.9%), followed by closely \$1,000 to \$1,499 (35.4%). Overall, over half (59.6%) of renters in the Township paid \$1,500 or more for monthly rent in 2023. At the County level, just less than half (42.3%) of renters paid between \$1,000 to \$1,499 for monthly rent, followed by 18.7% of renters paying between \$1,500 to \$1,999, and another 26.8% of renters paying less than \$1,000 for monthly rent. This data suggests that rent in the Township is slightly more expensive than rent in the County as a whole.

**Table 19: Contract Rent, 2023**  
**Washington Township and Warren County**

	Washington Township		Warren County	
	Number	Percent	Number	Percent
<b>Total Renter-Occupied Units</b>	<b>376</b>	<b>100.0%</b>	<b>11,557</b>	<b>100.0%</b>
Less than \$500	19	5.1%	1004	8.7%
\$500 to \$999	0	0.0%	2094	18.1%
\$1,000 to \$1,499	133	35.4%	4,892	42.3%
\$1,500 to \$1,999	55	14.6%	2,162	18.7%
\$2,000 to \$2,499	150	39.9%	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	19	5.1%	562	4.9%
<b>Median Contract Rent</b>	<b>\$1,741</b>		<b>\$1,322</b>	

Source: 2023 ACS 5-Year Estimates, Tables B25056 and B25058

**Housing Conditions**

Table 20 below details the conditions of the Township's housing stock in 2023. Overcrowding, plumbing, and kitchen facilities are used to determine housing deficiency. In 2023, over half (55.8%) of the Township's housing stock relied on utility gas for heating, with fuel, oil, and kerosene accounting for another 31.6% of units. Approximately 2.3% of the occupied housing units in the Township experienced overcrowding (more than one person per room), although none of the occupied housing units lacked complete plumbing, complete kitchen facilities, or telephone service.

<b>Table 20: Housing Conditions, 2023 Washington Township</b>		
	<b>Number</b>	<b>Percent</b>
<b>House Heating Fuel-Occupied Housing Units</b>		
Total	2,567	100.0%
Utility Gas	1,432	55.8%
Bottled, Tank, or LP Gas	66	2.6%
Electricity	159	6.2%
Fuel Oil, Kerosene, etc.	811	31.6%
Coal or Coke	16	0.6%
Wood	57	2.2%
Solar Energy	0	0.0%
Other Fuel	0	0.0%
No Fuel Used	26	1.0%
<b>Occupants per Room – Occupied Housing Units</b>		
Total	2,567	100.0%
1.00 or Less	2,507	97.7%
1.01 to 1.50	23	0.9%
1.51 or More	37	1.4%
<b>Facilities – Total Units</b>		
Total	2,619	100.0%
Lacking Complete Plumbing Facilities	0	0.0%
Lacking Complete Kitchen Facilities	0	0.0%
<b>Telephone Service – Occupied Housing Units</b>		
Total	2,567	100.0%
No Service	0	0.0%

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

**EMPLOYMENT DATA**

Tables 21, 22, and 23 below detail the changes in employment between the years 2010 and 2023 in Washington Township, Warren County, and New Jersey, respectively. Throughout this thirteen-year period, the Township saw an overall 5% decrease in its unemployment rate. Although the Township experienced a 4.4% spike in unemployment between 2019 and 2020 due to the COVID-19 pandemic, it has rebounded to a considerably lower unemployment rate in recent years. This overall trend is mirrored at both the County

and State level as well. In 2023, the Township's unemployment rate was 3.4%, which was 0.6% lower than the County (4.0%) and 1% higher than the State (4.4%).

<b>Table 21: Employment and Residential Labor Force, 2010 to 2023</b>				
<b>Washington Township</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2010	3,554	3,256	297	8.4%
2011	3,642	3,316	326	8.9%
2012	3,849	3,524	325	8.4%
2013	3,766	3,499	267	7.1%
2014	3,693	3,505	188	5.1%
2015	3,689	3,524	165	4.5%
2016	3,689	3,547	142	3.8%
2017	3,760	3,625	135	3.6%
2018	3,743	3,617	126	3.4%
2019	3,799	3,680	119	3.1%
2020	3,732	3,453	279	7.5%
2021	3,775	3,576	199	5.3%
2022	3,840	3,718	122	3.2%
2023	3,897	3,763	134	3.4%

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

<b>Table 22: Employment and Residential Labor Force, 2010 to 2023</b>				
<b>Warren County</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2010	58,695	52,833	5,862	10.0%
2011	58,746	53,411	5,335	9.1%
2012	58,588	53,441	5,147	8.8%
2013	57,636	53,144	4,492	7.8%
2014	56,922	53,337	3,585	6.3%
2015	56,748	53,749	2,999	5.3%
2016	56,584	54,012	2,572	4.5%
2017	57,634	55,277	2,357	4.1%
2018	57,109	54,975	2,134	3.7%
2019	58,154	56,256	1,898	3.3%
2020	57,587	52,883	4,704	8.2%
2021	58,190	54,760	3,430	5.9%
2022	59,058	56,933	2,125	3.6%
2023	60,052	57,624	2,428	4.0%

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

<b>Table 23: Employment and Residential Labor Force, 2010 to 2023</b>				
<b>New Jersey</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
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, State Historical Annual Data, 2010-2023

### Employment Status

It is estimated that approximately two-thirds (66.6%) of Washington Township's population over the age of 16 was in the labor force in 2023, which was on par with the County's rate of 69.9%. Of the Township's labor force, 100% of workers were civilians and a vast majority (96.9%) were employed. At the County level, 100% of workers were civilians and 96.1% of the labor force was employed, indicating that the Township and County exhibited similar trends. This data is shown in Table 24 below.

<b>Table 24: Employment, 2023</b>						
<b>Washington Township and Warren County</b>						
	<b>Washington Township</b>			<b>Warren County</b>		
	<b>Number</b>	<b>% of 16+ Population</b>	<b>% of Labor Force</b>	<b>Number</b>	<b>% of 16+ Population</b>	<b>% of Labor Force</b>
Population 16 years and over	5,473	100.0%	-	92,794	100.0%	-
In labor force	3,643	66.6%	100.0%	64,875	69.9%	100.0%
Civilian Labor Force	3,643	66.6%	100.0%	64,875	69.9%	100.0%
Employed	3,529	64.5%	96.9%	62,355	67.2%	96.1%
Unemployed	114	2.1%	3.1%	2,520	2.7%	3.9%
Armed Forces	0	0.0%	0.0%	0	0.0%	0.0%
Not in labor force	1,830	33.4%	-	27,919	30.1%	-

Source: 2023 ACS 5-Year Estimates, Table DP03

**Class of Worker and Occupation**

According to the American Community Survey Estimates, the majority of workers (78.7%) living in Washington Township in 2023 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. The next largest categories were local government workers (6.4%) and self-employed workers or unpaid family workers (5.4%). This data is outlined in Table 25 below.

<b>Table 25: Class of Worker, 2023 Washington Township</b>		
	<b>Number</b>	<b>Percent</b>
Employed Civilian Population 16 Years and Over	3,529	100.0%
Private Wage and Salary Worker	2,779	78.7%
Private Not-For-Profit Wage and Salary Workers	156	4.4%
Local Government Worker	225	6.4%
State Government Worker	120	3.4%
Federal Government Worker	60	1.7%
Self-Employed Worker or Unpaid Family Worker	189	5.4%

Source: 2023 ACS 5-Year Estimates, Table S2408

The occupational breakdown shown in Table 26 below includes only private wage and salary workers. Nearly two-thirds of the Township's residents who worked within the private wage field were concentrated in the Management, Business, Science and Arts Occupations (41.8%) and Sales and Office Occupations (20.7%) sectors. Collectively, the two fields accounted for 62.5% of the entire resident workforce over the age of 16. The Service Occupations (10.8%), Natural Resources, Construction and Maintenance Occupations (12.6%), and Production Transportation and Material Moving Occupations (12.6%) sectors collectively comprised just over another one-third (37.5%) of this population.

<b>Table 26: Resident Employment by Occupation, 2023 Washington Township</b>		
	<b>Number</b>	<b>Percent</b>
Employed Civilian Population 16 Years and Over	3,529	100.0%
Management, Business, Science and Arts Occupations	1,476	41.8%
Service Occupations	381	10.8%
Sales and Office Occupations	731	20.7%
Natural Resources, Construction and Maintenance Occupations	497	14.1%
Production Transportation and Material Moving Occupations	444	12.6%

Source: 2023 ACS 5-Year Estimates, Table DP03

As portrayed in Table 27, the industry that employed the greatest number of Washington Township residents in 2023 was the Educational Services, and Health Care and Social Assistance sector, which accounted for 18.2% of the Township's resident workforce. This was followed rather closely by the Manufacturing (14.7%) and Professional, Scientific, and Management, and Administrative and Waste Management Services (14.2%) sectors.

<b>Table 27: Employment by Industry, 2023 Washington Township</b>		
<b>Industry</b>	<b>Number</b>	<b>Percent</b>
Employed Civilian Population 16 Years and Over	3,529	100.00%
Agriculture, Forestry, Fishing and Hunting, Mining	0	0.0%
Construction	335	9.5%
Manufacturing	518	14.7%
Wholesale Trade	68	1.9%
Retail Trade	229	6.5%
Transportation and Warehousing, and Utilities	316	9.0%
Information	177	5.0%
Finance and Insurance, and Real Estate and Rental and Leasing	307	8.7%
Professional, Scientific, and Management, and Administrative and Waste Management Services	501	14.2%
Educational Services, and Health Care and Social Assistance	641	18.2%
Arts, Entertainment, and Recreation, and Accommodation and Food Services	213	6.0%
Other Services, Except Public Administration	121	3.4%
Public Administration	103	2.9%

Source: 2023 ACS 5-Year Estimates, Table DP03

### **Commuting to Work**

In 2023, it is estimated that 15.3% of the Township's employed population worked from home. Of the Township's employed population that did not work from home, just over half (56.9%) commuted up to 34 minutes to their place of work. Approximately three-quarters (74.3%) of the Township's workers that did not work from home commuted up to an hour, with the remaining 25.7% of workers travelling between an hour to an hour and a half to get to work. The median travel time to get to work for this subset of the population was 35.3 minutes in 2023.

The majority (79.3%) of the Township's working population drove alone as their primary means of travel to work. Just over 5% (5.4%) of workers carpooled, utilized public transportation, walked, or utilized a taxicab, motorcycle, bike, or other means of transportation to commute to work. This data is outlined in Tables 28 and 29 below.



<b>Table 28: Travel Time to Work, 2023 Washington Township</b>		
	<b>Number</b>	<b>Percent</b>
Workers who did not work at home	2,974	100.0%
Less than 5 minutes	193	6.5%
5 to 9 minutes	134	4.5%
10 to 14 minutes	366	12.3%
15 to 19 minutes	183	6.2%
20 to 24 minutes	124	4.2%
25 to 29 minutes	301	10.1%
30 to 34 minutes	392	13.2%
35 to 39 minutes	137	4.6%
40 to 44 minutes	60	2.0%
45 to 59 minutes	320	10.8%
60 to 89 minutes	648	21.8%
90 or more minutes	116	3.9%
<b>Mean Travel Time to Work (minutes)</b>	<b>35.3</b>	

Source: 2013 ACS 5-Year Estimates, Tables DP03 and B08303

<b>Table 29: Means of Travel to Work, 2023 Washington Township</b>		
	<b>Number</b>	<b>Percent</b>
Workers 16 years and over	3,512	100.0%
Car, Truck, Van - Drove Alone	2,786	79.3%
Car, Truck, Van - Carpooled	97	2.8%
Public Transportation	75	2.1%
Walked	0	0.0%
Taxicab, Motorcycle, Bike, or Other	16	0.5%
Worked at Home	538	15.3%

Source: 2023 ACS 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 Washington Township. The first table reflects the number of jobs covered by private employment insurance from 2013 through 2023.

According to data from the New Jersey Department of Labor and Workforce Development, the highest number of covered jobs in Washington Township between 2013 and 2023 was in 2013 when 1,147 jobs were covered by unemployment insurance. Private employment has seen a steady decline in the Township since 2013, with its largest losses occurring between 2019 and 2020 (-13.1%) and 2014 to 2015 (-7.5%). Washington Township experienced a de minimis gain of 6 jobs between 2022 and 2023, representing an increase of less than 1%.

<b>Table 30: Private Wage Covered Employment 2013 - 2023</b>			
<b>Washington Township</b>			
<b>Year</b>	<b>Number of Jobs</b>	<b>Number Change</b>	<b>Percentage Change</b>
2013	1,147	-	-
2014	1,163	16	1.4%
2015	1,076	-87	-7.5%
2016	1,038	-38	-3.5%
2017	1,086	48	4.6%
2018	1,064	-22	-2.0%
2019	1,044	-20	-1.9%
2020	907	-137	-13.1%
2021	864	-43	-4.7%
2022	907	43	5.0%
2023	913	6	0.7%

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

### In-Township Establishments and Employees by Industry: 2023

Table 31 below depicts the average annual number of establishments and employees by industry sector that exist within the 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 annual municipal reports group data according to the North American Industry Classification System ("NAICS"). The QCEW considers an establishment to be a single economic unit, which is located at one physical location and engaged in one type of economic activity. The NJDLWD specifies that establishments differ from firms or companies in the sense that the latter can have multiple establishments.

In 2023, the Township had an annual average of 81 establishments employing an average of 913 persons in the private sector. In the public sector, the local government sector had an average of 7 units employing an average of 484 people. The healthcare and social services ("Health/Social") sector was the Township's predominant private sector, accounting for approximately 17.3% of the average private establishments in Washington Township and 24.1% of the Township's average private in-place employment.

<b>Table 31: Average Number of Establishments and Employees by Industry, 2023 Washington Township</b>			
<b>Industry ID and Description</b>		<b>2023 Average</b>	
		<b>Units</b>	<b>Employment</b>
11	Agriculture	4	10
21	Mining	-	-
22	Utilities	-	-
23	Construction	10	56
31	Manufacturing	-	-
42	Wholesale Trade	-	-
44	Retail Trade	-	-
48	Transp/Warehousing	-	-
52	Finance/Insurance	3	9
53	Real Estate	-	-
54	Professional/Technical	8	30
56	Admin/Waste Remediation	-	-
62	Health/Social	14	220
71	Arts/Entertainment	-	-
72	Accommodations/Food	3	27
81	Other Services	9	53
<b>Private Sector Totals</b>		<b>81</b>	<b>913</b>
<b>Local Government Totals</b>		<b>7</b>	<b>484</b>

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 the Township's population, households, and employment will see steady annualized growths through 2050. It is estimated that the population will see an overall 6.0% increase, while households will increase by 10.9% and employment will increase by 4.1%.

<b>Table 32: Population and Employment Projections, 2015 to 2050 Washington Township</b>					
<b>Category</b>	<b>2015</b>	<b>2050 (Projected)</b>	<b>Annualized Percent Change</b>	<b>Overall Projected Change</b>	
				<b>Number</b>	<b>Percent</b>
Population	6,566	6,963	0.20%	397	6.0%
Households	2,380	2,639	0.30%	259	10.9%
Employment	3,046	3,172	0.10%	126	4.1%

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

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## **PART 2: FAIR SHARE PLAN**

### **INTRODUCTION**

The following Fair Share Plan ("Plan") details the Township's Prior Round (1987-1999), Third Round (1999-2025), and Fourth Round (2025-2035) Prospective Need obligations, as well as its 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.

### **CURRENT STANDARDS**

The below section outlines the current key standards applicable to the Borough's Fourth Round obligation, including the various categories of credits.

#### **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.

#### **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 shall be available to families with children.

#### **Very-Low Income Requirement**

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

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### 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. <sup>1</sup>	1	0.5
A unit of age-restricted housing, provided that a bonus credit for age-restricted housing shall not be applied to more than 10 percent of the units of age-restricted housing constructed in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency in a municipality that count towards the municipality's affordable housing obligation for any single 10-year round of affordable housing obligations.	1	0.5
A unit of low- or moderate-income housing constructed on land that is or was previously developed and utilized for retail, office, or commercial space.	1	0.5
Each existing low- or moderate-income rental housing unit for which affordability controls are extended for a new term of affordability, in compliance with the Uniform Housing Affordability Controls promulgated by the New Jersey Housing and Mortgage Finance Agency, and the municipality contributes funding towards the costs necessary for this preservation.	1	0.5
Each unit of low- or moderate-income housing in a 100 percent affordable housing project for which the municipality contributes toward the costs of the project. <sup>2</sup>	1	1
Each unit of very low-income housing for families above the 13 percent of units required to be reserved for very low-income housing pursuant to section 7 of P.L.2008, c.46 (C.52:27D-329.1).	1	0.5
Each unit of low- or moderate-income housing created by transforming an existing rental or ownership unit from a market rate unit to an affordable housing unit. <sup>3</sup>	1	1

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

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

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

**WASHINGTON TOWNSHIP AFFORDABLE HOUSING OBLIGATIONS**

The Township's affordable housing obligations are as follows:

<b>Prior Round Obligation</b>	40
<b>Third Round Obligation</b>	134
<b>Fourth Round Prospective Need</b>	152
<b>Fourth Round Present Need / Rehabilitation Obligation</b>	31

**REVIEW OF PREVIOUS ROUND COMPLIANCE**

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

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

**Prior Round Compliance 1987-1999**

The Township had a Prior Round obligation of 40 units. Per the Court-approved Third Round settlement agreements and fairness and compliance determination made by the Honorable Judge Mennen, Washington Township has met their Prior Round obligation through the following mechanisms:

<b>Summary of Washington Township's Prior Round of 40</b>	
<b>100% Affordable Development</b>	
<i>Fairway Mews (Block 28, Lot 3.01)</i>	32
<b>Total Units</b>	<b>32</b>
<b>Rental Bonus Credits</b>	
<i>Fairway Mews (Block 28, Lot 3.01)</i>	8
<b>Total Rental Bonus Credits</b>	<b>8</b>
<b>TOTAL PRIOR ROUND</b>	<b>40</b>

Fairway Mews (Block 28, Lot 3.01)

Fairway Mews is an existing rental development located at 1-32 Bense Court in the Township's R-40 Single-Family Residential District. The development was deed-restricted for a 20-year period spanning from 1990 to 2010, and remained affordable through September 2014 when the affordability controls were lifted (see Appendix H). As such, it provided creditable affordable units consistent with Prior Round regulations.

Third Round Compliance (1999-2025)

The Township had a Third Round obligation of 134 units. Per the Court-approved Third Round settlement agreements and fairness and compliance determination made by the Honorable Judge Mennen, Washington Township has met their Prior Round obligation through the following mechanisms:

<b>Summary of Washington Township's Third Round of 134</b>	
<b>Existing Group Homes</b>	
ARC Group Home (Block 4, Lot 14.01)	4
CHCNJ Group Home (Block 48, Lot 38)	5
HPVRA Area 2, Building 2A (Block 65.11, Lot 8.06)	16
<b>Proposed Group Homes</b>	
HPVRA Area 2, Building 2B (Block 65.11, Lot 8.05)	16
<b>Existing Inclusionary Development – Family Rental</b>	
Roaring Rock Apartments (Block 4, Lot 19.01)	1
HPVRA Area 4, Building 4 (Block 65, Lot 4)	15
HPVRA Area 2, Building 2A (Block 65.11, Lot 8.06)	8
<b>Proposed Inclusionary Development – Family Rental</b>	
HPVRA Area 2, Building 2B (Block 65.11, Lot 8.05)	7
<b>Proposed Inclusionary Development – Assisted Living</b>	
HPVRA Area 8 (Block 65, Lot 4.34)	6
<b>Existing For-Sale</b>	
HFH Butler's Park Road (Block 90, Lot 3)	1
HFH Lock Street (Block 42, Lot 2)	2
HFH Pleasant Valley Road (Block 16, Lot 10)	1
<b>Proposed For-Sale</b>	
HFH Washington Valley Estate (Sawmill Ridge) (Block 28, Lot 5.24)	1
<b>Existing Inclusionary Zoning</b>	
WSRA, Area 3 (Block 76, Lots 1.01, 1.02, 1.03, 1.04, & 4)	18
<b>Total Units</b>	<b>101</b>
<b>Rental Bonus Credits</b>	
ARC Group Home (Block 4, Lot 14.01)	4
CHCNJ Group Home (Block 48, Lot 38)	5
Roaring Rock Apartments (Block 4, Lot 19.01)	1
HPVRA Area 4, Building 4 (Block 65, Lot 4)	15
HPVRA Area 2, Building 2A (Block 65.11, Lot 8.06)	8
<b>Total Rental Bonus Credits</b>	<b>33</b>
<b>TOTAL THIRD ROUND</b>	<b>134</b>



*Hawk Pointe Village Redevelopment Area (HVPRA) Area 2, Building 2B (Block 65.11, Lot 8.05)*

The Hawk Pointe Village Redevelopment Area (“HPVRA”) is located along Route 31 in the southern portion of the Township and includes Block 65.11, Lot 8.05. On August 16, 2016, this area was deemed an Area in Need of Redevelopment by the Township Committee in accordance with New Jersey’s Local Housing and Redevelopment Law (“LHRL”). The Committee subsequently adopted the HPVRA Plan in February 2017, with amendments through December 20, 2023 (Appendix I). On June 20, 2017, the Township executed a Redevelopment Agreement with Asbury Farms LP, the designated redeveloper (see Appendix J).

As a whole, the HPVRA Plan accounts for a mix of apartments, detached and attached single-family homes, group home units, and assisted living and memory care units throughout Areas 2, 4, and 8. The Plan stipulates a 15% affordable set-aside for all residential development in the Area, with the exception of its memory care and assisted living facilities, which are subject to a 10% affordable set-aside. Building 2B in Area 2 specifically will account for a mix of seven (7) affordable family rental apartment units and sixteen (16) affordable group home units.

The developer received preliminary and final major site plan approval from the Land Use Board in June 2021, with amended approvals subsequently granted in November 2021 and March 2022 (see Appendix K). Construction on Building 2B is anticipated to begin before the end of the year. As noted in the Third Round Housing Element and Fair Share Plan, the property meets the criteria to be considered “available, suitable, developable, and approvable.”

The analysis as outlined below remains accurate at the time of the writing of this Plan:

- *Available:* This is part of the Hawk Pointe Redevelopment Area, and is subject to affordable housing requirements as stipulated in the Hawk Pointe Valley Redevelopment Plan. A redevelopment agreement has been executed with the redeveloper, Asbury Farms LP, agreeing to these provisions. The site has no easements or title issues preventing its development.
- *Suitable:* The site is located directly to the west and south of established residential neighborhoods. The property is within the Existing Community Land Use Capability Zone, which is recognized by the Highlands as the most appropriate zone for development within the Region.
- *Developable:* The site has access to appropriate public streets. The property is located within the sewer service area, although it will be serviced by the NJDEP-approved Hawk Pointe sewage treatment plant located within the Redevelopment Area. The property has frontage on NJ Route 31, Rymon Road, and Clubhouse Drive. The site is not constrained by wetlands or a special flood hazard area.
- *Approvable:* A Redevelopment Agreement was executed between the redeveloper and Township in June 2017, which stipulates affordable housing requirements in alignment with UHAC regulations.

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Building 2B received preliminary and final major site plan approval from the Land Use Board in June 2021, with amended approvals subsequently granted in November 2021 and March 2022.

Additionally, the property aligns with the following core principles and guidelines as set forth in the Highlands Council's Affordable Housing Implementation Guideline document:

- "The extent and capacity of existing infrastructure should be considered in site selection, zoning ordinance amendments, and total number of projected new units." This site falls within the sewer service area, and public water is also available.
- "[...] Municipalities that invite nonresidential development should seek to balance that development with residential development with an affordable housing component so that low- and moderate-income households have easier access to the jobs created." This building is planned for within the larger Hawk Pointe Village development, where a mix of commercial and residential uses currently exist.
- Policy 604 of the RMP is "to encourage the targeting of new housing to areas with compatible existing densities and within walking distance of schools, employment, transit, and community facilities and services." This project will be located within the Hawk Pointe Village Redevelopment Area, which is located just off the Township's main commercial corridor and contains economic activity itself.
- Lastly, no extension of sewer or water is required for the site, and it is not in proximity to industrial or other uses with potential for health and safety impacts.





*Hawk Pointe Village Redevelopment Area (HVPRA) Area 8 (Block 65, Lot 4.34)*

The Hawk Pointe Village Redevelopment Area (“HPVRA”) is located along Route 31 in the southern portion of the Township and includes Block 65.11, Lot 8.05. On August 16, 2016, this area was deemed an Area in Need of Redevelopment by the Township Committee in accordance with New Jersey’s Local Housing and Redevelopment Law (“LHRL”). The Committee subsequently adopted the HPVRA Plan in February 2017, with amendments through December 20, 2023 (see Appendix I). On June 20, 2017, the Township executed a Redevelopment Agreement with Asbury Farms LP, the designated redeveloper (see Appendix J).

As a whole, the HPVRA Plan accounts for a mix of apartments, detached and attached single-family homes, group home units, and assisted living and memory care units throughout Areas 2, 4, and 8. The Plan stipulates a 15% affordable set-aside for all residential development in the Area, with the exception of its memory care and assisted living facilities, which are subject to a 10% affordable set-aside. Area 8 in particular will account for a mix of ground floor commercial uses, and upper floor assisted living apartments and memory care lodging. Area 8 will provide a total of six (6) affordable rental units.

At the writing of this Plan, the developer is in the process of securing a partner to manage the assisted living and memory care operations. As noted in the Third Round Housing Element and Fair Share Plan, the property meets the criteria to be considered “available, suitable, developable, and approvable.”

The analysis as outlined below remains accurate at the time of the writing of this Plan:

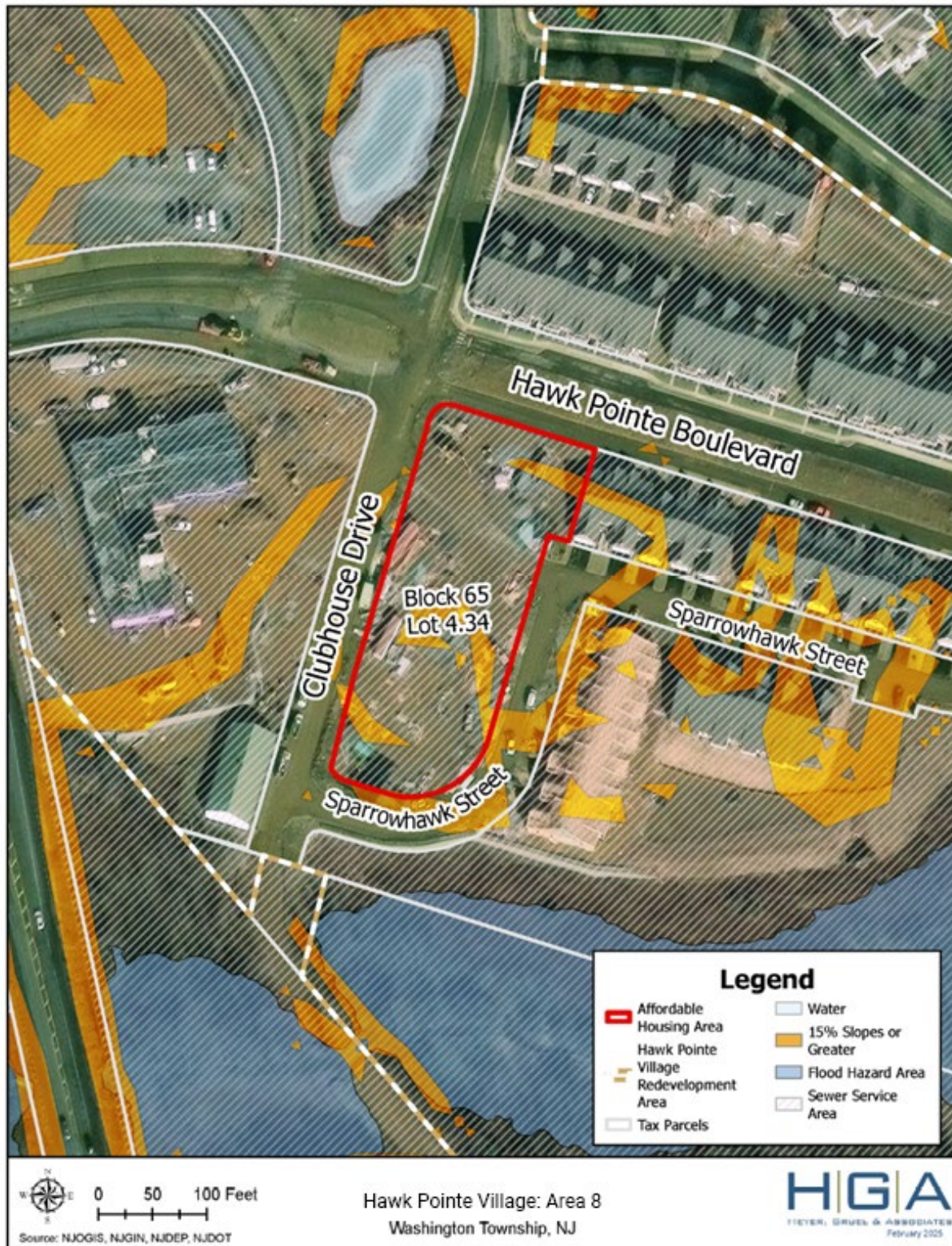
- *Available:* This is part of the Hawk Pointe Redevelopment Area, and is subject to affordable housing requirements as stipulated in the Hawk Pointe Valley Redevelopment Area. A redevelopment agreement has been executed with the redeveloper, Asbury Farms LP, agreeing to these provisions. The site has no easements or title issues preventing its development.
- *Suitable:* The site is located directly west of an established residential neighborhood, which has interconnectivity with the Hawk Pointe Valley Redevelopment Area. The property is within the Existing Community Land Use Capability Zone, which is recognized by the Highlands as the most appropriate zone for development within the Region.
- *Developable:* The site falls within a drinking water purveyor service area, is located within the sewer service area, and has access to appropriate public streets. The property has frontage on Hawke Pointe Boulevard, Clubhouse Drive, and Sparrowhawk Street. The site is not constrained by wetlands. Although the southeast portion of this property falls within the 100-year floodplain, the development containing the affordable housing units will be located on a portion of the property that is not impacted.
- *Approvable:* A Redevelopment Agreement was executed between the redeveloper and Township in June 2017, which stipulates affordable housing requirements. The particular building that will contain the six (6) age-restricted units has not yet gone before the Land Use Board, but the

development of such has been detailed in the Hawk Pointe Valley Redevelopment Plan. Applications for preliminary and final site plan approval will be submitted to the Land Use Board in alignment with the stipulations outlined in the Plan.

Additionally, the property aligns with the following core principles and guidelines as set forth in the Highlands Council's Affordable Housing Implementation Guideline document:

- "The extent and capacity of existing infrastructure should be considered in site selection, zoning ordinance amendments, and total number of projected new units." This site falls within the sewer service area, and public water is also available.
- "[...] Municipalities that invite nonresidential development should seek to balance that development with residential development with an affordable housing component so that low- and moderate-income households have easier access to the jobs created." This building is planned for within the larger Hawk Pointe Village development, where a mix of commercial and residential uses currently exist. Further, this building itself is planned to accommodate commercial activity on the ground floor with residential on the upper floors.
- Policy 604 of the RMP is "to encourage the targeting of new housing to areas with compatible existing densities and within walking distance of schools, employment, transit, and community facilities and services." This project will be located within the Hawk Pointe Village Redevelopment Area, which is located just off the Township's main commercial corridor and contains economic activity itself.
- Lastly, no extension of sewer or water is required for the site, and it is not in proximity to industrial or other uses with potential for health and safety impacts.





*Habitat for Humanity (HFH) Washington Valley Estate (Sawmill Ridge) (Block 28, Lot 5.24)*

The Washington Valley Estate (also known as Sawmill Ridge) is a proposed site located in the northern portion of the Township in the R-40 Single-Family Residential District. The site received major subdivision approval in June 2018 to re-subdivide existing Block 28, Lots 5.01 through 5.08 into 23 new single family lots, a detention basin, and an additional lot (Lot 5.24) to be dedicated to the Township for affordable housing (Appendix L). The final plat was filed and approved by the Warren County Planning Department in July 2024 (see Appendix M).

As of the writing of this Plan, the Township is in the process of working with Habitat for Humanity of Warren County to plan for the future development of the one (1) for-sale single-family affordable housing unit. The unit will be deed-restricted as an owner-occupied low or moderate income household with a minimum period of 30 years and will be subject to resale controls.

As noted in the Third Round Housing Element and Fair Share Plan, the property meets the criteria to be considered “available, suitable, developable, and approvable.”

The analysis as outlined below remains accurate at the time of the writing of this Plan:

- *Available:* The owner of the property has agreed to dedicate the site to the Township for development as an affordable housing unit. The site has no easements or title issues preventing its development.
- *Suitable:* The site is located directly west, north, and south of established residential neighborhoods. The property is located within the Existing Community Environmentally Constrained Subzone; although development in this subzone is typically constrained by access to sewer and water, these constraints do not apply to the subject property which is located in the sewer service area.
- *Developable:* The site falls within a drinking water purveyor service area, is within a sewer service area, and has access to appropriate public streets with frontage on Mine Hill Road. The site is not constrained by wetlands or any special flood hazard areas.
- *Approvable:* This site was included in a preliminary and final subdivision approval granted by the Land Use Board in June 2018. The resolution stipulates that this particular site (Block 28, Lot 5.24) will be dedicated to the Township for the provision of affordable housing. It is located within the R-40 Single-Family Residential District, where detached dwellings are a permitted use.

Additionally, the property aligns with the following core principles and guidelines as set forth in the Highlands Council’s Affordable Housing Implementation Guideline document:

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- “The extent and capacity of existing infrastructure should be considered in site selection, zoning ordinance amendments, and total number of projected new units.” This site falls within the sewer service area, and public water is also available.
  - “Reliance on 100% affordable projects or other techniques that place less stress on infrastructure are encouraged to reduce impact on the ecosystem and water resources.” This affordable unit is a single family home developed in partnership with a nonprofit housing developer, Habitat for Humanity.
  - “The extend and capacity of existing infrastructure should be considered in site selection.” The subject property does not require an extension of sewer, water, roadways, or other infrastructure.
  - This property is not in proximity to industrial or other uses with potential for health and safety impacts.





*Washington South Redevelopment Area (WSRA) Area 3 (Inclusionary Zoning) (Block 76, Lots 1.01, 1.02, 1.03, 1.04, & 4)*

The Washington South Redevelopment Area (“WSRA”) is located along Route 31 in the southern portion of the Township. On March 15, 2022, this land was deemed an Area in Need of Redevelopment by the Township Committee in accordance with New Jersey’s Local Housing and Redevelopment Law (“LHRL”). The Committee subsequently adopted the Washington South Redevelopment Area Plan on July 17, 2024 (see Appendix N). On August 21, 2024 the Township Committee adopted Resolution #2024-197 designating Route 31 South Partners, LLC as the redeveloper of the WSRA (see Appendix O). The Township and redeveloper are currently in the process of preparing a redevelopment agreement.

The Plan stipulates requirements for the provision of affordable housing units via inclusionary zoning applied to the residential components of the Area. More specifically the Plan requires that, of the first 120 units constructed in Area 3, there be a set-aside of 22 affordable townhouse units. As noted in the Third Round Housing Element and Fair Share Plan, the property meets the criteria to be considered “available, suitable, developable, and approvable.”

The analysis as outlined below remains accurate at the time of the writing of this Plan:

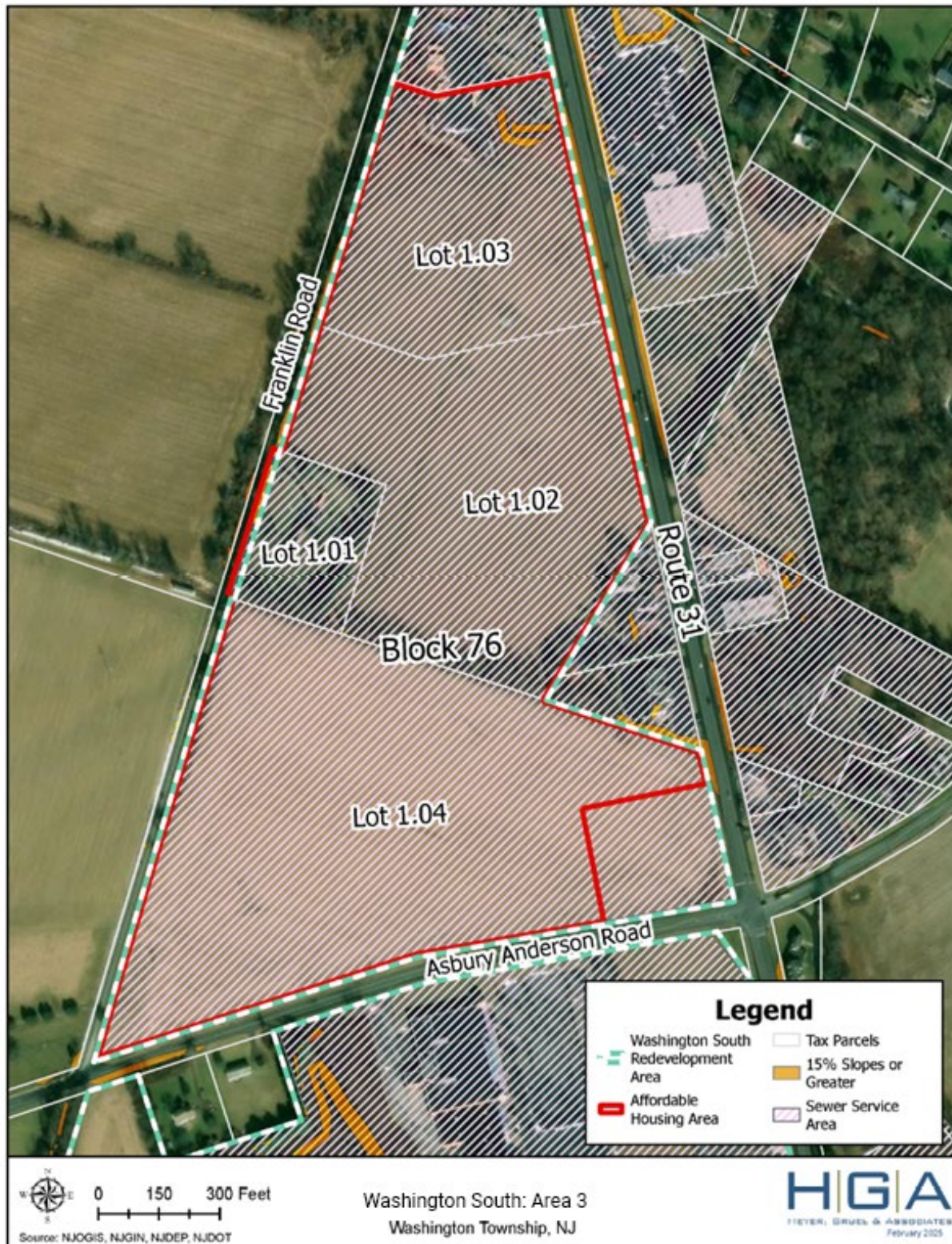
- *Available:* This property is subject to affordable housing requirements as stipulated in the Washington South Redevelopment Area Plan. The site has no easements or title issues preventing its development.
- *Suitable:* The site is located in proximity to existing and proposed residential and commercial development along the key transportation corridor of NJ Route 31, and is intended to expand upon the existing Hawk Pointe Valley Redevelopment Area. The property is primarily located within the Conservation Environmentally Constrained Subzone, in which the Highlands aims to protect significant environmental features from non-agricultural development. Because this site is already disturbed by prior farming uses, the redevelopment of the site is not expected to result in any new disturbances to the land.
- *Developable:* The entirety of Area 3 of the Redevelopment Area is located within an existing sewer service area. The Area has access to appropriate public streets, with primary frontage along NJ Route 31 and smaller portions of frontage along Rymon Road and West Asbury Anderson Road as well. The site is not constrained by wetlands or any special flood hazard areas.
- *Approvable:* The Washington South Redevelopment Area Plan has been adopted, including an affordable housing set-aside requirement for all residential components of the Area. Applications for preliminary and final site plan approval will be submitted to the Land Use Board in alignment with the stipulations outlined in the Plan.

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Additionally, the property aligns with the following core principles and guidelines as set forth in the Highlands Council's Affordable Housing Implementation Guideline document:

- "The majority of new development in the Highlands Region will likely consist of redevelopment of existing developed lands. Reuse/redevelopment of previously disturbed sites should be prioritized." Area 3 of the Washington South Redevelopment Area is entirely comprised of previously disturbed farmland.
- "The extent and capacity of existing infrastructure should be considered in site selection, zoning ordinance amendments, and total number of projected new units." This site falls within the sewer service area, has access to public water, and has frontage along three public roadways.
- Policy 604 of the RMP is "to encourage the targeting of new housing to areas with compatible existing densities and within walking distance of schools, employment, transit, and community facilities and services." Area 3 of the Washington South Redevelopment Area will be in close proximity to Areas 3.1 and 4, which will be redeveloped with commercial uses. Further, Area 2 is zoned for mixed use development with commercial uses on the ground floor and residential on upper floors.
- The project is not in proximity to industrial or other uses with potential for health and safety impacts.





**PRESENT NEED / REHABILITATION OBLIGATION**

As previously noted, the Township has a Present/Rehabilitation Need of 31 units for the Fourth Round. The Township intends to address its Fourth Round Rehabilitation Obligation through its continued participation in the Warren County Housing Rehabilitation Program ("Warren County Program"). On March 19, 2025 the Township Committee authorized the Mayor to execute a contract with the Warren County Board of County Commissioners via Resolution #2025-100. This agreement was authorized by the Warren County Board of County Commissioners on April 23, 2025 via County Resolution 222-25 (see Appendix P). The Township will extend its contract with the County for the Fourth Round.

The Warren County Program coordinates a grant-funded Affordable Housing Support Fund Rehabilitation Program, which provides financial and technical assistance for the purpose of enabling low- and moderate-income homeowners and property owners to rehabilitate substandard housing (see Appendix Q). The Township may also utilize monies from the Township's Affordable Housing Trust Fund to assist with the County's rehabilitation program in order to address its present need for income eligible households.

**FOURTH ROUND PROSPECTIVE NEED OBLIGATION**

On October 20, 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 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 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. In alignment with the statute, on January 15, 2025, the Township adopted Resolution #2025-70 on January 15, 2025 establishing the Fourth Round Present Need obligation of 31 units and Prospective Need obligation of 94 units. While the Township accepted the DCA-calculated Present Need Obligation, the adopted Prospective Need reflected a reduction from the DCA's calculated obligation of 181.

In response to the Township's adopted numbers, both the Fair Share Housing Center ("FSHC") and the New Jersey Builder's Association ("NJBA") filed challenges through the Affordable Housing Program contesting the reduced Prospective Need calculation. On March 18, 2025, the Township and FSHC convened for a settlement conference under the facilitation of the Program. Based on the agreements reached during this conference, the Program subsequently issued a Settlement Recommendation dated April 8, 2025 establishing a Present Need of 31 units and Prospective Need of 152 units.

As outlined below, the Township proposes to meet its entire Fourth Round obligation utilizing the following mechanisms.



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### Highlands Build Out Update

Due to the unique natural resources and environmental sensitivity of the Highlands region, the revised Fair Housing Act (“FHA”) (adopted March 2024) directs the DCA and Highlands municipalities to account for the Highlands Regional Master Plan (“RMP”) when considering affordable housing. The amendment specifically requires that a fully conforming municipality include a “consideration of the most recent Highlands Municipal Build Out report” in its Housing Element and Fair Share Plan. Following this, the Highlands Council adopted on April 18, 2024 a Highlands Affordable Housing amendment to the RMP establishing standards for the location of affordable housing based on the RMP and FHA. More specifically, Policy 607 of the RMP requires that fully conforming municipalities provide for a realistic opportunity for affordable housing while also complying with Highlands resource protection requirements.

In support of the goals, objectives, and policies of the RMP, the Highlands Council prepared and released a Highlands Municipal Build-Out Update in November 2024 as a tool for fully conforming municipalities. The Build-Out functions similarly to a traditional Vacant Land Adjustment (“VLA”), which examines the amount of parcels available for development and determines a municipality’s Realistic Development Potential (“RDP”) for new affordable housing units. After subtracting out the RDP from the obligation, the remaining calculation is known as the “unmet need.”

As a fully conforming municipality, the Township utilized the Highlands Build-Out Portal as a tool to calculate its RDP and remaining unmet need. The Township’s analysis indicated that either portions or the entirety of 20 of the 32 parcels identified in the portal were not developable based on a number of factors including development or preservation status. Utilizing the Highlands Build-Out portal, the Township calculated an RDP of 25 units and an unmet need of 127 units.

### Realistic Development Potential

The Township intends to address the entirety of its RDP through excess credits carried from the Third Round, all of which will be located in the Washington South Redevelopment Area as described below.

#### *Third Round Credits Carried Over*

Washington South Redevelopment Area (WSRA) Areas 2, 3, & 5 (Inclusionary Zoning) (Block 76, Lots 1.01, 1.02, 1.03, 1.04, & 4 / Block 75, Lot 1)

As stated in the Township’s Third Round HEFSP, Washington maintains the right to carry over excess credits from the Third Round into future rounds of housing. The Township intends to carry over a total of 40 excess units resulting from the Washington South Redevelopment Area, 25 of which will address the entire RDP and the remaining 15 of which will be applied toward the unmet need. Additional details regarding the Washington South Redevelopment Area are provided in the “Third Round Compliance (1999-2025)” section of this Plan.

The redevelopment plan stipulates requirements for the provision of affordable housing units via inclusionary zoning applied to the residential components of the Area. More specifically the Plan requires that of the first 120 units constructed in Area 3, there be a set-aside of 22 affordable townhouse units. Any residential units constructed in Areas 2, 3, or 5 in excess of this initial 120 units will be subject to a 15% set-aside. In total, this will yield up to an additional three (3) affordable apartment units in Area 2, nine (9) affordable for-sale townhouse units in Area 3, and 24 for-sale affordable townhouse units in Area 5.

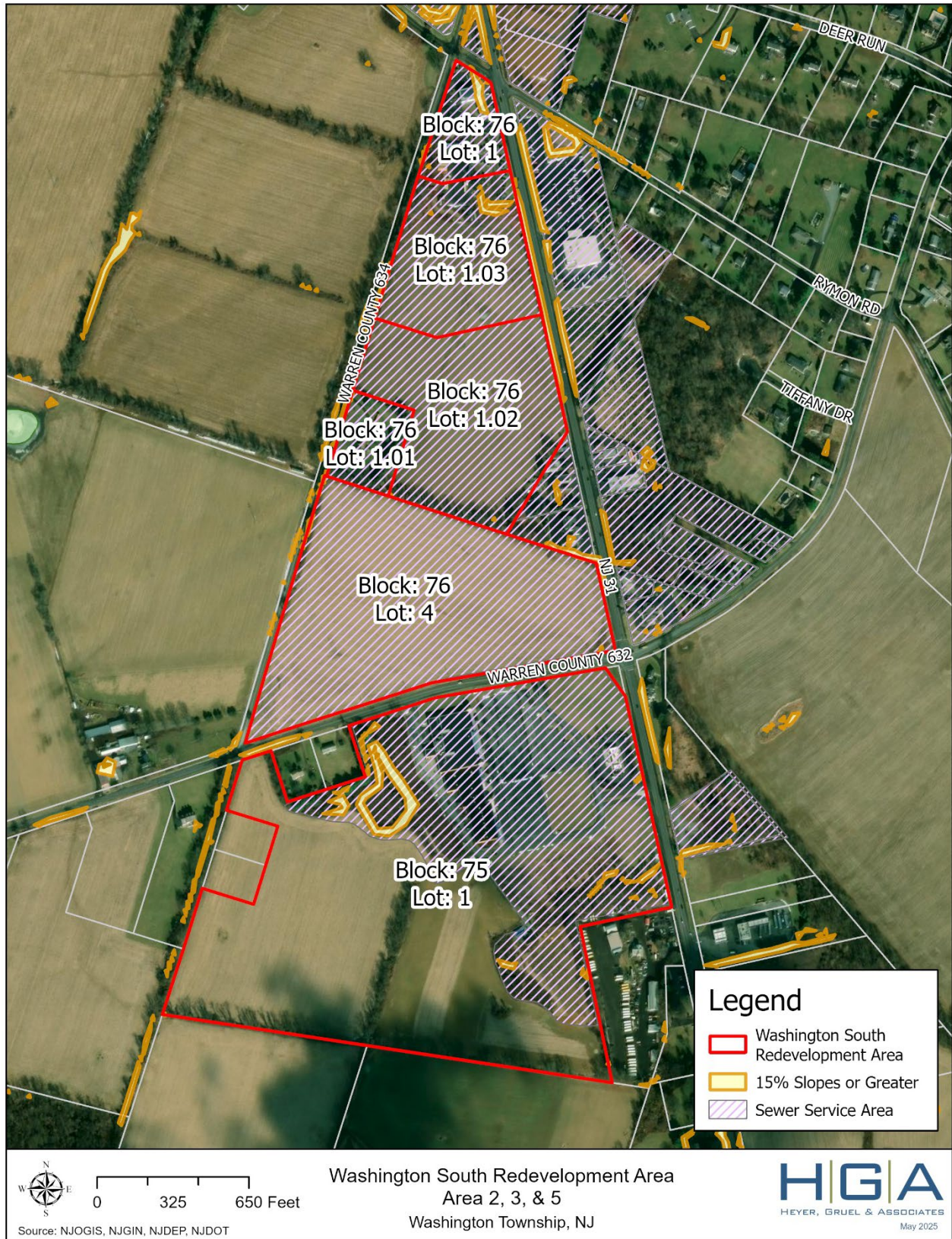
In total, the WSRA has the capacity to yield up to 58 affordable units via the required affordable housing set-aside. A total of 18 of these units were utilized to address the Township's Third Round need, leaving an excess of 40 credits to be carried into the Fourth Round. As outlined in the analysis below, Areas 2 (Block 76, Lot 1) and 5 (western portion of Block 75, Lot 1) of the Washington South Redevelopment Area meet the criteria to be considered "available, suitable, developable, and approvable." See the "Third Round Compliance (1999-2025)" section of this Plan for the suitability analysis regarding Area 3.

- *Available:* Areas 2 and 5 are subject to affordable housing requirements as stipulated in the Washington South Redevelopment Area Plan. The site has no easements or title issues preventing its development.
- *Suitable:* Areas 2 and 5 are located in proximity to existing and proposed residential and commercial development along the key transportation corridor of NJ Route 31, and are intended to expand upon the existing Hawk Pointe Valley Redevelopment Area. The property is located in the Highlands Planning Area, which is less stringent than the Preservation Area and where development that aligns with the RMP is generally permitted.
- *Developable:* Area 2 is located within an existing sewer service area. Although Area 5 is not located in a sewer service area, it will be served by an existing treatment plant located in the Hawk Pointe Village Redevelopment Area as well as a new treatment plant that will be constructed in the Washington South Redevelopment Area. Areas 2 and 5 have access to appropriate public streets, with primary frontage along NJ Route 31 and smaller portions of frontage along Rymon Road and West Asbury Anderson Road as well. The site is not constrained by wetlands or any special flood hazard areas.
- *Approvable:* The Washington South Redevelopment Area Plan has been adopted, including an affordable housing set-aside requirement for all residential components of the Area, including Areas 2 and 5. Applications for preliminary and final site plan approval will be submitted to the Land Use Board in alignment with the stipulations outlines in the Plan.

Additionally, the property aligns with the following core principles and guidelines as set forth in the Highlands Council's Affordable Housing Implementation Guideline document:

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- “The majority of new development in the Highlands Region will likely consist of redevelopment of existing developed lands. Reuse/redevelopment of previously disturbed sites should be prioritized.” Areas 2 and 5 of the Washington South Redevelopment Area are comprised of existing commercial uses and previously disturbed farmland.
  - “The extent and capacity of existing infrastructure should be considered in site selection, zoning ordinance amendments, and total number of projected new units.” This site has access to public water and has frontage along multiple public roadways. Area 2 falls within the sewer service area; although Area 5 is outside of the sewer service area, the Redevelopment Plan stipulates that it will be serviced by an on-site sewer service treatment plant that will be reconstructed to replace an existing plant in Area 4.
  - Policy 604 of the RMP is “to encourage the targeting of new housing to areas with compatible existing densities and within walking distance of schools, employment, transit, and community facilities and services.” Areas 2 and 5 of the Washington South Redevelopment Area will be in close proximity to Area 4, which will be redeveloped with commercial uses.
  - The project is not in proximity to industrial or other uses with potential for health and safety impacts.
  - “[...] Municipalities that invite nonresidential development should seek to balance that development with residential development with an affordable housing component so that low- and moderate-income households have easier access to the jobs created.” Areas 3.1 and 4 of the redevelopment area will be redeveloped with new commercial activities. Further, Area 2 is zoned for mixed use development with commercial uses on the ground floor and residential on upper floors. The remainder of the redevelopment area will be utilized for residential uses.





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**Unmet Need**

The Township intends to address its unmet need through the mechanisms outlined below.

*Third Round Credits Carried Over*

Washington South Redevelopment Area (WSRA) Areas 2, 3, & 5 (Inclusionary Zoning) (Block 76, Lots 1.01, 1.02, 1.03, 1.04, & 4 / Block 75, Lot 1)

As mentioned above, the Township intends to apply 15 of the excess units resulting from the Washington South Redevelopment Area towards its Fourth Round unmet need. This mechanism, including an analysis of its suitability and conformance with the Highlands RMP, is described in further detail in the Third Round Compliance and Realistic Development Potential subsections above.

*Proposed Inclusionary Development*

Woodmont Properties (Block 22, Lots 3 & 3.17)

The Woodmont Properties development is an inclusionary development proposed to be located in the northern half of the Township, just to the west of Washington Borough. The subject property consists of two parcels—Block 22, Lots 3 and 3.17—and has a collective area of approximately 51.6 acres. The property has frontage along Brass Castle Road to the east, Pleasant Valley Road to the north, and Washington Avenue/Route 57 to the south. It is generally surrounded by low density residential uses to the north and west and institutional, light industrial, and commercial uses to the south and east, including a church, a Tractor Supply Co. home improvement retailer, a Rite Aid, a small strip mall with restaurants, a packaging products manufacturer, and an abandoned Shop Rite.

The subject property has a considerable number of environmental features that limit where development on the site can take place. More specifically, a 1,708-foot stretch of the Pohatcong Creek runs north and south through the eastern portion of the property. In association with this, a preliminary assessment indicates that approximately 21 acres of the property fall within a riparian area and approximately 13 acres of the property fall within a wetlands area. Further, the subject property slopes downward in elevation from north to south. Approximately 1.8 acres of the property are constrained by steep slopes. The extent of these constraints is primarily concentrated on Lot 3.17, although they extend into the southeastern corner of Lot 3 as well.

Because of the unique physical characteristics of the subject property, the developer proposes to utilize the unconstrained portions of Lot 3 and 3.17 for the development while leaving the remainder of the subject property undisturbed. As such, the development will primarily fall within the northwest corner of the property. The development is proposed to have a maximum of 210 units, including approximately 39 single family lots, a combination of 140 townhouses and stacked townhouses, and 42 affordable units. The affordable component of the site represents a 20% set aside. The development is proposed to have two access points from Pleasant Valley Road.



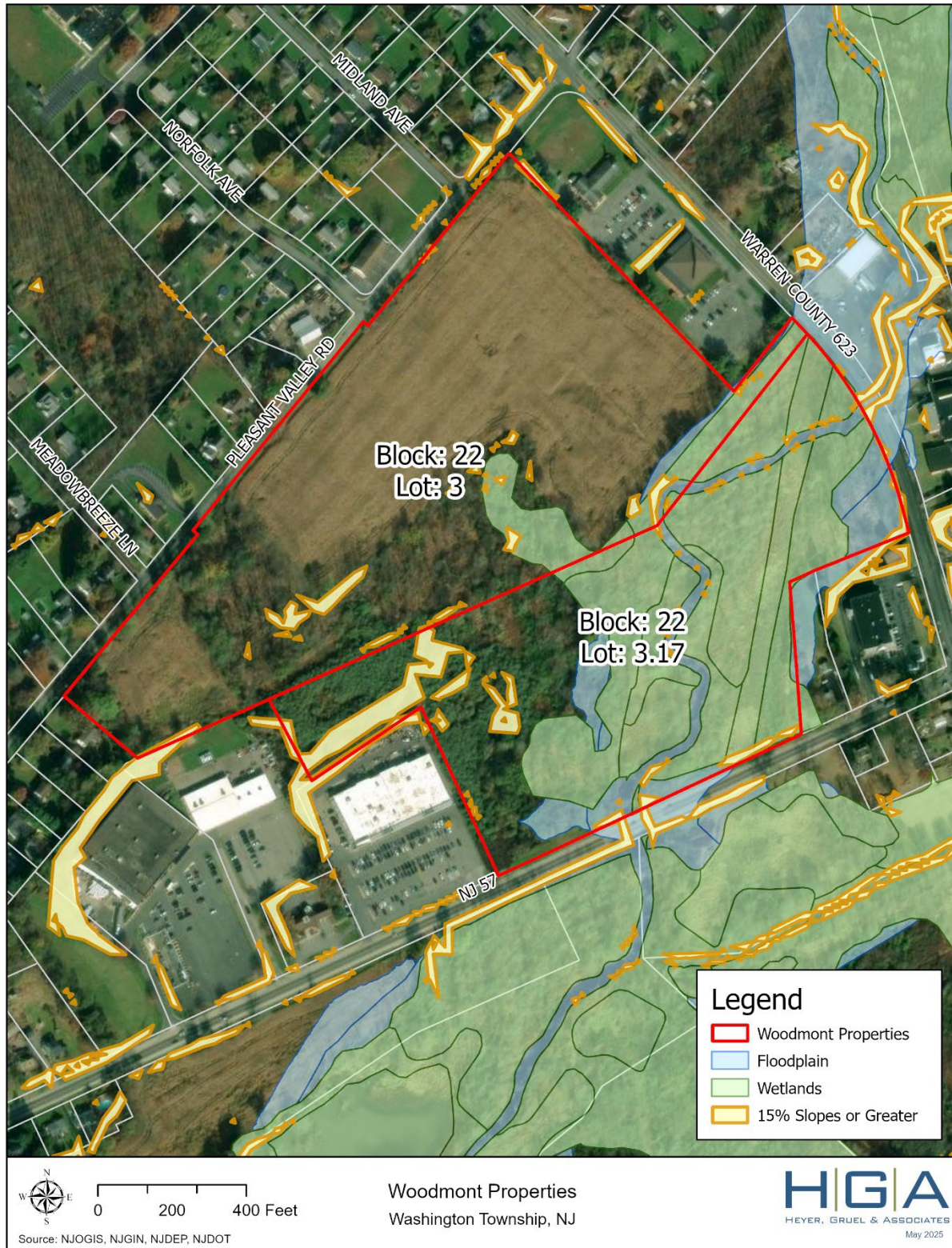
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The site meets the suitability criteria as follows:

- *Available:* The owner of the property has agreed to provide a 20% affordable set aside. The portion of the site proposed to be developed has no easements, and there are no title issues preventing its development.
- *Suitable:* The site is located directly south and east of established residential neighborhoods. A majority of the portion of the property proposed to be developed falls within the Existing Community Zone, although a portion also falls within the Protection Zone. The Highlands generally recognizes the Existing Community Zone as the most appropriate zone for development within the Region. While the Protection Zone has more stringent regulations, development that does not negatively impact the preservation of water quality, water quantity, and sensitive ecological resources and processes is permissible.
- *Developable:* The site is proposed to have appropriate access to public roads, including Pleasant Valley Road, and the portions of the site that will be developed are not constrained by wetlands, riparian areas, or special flood hazard areas. The subject property is located just across the street from the sewer service area boundary.
- *Approvable:* The portion of the site in which the development will be concentrated is located within the R-20 Single-Family Residential District, where detached dwellings are a permitted use. The site is proposed to be rezoned to accommodate the development.

Additionally, the property aligns with the following core principles and guidelines as set forth in the Highlands Council's Affordable Housing Implementation Guideline document:

- "The extent and capacity of existing infrastructure should be considered in site selection, zoning ordinance amendments, and total number of projected new units." This site is located across the street from the edge of the existing sewer service area.
- Policy 604 of the RMP is "to encourage the targeting of new housing to areas with compatible existing densities and within walking distance of schools, employment, transit, and community facilities and services." The site is located in proximity to communal infrastructure including the Brass Castle Elementary School, various places of employment, shopping and dining, parks and recreation, and personal services.
- Lastly, the proposed development is not in proximity to heavy industrial or other uses with potential for health and safety impacts.



Additional MechanismsMandatory Set-Aside Ordinance

On May 21, 2025 the Township Committee adopted the Highlands Conformance Ordinance (Ordinance No. 2025-09), including section XVI “Affordable Housing” which establishes a Township-wide mandatory affordable housing set-aside to implement the standards of the FHA (see Appendix R). More specifically, this section stipulates that “any newly constructed residential units shall reserve for occupancy at least 20% of the resident units constructed for low- or moderate-income households.” All affordable units developed through the mandatory set-aside ordinance are subject to UHAC regulations. To further codify this requirement, the Township intends to adopt the Highlands Affordable Housing Ordinance in accordance with the timelines set forth in the FHA (see Appendix T6).

The ordinance does not give any developer the right to any such rezoning, variance, redevelopment designation or other relief, or establish any obligation on the part of Washington Township to grant such rezoning, variance, redevelopment designation or other relief.

Development Fee Ordinance

An updated Development Fee Ordinance (Ordinance #2025-06) was adopted by the Township on April 16, 2025 (see Appendix S).

Fourth Round Summary

Summary of Washington Township’s Fourth Round of 152	
<b><u>Realistic Development Potential (RDP)</u></b>	<b>25</b>
<b>Excess Credits</b>	
WSRA, Areas 2, 3, & 5 (Block 76, Lots 1.01, 1.02, 1.03, 1.04, & 4 / Block 75, Lot 1)	25
<b><u>Unmet Need</u></b>	<b>127</b>
<b>Excess Credits</b>	
WSRA, Areas 2, 3, & 5 (Block 76, Lots 1.01, 1.02, 1.03, 1.04, & 4 / Block 75, Lot 1)	15
<b>Proposed Inclusionary Development</b>	
Woodmont Properties (Block 22, Lots 3 & 3.17)	34
<b>Additional Mechanisms</b>	
Mandatory Set-Aside Ordinance	
Development Fee Ordinance	
<b>TOTAL FOURTH ROUND (152 UNIT OBLIGATION)</b>	<b>152</b>



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## CONSISTENCY WITH STATE PLANNING REQUIREMENTS

### State Plan Conformance

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 undergoing the cross acceptance process in relation to the draft SDRP.

The 2024 draft SDRP outlines the following overarching goals:

- **Economic:** Promote economic growth that benefits all residents of New Jersey.
- **Housing:** Provide an adequate supply of housing for residents of all ages and incomes in communities of their choosing that meet their needs and offer ready access to the full range of supportive goods and services.
- **Infrastructure:** Economic opportunity through nation leading infrastructure.
- **Revitalization and Recentering:** Revitalize and recenter the State's underutilized developed areas.
- **Climate Change:** Effectively address the adverse impacts of global climate change.
- **Natural and Water Resources:** Protect, maintain, and restore the State's natural and water resources and ecosystems.
- **Pollution and Environmental Clean-Up:** Protect the environment and prevent and clean up pollution.
- **Historic and Scenic Resources:** Protect, enhance, and improve access to areas with exceptional archaeological, historic, cultural, scenic, open space, and recreational value.
- **Equity:** Implement equitable planning practices to promote thriving communities for all New Jerseyans.
- **Comprehensive Planning:** Foster sound and integrated planning and implementation at all level Statewide.

This Plan broadly aligns with the goals of the draft SDRP. The sites and mechanisms discussed in this Plan are appropriately located in the sense that they: integrate housing in proximity to appropriate infrastructure and complementary uses including retail, employment, and professional and personal services; support the redevelopment of underutilized areas; and encourage the revitalization of the Township as a whole by concentrating growth in specific locations that are capable of supporting growth.

Further, the mechanisms addressed in this Plan are sited such that the protection and preservation of the Township's environmentally sensitive lands are supported. This protects the natural and water resources

within both the Township and surrounding areas, effectively protecting the water quality of the State as a whole as well. Lastly, the Plan balances the State's goals of providing equitable opportunities for affordable housing while encouraging sound and comprehensive planning practices.

### Highlands Regional Master Plan Conformance

Washington Township's land area is split between the Highlands Preservation Area (31.1%), where plan conformance is required, and Planning Area (68.9%), where plan conformance is voluntary. In pursuit of Highlands conformance across both the Preservation and Planning Areas, the Township adopted Ordinance #2025-09, "Township of Washington Ordinance for Highlands Council Regional Master Plan Conformance" on May 21, 2025 (see Appendix R).

Section XIV "Affordable Housing" of the Conformance Ordinance stipulates that "any development consisting of newly constructed residential units shall reserve for occupancy at least 20% [...] for low- or moderate-income households" in accordance with the requirements of the FHA. As discussed earlier in this Plan, the Township intends to further codify this by adopting the Highlands Affordable Housing Ordinance in accordance with the timelines set forth in the FHA (see Appendix T6).

This Housing Element and Fair Share Plan was prepared with careful consideration of the Regional Master Plan. In particular, land use capability zones, access to existing water and sewer infrastructure, and resource protection provisions were taken into account. Further, the mechanisms outlined in this Plan to address the Township's Fourth Round obligation are consistent with the Highlands siting guidelines outlined in the October 2023 Affordable Housing Implementation Guide. More specifically, this Plan furthers the goals outlined in the Highlands Regional Master Plan including, but not limited to, the following:

- **2A:** Protection of the value of the Highlands Region as an "essential source of drinking water, providing clean and plentiful drinking water for one-half of the State's population."
- **2I:** Limitation of the expansion of water and wastewater infrastructure in the Preservation Area.
- **2J:** All existing and future development in the Highlands Region that use public water supply systems are served by adequate and appropriate infrastructure.
- **2K:** All existing and future development in the Highlands Region that use public wastewater treatment systems are served by adequate and appropriate infrastructure.
- **6F:** Support of compact development, mixed use development and redevelopment and maximization of water, wastewater and transit infrastructure investments for future use of land and development within the Existing Community Zone.
- **6H:** Guide development away from environmentally sensitive and agricultural lands and promote development and redevelopment in or adjacent to existing developed lands.

- **6K:** Concentrate residential, commercial, and industrial development, redevelopment, and economic growth in existing developed areas in locations with limited environmental constraints, access to existing utility, and transportation infrastructure.
- **6N:** Use of smart growth principles, including low impact development, to guide development and redevelopment in the Highlands Region.
- **6O:** Market-rate and affordable housing sufficient to meet the needs of the Highlands Region within the context of economic, social, and environmental considerations and constraints.

#### Multigenerational Family Housing Continuity Commission

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 for which to provide an analysis.

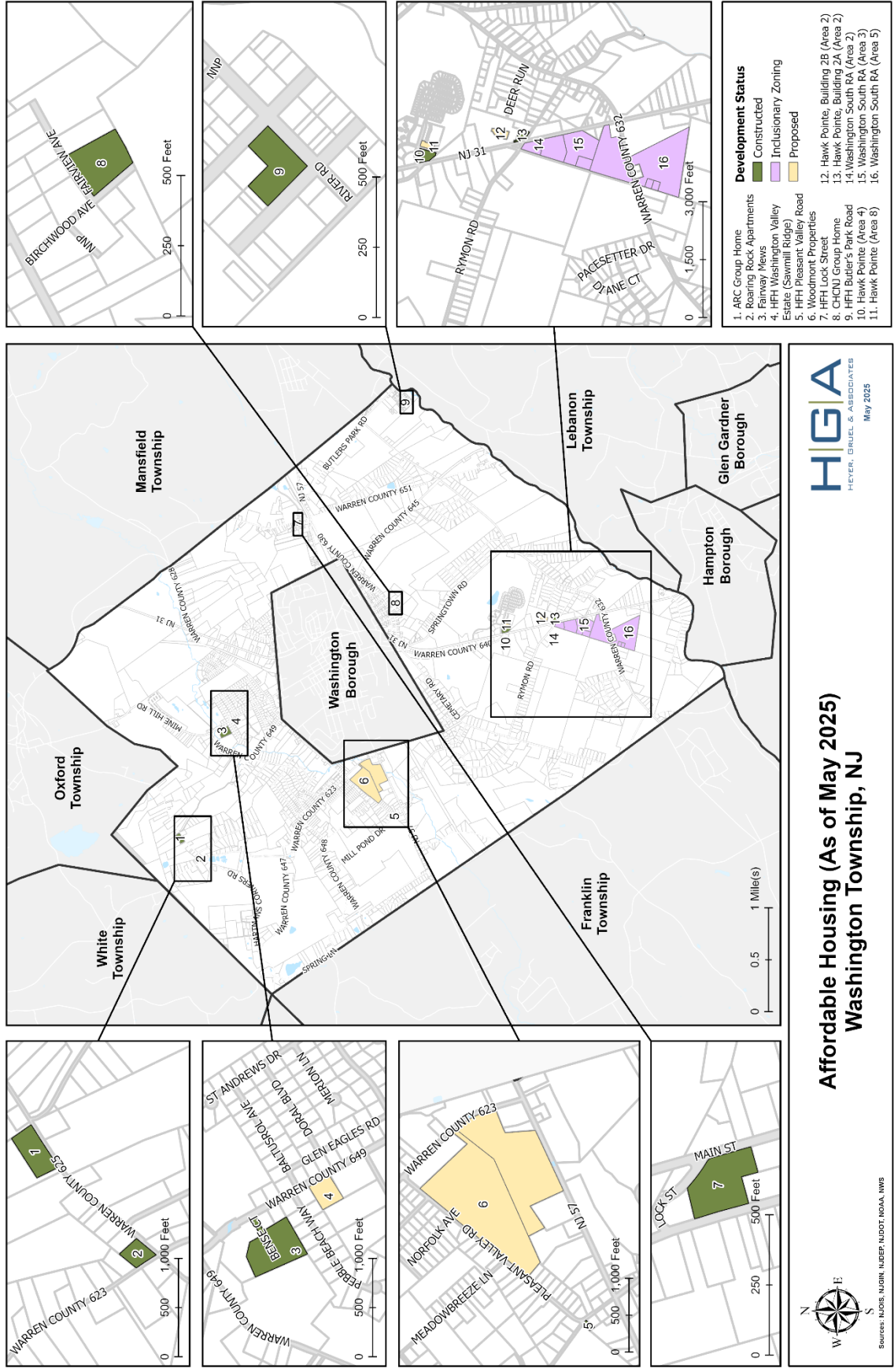
#### **USE OF SURPLUS CREDITS**

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



**SUMMARY OF FAIR SHARE COMPLIANCE**

Summary of Washington Township's Obligation				
	Total	Very Low	Low	Moderate
<b>Fourth Round Present Need Obligation</b>	<b>8</b>			
Partnership with Warren County	8	-	-	-
<b>Prior Round Obligation</b>	<b>40</b>	-	-	-
Fairway Mews	32	0	16	16
Rental Bonus	8	-	-	-
<b>TOTAL PRIOR ROUND</b>	<b>40</b>	<b>0</b>	<b>16</b>	<b>16</b>
<b>Third Round Obligation</b>	<b>134</b>			
ARC Group Home	4	4	-	-
Rental Bonus	4	-	-	-
Center for Humanistic Change Group Home	5	5	-	-
Rental Bonus	5	-	-	-
Roaring Rock	1	-	1	-
Rental Bonus	1	-	-	-
HFH Butlers Park Road	1	-	1	-
HFH Lock Street	2	-	2	-
HFH Pleasant Valley Road	1	-	1	-
HFH Washington Valley Estate (Sawmill Ridge)	1	-	-	1
Hawk Pointe – Area 4 / Building 4 Family Rental	15	2	7	6
Rental Bonus	15	-	-	-
Hawk Pointe – Area 2 / Building 2A Family Rental	8	-	4	4
Rental Bonus	8	-	-	-
Hawk Pointe – Area 2 / Building 2A Group Home	16	16	-	-
Hawk Pointe – Area 2 / Building 2B Family Rental	7	-	3	4
Hawk Pointe – Area 2 / Building 2B Group Home	16	16	-	-
Hawk Pointe – Area 8 Assisted Living	6	6	-	-
Inclusionary Zoning – Area 3 Washington S. Redevelopment Area	18	TBD in accordance with FHA and UHAC regulations		
<b>TOTAL THIRD ROUND</b>	<b>134</b>	<b>49</b>	<b>19</b>	<b>15</b>
<b>Fourth Round Obligation</b>	<b>152</b>			
<b>RDP</b>	<b>25</b>	-	-	-
Excess Credits: WSRA	25	TBD in accordance with FHA and UHAC regulations		
<b>Unmet Need</b>	<b>127</b>	-	-	-
Excess Credits: WSRA	15	TBD in accordance with FHA and UHAC regulations		
Woodmont Properties	34	TBD in accordance with FHA and UHAC regulations		
Additional Mechanisms: Mandatory Set-Aside Ordinance Development Fee Ordinance	--	-	-	-
<b>TOTAL FOURTH ROUND</b>	<b>152</b>	TBD in accordance with FHA and UHAC regulations		



## **Appendix A**

# **Washington Township Initial Third Round Settlement Agreement with FSHC**



Peter J. O'Connor, Esq.  
 Kevin D. Walsh, Esq.  
 Adam M. Gordon, Esq.  
 Laura Smith-Denker, Esq.  
 David T. Rammner, Esq.  
 Joshua D. Bauers, Esq.

May 7, 2019

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

**Re: In the Matter of the Township of Washington, County of Warren,**  
 Docket No. WRN-L-244-15

Dear Ms. Campbell:

This letter memorializes the terms of an agreement reached between the Township of Washington ("Washington" or the "Township"), 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**

Washington filed the above-captioned matter on July 7, 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 Washington hereby agree that Washington's affordable housing obligations are as follows:

{00609772-1}



Rehabilitation Share (per Kinsey Report <sup>1</sup> )	8
Prior Round Obligation (pursuant to N.J.A.C. 5:93)	40
Third Round (1999-2025) Prospective Need (per Kinsey Report, as adjusted through this Agreement)	134

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 present need include the following: participation in the Warren County rehabilitation program. The Township reserves the right during the compliance phase to seek a waiver from the rental rehabilitation requirement due to the small rehabilitation obligation, which information will be presented to and reviewed by FSHC and the Special Master. This is sufficient to satisfy the Township's present need obligation of 8 units.
6. As noted above, the Township has a Prior Round prospective need of 40 units, which is met through the following compliance mechanisms:

Fairway Mews (constructed family rental)	30 units
Fairway Mews rental bonuses	10 bonuses

The Township has implemented or will implement the following mechanisms to address its Third Round prospective need of 134 units:

Fairway Mews (constructed family rental)	2 units
ARC Group Home	4 bedrooms
Center for Humanistic Change group home	6 bedrooms
Hawk Pointe (proposed family rental)	29 units
Hawk Pointe (proposed group home bedrooms)	29 bedrooms
Hawk Pointe (proposed assisted living)	6 units
Habitat for Humanity (family for-sale, complete)	1 unit
Roaring Rock apartment (Block 4, Lot 19.01)	1 unit
Inclusionary zoning Block 71, Lot 5 (family rental or for-sale)	22 units
Rental bonuses – Fairway Mews, Hawk Pointe	34 units

The Township will also support the development of four additional units by Habitat for Humanity on two properties.

1. Meadow Breeze Lot (Block 18, Lot 15.01) is a .492 acre lot that was subdivided from a larger lot and acquired by the Township. The Township acquired Block 18, Lot 15 in 2013 which is adjacent to the municipal park complex. In 2018, a house site was subdivided from Lot 15 to create new lot 15.01. The deed perfecting the subdivision was recorded in the Warren County Clerk's Office on June 4, 2018 in deed book 2864 page 74. The Township adopted Ordinance 2012-06 to donate Lot 15.01 to Habitat for the construction of affordable housing.
2. Washington Valley Estates (Block 28, Lot 5.24). The Township approved a major subdivision to re-subdivide existing Block 28, Lot 5.01-5.08 into 23 single family lots,

<sup>1</sup> 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.



a detention basin lot and one lot to be dedicated to the Township for affordable housing. The developer has not yet recorded the plat to perfect his subdivision and so as of the date of this Agreement the Township does not yet own the lot..

These sites will provide surplus credits that the Township reserves the right to apply to the Fourth Round under then-applicable law. Because these sites provide surplus credits the Township does not have an obligation to bond for these sites, however the Township agrees to support the development of these sites through land use approvals and such funding as may be available in the Spending Plan to be developed pursuant to this Agreement.

7. The Township will provide a realistic opportunity for the development of affordable housing through the adoption of inclusionary zoning on the following sites:
  - a) The Township already has adopted a Revised Redevelopment Plan for the units referenced in paragraph 7 for Hawk Pointe dated December 18, 2018 adopted on January 15, 2019. This Plan creates a realistic opportunity for the above-referenced Hawk Pointe units. The Township shall maintain this Plan and cooperate with the developer of Hawk Pointe in developing the property in accordance with the Plan.
  - b) The Township will rezone prior to the final compliance hearing in this matter at least 20 acres of the tract known as Block 71, Lot 5, containing 96.18 acres , for a gross density of at least 6 units per acre with a 20 percent set-aside. The affordable units may be developed as family rental or family for-sale units, provided that they shall only be family for-sale units if integrated into a market-rate family for-sale development. The parties understand that this rezoning is likely to produce at least 24 affordable units. Whereas 22 units are required for the Third Round obligation in the chart in paragraph 6, and the Township reserves the right to seek additional credit for any affordable units above the 22 units in future rounds. This site is not currently within the approved sewer service area for Washington Township. The Township will submit application to amend the sewer service area to include this parcel prior to final judgment being issued in this matter in accordance with N.J.A.C. 5:93-5.3(b). If there is a denial on any such site by DEP or at the end of two years if there is no DEP determination then this agreement and any orders of the court shall be reopened for the limited purpose of determining whether there is a realistic opportunity on any such site and if not what measures should be taken to address that portion of the Third Round obligation for which there is no longer a realistic opportunity. The new zone will permit commercial and residential uses, provided that there shall not be a requirement that any inclusionary residential development providing the 22 affordable units required for the Third Round can only be built after some or all non-residential development is built. The Township Engineer will provide, at least 10 days prior to the fairness hearing, a report that details the process and timeline for accomplishing the rezoning and he will testify to the contents of same at the hearing.
  - c) Block 4, Lot 19.01 referred to as the "Roaring Rock Apartment" is located at the corner of Brass Castle Road and Jonestown Road. The owner converted a restaurant with one apartment into a 3 apartments. One apartment was required by the Township to be deed restricted for affordable housing.
8. The Township agrees to require 13% of all affordable 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 as follows:

A minimum of 13% of the affordable family units at Hawk Pointe and a minimum of 13% of the affordable group home bedrooms at Hawk Pointe will be very low income units.

A minimum of 13% of the affordable units on Block 71, Lot 5 will be very low income units.

9. 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:
  - a) Third Round bonuses will be applied in accordance with N.J.A.C. 5:93-5.15(d).
  - b) 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.
  - c) 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.
  - d) At least half of the units addressing the Third Round Prospective Need in total must be available to families.
  - e) 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.
10. 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, Morris County NAACP, Elizabeth NAACP, Warren/Sussex County NAACP, Affordable Housing Professionals of New Jersey 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.
11. 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:

- a) Regional income limits shall be established for the region that the Township is located within (i.e. Region 4) 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.
- b) The income limits attached hereto as Exhibit A are the result of applying the percentages set forth in paragraph (a) above to HUD's determination of median income for FY 2018, 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.
- c) 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.
- d) 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.

12. 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.

13. As an essential term of this Agreement, within one hundred 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.

14. The parties agree that if a decision of a court of competent jurisdiction in Warren County, or if no Court in Warren County issues a decision on fair share obligations then a court within Vicinage 13 (Hunterdon, Warren, Somerset) or COAH Region 2 (Essex, Morris, Union and 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 ten (10%) 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.

15. 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 the execution of this Agreement, which shall be established by the date on which it is executed by a representative of the Township, and on every anniversary of that date thereafter through the 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.
16. On the first anniversary of the execution of this Agreement, and every anniversary thereafter through the end of this Agreement, 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.
17. 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:
  - a) 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.

- b) 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 this Agreement, 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.

18. 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.
19. 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 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 the Court approves this proposed settlement, the parties contemplate 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 "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.
20. The Township agrees to pay FSHC's attorneys fees and costs in the amount of \$5,000 within thirty (30) days of the Court's approval of this Agreement pursuant to a duly-noticed fairness hearing.
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 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

May 7, 2019

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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:

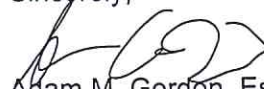
**TO FSHC:** Adam M. Gordon, Esq.  
Fair Share Housing Center  
510 Park Boulevard  
Cherry Hill, NJ 08002  
Phone: (856) 665-5444  
Telecopier: (856) 663-8182  
E-mail: adamgordon@fairsharehousing.org

**TO THE TOWNSHIP:** Katrina Campbell, Esq.  
Lavery, Selvaggi, Abromitis & Cohen, P.C.  
1001 Route 517  
Hackettstown, NJ 07840  
Telecopier: (908) 852-8225  
Email: kcampbell@lsaclaw.com

**WITH A COPY TO THE  
MUNICIPAL CLERK:** Municipal Clerk  
Washington Township  
211 Route 31 North  
Washington, NJ 07882  
Telecopier: (908) 689-8513  
Email: [twpclerk@washington-twp-warren.org](mailto:twpclerk@washington-twp-warren.org)

Please sign below if these terms are acceptable.

Sincerely,



Adam M. Gordon, Esq.  
Counsel for Intervenor/Interested Party  
Fair Share Housing Center

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



Mayor Robert Klingel  
Dated: May 8, 2019



Prepared by *Affordable Housing Professionals of New Jersey (AHPNJ)* - April 2018

## 2018 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

		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 Bergen, Hudson, Passaic and Sussex	Median	\$63,597	\$68,140	\$72,682	\$81,767	\$90,853	\$94,487	\$98,121	\$105,389	\$112,657	\$119,926		
	Moderate	\$50,878	\$54,512	\$58,146	\$65,414	\$72,682	\$75,589	\$78,497	\$84,311	\$90,126	\$95,940	2.2%	\$175,679
	Low	\$31,798	\$34,070	\$36,341	\$40,884	\$45,426	\$47,343	\$49,060	\$52,695	\$56,329	\$59,963	5.52%	
	Very Low	\$19,079	\$20,442	\$21,805	\$24,530	\$27,256	\$28,246	\$29,436	\$31,617	\$33,797	\$35,978		
Region 2 Essex, Morris, Union and Warren	Median	\$66,755	\$71,523	\$76,291	\$85,828	\$95,364	\$99,179	\$102,993	\$110,622	\$118,252	\$125,881		
	Moderate	\$53,404	\$57,218	\$61,033	\$68,662	\$76,291	\$79,343	\$82,395	\$88,498	\$94,601	\$100,705	2.2%	\$182,955
	Low	\$33,377	\$35,762	\$38,146	\$42,914	\$47,682	\$49,589	\$51,497	\$55,311	\$59,126	\$62,940	1.22%	
	Very Low	\$20,026	\$21,457	\$22,887	\$25,748	\$28,609	\$29,754	\$30,898	\$33,187	\$35,475	\$37,764		
Region 3 Hunterdon, Middlesex and Somerset	Median	\$75,530	\$80,925	\$86,320	\$97,110	\$107,900	\$112,216	\$116,532	\$125,164	\$133,796	\$142,428		
	Moderate	\$60,424	\$64,740	\$69,056	\$77,688	\$86,320	\$89,773	\$93,226	\$100,131	\$107,037	\$113,942	2.2%	\$205,458
	Low	\$37,765	\$40,463	\$43,160	\$48,555	\$53,950	\$56,108	\$58,266	\$62,582	\$66,898	\$71,214	2.37%	
	Very Low	\$22,659	\$24,278	\$25,896	\$29,133	\$32,370	\$33,665	\$34,960	\$37,549	\$40,139	\$42,728		
Region 4 Mercer, Monmouth and Ocean	Median	\$69,447	\$74,407	\$79,368	\$89,289	\$99,209	\$103,178	\$107,146	\$115,083	\$123,020	\$130,956		
	Moderate	\$55,557	\$59,526	\$63,494	\$71,431	\$79,368	\$82,542	\$85,717	\$92,066	\$98,416	\$104,765	2.2%	\$186,616
	Low	\$34,723	\$37,204	\$39,684	\$44,644	\$49,605	\$51,589	\$53,573	\$57,541	\$61,510	\$65,478	5.19%	
	Very Low	\$20,834	\$22,322	\$23,810	\$26,787	\$29,763	\$30,953	\$32,144	\$34,525	\$36,906	\$39,287		
Region 5 Burlington, Camden and Gloucester	Median	\$61,180	\$65,550	\$69,920	\$78,660	\$87,400	\$90,896	\$94,392	\$101,384	\$108,376	\$115,368		
	Moderate	\$48,944	\$52,440	\$55,936	\$62,928	\$69,920	\$72,717	\$75,514	\$81,107	\$86,701	\$92,294	2.2%	\$161,977
	Low	\$30,590	\$32,775	\$34,960	\$39,330	\$43,700	\$45,448	\$47,196	\$50,692	\$54,188	\$57,684	5.05%	
	Very Low	\$18,354	\$19,665	\$20,976	\$23,598	\$26,220	\$27,269	\$28,318	\$30,415	\$32,513	\$34,610		
Region 6 Atlantic, Cape May, Cumberland, and Salem	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	2.2%	\$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 previously calculated under N.J.A.C. 5:97-9.3). The increase for 2015 was 2.3%, the increase for 2016 was 1.1%, the increase for 2017 was 1.7%, and the increase for 2018 is 2.2% (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, 2016, or 2017 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 previously calculated under N.J.A.C. 5:97-9.3). 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 2017 were higher than the 2018 calculations, the 2017 income limits will remain in force for 2018 (as previously required by N.J.A.C. 5:97-9.2(c)).

## EXHIBIT A: 2018 INCOME LIMITS