

Housing Element and Fair Share Plan



Stillwater Township, Sussex County

May 21, 2025

Prepared by:



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2025 Housing Element and Fair Share Plan

*Stillwater Township
Sussex County, New Jersey*

Stillwater Township Planning Board

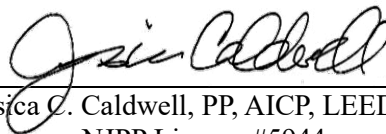
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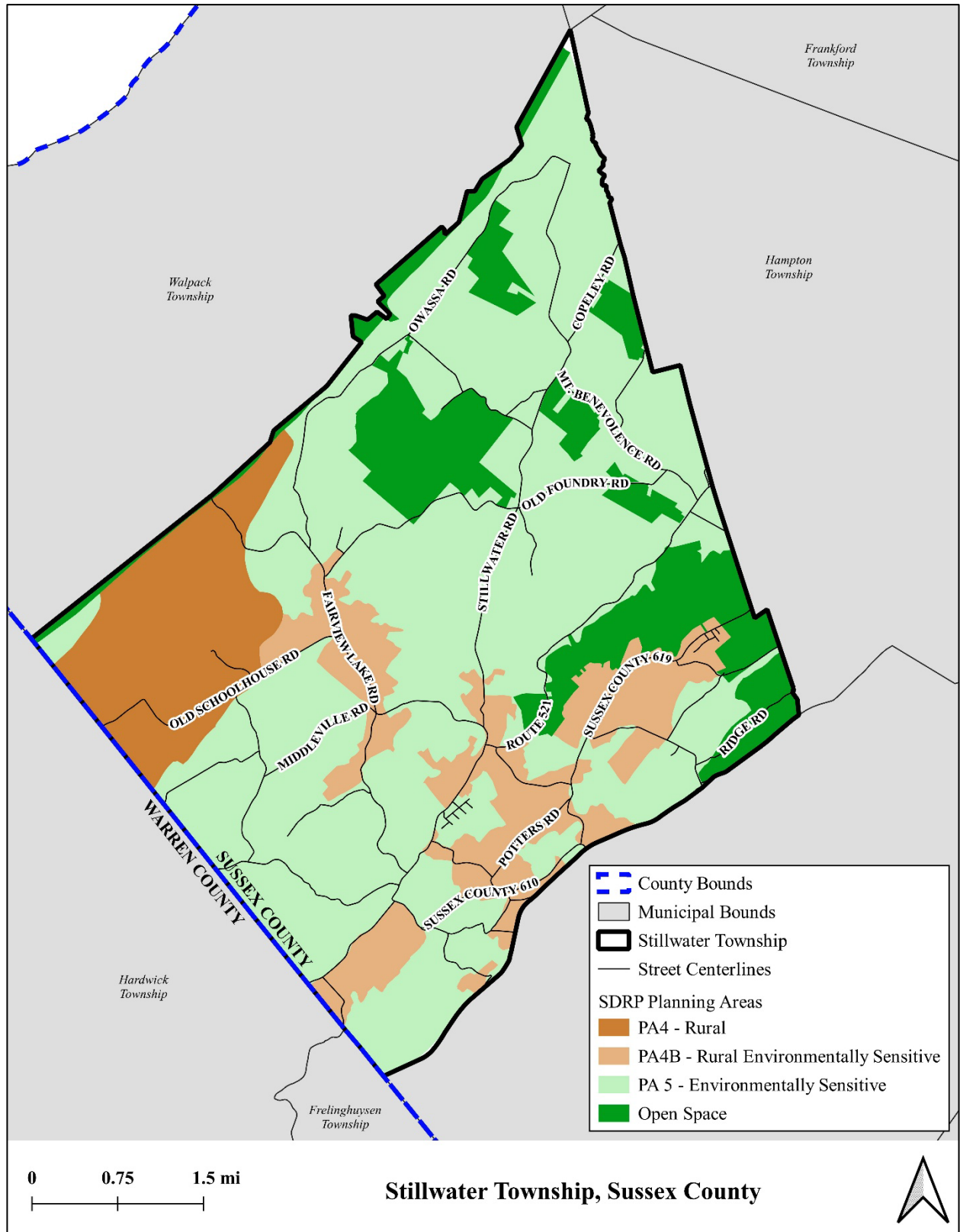
1. Introduction

1.1 Community Overview

Stillwater Township is a rural community located in southwestern Sussex County, New Jersey (**Figure 1**). At 28.5 square miles and a population of 4,004 people in 2020, the Township is among the lowest density municipalities in Sussex County, followed only by Lafayette Township, Montague Township, Sandyston Township, and Walpack Township. It is the eight-largest in geographic size. Walpack Township, Hampton Township, and Fredon Township share the Township's northwest, northeast, and southeast borders, respectively. The southwestern border of the Township is shared with Hardwick Township and Frelinghuysen Township in Warren County.

Stillwater is characterized by winding roads, densely forested lands, agriculture, low-density residential neighborhoods, and scattered low-intensity commercial uses. The Township is in close proximity to the Delaware Water Gap and the New Jersey-Pennsylvania border and has an expansive inventory of recreation opportunities.

Figure 1. Context Map



1.2 Relationship to Other Plans

Municipal Master Plan

The Township's last comprehensive Master Plan was prepared in 1999 and reexamined in 2006, 2012, and 2022. Other components of the Master Plan that have been adopted over the years include a Stormwater Management Plan (2005), Open Space and Recreation Plan (2006, with a 2025 update currently being prepared), Land Use Plan (2012), Environmental Resource Inventory (2014, 2015), Housing Element and Fair Share Plan (2016). As affirmed in the 2022 Reexamination of the Master Plan, the following goals and objectives of the Land Use Plan highlight the consistency of this Housing Element and Fair Share Plan:

Goal 1: To Preserve the Rural Character of Stillwater Township

Implementation Policies

1. Protect against incompatible development which would adversely affect the rural character of Stillwater. Developments of this type would include cookie cutter subdivisions and strip commercial developments.
2. Ensure that new development is visually and functionally compatible with the physical character of the township.

Goal 3: To Ensure the Implementation of the Goals and Policies of the Master Plan

Implementation Policies

1. The Master Plan provides a policy basis for a community's direction. The Plan is implemented through development regulations. To be effective, the Master Plan must be accompanied by land development regulations to assure implementation of goals.
2. Encourage cooperation and seek input from all municipal agencies which have an interest in land development.
3. New residential development should be carefully regulated to preserve water supplies, the Township relies almost entirely on groundwater from individual wells for its water supply and utilities individual sewage treatment systems for wastewater disposal.

State Development and Redevelopment Plan (2001)

At the time of the preparation of this Housing Element and Fair Share Plan (HEFSP), the update to the New Jersey State Development and Redevelopment Plan (SDRP) is expected to be completed in late 2025. The last update to the SDRP was adopted in 2001 and identified several goals and objectives for housing, specifically as they relate to Planning Areas 4, 4B, and 5. These intent of each of these areas, which in part guide the preparation of this HEFSP, are as follows:

1. Rural Planning Area (PA4) and Rural/Environmentally Sensitive Planning Area (PA5)
 - a. Maintain the Environs as large contiguous areas of farmland and other lands;
 - b. Revitalize cities and towns;
 - c. Accommodate growth in Centers;
 - d. Promote a viable agricultural industry;
 - e. Protect the character of existing, stable communities; and
 - f. Confine programmed sewers and public water services to Centers.
2. Environmentally Sensitive Planning Area (PA5)
 - a. Protect environmental resources through the protection of large contiguous areas of land;
 - b. Accommodate growth in Centers;
 - c. Protect the character of existing stable communities;
 - d. Confine programmed sewers and public water services to Centers; and
 - e. Revitalize cities and towns.

It should be noted that although a portion of the Township is located within PA4 – Rural, this section of the municipality is preserved lands and significantly environmentally constrained lands, which does not align with the Planning Area designation.

Sussex County Strategic Growth Plan (2005, updated 2014)

Low-intensity, low-impact development is supported by the Sussex County Strategic Growth Plan (SGP). There is an emphasis on preservation and rehabilitation of natural resources and this is reflected in the numerous agricultural operations of varying scales in the County. The SGP provides for a landscape framework and includes goals and objectives for the various landscapes in the county. Stillwater predominantly falls within the Rural/Agricultural and Parklands/Wildlife Management Area landscapes, which includes the following goals and objectives that are particularly relevant to this Housing Element and Fair Share Plan:

1. Minimize sprawl development through incentives for density transfer; and
2. Locate development in areas least likely to have a negative effect on agricultural operations.

The SGP also recognizes the importance of providing for accessible, affordable housing and notes that, “Housing will be most appropriately located in the traditional towns, villages, and hamlets that exist or that may be designated by municipalities in the rural/agricultural landscape as growth areas.” This HEFSP is consistent with the County SGP.

Surrounding Municipalities’ Master Plans

Walpack Township, Sussex County

Walpack Township is primarily occupied by the Delaware Water Gap National Recreation Area and has a population of seven (7), according to the 2020 Decennial Census. Walpack Township is not significantly impacted by this Housing Element and Fair Share Plan.

Hampton Township, Sussex County

Hampton Township borders Stillwater to the northeast. Along this municipal border, there are very low-intensity uses including Swartswood State Park, Crandon Lakes, and the Stillwater Township Community Center and Park. Hampton Township prepared a Housing Element and Fair Share Plan in 2018, which included a durational adjustment proposed to meet their Third Round obligations through several inclusionary zones. No major changes to this area are proposed as part of this Housing Element and Fair Share Plan and, as such, there is no significant impact to Hampton Township’s Master Plan.

Fredon Township, Sussex County

Stillwater Township’s southeastern border is shared with Fredon Township. The Paulinskill Valley Trail, a State-owned trail, spans the length of this border. Fredon Township prepared an update to their Housing Element and Fair Share Plan in June of 2016 and proposed to meet their obligation through the implementation of an inclusionary zone. Fredon Township’s Master Plan and zoning are not significantly impacted by this Housing Element and Fair Share Plan.

Frelinghuysen Township, Warren County

To the south, a small section (about half a mile) of Stillwater’s border is shared with Frelinghuysen Township in Warren County. Frelinghuysen Township prepared a Housing Element in 2007; its obligations were met through a combination of a rehabilitation program and several supportive housing/special needs residences. The area in Stillwater that borders Frelinghuysen includes several preserved farmland parcels. There is no impact on Frelinghuysen’s Master Plan as a result of this Housing Element and Fair Share Plan.

Hardwick Township, Warren County

Most of Stillwater’s southwestern border is shared with Hardwick Township in Warren County. The municipalities are connected via Millbrook Stillwater Road to the south and Old Schoolhouse Road to the north. Hardwick Township applied a durational adjustment in its most recent Housing Element and Fair Share Plan, prepared a Spending Plan in 2018, and has addressed its fair share of affordable housing through a variety of mechanisms including market-to-affordable, supportive/special needs housing, and a rehabilitation program. Most of Stillwater’s lands along the Hardwick border is preserved to some extent, including farmland, Nature Conservancy Open Space, and Blair Creek Preserve. The remaining lands are undeveloped or low-intensity residential uses. This Housing Element and Fair Share Plan does not significantly impact these areas and, as a result, Hardwick’s planning efforts.

1.3 History of Affordable Housing

New Jersey

The New Jersey Supreme Court, in Mount Laurel I (1975) and Mount Laurel II (1983) required all New Jersey municipalities to take affirmative actions toward providing their “fair share” of the region’s need for affordable housing for low- and moderate-income people. In response to the Mount Laurel II decision, the New Jersey Legislature adopted the Fair Housing Act (“FHA”) in 1985. This act created the Council on Affordable Housing (“COAH”) to assess the statewide need for affordable housing, allocate that need on a municipal fair share basis, and review and approve municipal housing plans aimed at implementing the local fair share obligation. Subsequently, the New Jersey Municipal Land Use Law (“MLUL”) was amended to require a Housing Element as a mandatory element of the municipal master plan. According to the MLUL, “a municipality’s housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing (52: 27D-310).”

COAH adopted its Third Round Rules in December 2004. On January 25, 2007, the Appellate Division issued a decision on an appeal of COAH’s Third Round regulations. COAH was precluded from issuing Third Round Substantive Certifications until new rules for the Third Round were revised and adopted.

On October 8, 2010, the Appellate Division invalidated COAH’s Rules in In re Adoption of N.J.A.C. 5:96 & 5:97 by the New Jersey Council on Affordable Housing, 416 N.J. Super. 462 (App. Div. 2010). The decision stated, among other things, that growth share methodology was invalid, and directed COAH to adopt rules utilizing methodologies similar to those used in the First and Second Round Rules. On September 26, 2013 the Supreme Court affirmed the Appellate Division’s 2010 decision and remanded COAH to undertake new rulemaking based on COAH’s prior round rules and methodologies. COAH failed to formally adopt amended Third Round Rules.

In a 2015 decision known as Mount Laurel IV, the New Jersey Supreme Court divested COAH of jurisdiction of affordable housing, resulting in the process being left to the trial court system. This ruling dissolved the substantive certification process, turning instead to a judicial determination wherein a municipality files for a declaratory judgment action to certify that their Housing Element and Fair Share Plan has satisfied their Third Round obligation. At the same time, the Court appointed “Mount Laurel” judges for each of the State’s judicial vicinages. Stillwater Township filed a declaratory judgment action in Superior Court on July 1, 2015 seeking certification of a Housing Element and Fair Share Plan for the Third Round. The Township entered into a settlement agreement with Fair Share Housing Center dated October 18, 2016, agreeing to the Township’s obligation and proposals for meeting those obligations which were later set forth in a Housing Element and Fair Share Plan dated March 2016.

In 2024, New Jersey Legislature passed into law amendments to the Fair Housing Act (N.J.S.A. 52:27D-304.1 et seq. via NJ A4/S50) (“Amended FHA” or “P.L. 2024, c.2”) that abolished and replaced COAH with the Affordable Housing Dispute Resolution Program (“the Program”), and set forth new methodology for the calculations of a municipality’s affordable housing obligations for the Fourth Round and beyond. Subsequent to the adoption of the Amended FHA, the Highlands Council adopted an amendment to the RMP governing the potential location of affordable housing and availability of land and resources in the region.

Stillwater Township

Stillwater Township is in Affordable Housing Region 1, which includes the municipalities in Bergen County, Hudson County, Passaic County, and Sussex County. The Township adopted a Housing Element and Fair Share Plan in 2008 and 2016, which addressed the municipality’s Prior Round and Third Round obligations, respectively. Stillwater Township has been active in all rounds of affordable housing, having filed a Petition for Substantive Certification for the First, Second and Third Rounds. The Township entered into a Settlement Agreement with COAH in 2008 and the Fair Share Housing Center (“FSHC”) in 2016. Pursuant to this Settlement Agreement, the Township’s obligations were as follows:

Prior Round Obligation (1987-1999)	
Initial Obligation (unadjusted)	15
Third Round Obligations (1999-2025)	
Present Need (per Kinsey Report ¹)	12
Third Round Prospective Need	90

On March 20, 2024, Governor Murphy signed into law Bill A4/S50 (P.L. 2024, c.2) (“Amended FHA”), which set forth the rules and regulations governing the Fourth Round (2025-2035) of affordable housing obligations in New Jersey. This law abolished COAH and shifted implementation of the Fair Housing Act to the New Jersey Department of Community Affairs (“DCA”), creating the Affordable Housing Dispute Resolution Program (“the Program”).

On October 18, 2024, the DCA prepared and submitted a non-binding report (“DCA Report”) on the Fourth Round affordable housing fair share obligations for all municipalities within the State of New Jersey. The DCA indicated that Stillwater Township’s Fourth Round Present Need/Rehabilitation Obligation was 11 units and the Prospective Need is 53 units. In compliance with this new legislation, the Stillwater Township Governing Body adopted Resolution 2025-034, accepting the DCA calculations of the Township’s Fourth Round present and prospective need obligations. These Fourth Round obligations, pursuant to the DCA Report, are as follows:

Fourth Round Obligations (2025-2035)	
Fourth Round Rehabilitation/Present Need Obligation	11
Fourth Round Prospective Need Obligation	53

¹ David N. Kinsey, PhD, PP, FAICP, New Jersey Low And Moderate Income Housing Obligations For 1999-2025 Calculated Using The NJ COAH Prior Round (1987-1999) Methodology, May 2016.

1.4 Purpose and Goals

The purpose of this Housing Element and Fair Share Plan is to provide a realistic opportunity to address the housing needs of the Township residents across all income levels. As with previous HEFSPs prepared by the Township, this Plan seeks to:

1. Provide realistic affordable housing opportunities;
2. Provide these housing opportunities in a manner that will enhance the fabric of the community; and
3. Provide these housing opportunities in a manner that is consistent with the goals and objectives of the Township's planning policies.

This Plan has been prepared to meet the requirements of the Municipal Land Use Law (MLUL), Fair Housing Act (FHA), the New Jersey State Development and Redevelopment Plan (SDRP), Bill A4/S50 (P.L. 2024, c.2), and Administrative Directive #14-24.

1.5 Contents of the Plan

Municipal Land Use Law (N.J.S. § 52:27D-310) and the Fair Housing Act (P.L. 1985, c.222) require that the Housing Element and Fair Share Plan include the following:

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

2. Demographic Characteristics

In order to determine the type and intensity of housing needed in the Township, it is essential to review demographic characteristics and, particularly, how those characteristics have changed over time. Population trends provide insights into the changing needs for housing types such as low-income families or senior housing. Identifying whether the community is experiencing growth or decline can also impact housing demand and planning. Employment characteristics such as unemployment and commuting patterns can impact where individuals live. It's important to regularly review these factors with respect to planning for housing so that the Township can be responsive to the community's evolving needs.

Most of the data reviewed in this section is retrieved from the most recent United States Decennial Census, which occurred in 2020. Notably, the data was gathered and distributed prior to the onset of the COVID-19 pandemic in 2021. Generally speaking, the pandemic altered numerous demographic characteristics including the number of people moving to rural areas with the ability to work remotely or hybrid. Data does not yet accurately reflect all of the demographic changes associated with this event but should be considered in the Township's planning efforts nonetheless.

2.1 Population

Population change, 1990-2020

Stillwater Township has experienced a gradual but steady decline in its population since 1990. This stands in stark contrast to both the broader County and the State, both of which have experienced consistent increases in the population size since 1990. Between 2000 and 2010, the Township experienced a 3.9 percent loss, and between 2010 and 2020, there was a slightly smaller loss of 2.3 percent. Sussex County did also see a similar decline between the same time period, but the population of the County overall increased from 1990. Thus, while Stillwater Township faces more localized challenges, the County's increase in population, however small, highlights a broader regional appeal that could influence the Township's population dynamics with strategic planning efforts.

Table 1. Population Change, 1990 - 2020

	1990	% Change	2000	% Change	2010	% Change	2020
Stillwater Township	4,253	▲ 0.3%	4,267	▼ -3.9%	4,099	▼ -2.3%	4,004
Sussex County	130,943	▲ 10%	144,166	▲ 4%	149,265	▼ -3%	144,221
New Jersey	7,730,188	▲ 9%	8,414,347	▲ 4%	8,791,894	▲ 6%	9,288,994

Sources:

U.S. Census Bureau. (2010). POPULATION AND HOUSING UNITS: 1990 TO 2010; AND AREA MEASUREMENTS AND DENSITY: 2010.

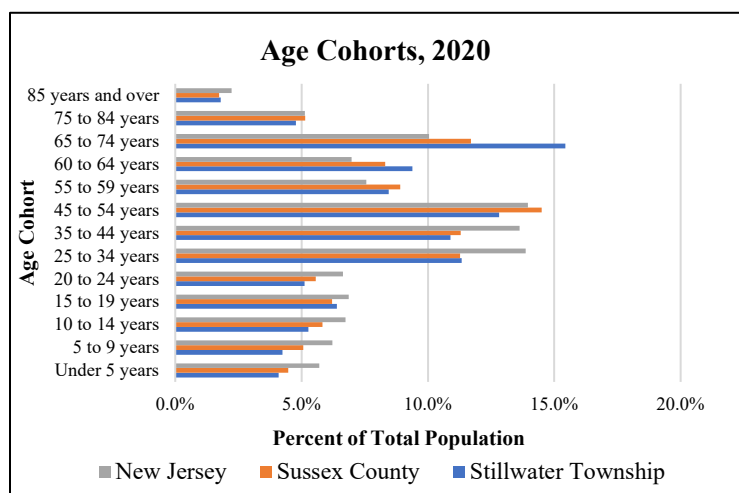
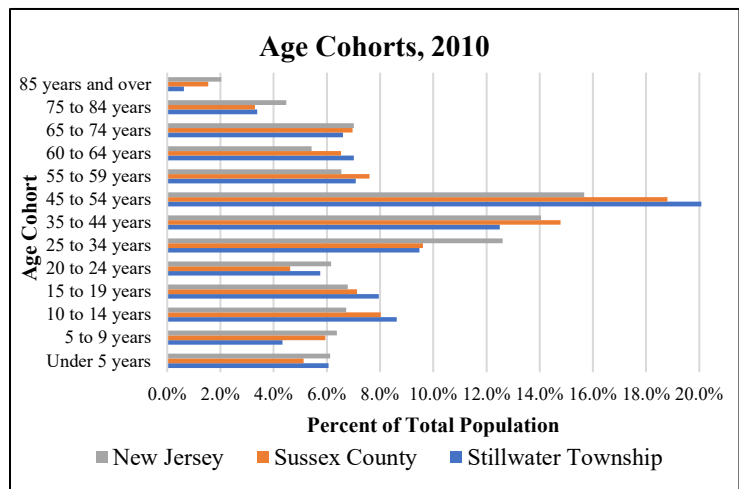
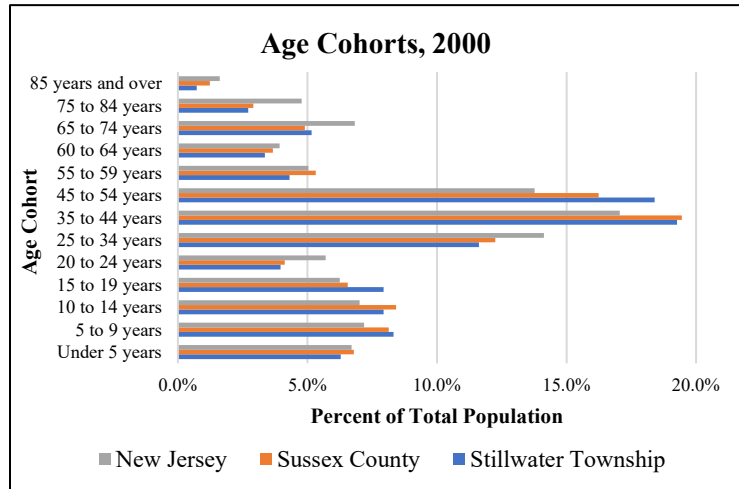
U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. *Decennial Census, Profile of General Population and Housing Characteristics, Table DP1.*

Age

Stillwater Township is experiencing a shift in its population age. More specifically, the Township’s older population is increasing. In 2000, similar to both the County and the State, the Township’s largest age cohorts were those aged 35 to 44 and 45 to 54. Also in 2000, the median age of Township residents was 37.6 years. Although a general trend of a more balanced population is seen over the last three decades, the Township experienced a notable spike in residents aged 65 to 74 years in 2020. Reflective of this trend, the Township’s median age in 2020 was 47.5 years, a difference of almost ten years. This is the largest difference between median age between the time period of 2000 and 2010 for the Township, County, and State. Sussex County experienced an increase in median age of 8.2 years, and the State only saw an increase of 3.2 years.

Compared to 20 years ago, Stillwater has a slightly smaller, but older, population. The implications of this, particularly as they relate to housing, include concepts such as the desire to age in place, access to senior and healthcare services, and mobility.

Figure 2. Age Cohorts, 2000-2020



Household Size and Type

The U.S. Decennial Census (2000, 2010, and 2020) and American Community Survey (ACS) 5-Year Estimates provide counts of household sizes, occupants per room, and household income. In 2020, the Decennial Census reported a total of 4,004 people and 1,612 households. Of these households, 22.5 percent consisted of opposite-sex spouse households, 19.2 percent were females without spouses, 16.5 percent were males without spouses, and 3.0 percent were opposite-sex unmarried partners.

The size of Stillwater Township’s households has changed slightly over the past two decades. In 2000, the largest portion of the Township’s households consisted of 4-or-more-person households, which comprised 31.8 percent. This number has since declined to 21.2 percent of all households in the Township in 2020. In 2000, the number of 2-person households was similar, comprising 31.4 percent. However, by 2020, that number has increased to 40.5 percent. This is a similar trend occurring at the County level, but at the State level there is more of increase in 1-person households (increasing from 24.5% in 2000 to 25.6% in 2020). In 2000, 17.2 percent of Stillwater’s households were 1-person households; this increased to 21.0% in 2020. Overall, at all three geographical levels, there is a trend shifting towards smaller households.

Table 2. Household Type by Relationship, 2020

Stillwater Township Household Type by Relationship	Count	%
Total population	4,004	100.0%
In households	4,004	100.0%
Householder	1,612	40.3%
Male - no spouse	265	16.5%
Female - no spouse	309	19.2%
Opposite-sex spouse	901	22.5%
Same-sex spouse	11	0.3%
Opposite-sex unmarried partner	122	3.0%
Same-sex unmarried partner	2	0.0%
In group quarters	0	0.0%
Institutionalized population	0	0.0%
Noninstitutionalized population	0	0.0%

Source:
U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS, *Decennial Census, Table DP1*.

Table 3. Household Size, 2000-2020

Stillwater Township Household Size	2000	%	2010	%	2020	%
Total households	1,494	100%	1,553	100%	1,609	100%
1-person household	257	17.2%	336	▲ 21.6%	338	▼ 21.0%
2-person household	469	31.4%	502	▲ 32.3%	652	▲ 40.5%
3-person household	293	19.6%	320	▲ 20.6%	278	▼ 17.3%
4-or-more-person household	475	31.8%	395	▼ 25.4%	341	▼ 21.2%

Source:
U.S. Census Bureau. (2000). HOUSEHOLD SIZE. *Decennial Census, DEC Summary File 3, Table H016*.
U.S. Census Bureau. (2010). HOUSEHOLD SIZE. *Decennial Census, DEC Summary File 1, Table H13*.
U.S. Census Bureau. (2020). HOUSEHOLD SIZE. *Decennial Census, DEC Demographic and Housing Characteristics Table H9*.

Of the 1,494 total housing units in Stillwater in 2020, the ACS reported that 98.6 percent saw 1.00 occupant or less per room . The number of occupants per room was never particularly high in the Township over the

last 20 years; in 2000, under 1 percent of total households had 1.51 occupants or more per room, which is considered crowded housing. This figure fell to 0 percent in 2010.

Income

For the year 1999, Stillwater Township’s median income was \$63,750. This has increased over the years to \$79,367 in 2010 and \$100,565 in 2020. In 1999, most households (26.7%) were making between \$50,000 to \$74,999. In 2020, most households (24.5%) were earning between \$100,000 and \$149,999. In 1999, the Township had a lower median income than that of the County (\$63,750) but a higher one compared to the State (\$55,146).

Table 4. Median Income, 1999-2020

	Median Household Income		
	1999	2010	2020
Stillwater Township	\$63,750	\$79,367	\$100,565
Sussex County	\$65,266	\$84,115	\$96,222
New Jersey	\$55,146	\$67,681	\$85,245

Sources:
 U.S. Census Bureau. (2010). POPULATION AND HOUSING UNITS: 1990 TO 2010; and AREA MEASUREMENTS AND DENSITY: 2010.
 U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. *Decennial Census, Profile of General Population and Housing Characteristics, Table DP1.*

Table 5. Household Income, 1999-2020

Stillwater Township Household Income	Percent of Households		
	1999	2010	2020
Total Households	1,497	1,583	1,511
Less than \$10,000	2.1%	▲ 2.7%	▼ 0.0%
\$10,000 to \$14,999	1.9%	▲ 4.9%	▼ 0.0%
\$15,000 to \$24,999	7.1%	▲ 8.6%	▼ 10.9%
\$25,000 to \$34,999	5.1%	▼ 5.0%	▼ 7.4%
\$35,000 to \$49,999	16.4%	▼ 11.6%	▼ 4.8%
\$50,000 to \$74,999	26.7%	▼ 11.7%	▼ 10.1%
\$75,000 to \$99,000	19.7%	▼ 15.4%	▲ 16.1%
\$100,000 to \$149,999	18.1%	▲ 24.8%	▼ 24.5%
\$150,000 to \$199,999	2.1%	▲ 13.4%	▲ 18.4%
\$200,000 or more	0.7%	▲ 1.9%	▲ 7.7%
Median household income	\$63,750	\$79,367	\$100,565

Sources:
 U.S. Census Bureau. (2000). PROFILE OF SELECTED ECONOMIC CHARACTERISTICS: 2000. *Decennial Census, Dec Summary File 4 Demographic Profile, Table DP3.*
 U.S. Census Bureau. (2010). INCOME IN THE PAST 12 MONTHS (In 2010 Inflation-Adjusted Dollars). *American Community Survey, ACS 5-Year Estimates Subject Tables, Table S1901.*
 U.S. Census Bureau. (2020). INCOME IN THE PAST 12 MONTHS (In 2020 Inflation-Adjusted Dollars). *American Community Survey, ACS 5-Year Estimates Subject Tables, Table S1901*

2.2 Employment Characteristics

Workforce

The ACS reported that in 2020, Stillwater had a working population (those aged 16 years and older) of 3,435. The number of people in the labor force was 2,159 and those not in the labor force totaled 1,276. Also in 2020, Stillwater had an unemployment rate of 8.8 percent. The County’s unemployment rate in 2020 was 5.3 percent and the State’s was 5.8 percent.

Most (22.2%) of Stillwater’s employed population works in educational services, and health care and social assistance. Another large portion (21.2%) of the population works in construction, and 19.2 percent work in Professional, scientific, and management, and administrative and waste management services.

Table 6. Employment by Industry

Industry	Estimate	%
Educational services, and health care and social assistance	358	22.2%
Construction	342	21.2%
Professional, scientific, and management, and administrative and waste management services	309	19.2%
Manufacturing	159	9.9%
Arts, entertainment, and recreation, and accommodation and food services	149	9.2%
Retail trade	148	9.2%
Transportation and warehousing, and utilities	133	8.3%
Public administration	129	8.0%
Other services, except public administration	94	5.8%
Finance and insurance, and real estate and rental and leasing	89	5.5%
Agriculture, forestry, fishing and hunting, and mining	43	2.7%
Wholesale trade	16	1.0%
Information	0	0.0%

Source:
 U.S. Census Bureau. (2020). SELECTED ECONOMIC CHARACTERISTICS. *American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP03.*

Commuting

Of the total number of workers that did not work from home in 2020 (1,704 people), 91 percent commuted to work via a car, truck, or van. Almost 7 percent of this number carpooled. None of the employed population walked or biked to work, and less than 1 percent utilized public transportation. The Township’s utilization of public transportation is lower than that of the County (1.6%) and significantly lower than that of the State (10.8%); this makes sense, given that there is no access to mass transit in Stillwater. Almost half (47.2%) of the Township’s working population worked outside of Sussex County; this is about the same as the rest of Sussex County (47.7%) and larger than the elsewhere in the State (31.7%). The Township did not have any workers that were employed outside of New Jersey. This is lower than the portion of the County (7.4%) and the State (13.6%).

About one-quarter of Stillwater workers (25.8%) had a commute time of one hour or longer, with the average commute time of 35.9 minutes. This is a lower commute time than Sussex County workers as a whole, but lower than the State’s average commute time (32.0 minutes).

Table 7. Commuting Characteristics, 2020

Commuting Characteristics	Stillwater	County	State
Workers 16 years and over	1,853	73,512	4,332,443
Did not work from home	1,704	67,558	4,016,175
Means of transportation to work	%	%	%
Car, truck, or van	91	88.7	77.4
Drove alone	85	83.0	69.6
Carpooled	6.7	5.7	7.8
Public transportation (excluding taxicab)	0.6	1.6	10.8
Walked	0	0.8	2.6
Bicycle	0	0.0	0.3
Taxicab, motorcycle, or other means	0	0.7	1.6
Place of work	%	%	%
Worked in state of residence	100.0	92.6	86.4
Worked in county of residence	52.8	44.8	54.6
Worked outside county of residence	47.2	47.7	31.7
Worked outside state of residence	0.0	7.4	13.6
Travel time to work	%	%	%
Less than 10 minutes	11.9	9.2	9.6
10 to 14 minutes	7.9	8.4	11.3
15 to 19 minutes	13.8	9.2	12.5
20 to 24 minutes	8.0	9.9	12.7
25 to 29 minutes	5.3	5.2	6.4
30 to 34 minutes	7.6	10.7	13.4
35 to 44 minutes	5.9	8.7	8.0
45 to 59 minutes	13.8	14.1	10.2
60 or more minutes	25.8	24.5	15.8
Mean Travel time to work (minutes)	35.9	38.0	32.0

Source:
 U.S. Census Bureau. (2020). COMMUTING CHARACTERISTICS BY SEX.
American Community Survey, ACS 5-year Estimates Subject Tables, Table S0801.

3. Housing Characteristics

There are numerous methods by which to view the value of Stillwater Township’s housing stock. The ACS provided counts for the following items: Selected Monthly Owner Costs (SMOC), the values of owner-occupied and renter-occupied units, and mortgage characteristics.

3.1 Inventory of housing stock

Age

Nearly one-quarter (24.5%) of Stillwater’s housing stock was constructed in 1939 or earlier. This is significantly older than both the County (14.4%) and the State (18.1%). The Township saw 17.2 percent of its housing stock constructed between 1980 and 1989; this surpasses the portions in the County (16%) and the State (11.8%). There has been minimal new construction in the Township since that time.

Table 8. Age/Year Structure Built, 2020

Year Structure Built	Stillwater	Sussex County	State
Total	1,748	62,492	3,628,732
Built 2014 or later	1.4%	0.8%	2.2%
Built 2010 to 2013	0.0%	1.0%	1.8%
Built 2000 to 2009	0.3%	9.0%	8.8%
Built 1990 to 1999	4.8%	8.2%	9.7%
Built 1980 to 1989	17.2%	16.0%	11.8%
Built 1970 to 1979	11.7%	18.6%	12.5%
Built 1960 to 1969	17.6%	13.0%	13.3%
Built 1950 to 1959	11.7%	12.8%	14.7%
Built 1940 to 1949	10.7%	6.2%	7.1%
Built 1939 or earlier	24.5%	14.4%	18.1%

Source:

U.S. Census Bureau. (2020). SELECTED HOUSING CHARACTERISTICS. *American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04.*

Type

The vast majority (89.7%) of Stillwater’s housing stock is comprised of single-family detached homes. Just over 3 percent of the housing stock are single-family attached homes. The Township has a larger portion of single-family detached homes than both the County (79.4%) and the State (53.5%). There is minimal variety of the Township’s housing stock, especially with respect to multifamily dwellings and as compared to the State as a whole.

Table 9. Units In Structure, 2020

Units In Structure	Stillwater	Sussex County	State
Total housing units	1,748	62,492	3,628,732
1-unit, detached	89.7%	79.4%	53.5%
1-unit, attached	3.3%	6.1%	9.7%
2-units	2.4%	2.3%	9.0%
3 or 4 units	0.0%	2.2%	6.3%
5 to 9 units	1.5%	3.6%	4.7%
10 to 19 units	0.0%	2.5%	4.7%
20 or more	0.0%	2.2%	11.2%
Mobile home	3.0%	1.7%	0.9%
Boat, RV, van, etc.	0.0%	0.0%	0.0%

Source:

U.S. Census Bureau. (2020). UNITS IN STRUCTURE. *American Community Survey, ACS 5-Year Estimates Data Profiles, Table B25024.*

Occupancy Characteristics

Similar to both the State and the County, most of Stillwater’s occupied housing units were owner-occupied. However, while approximately 89.6 percent of the municipality’s units were owner-occupied, only 81.7 percent of the County’s and 61.3 percent of the State’s occupied units were owner-occupied. Stillwater also had a higher number of vacant housing units (13.6%) than both the County (10.8%) and the State (8.9%).

Table 10. Housing Occupancy and Tenure, 2020

Housing Occupancy and Tenure	Stillwater	Sussex County	State
Total housing units	1,748	62,709	3,761,229
Occupied housing units	86.4%	89.2%	91.1%
Owner-occupied	89.6%	81.7%	61.3%
Renter-occupied	10.4%	18.3%	38.7%
Vacant housing units	13.6%	10.8%	8.9%
Homeowner vacancy rate	0.2%	0.00%	0.00%
Rental vacancy rate	0.7%	0.01%	0.00%

Sources:
 U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. Decennial Census, DEC Demographic Profile, Table DP1.

Although the Township’s portion of vacant housing units is larger than that of the County and the State, over 70 percent of these are attributed to units being for seasonal, recreational, or occasional use. This far outnumbers this same category in the County (52.3%) and the State (3.7%).

Table 11. Vacant Housing Unit Type, 2020

Vacancy Status	Stillwater	Sussex County	State
Total vacant units	334	6,794	335,127
For rent	1.5%	11.1%	2.1%
Rented, not occupied	0.9%	1.4%	0.3%
For sale only	9.0%	15.4%	0.9%
Sold, not occupied	1.2%	4.1%	0.3%
For seasonal, recreational, or occasional use	72.5%	52.3%	3.7%
Other vacant	15.0%	15.8%	1.7%

Source:
 U.S. Census Bureau. (2020). PROFILE OF GENERAL POPULATION AND HOUSING CHARACTERISTICS. Decennial Census, DEC Demographic Profile, Table DP1.

Purchase and Rental Value

The median value of owner-occupied units in Stillwater Township was \$236,400 in 2020. This is lower than both that of the County (\$271,500) and the State (\$343,500). Most of the Township’s owner-occupied homes (41.8%) were valued between \$200,000 and \$299,999, which is similar to the County’s portion valued at that amount (35.6%). About one-third of the State’s owner-occupied units are valued between \$300,000 and \$499,999, where just over 20 percent of Stillwater’s owner-occupied units were valued at that amount. With respect to occupied units paying rent, rents were valued at \$1,000 to \$1,499 for nearly half of the Township’s renter-occupied units. This is higher than that of the County (43.2%) and the State (37.8%). The median rental value is fairly similar across all three geographies.

Table 12. Value of Occupied Units, 2020

Value of Occupied Units	Stillwater		Sussex County		State	
	Estimate	%	Estimate	%	Estimate	%
Owner-occupied units	1,354	100%	45,288	100%	2,094,427	100%
Less than \$50,000	16	1.2%	885	2.0%	47,785	2.3%
\$50,000 to \$99,000	11	0.8%	788	1.7%	58,751	2.8%
\$100,000 to \$149,999	147	10.9%	2,853	6.3%	107,234	5.1%
\$150,000 to \$199,999	220	16.2%	6,164	13.6%	192,155	9.2%
\$200,00 to \$299,999	566	41.8%	16,128	35.6%	450,492	21.5%
\$300,000 to \$499,999	304	22.5%	14,362	31.7%	722,055	34.5%
\$500,000 to \$999,999	90	6.6%	3,758	8.3%	438,496	20.9%
\$1,000,000 or more	0	0.0%	350	0.8%	77,459	3.7%
Median	\$236,400		\$271,500		\$343,500	
Occupied Units Paying Rent	127	100%	8,393	100%	1,141,613	100%
Less than \$500	0	0.0%	216	2.6%	86,797	7.6%
\$500 to \$999	34	26.8%	1,390	16.6%	167,177	14.6%
\$1,000 to \$1,499	61	48.0%	3,623	43.2%	431,258	37.8%
\$1,500 to \$1,999	32	25.2%	2,054	24.5%	266,946	23.4%
\$2,000 to \$2,499	0	0.0%	793	9.4%	105,223	9.2%
\$2,500 to \$2,999	0	0.0%	256	3.1%	44,347	3.9%
\$3,000 or more	0	0.0%	61	0.7%	39,865	3.5%
Median	\$1,303		\$1,337		\$1,368	
No rent paid	30 units		485 units		36,014 units	

Source:
U.S. Census Bureau. (2020). SELECTED HOUSING CHARACTERISTICS. *American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04.*

Selected Monthly Owner Costs (SMOC)

SMOC is a figure which consists of all costs associated with homeownership.² In 2020, one-third of housing units with a mortgage had a SMOC of between \$1,500 and \$1,999, with a median SMOC of \$1,955. This is fairly lower than the median SMOC of the County (\$2,236) and the State (\$2,476). This trend is similar for housing units without a mortgage; Stillwater’s median SMOC was \$812, the County’s was \$950, and the State’s was \$1,062.

Table 13. Selected Monthly Owner Costs (SMOC), 2020

SMOC	Stillwater		Sussex County		State	
	Count	%	Count	%	Count	%
Housing units with a mortgage	956	100%	32,078	100%	1,382,654	100%
Less than \$500	0	0.0%	38	0.1%	2,772	0.2%
\$500 to \$999	7	0.7%	691	2.2%	34,504	2.5%
\$1,000 to \$1,499	192	20.1%	4,195	13.1%	138,116	10.0%
\$1,500 to \$1,999	295	30.9%	7,702	24.0%	253,824	18.4%
\$2,000 to \$2,499	224	23.4%	7,236	22.6%	275,392	19.9%
\$2,500 to \$2,999	142	14.9%	5,269	16.4%	231,946	16.8%
\$3,000 or more	96	10.0%	6,947	21.7%	446,100	32.3%
Median	\$1,955		\$2,236		\$2,476	
Housing units without a mortgage	398	100%	13,210	100%	711,773	100%
Less than \$250	7	1.8%	257	1.9%	14,747	2.1%
\$250 to \$399	8	2.0%	253	1.9%	18,836	2.6%
\$400 to \$599	92	23.1%	1,012	7.7%	48,655	6.8%
\$600 to \$799	82	20.6%	2,698	20.4%	96,262	13.5%
\$800 to \$999	98	24.6%	3,207	24.3%	136,283	19.1%
\$1,000 or more	111	27.9%	5,783	43.8%	396,990	55.8%
Median	\$812		\$950		\$1,062	

Source:
U.S. Census Bureau. (2020). SELECTED HOUSING CHARACTERISTICS. *American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04.*

² According to the United States Census Bureau Glossary, “Selected monthly owner costs are calculated from the sum of payment for mortgages, real estate taxes, various insurances, utilities, fuels, mobile home costs, and condominium fees. Listing the items separately improves accuracy and provides additional detail.”

The ACS also reviews a figure called Gross Rent as a Percentage of Household Income (GRAPI). In 2020, 42.5 percent of the population paying rent in Stillwater were paying 35.0 percent or more of their household income on rent. This is in line with both the County (42.8%) and the State (41.7%). However, it should be noted that the GRAPI for just over 20 percent of renters in Stillwater was not calculated.

Table 14. Gross Rent as a Percentage of Household Income (GRAPI), 2020

Value of Occupied Units	Stillwater		Sussex County		State	
	Estimate	%	Estimate	%	Estimate	%
Occupied Units Paying Rent	157	100%	8,170	100%	1,119,795	100%
Less than 15.0 percent	0	0.0%	842	10.3%	136,157	12.2%
15.0 to 19.9 percent	0	0.0%	1,402	17.2%	144,209	12.9%
20.0 to 24.9 percent	8	6.3%	1,020	12.5%	143,090	12.8%
25.0 to 29.9 percent	28	22.0%	842	10.3%	130,209	11.6%
30.0 to 34.9 percent	37	29.1%	566	6.9%	99,265	8.9%
35.0 percent or more	54	42.5%	3,498	42.8%	466,865	41.7%
Not computed	30	23.6%	708	8.7%	57,832	5.2%

Source:
 U.S. Census Bureau. (2020). SELECTED HOUSING CHARACTERISTICS. *American Community Survey, ACS 5-Year Estimates Data Profiles, Table DP04.*

3.3 Substandard Housing Capable of Being Rehabilitated

In 2020, the ACS reported that 1.3 percent of the Township’s occupied housing units lacked complete kitchen facilities and 1.5 percent had no telephone service available.

Table 15. Housing In Need of Rehabilitation, 2020

Facilities	Estimate	%
Occupied housing units	1,511	
Lacking complete plumbing facilities	0	0.0%
Lacking complete kitchen facilities	20	1.3%
No telephone service available	22	1.5%

Source:
 United States Census Bureau, 2020 American Community Survey, 5-Year Estimates.
Data Profiles, Table DP04.

3.4 Projection of Housing Stock

Certificates of Occupancy

Over the past two decades, Stillwater Township experienced minimal development. According to the New Jersey Department of Community Affairs (DCA) Construction Reporter, a total of 50 Certificates of Occupancy were issued since 2004. Of these, 47 were issued to 1 & 2 family dwellings, 2 were issued to a multifamily development, and 1 was issued to a mixed-use development.

Table 16. Housing Units Certified, 2004-2024

	1&2 Family	Multi	Mixed-use	Total
2004	3	0	0	3
2005	11	0	0	11
2006	8	0	0	8
2007	8	0	0	8
2008	3	0	0	3
2009	3	0	0	3
2010	0	0	0	0
2011	0	0	0	0
2012	0	0	0	0
2013	1	0	1	2
2014	2	0	0	2
2015	2	0	0	2
2016	1	2	0	3
2017	1	0	0	1
2018	1	0	0	1
2019	1	0	0	1
2020	1	0	0	1
2021	0	0	0	0
2022	1	0	0	1
2023	0	0	0	0
Sept 2024 YTD	0	0	0	0
Total	47	2	1	50

Source:
 New Jersey Department of Community Affairs, *Housing Units Certified, 2000 - 2024*

Development Approvals

Both the Stillwater Township Planning Board and the Township Zoning Board of Adjustment have seen minimal development approvals that may not be reflected in the above Certificate of Occupancy data. Almost all of the applications for development have been for modifications to an existing single-family residence. There were several exceptions to this, including minor applications for the North Shore House and Stillwater Farms. Additionally, a use variance for a mixed-use building with one rental unit was approved. Notably, two (2) applications involved the conversion of a seasonal home into a full-time residential dwelling; these applications were both approved.

Land Use and Zoning Analysis

Stillwater Township has several zones that permit residential development, as follows:

1. R-7.5 Residential District, one unit per 7.5 acres
2. R-5 Residential District, one unit per 5 acres
3. R-30 Residential District, one unit for 30,000 square feet
4. NC Neighborhood Commercial

Though the Township's zoning primarily encourages single-family residences, there are several provisions for other housing opportunities, as follows:

1. Residence uses in business buildings (§ 240-113F)
2. Conditions for accessory apartments in single-family residence districts where permitted (§ 240-113E)
3. Group homes (§ 240-113M)
4. Accessory housing (for family members only) (§ 240-113O)

R-7.5 Residential District, one unit per 7.5 acres

This zone permits the following uses:

1. Single-family dwellings used as a residence by not more than one family;
2. Agricultural, horticultural, and aquacultural uses;
3. Public parks and playgrounds, libraries, museums, water tanks, and community center building and grounds; and
4. Buildings or land used exclusively by federal, state, county, or Township government for public purposes.

The following are permitted conditional uses:

1. Home occupations, except in open space zones;
2. Public utility uses and essential services;
3. Professional offices in residences;
4. Accessory apartments and accessory housing;
5. Bed-and-breakfast inns;
6. Barns used as a part of a family farm.

R-5 Residential District, one unit per 5 acres

The following are permitted uses in this district:

1. Single-family dwellings used as a residence by not more than one family;
2. Agricultural, horticultural, and aquacultural uses;
3. Public parks and playgrounds, libraries, museums, water tanks, and community center building and grounds;
4. Buildings or land used exclusively by federal, state, county, or Township government for public purposes;
5. Planned residential development; and
6. Open space zoning.

The following are permitted conditional uses:

1. Home occupations, except in open space zones;
2. Public utility uses and essential services;
3. Professional offices in residences, except in open space zones;
4. Accessory apartments and accessory housing;
5. Bed-and-breakfast inns;
6. Barns used as a part of a family farm.

R-30 Residential District, one unit per 30,000 square feet

The following are permitted uses in the R-30 District:

1. Single-family dwellings used as a residence by not more than one family;
2. Horticultural, but no agricultural uses;
3. Public parks and playgrounds, libraries, museums, water tanks, and community center building and grounds;
4. Open space zoning.

The following are permitted conditional uses in this district:

1. Home occupations, as regulated in § 240-114D.
2. Public utility uses and essential services.
3. Development of lakefront lots.

NC Neighborhood Commercial District

The following are permitted uses in the NC District:

1. Food stores, markets, antique shops, clothing and apparel stores, upholstery shops, variety stores, retail sales establishments, sportswear shops, banks and drugstores, all of which are for the purpose of serving the neighborhood in which they are located. Also, barbershops, beauty salons, stationery stores, luncheonettes, restaurants, feed stores, hotels, motels, government buildings, libraries, museums and community centers, professional office buildings, not including schools, package goods, taverns, appliance repair, business offices, public parks, utilities and other commercial uses found by the Zoning Board of Adjustment to be similar to or of the same general character as any of the above-listed principal permitted uses.
2. Apartments attached to commercial buildings; a maximum of one apartment per lot.

Multigenerational Housing

P.L. 2021, c. 273 established the Multigenerational Family Housing Continuity Commission (the Commission) and assigned the Commission the responsibility of preparing and adopting, "...recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas" (N.J.S.A. 52:27D-329.20f[1]). Municipalities are now required to provide an analysis of the extent to which local ordinances advance or detract from these recommendations. At the time this Housing Element and Fair Share Plan is being prepared, no such recommendations have been published by the Commission.

Even though there are no recommendations from the Commission at this time, the Township Land Development Ordinance includes several provisions that encourage multigenerational housing. There are ordinance provisions that permit ECHO units and accessory housing, the latter of which is specifically limited to units where the apartment resident is a member of the primary resident's family. This encourages the concept of aging in place, as well as having adult children live in their parents' residence longer, both of which are emerging trends.

4. Fair Share Plan

4.1 Plan Purpose and Goals

This Fair Share Plan describes the specific ways in which Stillwater Township will meet its Fourth Round affordable housing obligations, and is compliant with the Fair Housing Act (FHA), Fourth Round regulations (“Amended FHA”), and Affordable Housing Dispute Resolution Program Directive #14-24. The overall goal of this Fair Share Plan is to provide a framework for the Township to provide for its fair share of the present and prospective regional need for low- and moderate-income housing for the period of 2025 through 2035.

4.2 Determination of Housing Need

Prior Round Obligation (1987-1999)

The Prior Round Obligation was the municipal new construction obligation from 1987 through 1999. Stillwater Township received Final Certification for the First Round (1987-1993) on October 10, 1989. The Township prepared a Housing Element and Fair Share Plan in 2003. Per the 2016 Settlement Agreement with the Fair Share Housing Center, the Township satisfied its Prior Round obligations through the following methods:

Project	Mechanism	Units/Credits
Rental Units	Gut Rehabilitation	8
Residential Home	Habitat for Humanity	1
Rental Unit	Reconstruction	2
Special Needs Housing	SCARC	5
Special Needs Housing	Katie’s House	5
Total		21
Obligation		15
Carryover to Third Round		6

The Township filed a Petition for Substantive Certification in 2008 and was approved by COAH that same year.

Third Round (1999-2025)

The Township had a Third Round prospective need of 90 units and a Third Round present/rehabilitation need of 12 units. The proposed mechanisms in the 2016 Housing Element and Fair Share Plan and pursuant to the 2016 FSHC Settlement Agreement included the following:

Project	Mechanism	Units/Credits
Prior Round Carryover Credits	Group Homes	6
Inclusionary Zoning	Wings Adventure, Inc.	2
Accessory Apartments		15
Total Units		23
Obligation		90
Durational Adjustment		67*

* 67 units not addressed in the Third Round Plan will be addressed if and/or when public sewer and water become available.

A Fair Share Plan was prepared and adopted in 2016, and that same year the Township entered into a Settlement Agreement with the Fair Share Housing Center. The plan and settlement were approved in Superior Court in 2016.

Fourth Round Obligation

Stillwater Township has a Fourth Round present/rehabilitation need obligation of **11 units** and a prospective need obligation of **53 units**.

Fourth Round (2025-2035)	
Third Round Durationally Adjusted Units	69*
Fourth Round Prospective Need Obligation	53
Total Prospective Need Obligation	122
Fourth Round Rehabilitation/Present Need Obligation	11

* 69 of the Township's 90-unit Third Round prospective need obligation must also be addressed.

4.3 Lands Available for New Construction and Redevelopment

Lack of Water and Sewer

As demonstrated in **Figure 3**, the Township does not have any capacity for sewer to support inclusionary development and thus is entitled to a durational adjustment in accordance with N.J.A.C. 5:93-4.3.

4.4 Proposed Mechanisms

The Township proposes a durational adjustment to all of its unmet Third Round and Fourth Round obligations with the exception of the rehabilitation program, but has several mechanisms in place to address the obligation should water and sewer become available.

Durational Adjustment

Stillwater proposes a durational adjustment pursuant to N.J.A.C. 5:93-4.3 for a lack of water and sewer for the Township's Fourth Round prospective need obligation of 53 units in addition to the 67 units from the Third Round. Stillwater Township agrees to comply with N.J.A.C. 5:93-4.3 as follows:

1. In accordance with N.J.A.C. 5:93-4.3(c), the requirement to address the remaining Third Round prospective need obligation of 69 units and the Fourth Round prospective need of 53 units shall be deferred until adequate sewer is made available. The Township shall reserve and set aside new sewer capacity, if and when it becomes available, for low- and moderate-income housing on a priority basis. Municipal officials shall not oppose any applications to the Department of Environmental Protection (DEP) or its agent to provide water and/or sewer capacity.

Accessory Apartment Program

The Township's accessory apartment program will provide affordable family rental units. These units will be deed-restricted with affordability controls for a minimum of ten (10) years, and shall be rented to low- or moderate-income households per the Amended FHA and UHAC regulations. Accessory apartments must comply with all applicable State statutes and regulations, as well as all building codes. In addition, since almost all of Stillwater is served by an individual well and/or septic system, the additional capacity necessitated by the new units must meet appropriate NJDEP standards. The Township continues to propose the accessory apartment program to address 10 units of its Fourth Round obligation.

Group Home / Supportive Housing Program

The Township will support the development of two (2) supportive houses/group homes, each with four (4) bedrooms for a total of 8 units. It is anticipated that all of these bedrooms will be occupied by very-low-income individuals. At least one group home will be available for occupancy by July 1, 2030. The Township plans to partner with supportive and special needs housing providers to create these units. The program will be funded by the Township's Affordable Housing Trust Fund.

Municipally Sponsored/100% Affordable

The Township proposes to address 10 units through a municipally-sponsored 100% affordable program that meets the criteria under N.J.A.C. 5:97-3.14. This program will include a review of municipally owned properties that are suitable for single family residential development. The Township will partner with a non-profit affordable housing partner, such as Habitat for Humanity, to donate Township-owned land for the construction of affordable family for sale units.

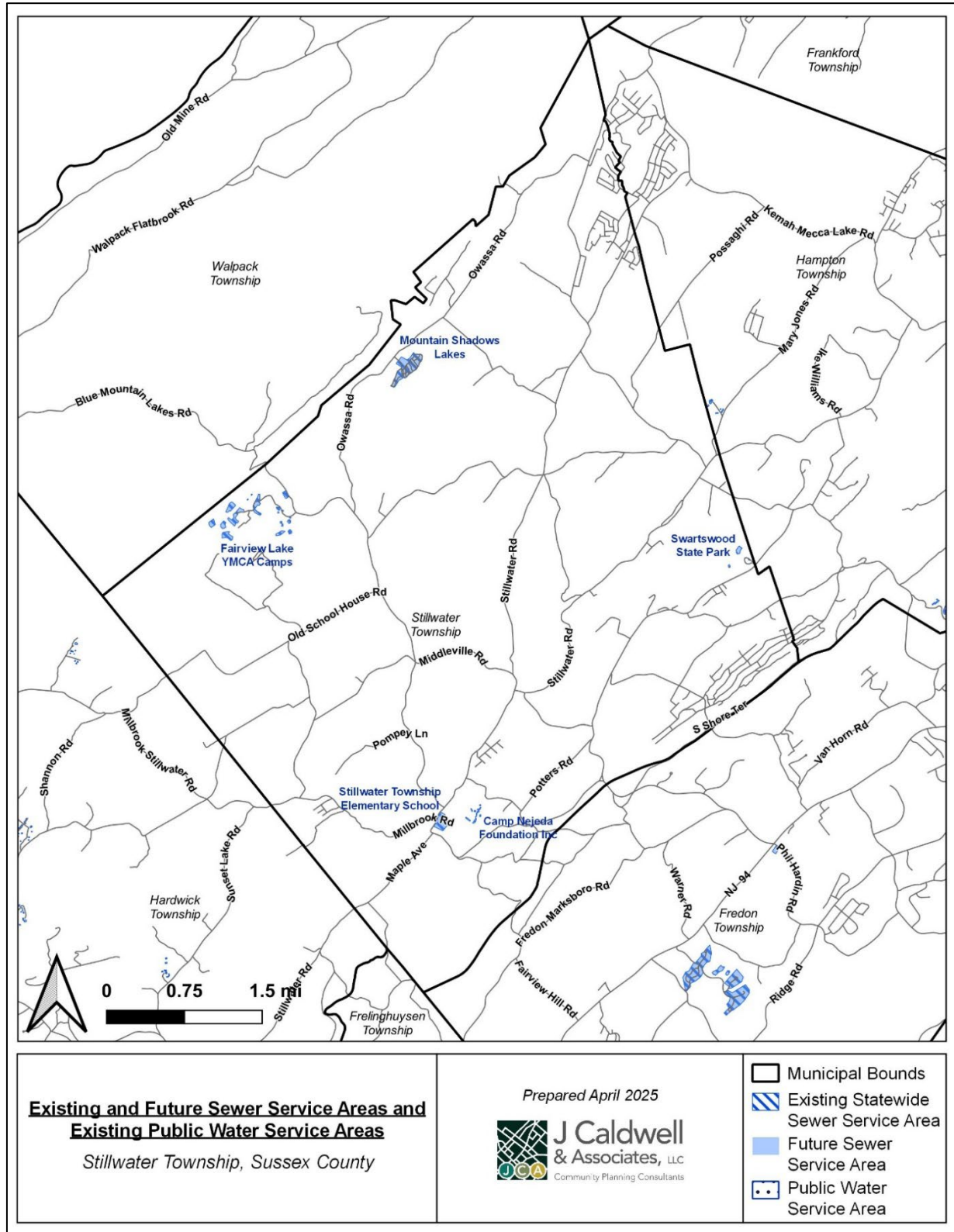
Mandatory Set-Aside Ordinance

The Township will also propose a mandatory affordable housing set-aside ordinance that would require any property in Stillwater Township that is currently zoned for nonresidential uses and subsequently receives a zoning change or use variance or approval of a redevelopment plan or amendment to a redevelopment plan to permit multi-family residential development, or a property that is currently zoned for residential uses and receives a zoning change or density variance or approval of a redevelopment plan or amendment to a redevelopment plan to permit multi-family residential development, which multi-family residential development will be constructed at a density of 6 or more units per acre and yield five (5) or more new dwelling units over and above the underlying or immediately preceding zoning, shall provide an affordable housing set-aside of 15 percent if the affordable units will be for rent and 20 percent if the affordable units will be for sale. This provision does not affect residential development on sites that are zoned for inclusionary residential development as part of the Township's Housing Element and Fair Share Plan, which are subject to the affordable housing set-aside requirements set forth in the applicable zoning. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of the Township of Stillwater to grant such rezoning, variance, or other relief. A property shall not be permitted to be subdivided so as to avoid compliance with this requirement.

Rehabilitation Program

To address the Fourth Round present need obligation of 11 units, Stillwater will continue its existing Rehabilitation Program pursuant to § 240-118 "Fair share housing plan" of the Township's Land Development Code. According to N.J.A.C. 5:93-5.2, the purpose of a rehabilitation program is to rehabilitate substandard housing units occupied by low- and moderate-income households. A substandard housing unit is defined as a unit with health and safety code violations that require the repair or replacement of a major system, including weatherization, a roof, plumbing, heating, electricity, sanitary plumbing (including septic systems), and/or a load-bearing structural system. Upon rehabilitation, housing deficiencies must be corrected and the house must be brought up to code standard.

Figure 3. Existing and Future Sewer Service Areas in Stillwater Township



Summary of Fourth Round Fair Share Plan
Stillwater Township, Sussex County

Project	Mechanism	Units/Credits
Fourth Round Rehabilitation/Present Need		
Municipal Rehabilitation Program	Local Rehab. Program	11
Fourth Round Obligation		11
Fourth Round Prospective Need		
Accessory Apartments	Accessory Apartment Program	10
Group Homes	Supportive/Special Needs	8
Municipally Sponsored/100% Affordable	Municipally Sponsored/100% Affordable	10
Total Proposed Municipal Programs		28
Third Round Durational Adjustment	Durational Adjustment	69
Fourth Round Durational Adjustment	Durational Adjustment	53
Total Durationally Adjusted		122
Total		122
Obligation (Unmet Third Round + Fourth Round)		122
Durational Adjustment		122
<i>Maximum Senior Units – 30%</i>		<i>36</i>
<i>Minimum Family Units – 50%</i>		<i>60</i>
<i>Minimum Rental Units – 25%</i>		<i>30</i>
<i>Minimum Family Rental Units – 50% of Rental</i>		<i>15</i>
<i>Maximum Bonus Credits – 25%</i>		<i>30</i>

* 122 units (69 Third Round units plus 53 Fourth Round units) will be addressed if and/or when public sewer and water become available.

Appendix A – Resolutions

TO BE PROVIDED

Appendix B – Ordinances

§ 240-118. Fair share housing plan.

A. Statement of purposes.

- (1) This section is intended to facilitate ways in which housing rehabilitation and new construction can be provided for low- and moderate-income households within Stillwater Township in order for the Township to meet its indigenous housing obligations as determined by the New Jersey Council on Affordable Housing (COAH).
- (2) It is intended to provide technical and financial assistance to eligible homeowners for rehabilitating homes occupied by low- or moderate-income households.
- (3) It is intended to provide a vehicle for eligible homeowners to gain access to the loans and/or grants from the Township's Housing Trust Fund.
- (4) Funding for rehabilitation shall be through grant programs sponsored by the State of New Jersey Department of Community Affairs and/or funding from the budget of the Township of Stillwater placed in the Housing Trust Fund and/or other sources not yet determined.

B. Definitions; word usage.

- (1) Words and phrases defined in the Fair Housing Act, the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and in the rules or regulations of the Council on Affordable Housing (COAH) currently in effect shall be incorporated in this section as if written herein. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D)]**
- (2) As used in this section, the following terms shall have the meanings indicated:
FAIR HOUSING PROGRAM — The program provided under the terms of this section.
GROSS INCOME — The total income of all members of an applicant's household, including but not limited to wages, tips, interest, dividends and retirement programs.
HOUSING ADMINISTRATOR — The Township official to be appointed upon approval of this section by the Township Committee, who, with the guidance and assistance of the Health Officer, shall perform the duties outlined in this section.
HOUSING TRUST FUND — The fund established for the financing, of low- and moderate-income housing rehabilitation and development.
REHABILITATION — The restoration of a deficient dwelling unit to a safe and sanitary condition as provided for under the terms of this section.

C. General provisions.

- (1) Eligibility. Only owners of dwelling units within Stillwater Township shall be eligible for the assistance offered by this section.
 - (a) The homeowner, as a member of either a low- or moderate-income household who lives in the dwelling unit to be rehabilitated, or an owner who rents a dwelling unit to either a low- or moderate-income household shall be eligible for the assistance

offered under this section, provided that the owner agrees to rent the rehabilitated dwelling unit to a low- or moderate-income household for the required minimum period of time and at a rate which follows COAH guidelines. Proof of income of the household occupying the rehabilitated unit shall be required by the Housing Administrator.

- (b) A dwelling unit proposed to be rehabilitated shall qualify as deficient when the unit has a minimum of two of the following characteristics: **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]**
- [1] Constructed prior to 1940;
 - [2] Be occupied by more than one person per room;
 - [3] Not have a private entranceway to the dwelling unit;
 - [4] Not have exclusive access to complete plumbing facilities meeting the health and sanitary codes of the Township; or
 - [5] Not have adequate kitchen facilities such as piped water, a safe, operating stove or an operating refrigerator. In any case, the unit shall be considered if it has deficiencies that violate the United States Department of Housing and Urban Development (HUD), Section 8, Existing Housing Quality Standards.
- (c) The rehabilitation will, upon completion, result in a safe and sound dwelling unit meeting all health and safety code requirements as certified through the issuance of a certificate of occupancy.
- (d) The homeowner must agree, in writing, to comply with all requirements of this section and the rules and regulations established by COAH and other applicable ordinances of Stillwater Township at the time the agreement for the assistance offered by this section is signed.
- (2) Effect on homeowner. Owners who secure financial assistance under the terms of this section shall be entitled to the following rights and shall undertake the following obligations:
- (a) The right to apply for and receive special property tax assessment treatment in accordance with applicable state law.
 - (b) The obligation to place a deed restriction on the property specifying that only low- or moderate-income households may occupy the designated dwelling unit. The deed restriction shall take effect on the date the application is approved and money has been made available for the rehabilitation project. The deed restriction shall be in effect for six years for owner occupied units and ten years for renter-occupied. The beginning of the restricted time period shall be from the date the certificate of occupancy is issued following completion of the rehabilitation work. Sale of the deed restricted property shall not affect the deed restriction.
 - (c) The obligation to sell or rent the dwelling unit at prices within the range of affordability as set forth by COAH for the period of the deed restriction. Increases

in the affordability controls may be granted by the Township Committee upon written application to and review by the Housing Administrator assuring compliance with COAH's requirements for changes in the affordability controls.

- (3) Penalties for noncompliance. No financial assistance from the Housing Trust Fund shall be disbursed to any applicant without full compliance with the requirements of this section and other applicable regulations. Any person who violates or who fails to comply with this section or the other applicable regulations shall be penalized no more than \$1,000 and/or jailed no longer than one year and, as part of the penalty, shall make restitution of any and all funds paid from the Housing Trust Fund. Nothing herein shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation.

D. Administration.

(1) Staff.

- (a) The Township Committee shall appoint a Housing Administrator who shall perform the following duties:

- [1] Affirmative marketing program:

- [a] Mailing to all homeowners, at least once a year, an announcement of the Fair Housing Program. This announcement shall include an explanation of the eligibility requirements as well as the procedures for making application for rehabilitation assistance under the program.

- [b] Conducting at least one well-publicized public meeting, to outline and answer questions about the Fair Housing Program.

- [c] Issuing periodic press releases to inform the public of news related to the Fair Housing Program and to promote interest in the program.

- [d] Preparation of information/application packets for distribution to interested homeowners.

- [2] Preparation of the necessary applications, financial statements, a summary of the commitments to the rules and regulations of the program and such other forms to be executed in administering the program. The final set of forms and documents prepared by the Housing Administrator shall be approved by resolution of the Township Committee. The appropriate forms shall include, along with other data deemed appropriate, proof of ownership, income qualifications of the occupants of the rehabilitated unit, the deed restrictions and the time period for affordability controls applicable to the property, a description of the work to be performed, the total cost of the work, how much will be a loan and how much a grant, as well as the method of repaying any loan.

- [3] Determination of eligibility of the applicant based on the requirements of this section and the data provided on the forms required as part of the application

procedure.

- [4] Maintenance of an updated file on available governmental and nongovernmental programs for financial assistance for low- and moderate-income households, including eligibility requirements, application forms, filing deadlines and whether funding is currently available.
 - [5] Technical assistance to eligible low- or moderate-income applicants to apply for financial assistance for housing rehabilitation from state and federal programs and from the Township's Housing Trust Fund.
 - [6] Determine the deficiencies of an applicant's dwelling unit and submit the findings, in writing, to be kept on file as part of the application.
 - [7] Maintain a list of approved contractors based upon satisfactory references on past work performed and on satisfactory credit ratings.
 - [8] Determine whether the proposed work to be performed meets the parameters of this section and whether the cost to complete that work is reasonable. Said determination shall be in writing, and kept on file as part of the application.
 - [9] Conduct appropriate periodic inspections of the work being done and, when satisfactorily completed, issue a certificate of occupancy bearing the date the certificate was issued. A copy of this certificate shall be kept as part of the file on the application.
 - [10] Preparation and periodic presentation (at least once a year) to the Township Committee of a report on the number and type of rehabilitation applications received and the amount of technical assistance provided by the Housing Administrator. The report shall contain, at a minimum:
 - [a] The number of applications received.
 - [b] Those approved.
 - [c] The income levels of those approved.
 - [d] The number of rehabilitated dwelling units completed.
 - [e] The cost of each.
 - [f] A summary of the type of work completed.
 - [g] How many applications are currently being processed.
 - [11] Establish regular office hours to be available to met with interested homeowners.
- (b) The Township shall include in its annual budget sufficient funds to pay for the costs of administering this section. The money expended for preparing and implementing the Fair Housing Ordinance shall, in accordance with the Fair Housing Act, be considered a mandated expenditure exempt from the limitations

on final appropriations imposed pursuant to P.L. 1976, c. 68, (N.J.S.A. 40A:4-45.1 et seq.).

(2) Funding.

(a) The source of funding to administer and implement this program may include:

[1] State and federal programs.

[2] The Township's Housing Trust Fund.

[3] Township budget appropriations.

(b) State and federal funds shall be disbursed according to the rules and regulations of the agency administering the funds.

(c) Township Housing Trust funds shall be available for housing rehabilitation. The funds shall be disbursed as grants for rehabilitating deficient dwelling units owned or occupied by low-income households. The funds shall be disbursed as loans bearing 2% simple interest for rehabilitating deficient dwelling units owned and occupied by low- and moderate-income households or deficient dwelling units owned by an absentee landlord but occupied by either a low- or moderate-income household.

(d) A loan may be disbursed on behalf of qualified resident homeowners agreeing to a lien on the property for repayment of the loan, plus accrued interest for up to six years, the loan and interest to be repaid as determined by the Township and homeowner.

(e) A loan may be disbursed to owners who agree to a lien on the property for repayment of the remaining balance of a loan, plus accrued interest, upon sale or transfer of the property before the loan is amortized.

E. Procedures for making application, review and approval.

(1) Application. Application and other required forms shall be made available at the office of the Housing Administrator. Technical assistance shall be available from that office to assist applicants in completing and submitting an application. There shall be no fee for filing an application.

(2) Review.

(a) The Housing Administrator shall determine the completeness of the application.

(b) Upon a determination of completeness, the Housing Administrator shall determine whether the applicant meets the eligibility criteria.

(c) Upon a determination that the applicant is eligible under the program, the Housing Administrator shall inspect the property to determine whether it qualifies as deficient under this section.

(d) Upon a determination that the dwelling unit is deficient, the Housing Administrator

shall prepare a written description of the work required to be completed in order to meet the criteria of this section and related health and safety codes and submit a copy to the applicant and retain one copy to be kept as part of the applicant's file.

- (e) Upon receipt of this description of the work required to be completed, the applicant shall:

[1] Indicate any discrepancies or omissions in writing to the Housing Administrator. The Housing Administrator shall review the applicant's comments and provide a written response, including any appropriate adjustments to the original report. A copy of this response shall be submitted to the applicant with a copy to be kept as part of the applicant's file.

[2] Following the final determination of the work to be performed, the applicant shall seek a written proposal, together with the cost to complete the work, from appropriate qualified contractor(s). This report shall be submitted to the Housing Administrator for review and approval.

- (3) Action on the application.

- (a) Upon review of the contractor's written proposal and cost estimate, the Housing Administrator shall either approve, disapprove or modify the proposal as might be appropriate to meet the requirements of the applicable ordinances and requirements of this program and the judgment of both as to the reasonableness of the cost. If the proposal is modified or disapproved, the applicant and the contractor may meet with the Housing Administrator to make appropriate modifications until the application is approved.

- (b) Upon approval of the work to be performed and the related cost, together with the eligibility of the applicant, all contracts shall be executed.

[1] The contract between the applicant and the Township and/or other governmental agencies covering the amount of the loan and/or grant, the purpose of the loan and/or grant, the deed restrictions and affordability controls, payback requirements for any loans, penalties for noncompliance and such other requirements of the program as required by law.

[2] The contract with the contractor outlining the work to be performed, the cost and the time of performance.

- (c) All payments which require expenditures from the Township Housing, Trust Fund shall be made by the Township to the contractor in accordance with the provisions of the contract outlined in Subsection E(3)(b)[1] above, subject to a guaranty that the money will go toward completion of the work included in the application and the contract. Any agreements with state and/or federal agencies will be conditioned upon the criteria of those agencies.

- (d) Following completion of the work, the Housing Administrator shall inspect the dwelling unit and certify whether or not the work has been satisfactorily completed. If the work is sufficient, a certificate of occupancy shall be issued. If

the work is insufficient, the contractor shall be notified and given 90 days to remedy the conditions cited. If the conditions are not corrected within 90 days, the Township shall be authorized to either use the proceeds of the guaranty filed by the contractor or such other remedies as appropriate.

F. Provision of new rental units.

- (1) Affordability controls. In accordance with COAH standards, affordability controls shall be based on two-person households for one-bedroom units, three-person households for two-bedroom units and five-person households for three-bedroom units.
- (2) Rent controls.
 - (a) Rents shall not exceed 30% of the published income limits for households of the sizes indicated in Subsection F(1) above, and these rent limits shall include utilities to be paid by the tenant.
 - (b) Rents may be increased annually based on the percentage increase in median income in accordance with the published rules of COAH.
- (3) Length of controls on affordability. Owner-occupied rehabilitated buildings shall be six years, and rental rehabilitated dwelling units shall be 10 years income and rent controlled, respectively.

G. Affordable housing development fees. **[Added by 12-21-2004 by Ord. No. 2004-25; 7-6-2005 by Ord. No. 2005-15]**

- (1) Purpose. In *Holmdel Builder's Association v. Holmdel*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., and the State Constitution subject to the Committee on Affordable Housing developing rules. The purpose of this subsection is to establish standards for the collection, maintenance and expenditure of development fees pursuant to COAH's rules. Fees collected pursuant to this subsection shall be used for the sole purpose of providing low- and moderate-income housing. This section shall be interpreted within the framework of COAH's rules on development fees.
- (2) Definitions. As used in this chapter, the following terms shall have the meanings indicated:

COAH — The New Jersey Committee on Affordable Housing established under the Fair Housing Act of 1985.

DEVELOPMENT FEES — Money paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted by COAH rules and regulations, N.J.A.C. 5:93-8 et seq.

EQUALIZED ASSESSED VALUE — The value of property determined by the Municipal Tax Assessor through a process designed to ensure that all property in Stillwater is assessed at the same assessment ratio or ratios required by law. Estimates at the time of a construction permit may be obtained by the Tax Assessor utilizing

estimates for construction cost. Final equalized assessed value will be determined at project completion by the Tax Assessor.

- (3) Development fees: general. **[Amended 10-30-2007 by Ord. No. 2007-23]**
- (a) All residential development that results in construction of three or fewer new market-rate dwelling units shall pay a development fee of 1% of the equalized assessed value for residential development or \$4,375 per unit, whichever is greater.
 - (b) When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, related to the construction of three or fewer new market-rate dwelling units, developers may be required to pay a development fee of 6% of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.
 - (c) The term "developer" shall mean the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
 - (d) All residential development that results in construction of more than three new market-rate dwelling units and all nonresidential development that results in an increase in gross floor area of any existing nonresidential building or the construction of a new nonresidential building in the Township is subject to growth share requirements.
- (4) Eligible exaction, ineligible exaction and exemptions: **[Amended 10-30-2007 by Ord. No. 2007-23]**
- (a) Affordable housing developments shall be exempt from paying development fees.
 - (b) Expansion of existing residential structures shall be exempt.
 - (c) Developments that have received preliminary or final approval or a building permit prior to the effective date of Ordinance No. 2005-2 (March 15, 2005) shall pay a development fee of 1/2 of 1% of the equalized assessed value for residential development unless the developer seeks a substantial change in the approval, or the plan is abandoned, approval lapses, or the period of protection pursuant to N.J.S.A. 40:55D-52 expires without extension.
 - (d) Owner-occupied residential structures demolished and replaced as a result of a fire, flood or natural disaster shall be exempt from paying a development fee. **[Added 7-19-2016 by Ord. No. 2016-10]**
- (5) Collection of fees. **[Amended 10-30-2007 by Ord. No. 2007-23]**
- (a) Fifty percent of the development fee will be collected at the time of issuance of the

building permit. The developer shall submit to the Housing Officer an estimate of the assessed value of the new construction and lot to be verified if required by the Tax Assessor.

- (b) The remaining portion will be collected at the issuance of the certificate of occupancy. At the issuance of certificates of occupancy, the Tax Assessor shall calculate the equalized assessed value and the appropriate development fee. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
 - (c) Imposed and collected development fees that are challenged shall be placed in an interest-bearing escrow account by the Township. If all or a portion of the contested fees are returned to the developer, the accrued interest on the returned amount shall also be returned.
- (6) Affordable Housing Trust Fund. **[Amended 10-30-2007 by Ord. No. 2007-23]**
- (a) There is hereby created an interest-bearing housing trust fund for the purpose of depositing development fees collected from residential developers. All development fees paid by developers pursuant to this chapter shall be deposited in this fund.
 - (b) Within seven days from the opening of the trust fund account, the Township shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:94-6.16(b).
 - (c) No funds shall be expended from the Affordable Housing Trust Fund unless the expenditure conforms to a spending plan approved by COAH. All interest accrued in the Housing Trust Fund shall be used only on eligible affordable housing activities approved by COAH.
- (7) Use of funds. **[Amended 10-30-2007 by Ord. No. 2007-23]**
- (a) Funds deposited in the Housing Trust Fund may be used for any activity approved by COAH to address the municipal fair share. Such activities include, but are not limited to: rehabilitation, new construction, RCAs subject to the provisions of N.J.A.C. 5:94-4.4(d), ECHO housing, purchase of land for affordable housing, improvement of land to be used for affordable housing, purchase of housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, or administration necessary for implementation of the Housing Element and Fair Share Plan. The expenditure of all funds shall conform to a spending plan approved by COAH.
 - (b) Funds shall not be expended to reimburse the Township for past housing activities, and funds will only be expended by the Township after approval by COAH.
 - (c) After subtracting development fees collected to finance an RCA, a rehabilitation program or a new construction project that is necessary to address the Township's affordable housing obligation, at least 30% of the balance remaining shall be used

to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of median income by region.

- (d) No more than 20% of the revenues collected from development fees each year, exclusive of the fees used to fund an RCA, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program.

(7.1) Monitoring. The Township shall complete and return to COAH all monitoring forms related to the collection of development fees, expenditures of revenues and implementation of the spending plan certified by COAH. All monitoring reports shall be completed by the Township on forms designed by COAH. **[Added 10-30-2007 by Ord. No. 2007-23]**

(8) Expiration. This Subsection G shall expire if:

- (a) COAH dismisses or denies the Township's petition for substantive certification.
- (b) COAH revokes substantive certification or this Subsection G.
- (c) The substantive certification expires prior to the Township's filing an adopted housing element with COAH, petitioning for substantive certification or receiving COAH's approval of this subsection.

H. Growth share. **[Added 12-21-2004 by Ord. No. 2004-26; amended 10-30-2007 by Ord. No. 2007-24]**

(1) General. The growth share requirements contained in this section apply to construction in all zones within the Township. Responsibility for constructing an affordable housing unit or making a contribution in lieu of construction shall be as provided for under this section. Furthermore, this section shall apply regardless of whether a subdivision or site plan is involved in the creation of the lot under construction or if the construction is on a preexisting lot. The triggering mechanism for growth share responsibility shall be the issuance of a building permit for new construction.

(2) Exceptions.

- (a) Residential development that results in the construction of three or fewer new market-rate dwelling units shall be subject to development fees rather than a growth share requirement.
- (b) Developments that have received unexpired preliminary or final approval from the Stillwater Township Planning Board or a building permit from the Stillwater Township Construction Department prior to the effective date of Ordinance No. 2004-26 (December 21, 2004) are exempt from the growth share requirement.
- (c) Notwithstanding the foregoing, in the event an application is made to the Planning

and/or Zoning Board for an extension of a preliminary or final approval, and such extension is granted, this section shall apply and shall become a condition of such approval. In the event an application is made to the Board for a modification of an existing approval, the applicant shall be required to comply with the provisions of this section (i.e., in the event a modification to an approved subdivision results in an additional buildable lot being constructed, the new lot shall be required to comply with the growth share requirements in effect at the time the building permits are applied for for such development). Compliance with this section shall be a condition of the approval.

(3) Residential development.

- (a) Except as exempted in Subsection H(2)(a), residential development which results in the construction of new market-rate dwelling units shall provide one affordable housing unit on site for every eight market-rate units constructed. In the event that a developer is constructing fewer than eight market-rate units, it shall make a payment in lieu of construction using the formula contained in Subsection H(3)(b) of this section.
- (b) For developments that result in a number of market-rate residential units not evenly divisible by eight, the developer shall construct the whole number of affordable units on site and for fractional units, the developer shall make a payment in lieu of constructing the additional affordable unit. The amount of the payment shall be established by subtracting any whole multiples of eight from the total number of market-rate residential units being created, dividing any remaining number of units by eight and multiplying the resulting fraction by \$142,000. [NOTE: Example:

Proposed construction of 12 market-rate residential units

1. $12 \div 8 = 4$ fractional units
2. $4 \div 8 = 0.5$
3. $0.5 \times \$142,000 = \$71,000$

(4) Nonresidential development.

- (a) All nonresidential development that results in an increase in gross floor area of any existing nonresidential building or the construction of a new nonresidential building in the Township shall provide one affordable unit for every 25 jobs that results from the application of standards adopted by COAH as follows:

Use Group	Description	Square Feet Generating One Affordable Unit	Jobs Per 1,000 Square Feet
B	Office buildings; places where business transactions of all kinds occur; includes banks, corporate offices, government offices, professional offices, car showrooms and outpatient clinics.	8,333	3
M	Mercantile uses; buildings used to display and sell products; includes retail stores, strip malls, shops and gas stations.	25,000	1
F	Factories where people make, process, or assemble products; includes automobile manufacturers, electric power plants, foundries, and incinerators. F use group includes F1 and F2.	12,500	2
S	Storage uses; includes warehouses, parking garages, lumberyards, and aircraft hangers. S group includes S1 and S2.	125,000	0.2
H	High hazard manufacturing, processing, generation and storage uses. H group includes H1, H2, H3, H4 and H5.	25,000	1

A1	Assembly uses, including concert halls and TV studio.	12,500	2
A2	Assembly uses, including casinos, nightclubs, restaurants and taverns.	8,333	3
A3	Assembly uses, including libraries, lecture halls, arcades, galleries, bowling alleys, funeral parlors, gymnasiums and museums, but excluding houses of worship.	8,333	3
A4	Assembly uses, including arenas, skating rinks and pools.	8,333	3
A5	Assembly uses, including bleachers, grandstands, amusement park structures and stadiums.	Exclude	Exclude
E	Schools K through 12	25,000	1
I	Institutional uses, such as hospitals, nursing homes, assisted living facilities and jails. I group includes I1, I2, I3 and I4.	12,500	2
R1	Hotels and motels.	31,250	0.8
U	Miscellaneous uses; fences tanks, barns, agricultural buildings, sheds, greenhouses, etc.	Exclude	Exclude

(b) All nonresidential development creating fewer than 25 jobs may provide one affordable unit on- or off-site or by utilizing an alternative method of growth share compliance pursuant to N.J.A.C. 5:94-4.8 et seq., and as approved by the Township, or make a payment in lieu of constructing the affordable housing unit. If the developer selects the latter option, the payment amount shall be calculated by utilizing the second column in the chart from Subsection H(4)(a). The formula to be used is as follows: Square footage of proposed use divided by 1,000 square feet, multiplied by the number of jobs as reflected in the second column of the chart in Subsection H(4)(a) then divide the number by 25 and multiply this number by \$142,000. [NOTE: Example:

Proposed construction: 4,000 square feet of office space

1. $4,000/1,000 = 4$ of jobs

2. Multiply by the total in No. 1 per 1,000 square feet [Chart in Subsection H(4)(a)] $4 \times 3 = 12$
3. Divide the total in No. 2 by 25: $12/25 = 0.48$
4. Multiply the total in No. 3 by \$142,000 = $0.48 \times \$142,000 = \$68,160$

(5) General provisions.

- (a) Affordable housing units being constructed on-site or off-site shall meet the requirements of the Township's Affordable Housing Ordinance, if any, and shall be in conformance with COAH's third round rules at N.J.A.C. 5:94-1 et seq. and the Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 et seq., including, but not limited to, requirements regarding maximum rent and/or sales prices, affordability average, bedroom distribution, and affirmative marketing.
- (b) As an alternative to fulfilling the affordable housing requirements set forth in Subsection H(3) and (4), developers may, with the approval of the Township, utilize an alternative mechanism for providing affordable housing to meet the Township's growth share obligations as allowed by COAH pursuant to N.J.A.C. 5:94-4.8 et seq. If a developer intends to utilize an alternative mechanism, such request should be made during the preliminary land use approval process which shall be incorporated into the resolution and developer's agreement.
- (c) To the greatest extent possible, affordable housing units being provided within inclusionary developments shall be disbursed throughout inclusionary developments and shall be located within buildings designed to be architecturally indistinguishable from the market-rate units otherwise being constructed within the development. To that end, the scale, massing, roof pitch and architectural detailing (such as the selection of exterior materials, doors, windows, etc.) of the buildings containing the affordable housing units shall be similar to and compatible with that of the market-rate units.
- (d) Construction schedule.

[1] In the case of residential developments that are required to construct affordable housing, the developer must comply with the following construction schedule provided for under N.J.A.C. 5:94-4.4 (f) as follows:

Percentage of Market-Rate Units Completed	Minimum Percentage of Low-/Moderate-Income Units Completed
25%	0%
25% + 1 unit	10%
50%	50%
75%	75%

Percentage of Market-Rate Units Completed	Minimum Percentage of Low-/Moderate-Income Units Completed
90%	100%

[2] In the case of nonresidential construction, the developer shall advise the Township of how and where the developer intends to construct the affordable unit(s) as part of its preliminary application before the Planning Board or Zoning Board of Adjustment. The affordable housing unit(s) must be constructed prior to the issuance of the certificate of occupancy for the nonresidential unit. In the event that a payment in lieu of construction is to be made, regardless whether it is a residential or nonresidential unit, the amount per unit shall be the amount in effect at the time the property owner or developer obtains the building permit.

[3] Thirty percent of the payment in lieu of construction shall be paid at the time that the building permit is issued, and the balance shall be paid in full prior to the issuance of the certificate of occupancy.

- (e) Full compliance with the affordable housing requirements is mandatory and nonwaivable. The applicant must demonstrate to the Township that the affordable housing obligation will be satisfied prior to obtaining the first building permit, with compliance being a continuing condition during construction.
 - (f) All affordable units shall comply with all COAH requirements, including but not limited to containing a thirty-year deed restriction as required by COAH.
 - (g) Affordable units: 50% of the units shall be low-income and 50% shall be moderate-income, as required by COAH.
 - (h) The bedroom mix shall be in accordance with current COAH rules in effect at the time the building permit is issued.
 - (i) Where possible, the affordable housing structures shall be consistent in size and architectural features with the neighborhood or as approved by the Planning and/or Zoning Board. Additionally, in the case of a multi-unit development, the affordable units must be fully integrated with the market-rate units.
- (6) Payment-in-lieu-of provisions.
- (a) Any payment-in-lieu-of amount of \$142,000 [NOTE: Back up documentation supporting the per unit cost must be received.] shall be derived from the analysis of the subsidy required to create an affordable housing unit in the Township, which analysis shall be on file in the office of the Township.
 - (b) All payments in lieu of constructing affordable housing shall be deposited by the Township into an Affordable Housing Trust Fund to be established by the Township in conformance with regulations established by COAH and shall at all times be identifiable from development fees. These funds shall be used by the

Township.

- I. **Municipal Housing Liaison.** The position of Municipal Housing Liaison (MHL) for Stillwater Township is established by this subsection. The Township Committee of Stillwater Township shall make the actual appointment of the MHL by means of a resolution. **[Added 5-19-2009 by Ord. No. 2009-6]**
- (1) The MHL must be either a full-time or part-time employee of Stillwater Township.
 - (2) The person appointed as the MHL must be reported to COAH for approval.
 - (3) The MHL must meet all COAH requirements for qualifications, including initial and periodic training.
 - (4) The MHL shall be responsible for oversight and administration of the affordable housing program for Stillwater Township, including the following responsibilities, which may not be contracted out to the administrative agent:
 - (a) Serving as the municipality's primary point of contact for all inquiries from the state, affordable housing providers, administrative agents and interested households;
 - (b) The implementation of the Affirmative Marketing Plan and affordability controls;
 - (c) When applicable, supervising any contracting administrative agent;
 - (d) Monitoring the status of all restricted units in Stillwater Township's Fair Share Plan;
 - (e) Compiling, verifying and submitting annual reports as required by COAH;
 - (f) Coordinating meetings with affordable housing providers and administrative agents, as applicable; and
 - (g) Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by COAH.

STILLWATER TOWNSHIP MANDATORY SET-ASIDE ORDINANCE

Section 240-118H- GROWTH SHARE is repealed and replaced with the following:

Section 240-118H - MANDATORY SET-ASIDE ORDINANCE

- (1) If the Township or Township Land Use Board permits the construction of multi-family or single-family attached residential development that is "approvable" and "developable," as defined at N.J.A.C. 5:93-1.3, the Township or the Township's Land Use Board shall require that a percentage of the residential units be set aside for low and moderate income households.
- (2) This requirement shall apply beginning with the effective date of this Ordinance to any multi-family or single-family attached residential development, including the residential portion of a mixed-use project, which consists of five (5) or more new residential units, whether permitted by a zoning amendment, a variance granted by the Township's Land Use Board, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation.
- (3) For any such development for which the Township's land use ordinances (e.g., zoning or an adopted Redevelopment Plan) already permitted residential development as of the effective date of this Ordinance, this requirement shall only apply if the Township permits an increase in approvable and developable gross residential density to at least twice the permitted approvable and developable gross residential density as of the effective date of this Ordinance.
- (4) Nothing in this paragraph precludes the Township or the Township's Land Use Board from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to this paragraph consistent with N.J.S.A. 52:27D-311(h) and other applicable law.
- (5) For inclusionary projects in which the low and moderate units are to be offered for sale, the minimum set-aside percentage is twenty (20) percent; for projects in which the low and moderate income units are to be offered for rent, the minimum set-aside percentage is fifteen (15) percent.
- (6) This requirement does not create any entitlement for a property owner or applicant for a zoning amendment, variance, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project.
- (7) Furthermore, this section shall not apply to developments containing four (4) or less dwelling units. All subdivision and site plan approvals of qualifying residential developments shall be conditioned upon compliance with the provisions of this section. Where a developer demolishes existing dwelling units and builds new dwelling units on

the same site, the provisions of this section shall apply only if the net number of dwelling units is five (5) or more.

DRAFT

Appendix C – Spending Plan

**AFFORDABLE HOUSING TRUST
FUND SPENDING PLAN**

**TOWNSHIP OF STILLWATER
SUSSEX COUNTY, NEW JERSEY**

May 21, 2025

Prepared by: Jessica C. Caldwell, P.P., A.I.C.P.
NJPP License #5944

SPENDING PLAN

INTRODUCTION

The Township of Stillwater, Sussex County, has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the present and prospective affordable housing need in accordance with the Municipal Land Use Law (MLUL), the Fair Housing Act (FHA), the regulations of the Council on Affordable Housing (COAH) and recent decisions by the Courts.

A development fee ordinance creating a dedicated revenue source for affordable housing following state guidelines was adopted in December 2004, which was later amended in 2005 and 2015. The ordinance established a fee of 1% of equalized assessed value for new residential construction. The ordinance will be updated to include 1.5 for new residential development and 2.5% for new commercial construction. The ordinance established the need for a Township of Stillwater Affordable Housing Trust Fund. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by affordable housing fees are deposited in a separate-interest-bearing affordable housing trust fund account for the purposes of affordable housing. This Spending Plan supersedes the spending plan adopted by the Township of Stillwater in 2016 as part of its Third Round Superior Court approvals.

The Township of Stillwater has prepared this Spending Plan (2025) to guide the allocation of funds within the Township of Stillwater Affordable Housing Trust Fund. As of December 31, 2024, the Township of Stillwater has \$109,932.84 funds in its Affordable Housing Trust Fund. The funds shall be spent in accordance N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of Fourth Round substantive certification, the Township of Stillwater considered the following:

- (a) Development fees:
 - 1. Nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
 - 2. All nonresidential projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
 - 3. Future development that is likely to occur based on historical rates of development.
- (b) Payments in Lieu (PIL): Payments in Lieu of development into the Township's Housing Trust are permitted as pursuant to Section 102.16-1 of Stillwater Code.
- (c) Other funding sources: The Township reserves the option to pursue various public funding options to support its municipal rehabilitation program.
- (d) Projected interest: Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate is 0.5% based on prevailing interest rates for savings accounts.

Projected Revenue Schedule, 2025-2035
Township of Stillwater Affordable Housing Trust Fund

Source of Funds	Up to 12/31/2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
(a) Development Fees	\$109,932												
1. Approved Residential and Nonresidential Development Projects	NA	\$2,500	\$2,500	\$2,500									\$7,500
2. Projected Residential Development Projects Only	NA	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$7,500	\$82,500
3. Projected Non-Residential Development Projects (New construction only)	NA	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$33,000
(b) Payments in lieu of Construction	NA												
(c) Other Funds (specify source)	NA												
Subtotal	\$109,932	\$10,500	\$10,500	\$10,500	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$123,000
(d) Interest	NA	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$11,000
Total Revenue from Development Fees	\$109,932	\$10,500	\$10,500	\$10,500	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$243,932

The Township of Stillwater projects a total of **\$134,000** to be collected between January 1, 2025 and December 31, 2035 for residential and non-residential new construction. There is an existing balance of \$109,932, resulting in a total of \$243,932 for use on affordable housing. Projections are based on projected development as it relates to permits issued within the Township over the last five years and revenues generated by the fund over the last ten years.

ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

Stillwater will follow the process for the collection and distribution of development fee revenues detailed below.

- (a) Collection of development fee revenues: Stillwater will collect development fee revenues in a manner that is consistent with the Township's development fee ordinance for both residential and nonresidential development and in accordance with applicable regulations.
- (b) Distribution of development fee revenues: Stillwater will distribute funds with the oversight of the Township Committee. The Committee will work with the Township Administration and the Municipal Housing Liaison to manage the projects outlined in this spending plan.

DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

The Township of Stillwater proposes to use the monies in its Affordable Housing Trust Fund for the following purposes:

- (a) **Rehabilitation Projects** (N.J.A.C. 5:97-6.2): the Township of Stillwater will dedicate the following funds to Rehabilitation projects in order to meet its fair share affordable unit obligation:
Township Rehabilitation Program: At least \$12,500 per unit for a total of 45 units for a budget of \$137,500.
- (b) **Administrative Expenses** (N.J.A.C. 5:97-8.9) the Township of Stillwater will dedicate no more than 20 percent of revenue from the affordable housing trust fund to be used for administrative purposes. **The current budget for administrative expenses is \$33,253, with any additional funds subject to the 20 percent cap are as follows:**
 - Administration of affordable housing programs;
 - Legal fees associated with affordable housing administration;
 - Planning fees for any necessary updates and/or revision to the Housing Element and Fair Share Plan; and
 - Other expenses associated with the development and implementation of the Housing and Fair Share Plan and the monitoring of current and future affordable housing programs within the Township of Stillwater.
- (c) **Affordability Assistance** (N.J.A.C. 5:97-8.8) Stillwater will dedicate **\$73,179** from the affordable housing trust fund to render units more affordable, including at \$24,393 to render units more affordable to households earning 30% or less of median income by region. This will include the rehabilitation program and providing assistance to existing low-income and very low income homeowners and renters in Stillwater Township.

- (d) Supportive Living and Special Needs (N.J.A.C. 5:97-6.10):** Stillwater will dedicate funds to assist in the development and renovation of supportive and special needs homes as the budget permits.
- (e) Excess Funds:** Any excess funds will be dedicated to emergent projects such as municipally sponsored 100% affordable housing/ market to affordable program, accessory apartments and other permitted affordable housing programs.

SUMMARY

Stillwater intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the affordable housing programs outlined in the Township’s Housing Element and Fair Share Plan dated May 21, 2025.

**Spending Plan Summary
Stillwater Affordable Housing Trust Fund**

Trust fund balance as of 12/31/2024	\$109,932
Projected Revenue (2025-2035)	
Development fees	\$123,000
Payments in lieu of construction	
Other funds	
Interest	\$11,000
Total Revenue (Rounded)	\$134,000
Expenditures	
Rehabilitation	\$137,500
Administration	\$33,253
Affordability Assistance	\$73,179
Other programs	\$*
Total Projected Expenditures	\$243,932

*WILL BE FUNDED WITH ANY ADDITIONAL FUNDS COLLECTED.

Appendix D – Marketing Plan

**TOWNSHIP OF STILLWATER
COUNTY OF SUSSEX, STATE OF NEW JERSEY**

Affordable Housing

Affirmative Marketing Plan

Fourth Round 2025-2035

Stillwater Town Hall
964 Stillwater Road
Newton, NJ 07860
973-383-9484

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Overview

All affordable units are required to be affirmatively marketed using the Township of Stillwater's Affirmative Marketing Plan. An Affirmative Marketing Plan is a regional marketing strategy designed to attract households of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children to housing units which are being marketed by an Administrative Agent or a developer, sponsor, owner or property manager of affordable housing. The primary objectives of an Affirmative Marketing Plan are to target households who are least likely to apply for affordable housing, and to target households throughout the entire housing region in which the units are located.

The Township of Stillwater provides this Affirmative Marketing Plan for any affordable housing within the Township. Individual projects may develop their own affirmative marketing plan in compliance with this plan.

Every Affirmative Marketing Plan must include all of the following:

1. Publication of at least one advertisement in a newspaper of general circulation within the housing region;
2. Broadcast of at least one advertisement by radio or television throughout the housing region; and
3. At least one additional regional marketing strategy such as a neighborhood newspaper, religious publication, organizational newsletter, advertisement(s) with major employer(s), or notification through community and regional organizations such as non-profit, religious, and civic organizations.

For each affordable housing opportunity within the municipality, the Affirmative Marketing Plan must include the following information:

1. The address of the project and development name, if any;
2. The number of rental units;
3. The price ranges of the rental units;
4. The name and contact information of the Municipal Housing Liaison, Administrative Agent, property manager, or landlord;
5. A description of the Random Selection method that will be used to select applicants for affordable housing; and
6. Disclosure of required application fees, if any.

Advertisements must contain the following information for each affordable housing opportunity:

1. Location of the units;

2. Directions to the units;
3. Range of prices for the units;
4. Size, as measured in bedrooms, of units;
5. The maximum income permitted to qualify for the housing units;
6. The locations of applications for the housing units;
7. The business hours when interested households may obtain an application for a housing unit; and
8. Application fees, if any.

Regional Preference

The Township of Stillwater has provided that households that live or work in Housing Region #1 (comprised of Bergen, Hudson, Passaic, and Sussex Counties) shall be selected for an affordable housing unit before households from outside of this region. Units that remain unoccupied after households who live or work in the region are exhausted, may be offered to the households outside the region.

Implementation

The affirmative marketing process for affordable units shall begin at least four months prior to expected occupancy. In implementing the marketing program, the Administrative Agent shall undertake all of the strategies outlined in the Township of Stillwater's Affirmative Marketing Plan. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all the units have been sold. Applications for affordable housing shall be available in several locations in accordance with the Affirmative Marketing Plan. The time period when applications will be accepted will be posted with the applications. Applications shall be mailed to prospective applicants upon request.

All newspaper articles, announcements and requests for applications for low- and moderate-income units will appear in the following daily regional newspapers/publications when units are available and there is no wait list for existing units and when any new units may be constructed in the future:

1. New Jersey Herald Daily
2. Township Journal

The primary marketing will take the form of at least one (1) press release sent to the above publications and a paid display advertisement in each of the above newspapers. Additional advertising and publicity will be on an as-needed basis. The advertisement will include a description of the:

1. Location of the units;
2. Directions to the units;
3. Range of prices for the units;

4. Size, as measured in bedrooms, of units;
5. Maximum income permitted to qualify for the units;
6. Location of applications;
7. Business hours when interested households may obtain an application; and
8. Application fees.

All newspaper articles, announcements and requests for applications for low- and moderate-income housing will appear in the following neighborhood-oriented weekly newspapers, religious publications and organizational newsletters within the region:

1. New Jersey Herald and Sunday Herald
2. Township Journal

The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.

The following regional cable television stations or regional radio stations shall be used during the first month of advertising. The developer must provide satisfactory proof of public dissemination:

1. Station(s): Choose two from Attachment A.

The Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in Bergen, Hudson, Passaic, and Sussex Counties that will aid in the affirmative marketing program with particular emphasis on those contacts that are able to reach out to groups that are least likely to apply for housing within the region, including major regional employers identified in Attachment A, Part III, Marketing, Section 3d of COAH's Affirmative Fair Housing Marketing Plan for Affordable Housing in Region 1 (attached to and hereby made part of this Resolution) as well as the following entities:

1. Quarterly informational flyers and applications shall be sent to the Bergen, Hudson, Passaic, and Sussex Counties' Boards of Realtors for publication in their journals and for circulation among their members; and
2. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies within the municipalities and counties of Bergen, Hudson, Passaic, and Sussex.

Applications will be mailed to prospective applicants upon request.

The following is the location of applications, brochure(s), signs and/or poster(s) used as part of the affirmative program, including specific employment centers within the region:

1. Municipal Building: 964 Stillwater Road, Newton, NJ 07860
2. Municipal Library: Sussex County Library, **125 Morris Turnpike, Newton, NJ 07860**

The following is the community contact person who will aid the affirmative marketing program:

Municipal Housing Liaison
964 Stillwater Road
Newton, NJ 07860
973-383-9484

Additionally, quarterly informational circulars and applications for new units which may be constructed in the future will be sent to the chief administrative employees of each of the following agencies in the counties of Bergen, Hudson, Passaic, and Sussex:

1. Welfare or Social Service Board;
2. Rental assistance office (local office of DCA);
3. Office on Aging.
4. Housing Agency or Authority.
5. County Library.
6. Area community action agencies.

Applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:

1. The Township of Stillwater Administrative Offices;
2. The Township of Stillwater website;
3. Developer's Sales/Rental Offices;
4. Bergen, Hudson, Passaic, and Sussex Counties Administration Buildings;
5. Bergen, Hudson, Passaic, and Sussex Counties Libraries (all branches); and
6. Other public buildings and agencies as deemed appropriate by the Administrative Agent.

Applications shall be mailed by the Administrative Agent and Municipal Housing Liaison to prospective applicants upon request. Also, applications shall be available at the developer's sales/rental office and multiple copies of application forms shall be mailed to Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, County NAACP, Newark NAACP, East Orange NAACP, Housing Partnership for Morris County, Community Access Unlimited, Inc., Northwest New Jersey Community Action Program, Inc. (NORWESCAP), Homeless Solutions of Morristown, and the Supportive Housing Association for dissemination to their respective constituents. In addition, the foregoing entities shall be notified directly whenever an affordable housing unit(s) becomes available in the Township of Stillwater.

The following is a listing of community contact person(s) and/or organizations in Bergen, Hudson, Passaic, and Sussex Counties that will aid in the affirmative marketing program and provide guidance and counseling services to prospective occupants of very low-, low-and moderate-income units:

1. Family Promise of Sussex County: www.familypromisesussex.org ; 973-579-1180
2. NJHMFA: www.nj.gov.dca.hmfa; 609-278-7400
3. Norwescap: www.norwescap.org; 908-454-7000
4. New Jersey Housing Resource Center: www.nj.gov.njhrc ; 1-877-428-8844

5. Affordable Housing Alliance: www.housingall.org ; 732-389-2958

A random selection method to select occupants of very low-, low- and moderate-income housing will be used by the Administrative Agent, in conformance with N.J.A.C. 5:80-26.16 (I). The Affirmative Marketing Plan shall provide a regional preference for very low-, low- and moderate-income households that live and/or work in Housing Region #1, comprised of Bergen, Hudson, Passaic, and Sussex Counties. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low-, low- and moderate-income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an agreement to this effect has been executed between the developer or landlord and the municipality prior to the affirmative marketing of the units.

The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low-, low- and moderate-income households; to place income-eligible households in very low-, low- and moderate-income units upon initial occupancy; to provide for the initial occupancy of very low, low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low-, low- and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26-1, et seq.

The Administrative Agent shall provide or direct qualified very low-, low- and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services. In addition, it shall be the responsibility of the Administrative Agent to inform owners of affordable units and prospective occupants of affordable units of the Borough's affordability assistance programs and to assist with the implementation of such programs.

All developers/owners of very low-, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.

The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and thereafter upon the re-sale or re-rental of an affordable unit for as long as an affordable unit remains deed restricted.

The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to the Borough's adopted Affordable Housing Ordinance.

An applicant pool will be maintained by the Administrative Agent for re-rentals.

1. When a re-rental affordable unit becomes available Administrative Agent will select applicants from the applicant pool and, if necessary, the unit will be affirmatively marketed as described above. The selection of applicants from the applicant pool is described in more detail in this manual under the section **Random Selection & Applicant Pool(s)**.

Sample Advertisement for Available Rental Units

The Township of Stillwater hereby announces that # affordable housing units will be available for rent in the name of development/project. The housing is under development by developer and is available for type of income households. Development is located at address, description.

The affordable housing available includes rents from \$#,###/month and includes #-bedroom units. Utilities are included (if applicable). Interested households will be required to submit application, documentation if applicable, and any other requirements in order to qualify. The maximum household incomes permitted are \$41,471 for a one person household, \$47,395 for a two person household, \$53,320 for a three person household, \$59,244 for a four person household, \$63,984 for a five person household, and \$69,723 for a six person household. Once certified, households will be matched to affordable units through a lottery system. All successful applicants will be required to demonstrate the ability to pay a security deposit (requirements of security deposit).

Applications are available at Location(s), hours of operation. Applications can also be requested via mail by calling Realtor at Phone #. Applications will be accepted until mm/dd/yy and there is a \$5 fee for the credit check.

Visit www.njhousing.gov or call 1-877-428-8844 for more affordable housing opportunities.

Although any income eligible households may apply, workers of [Insert counties in the COAH Housing regional preference zone]; Sussex County will be selected before residents of other counties or states.

Sample Public Service Announcement

10 second slot:

Affordability priced homes available in Mayberry Borough. Income restrictions apply. Call (800) 555-1234 for information.

30-35 second slot:

Affordably priced, brand new two, three, and four-bedroom attractive homes with nice amenities are available at the Equality at Mayberry Development in desirable Mayberry Borough. Call A Home For You at (800) 555-1234 for information on sales prices and income limits and to get a pre-application. The deadline to submit a pre-application is August 1, 2020, so don't delay. These homes are in accordance with State requirements for low- and moderate-income housing.

Random Selection & Applicant Pool(s)

The following is a description of the random selection method that will be used to select occupants for low- and moderate-income housing:

There will be a period in which to complete and submit applications. Households that have completed applications in that timeframe and have been determined that they are income eligible will be randomly selected to establish an order (service list) in which they will be evaluated by the Administrative Agent for the available unit(s). A copy of the first page of the applications will be folded and placed in a container of sufficient size to allow the applications to be randomly mixed. Once mixed, all applications will be drawn one by one from the container until none are left. The first application drawn will be the first position on the service list, and so on.

At least two people will be present during a random selection and both will sign the resulting service list as having participated and/or witnessed the random selection. Once the applicant is placed on the service list, they shall remain in that position until they are served or asked to be withdrawn from the list. Applicants on the service list shall not be a part of any future random selections. If the household on the list is not of an appropriate household size, income or does not live or work in the Housing Region, that applicant will be skipped and the next applicant household with sufficient income will be evaluated for the available unit. This will continue until a properly sized household with sufficient income or purchase or rent the unit is reached.

The applicant household will be required to submit a complete application to establish their eligibility as defined by the Fair Housing Act. If the end of the service list is reached before an appropriately-sized household that lives or works in the New Jersey Housing Region is identified the Administrative Agent will review skipped households in the order of the random selection. Households that live or work in the Housing Region that are smaller than the ideal household size, as defined by the Township's Affordable Housing Ordinance, will be considered next.

Any applicants that are skipped for size, income or regional preference will remain on the list and continue to be considered for future restricted units in the order in which they were selected in the random selection.

Unless applicants ask to be removed from the list or become ineligible for assistance, or are unresponsive to our communications, they will remain on the service list. Therefore, these applicants will not need to be in future random selections. Instead, the service order created by future random selections will be placed at the end of the service list set by all prior random selections.

If there are sufficient names remaining on the service list to fill two years of resales and rentals, the applicant pool may be closed by the Administrative Agent. The Administrative Agent will notify the Township in writing if it intends to close the waiting list. Any households calling or writing to express their interest in an affordable home will be directed to call back on a future date determined by the Administrative Agent. When the applicant pool is being depleted to a point where there is not a sufficient number of people to fill two (2) years of re-sales or rentals, the Administrative Agent will re-open the pool and conduct a new random selection process after fulfilling the affirmative marketing requirements. The service list established by subsequent random selection shall be added to the end of the previous service list.

Initial Randomization

Applicants are selected at random before income-eligibility is determined, regardless of household size or desired number of bedrooms. The process is as follows:

1. After advertising is implemented, applications are accepted for 120 days.
2. At the end of the period, sealed applications are selected one-by-one through a lottery (unless fewer applications are received than the number of available units, then all eligible households will be placed in a unit).
3. Households are informed of the date, time and location of the lottery and invited to attend.
4. An applicant pool is created by listing applicants in the order selected.
5. Applications are reviewed for income-eligibility.
6. Ineligible households are informed that they are being removed from the applicant pool or given the opportunity to correct and/or update income and household information.
7. Eligible households are matched to available units based upon the number of bedrooms needed (and any other special requirements, such as [regional preference or] the need for an accessible unit).
8. If there are sufficient names remaining in the pool to fill future re-rental, the applicant pool shall be closed.
9. When the applicant pool is close to being depleted, the Administrative Agent will re-open the pool and conduct a new random selection process after fulfilling the affirmative marketing requirements. The new applicant pool will be added to the remaining list of applicants.

Randomization After Certification

Random selection is conducted when a unit is available, and only certified households seeking the type and bedroom size of the available unit are placed in the lottery. The process is as follows:

1. After advertising is implemented, applications are accepted for 120 days.
2. All applications are reviewed and households are either certified or informed of non-eligibility. (The certification is valid for 180 days, and may be renewed by updating income-verification information.)
3. Eligible households are placed in applicant pools based upon the number of bedrooms needed (and any other special requirements, such as regional preference or the need for an accessible unit)
4. When a unit is available, only the certified households in need of that type of unit are selected for a lottery.

5. Households are informed of the date, time, and location of the lottery and invited to attend.
6. After the lottery is conducted, the first household selected is given 3 days to express interest or disinterest in the unit. (If the first household is not interested in the unit, this process continues until a certified household selects the unit.)
7. Applications are accepted on an ongoing basis, certified households are added to the pool for the appropriate household income and size categories, and advertising and outreach is ongoing, according to the Affirmative Marketing Plan.

Matching Households to Available Units

1. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to implement the following policies:
 - a. Maximum of two person per bedroom;
 - b. Children of same sex in same bedroom;
 - c. Unrelated adults or persons of the opposite sex other than husband and wife in separate bedrooms;
 - d. Children not in same bedroom with parents;
 - e. Provide an occupant for each unit bedroom;
 - f. Provide children of different sex with separate bedrooms;
 - g. Require that all the bedrooms be used as bedrooms; and
 - h. Require that a couple requesting a two-bedroom unit provide a doctor's note justifying such request.

In no case shall a household be referred to an affordable housing unit that provides for more than one additional bedroom per household occupancy as stated in the policies above.

The Administrative Agent cannot require an applicant household to take an affordable unit with a greater number of bedrooms, as long as overcrowding is not a factor.

A household can be eligible for more than one unit category, and should be placed in the applicant pool for all categories for which it is eligible.

ATTACHMENT A
Affirmative Fair Housing Marketing Plan
For Affordable Housing in Region #1

AFFIRMATIVE FAIR HOUSING MARKETING PLAN

For Affordable Housing in **(REGION 1)**

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number		1b. Development or Program Name, Address	
1c. Number of Affordable Units: Number of Rental Units: Number of For-Sale Units:	1d. Price or Rental Range From To	1e. State and Federal Funding Sources (if any)	
1f. <input type="checkbox"/> Age Restricted <input type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates Advertising: Occupancy:		
1h. County Bergen, Hudson, Passaic, Sussex		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (if any):			

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

II. RANDOM SELECTION

2. Describe the random selection process that will be used once applications are received.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

- White (non-Hispanic Native) Black (non-Hispanic) Hispanic American Indian or Alaskan Native
- Asian or Pacific Islander Other group:

3b. **HOUSING RESOURCE CENTER** (www.njhousing.gov) A free, online listing of affordable housing

3c. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS ENTIRE HOUSING REGION 1			
Daily Newspaper			
<input type="checkbox"/>		Star-Ledger	Northern and Central New Jersey
TARGETS PARTIAL HOUSING REGION 1			
Daily Newspaper			
<input type="checkbox"/>		Record, The	Bergen
<input type="checkbox"/>		Jersey Journal	Hudson
<input type="checkbox"/>		Herald News	Passaic
<input type="checkbox"/>		New Jersey Herald	Sussex
TARGETS PARTIAL HOUSING REGION 1			
Non-Daily Newspaper			
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
<input type="checkbox"/>		Bayonne Community News	Hudson
<input type="checkbox"/>		Northern Valley Suburbanite	Northern Bergen
<input type="checkbox"/>		Teaneck Suburbanite	Teaneck, Bergen
<input type="checkbox"/>		Twin Boro News	Northern Bergen
<input type="checkbox"/>		Shopper News	Bergen
<input type="checkbox"/>		The Ramsey Reporter	Ramsey, Bergen
<input type="checkbox"/>		The Town Journal	Franklin Lakes, Bergen

<input type="checkbox"/>		The Village Gazette	Ridgewood, Bergen
<input type="checkbox"/>		Messenger	Garfield, Bergen
<input type="checkbox"/>		Observer	Hasbrouck Heights, Bergen
<input type="checkbox"/>		Weekly News	Hasbrouck Heights, Bergen
<input type="checkbox"/>		Hawthorne Press	Hawthorne, Passaic
<input type="checkbox"/>		Journal America	Passaic
<input type="checkbox"/>		Hoboken Reporter	Hoboken, Hudson
<input type="checkbox"/>		Hudson Current	Hudson
<input type="checkbox"/>		Jersey City Register	Hudson
<input type="checkbox"/>		The Shoppers' Friend	Sussex
<input type="checkbox"/>		The Commercial Leader	Lyndhurst, Bergen
<input type="checkbox"/>		North Bergen Register	Hudson
<input type="checkbox"/>		Secaucus Reporter	Secaucus, Hudson
<input type="checkbox"/>		Weehawken Reporter	Weehawken, Hudson
<input type="checkbox"/>		West New York/Union City Reporter	West New York/Union City, Hudson
<input type="checkbox"/>		Observer	Hudson
<input type="checkbox"/>		The Commercial Leader	Lyndhurst, Bergen
<input type="checkbox"/>		The Leader Free Press	Lyndhurst, Bergen
<input type="checkbox"/>		News Leader of Rutherford	Rutherford, Bergen
<input type="checkbox"/>		North Arlington Leader	North Arlington, Bergen

<input type="checkbox"/>		Our Town	Maywood, Bergen
<input type="checkbox"/>		The Ridgewood Times – Zone 2	Midland Park/Ridgewood, Bergen
<input type="checkbox"/>		The Villadom Times Midland Park	Midland Park/Ridgewood, Bergen
<input type="checkbox"/>		The Palisadian	Bergen
<input type="checkbox"/>		Aim Community News/Aim Action Ads	Passaic
<input type="checkbox"/>		Shoppers Guide to Sussex County	Sussex
<input type="checkbox"/>		Bergen News	Bergen
<input type="checkbox"/>		Press Journal	Palisades Park, Bergen
<input type="checkbox"/>		Korean Bergen News	Bergen
<input type="checkbox"/>		Sun Bulletin	Bergen
<input type="checkbox"/>		News Beacon	Paramus
<input type="checkbox"/>		Slovak Catholic Falcon	(Slovak/English) Passaic
<input type="checkbox"/>		Independence News	Passaic
<input type="checkbox"/>		Home and Store News	Bergen
<input type="checkbox"/>		Our Town	Northern Bergen
<input type="checkbox"/>		The Glen Rock Gazette	Glen Rock, Bergen
<input type="checkbox"/>		Ridgewood News	Ridgewood, Bergen
<input type="checkbox"/>		Suburban News	Northern Bergen
<input type="checkbox"/>		Town News	Northern Bergen
<input type="checkbox"/>		Wyckoff Suburban News	Wyckoff, Bergen

<input type="checkbox"/>		The South Bergenite	Southern Bergen
<input type="checkbox"/>		Secaucus Home News	Secaucus, Hudson
<input type="checkbox"/>		The Advertiser	Sussex
<input type="checkbox"/>		The Advertiser News	Sussex
<input type="checkbox"/>		Sparta Independent	Sparta, Sussex
<input type="checkbox"/>		Sussex County Chronicle	Sparta, Sussex
<input type="checkbox"/>		The Connection Newspaper	Southern Bergen
<input type="checkbox"/>		Jewish Community News	(Jewish) Bergen
<input type="checkbox"/>		Jewish Standard	(Jewish) Bergen
<input type="checkbox"/>		Avance	(Spanish) Hudson
<input type="checkbox"/>		Continental	(Spanish) Hudson
<input type="checkbox"/>		La Tribuna de North Jersey	(Spanish) Hudson
<input type="checkbox"/>		The Argus	West Paterson, Passaic
<input type="checkbox"/>		Suburban Life	Passaic
<input type="checkbox"/>		Today Newspaper	Passaic
<input type="checkbox"/>		Community Life	Northern Bergen
<input type="checkbox"/>		Wood Ridge Independent	Wood Ridge

TARGETS ENTIRE HOUSING REGION 1

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE

<input type="checkbox"/>		2 WCBS-TV Cbs Broadcasting Inc.	NYC Metropolitan Area
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co. (General Electric)	NYC Metropolitan Area
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	NYC Metropolitan Area
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	NYC Metropolitan Area
<input type="checkbox"/>		11 WPIX Wpix, Inc. (Tribune)	NYC Metropolitan Area
<input type="checkbox"/>		13 Wpix, Inc. (Tribune) Educational Broadcasting Corporation	NYC Metropolitan Area
<input type="checkbox"/>		25 WNYE-TV New York City Dept. Of Info Technology & Telecommunications	NYC Metropolitan Area
<input type="checkbox"/>		31 WPXN-TV Paxson Communications License Company, Llc	NYC Metropolitan Area
<input type="checkbox"/>		41 WXTV Wxtv License Partnership, G.p. (Univision Communications Inc.)	NYC Metropolitan Area, Spanish-language
<input type="checkbox"/>		47 WNJU NBC Telemundo License Co. (General Electric)	NYC Metropolitan Area, Spanish-language
<input type="checkbox"/>		50 WNJN New Jersey Public Broadcasting Authority	New Jersey
<input type="checkbox"/>		62 WRNN-TV Wrnn License Company, Llc	Hudson Valley
<input type="checkbox"/>		63 WMBC-TV Mountain Broadcating Corporation	Northern New Jersey, Various ethnic

<input type="checkbox"/>		66 WFME-TV Family Stations Of New Jersey, Inc.	Northern New Jersey, Christian
<input type="checkbox"/>		68 WFUT-TV Univision New York Llc	NYC Metropolitan Area, Spanish-language
TARGETS PARTIAL HOUSING REGION 1			
<input type="checkbox"/>		8 WTNH Wtnh Broadcasting, Inc. (LIN TV Corp.)	Bergen
<input type="checkbox"/>		49 WEDW Connecticut Public Broadcasting, Inc.	Bergen
<input type="checkbox"/>		17 WEBR-CA K Licensee, Inc.	Bergen, Hudson (Christian)
<input type="checkbox"/>		26 WNXV-LP Island Broadcasting Company	Bergen, Hudson
<input type="checkbox"/>		32 WXNY-LP Island Broadcasting Company	Bergen, Hudson
<input type="checkbox"/>		35 WNYX-LP Island Broadcasting Company	Bergen, Hudson
<input type="checkbox"/>		39 WNYN-LP Island Broadcasting Company	Bergen, Hudson (Spanish)
<input type="checkbox"/>		21 WLIW Educational Broadcasting Corporation	Bergen, Hudson, Passaic
<input type="checkbox"/>		60 W60AI Ventana Television, Inc.	Bergen, Hudson, Passaic
<input type="checkbox"/>		6 WNYZ-LP Island Broadcasting Co.	Bergen, Sussex
<input type="checkbox"/>		22 WMBQ-CA Renard Communications Corp.	Hudson
<input type="checkbox"/>		34 WPXO-LP Paxson Communications License Company, Llc	Hudson

<input type="checkbox"/>		42 WKOB-LP Nave Communications, Llc	Hudson (Christian)
<input type="checkbox"/>		3 WBQM-LP Renard Communications Corp.	Hudson, Sussex
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	Hudson, Sussex
<input type="checkbox"/>		28 WBRE-TV Nexstar Broadcasting, Inc.	Passaic, Sussex
<input type="checkbox"/>		36 W36AZ New Jersey Public Broadcasting Authority	Passaic, Sussex
<input type="checkbox"/>		16 WNEP-TV New York Times Co.	Sussex
<input type="checkbox"/>		22 WYOU Nexstar Broadcasting, Inc.	Sussex
<input type="checkbox"/>		23 W23AZ Centenary College	Sussex
<input type="checkbox"/>		38 WSWB Mystic Television of Scranton Llc	Sussex
<input type="checkbox"/>		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Sussex
<input type="checkbox"/>		44 WVIA-TV Ne Pa Ed Tv Association	Sussex
<input type="checkbox"/>		49 W49BE New Jersey Public Broadcasting Authority	Sussex
<input type="checkbox"/>		56 WOLF-TV Wolf License Corp	Sussex
<input type="checkbox"/>		60 WBPH-TV Sonshine Family Television Corp	Sussex

<input type="checkbox"/>		64 WQPX Paxson Communications License Company, Llc (Ion Media Networks)	Sussex
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Sussex

	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA
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TARGETS PARTIAL HOUSING REGION 1

<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Bergen
<input type="checkbox"/>		Comcast of the Meadowlands	Partial Bergen
<input type="checkbox"/>		Cablevision of New Jersey, Oakland, Ramapo, and Rockland	Partial Bergen
<input type="checkbox"/>		US Cable of Paramus-Hillsdale	Partial Bergen
<input type="checkbox"/>		Cablevision of NJ (Bayonne System), Hudson	Partial Hudson
<input type="checkbox"/>		Comcast of Jersey City, Meadowlands, NJ (Union System)	Partial Hudson
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Hudson
<input type="checkbox"/>		Cablevision of Oakland, Paterson	Partial Passaic
<input type="checkbox"/>		Hometown Online	Partial Passaic

<input type="checkbox"/>		Cable Vision of Morris, Warwick	Partial Sussex
<input type="checkbox"/>		Hometown Online	Partial Sussex
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Sussex
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Bergen
<input type="checkbox"/>		Comcast of the Meadowlands	Partial Bergen
<input type="checkbox"/>		Cablevision of New Jersey, Oakland, Ramapo, and Rockland	Partial Bergen
<input type="checkbox"/>		US Cable of Paramus-Hillsdale	Partial Bergen
<input type="checkbox"/>		Cablevision of NJ (Bayonne System), Hudson	Partial Hudson
<input type="checkbox"/>		Comcast of Jersey City, Meadowlands, NJ (Union System)	Partial Hudson
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Hudson
<input type="checkbox"/>		Cablevision of Oakland, Paterson	Partial Passaic
<input type="checkbox"/>		Hometown Online	Partial Passaic
<input type="checkbox"/>		Cable Vision of Morris, Warwick	Partial Sussex
<input type="checkbox"/>		Hometown Online	Partial Sussex

<input type="checkbox"/>		Service Electric Broadband Cable	Partial Sussex
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Bergen
<input type="checkbox"/>		Comcast of the Meadowlands	Partial Bergen
<input type="checkbox"/>		Cablevision of New Jersey, Oakland, Ramapo, and Rockland	Partial Bergen
<input type="checkbox"/>		US Cable of Paramus-Hillsdale	Partial Bergen
<input type="checkbox"/>		Cablevision of NJ (Bayonne System), Hudson	Partial Hudson
<input type="checkbox"/>		Comcast of Jersey City, Meadowlands, NJ (Union System)	Partial Hudson
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Hudson
<input type="checkbox"/>		Cablevision of Oakland, Paterson	Partial Passaic
<input type="checkbox"/>		Hometown Online	Partial Passaic
<input type="checkbox"/>		Cable Vision of Morris, Warwick	Partial Sussex
<input type="checkbox"/>		Hometown Online	Partial Sussex
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Sussex

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 1			
AM			
<input type="checkbox"/>		WFAN 660	
<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WABC 770	
<input type="checkbox"/>		WCBS 880	
<input type="checkbox"/>		WBBR 1130	
FM			
<input type="checkbox"/>		WFNY-FM 92.3	
<input type="checkbox"/>		WPAT-FM 93.1	Spanish
<input type="checkbox"/>		WNYC-FM 93.9	
<input type="checkbox"/>		WFME 94.7	Christian
<input type="checkbox"/>		WPLJ 95.5	
<input type="checkbox"/>		WQXR-FM 96.3	
<input type="checkbox"/>		WQHT 97.1	
<input type="checkbox"/>		WSKQ-FM 97.9	Spanish
<input type="checkbox"/>		WAWZ 99.1	Christian
<input type="checkbox"/>		WBAI 99.5	
<input type="checkbox"/>		WHTZ 100.3	

<input type="checkbox"/>		WHUD 100.7	
<input type="checkbox"/>		WCBS-FM 101.1	
<input type="checkbox"/>		WQCD 101.9	
<input type="checkbox"/>		WNEW 102.7	
<input type="checkbox"/>		WKTU 103.5	
<input type="checkbox"/>		WAXQ 104.3	
<input type="checkbox"/>		WWPR-FM 105.1	
<input type="checkbox"/>		WLTW 106.7	
<input type="checkbox"/>		WBLS 107.5	
TARGETS PARTIAL HOUSING REGION 1			
AM			
<input type="checkbox"/>		WEEX 1230	Bergen
<input type="checkbox"/>		WKDM 1380	Bergen, Hudson (Chinese/ Mandarin)
<input type="checkbox"/>		WMCA 570	Bergen, Hudson, Passaic (Christian)
<input type="checkbox"/>		WNYC 820	Bergen, Hudson, Passaic
<input type="checkbox"/>		WRKL 910	Bergen, Hudson, Passaic (Polish)
<input type="checkbox"/>		WPAT 930	Bergen, Hudson, Passaic (Caribbean, Mexican, Mandarin)
<input type="checkbox"/>		WWDJ 970	Bergen, Hudson, Passaic (Christian)
<input type="checkbox"/>		WINS 1010	Bergen, Hudson, Passaic

<input type="checkbox"/>		WEPN 1050	Bergen, Hudson, Passaic
<input type="checkbox"/>		WVNJ 1160	Bergen, Hudson, Passaic
<input type="checkbox"/>		WLIB 1190	Bergen, Hudson, Passaic (Christian)
<input type="checkbox"/>		WADO 1280	Bergen, Hudson, Passaic (Spanish)
<input type="checkbox"/>		WWRV 1330	Bergen, Hudson, Passaic (Spanish)
<input type="checkbox"/>		WNSW 1430	Bergen, Hudson, Passaic (Portuguese)
<input type="checkbox"/>		WZRC 1480	Bergen, Hudson, Passaic (Chinese/Cantonese)
<input type="checkbox"/>		WQEW 1560	Bergen, Hudson, Passaic
<input type="checkbox"/>		WWRL 1600	Bergen, Hudson, Passaic
<input type="checkbox"/>		WWRU 1660	Bergen, Hudson, Passaic (Korean)
<input type="checkbox"/>		WMTR 1250	Passaic
<input type="checkbox"/>		WGHT 1500	Passaic
<input type="checkbox"/>		WNNJ 1360	Sussex
FM			
<input type="checkbox"/>		WSOU 89.5	Bergen, Hudson
<input type="checkbox"/>		WCAA 105.9	Bergen, Hudson (Latino)
<input type="checkbox"/>		WBGO 88.3	Bergen, Hudson, Passaic
<input type="checkbox"/>		WFDU 89.1	Bergen, Hudson, Passaic
<input type="checkbox"/>		WKCR-FM 89.9	Bergen, Hudson, Passaic

<input type="checkbox"/>		WNYU-FM 89.1	Bergen, Hudson, Passaic
<input type="checkbox"/>		WFUV 90.7	Bergen, Hudson, Passaic
<input type="checkbox"/>		WFMU 91.1	Bergen, Hudson, Passaic
<input type="checkbox"/>		WNYE 91.5	Bergen, Hudson, Passaic
<input type="checkbox"/>		WRKS 98.7	Bergen, Hudson, Sussex
<input type="checkbox"/>		WRTN 93.5	Bergen, Hudson, Sussex
<input type="checkbox"/>		WHCR-FM 90.3	Bergen, Passaic
<input type="checkbox"/>		WPSC-FM 88.7	Passaic
<input type="checkbox"/>		WRHV 88.7	Passaic
<input type="checkbox"/>		WNJP 88.5	Sussex
<input type="checkbox"/>		WNTI 91.9	Sussex
<input type="checkbox"/>		WCTO 96.1	Sussex
<input type="checkbox"/>		WSUS 102.3	Sussex
<input type="checkbox"/>		WNNJ-FM 103.7	Sussex
<input type="checkbox"/>		WDHA -FM 105.5	Sussex
<input type="checkbox"/>		WHCY 106.3	Sussex
<input type="checkbox"/>		WWYY 107.1	Sussex

3d. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that applies)

	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE

TARGETS ENTIRE HOUSING REGION 1				
Bi-weekly				
<input type="checkbox"/>		Al Manassah		Arab-American
Monthly				
<input type="checkbox"/>		Sino Monthly	North Jersey/NYC area	Chinese-American
TARGETS PARTIAL HOUSING REGION 1				
Daily				
<input type="checkbox"/>		24 Horas	Bergen, Essex, Hudson, Middlesex, Passaic, Union Counties	Portuguese-Language
Weekly				
<input type="checkbox"/>		Arab Voice Newspaper	North Jersey/NYC area	Arab-American
<input type="checkbox"/>		La Voz	Hudson, Union, Middlesex Counties	Cuban community
<input type="checkbox"/>		Italian Tribune	North Jersey/NYC area	Italian community
<input type="checkbox"/>		Jewish Standard	Bergen, Passaic, Hudson Counties	Jewish community
<input type="checkbox"/>		El Especialito	Union City	Spanish-Language
<input type="checkbox"/>		El Nuevo	Hudson County	Spanish-Language
<input type="checkbox"/>		La Tribuna Hispana	Basking Ridge, Bound Brook, Clifton, East Rutherford, Elizabeth, Fort Lee, Greebrook, Linden, Lydenhurst, Newark, North Plainfield, Orange, Passaic, Paterson, Plainfield, Roselle, Scotch Plains, Union, Union City, West NY	Spanish-Language
<input type="checkbox"/>		Su Guia	Bergen and Passaic	Spanish-Language

<input type="checkbox"/>		Banda Oriental Latinoamérica	North Jersey/NYC area	South American community
<input type="checkbox"/>		Ukranian Weekly	New Jersey	Ukranian community

3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)

DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION
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Hudson County

<input type="checkbox"/>		United Parcel Service Inc. NY Corp	492 County Ave, Secaucus
<input type="checkbox"/>		USPS	80 County Road, Jersey City
<input type="checkbox"/>		Liz Claiborne Inc	1 Claiborne Ave, North Bergen
<input type="checkbox"/>		Credit Suisse First Boston LLC	1 Pershing Plz Jersey City
<input type="checkbox"/>		HealthCare Staffing and Consult	26 Journal Square, Jersey City
<input type="checkbox"/>		Ritter Sysco Food Service	20 Theodore Conrad Dr. Jersey City
<input type="checkbox"/>		Jersey City Medical Center Inc.	50 Grand St, Secaucus
<input type="checkbox"/>		Marsh USA Inc.	121 River St, Hoboken
<input type="checkbox"/>		National Retail Systems Inc.	2820 16th St North Bergen
<input type="checkbox"/>		Community Corrections Corp	Lincoln Hwy Kearny
<input type="checkbox"/>		Marine Personnel & Provisioning Inc.	1200 Harbor Blvd Weehawken
<input type="checkbox"/>		Port Authority of NY and NJ	241 Erie St. Jersey City and 120 Academy St. Jersey City
<input type="checkbox"/>		Christ Hospital Health Service	176 Palisade Ave, Jersey City
<input type="checkbox"/>		Bayonne Hospital	29th Street and Ave E, Bayonne
<input type="checkbox"/>		Salson Logistics Inc.	2100 88th St.and 7373 West Side Ave, North Bergen, NJ

<input type="checkbox"/>		National Financial Service	1000 Plaza, Jersey City
<input type="checkbox"/>		Fleet NJ Company Development Corp.	10 Exchange Place, Jersey City
<input type="checkbox"/>		Maidenform Inc	154 Ave E, Bayonne
<input type="checkbox"/>		Lord Abbett & Company	90 Hudson City, Jersey City
<input type="checkbox"/>		Liberty Health Plan Inc.	50 Baldwin Ave Jersey City
<input type="checkbox"/>		Port Imperial Ferry Corp.	Pershing Rd Secaucus
<input type="checkbox"/>		Hudson News	1305 Paterson Plank Rd, North Bergen
<input type="checkbox"/>		Palisades General Hospital	7600 River Rd North Bergen, NJ
<input type="checkbox"/>		Equiserve Inc.	525 Washington Blvd Jersey city
<input type="checkbox"/>		Ciricorp Data Systems Incorporated	1919 Park Ave Secaucus
<input type="checkbox"/>		Meadowlands Hospital Medical Center	Meadowlands Pkwy Secaucus
<input type="checkbox"/>		Retailers & Manufacturers Dist Marking Serv.	50 Metro Way Secaucus
<input type="checkbox"/>		Dynamic Delivery Corp	125 Pennsylvania Ave Kearny, NJ
<input type="checkbox"/>		Bowne Business Communications Inc.	215 County Ave Secaucus
<input type="checkbox"/>		North Hudson Community Action Corp.	5301 Broadway West New York 07093
<input type="checkbox"/>		Goya Foods Inc.	100 Seaview Dr. Secaucus
<input type="checkbox"/>		Cristi Cleaning Service	204 Paterson Plank Rd Union, NJ
Bergen County			
<input type="checkbox"/>		Hackensack University Medical Center	30 Prospect Ave, Hackensack, NJ 07601
<input type="checkbox"/>		Professional Employer Group Service	2050 Center Ave Ste 336 Fort Lee

<input type="checkbox"/>		County of Bergen, NJ	1 Bergen County Plaza Hackensack, NJ 07601
<input type="checkbox"/>		Society of the Valley Hospital	223 N Van Dien Ave Ridgewood
<input type="checkbox"/>		NJ Sports & Expo Authority	50 State Highway 120 East Rutherford
<input type="checkbox"/>		Merck-Medco Managed Care LLC	100 Parsons Pond Dr. Franklin Lakes 07417
<input type="checkbox"/>		Quest Diagnostics Incorporated	1 Malcolm Ave Teterboro ,NJ 07608
<input type="checkbox"/>		AT&T	15 E Midland Ave Paramus
<input type="checkbox"/>		Englewood Hospital and Medical Center	350 Engle St. Englewood
<input type="checkbox"/>		Aramark Svcs Management of NJ Inc	50 Route 120 East Rutherford
<input type="checkbox"/>		Holy Name Hospital	718 Teaneck Road Teaneck
<input type="checkbox"/>		Doherty Enterprises Inc	7 Pearl Ct Allendale
<input type="checkbox"/>		Bergen Regional Medical Center	230 East Ridgewood Ave Paramus
<input type="checkbox"/>		Inserra supermarkets, Inc.	20 Ridge Rd Mahwah
<input type="checkbox"/>		Howmedica Osteonics Corp	59 Route 17 Allendale
<input type="checkbox"/>		Becton Dickinson & Company Corp	1 Becton Dr. Franklin Lakes
<input type="checkbox"/>		Pearson Education, Inc.	1 Lake St. Upper Saddle River
Passaic County			
<input type="checkbox"/>		D&E Pharmaceutical Co.	206 Macoprin Rd Bloomingdale, NJ 07403
<input type="checkbox"/>		Acme Markets	467 AllWood Rd Clifton, NJ 07012
<input type="checkbox"/>		St. Mary's Hospital	350 Boulevard Passaic, NJ 07055
<input type="checkbox"/>		Merry Maids	14 Riverside Square Mall, Bloomingdale, NJ 07403

<input type="checkbox"/>		Health Center at Bloomingdale	255 Union Ave Bloomingdale, NJ 07403
<input type="checkbox"/>		Sommers Plastic Product Co. Inc.	31 Styertowne Rd Clifton, NJ 07012
<input type="checkbox"/>		St. Joseph's Hospital	703 Main St. Paterson, NJ 07503
<input type="checkbox"/>		BAE Systems	164 Totowa Rd, Wayne, NJ 07470
<input type="checkbox"/>		Drake Bakeries Inc	75 Demarest Dr, Wayne, NJ 07470
<input type="checkbox"/>		Toys R Us National Headquarters	1 Geoffrey Way, Wayne, NJ 07470
<input type="checkbox"/>		GAF Materials Corporation	1361 Alps Rd, Wayne, NJ 07470
<input type="checkbox"/>		Valley National Bank Headquarters	1455 Valley Road Wayne, New Jersey 07470
Sussex County			
<input type="checkbox"/>		Selective Insurance	40 Wantage Ave, Branchville, NJ
<input type="checkbox"/>		Andover Subacute and Rehab Center	99 Mulford Rd Bldg 2, Andover, NJ
<input type="checkbox"/>		Mountain Creek Resorts	200 State Rt 94, Vernon, NJ
<input type="checkbox"/>		County of Sussex	One Spring Street, Newton, NJ 07860
<input type="checkbox"/>		Newton Memorial Hospital Inc.	175 High St, Newton, NJ
<input type="checkbox"/>		Vernon Township Board of Education	539 State Rt 515, Vernon, NJ
<input type="checkbox"/>		F.O. Phoenix (Econo-Pak)	1 Wiebel Plz, Sussex, NJ
<input type="checkbox"/>		Hopatcong Board of Education	2 Windsor Ave, Hopatcong, NJ
<input type="checkbox"/>		Saint Clare's Hospital	20 Walnut St, Sussex, NJ
<input type="checkbox"/>		Ames Rubber Corp	19 Ames Blvd, Hamburg, NJ

3f. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)			
Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:																
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)																
	<table border="1"> <thead> <tr> <th></th> <th>BUILDING</th> <th>LOCATION</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/></td> <td>Sussex County Main Library</td> <td>125 Morris Turnpike, Newton, NJ 07860</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Hudson County Administration Building</td> <td>595 Newark Avenue, Jersey City, NJ 07306</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Passaic County Administration Building</td> <td>401 Grand Street, Paterson, NJ 07505 (973) 225-3632</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Bergen County Administration Building</td> <td>One Bergen County Plaza, Hackensack, NJ 07601 (201)336-6000</td> </tr> </tbody> </table>		BUILDING	LOCATION	<input type="checkbox"/>	Sussex County Main Library	125 Morris Turnpike, Newton, NJ 07860	<input type="checkbox"/>	Hudson County Administration Building	595 Newark Avenue, Jersey City, NJ 07306	<input type="checkbox"/>	Passaic County Administration Building	401 Grand Street, Paterson, NJ 07505 (973) 225-3632	<input type="checkbox"/>	Bergen County Administration Building	One Bergen County Plaza, Hackensack, NJ 07601 (201)336-6000
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4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)																
4c. Sales/Rental Office for units (if applicable)																

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI/CHOICE funding).

–

Name (Type or Print)

–

Title/Municipality

–

Signature

Date

Appendix E – Deed Restrictions

TO BE PROVIDED