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December 12, 2016

Steven A. Kunzman, Esq.  
DiFrancesco Bateman  
15 Mountain Blvd.  
Warren, N.J. 07059

**Re: In the Matter of the Borough of New Providence, County of Union,  
Docket No. UNN-L-2442-15**

Dear Mr. Kunzman:

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

### **Background**

New Providence filed the above-captioned matter on July 7, 2015 seeking a declaration of its compliance with the Mount Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 53:27D-301 et seq. in accordance with In re N.J.A.C. 5:96 and 5:97, supra. FSHC and the Borough have participated in case management conferences as directed by the Court and have engaged in settlement negotiations with the assistance of the court appointed Special Master. Through that process, the Borough and FSHC agreed to settle the litigation and to present that settlement for review and approval to the trial court with jurisdiction over this matter, recognizing that the settlement of Mount Laurel litigation is favored because it avoids delays and the expense of trial and results more quickly in the construction of homes for lower-income households.

### **Settlement terms**

The Borough and FSHC hereby agree to the following terms:

1. FSHC agrees that the Borough, through the adoption of the attached draft Housing Element and Fair Share Plan ("the Plan"), Exh. A, and the implementation of the Plan and this agreement, satisfies its obligations under the Mount Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 53:27D-301 et seq., for the Prior Round (1987-1999) and Third Round (1999-2025), including the Borough's "present need."
2. At this time and at this particular point in the process resulting from the Supreme Court's Mount Laurel IV decision, when fair share obligations have yet to be definitively determined, it is appropriate for the parties to arrive at a settlement regarding a municipality's Third Round present and prospective need instead of doing so through plenary adjudication of the present and prospective need.
3. FSHC and New Providence hereby agree that New Providence's affordable housing obligations are as follows:

Settlement Agreement between Borough of New Providence and Fair Share Housing Center

Rehabilitation Share	37
Prior Round Obligation (pursuant to N.J.A.C. 5:93)	135
Third Round Prospective Need (per Kinsey Report, as adjusted through this settlement agreement)	316 <sup>1</sup>

- The Borough's efforts to meet its present need/rehabilitation share include the following: New Providence intends to address its rehabilitation obligation through continued participation in Union County rehabilitation programs, operated by the County's Bureau of Community Development and Bureau of Housing. These Bureaus oversee the federally funded Community Development Block Grant (CDBG) program and the HOME Investment Partnership Program (HOME). The Borough will also rely on monies from the affordable housing trust fund to supplement the County rehabilitation programs in order to address rehabilitation for moderate and low-income rental units within the Borough. This is sufficient to satisfy the Borough's rehabilitation obligation.
- As noted above, the Borough has a Prior Round prospective need of 135 units, which is met through the following compliance mechanisms:

<b>Summary of New Providence Prior Round Obligation</b>	
<i>Prior Round Credits</i>	Units
Our House (very low, rental)	4
<i>Existing/Under Construction Inclusionary Development</i>	
The Villages at New Providence (rental)	10
Patriot Village (rental)	4
Spring Gardens (rental)	6
Stonefields at New Providence	2
Riverbend	4
Southgate at Murray Hill	2
Murray Hill Farms	13
<i>100% Affordable</i>	
Elizabeth Barabash Manor (rental)	22
<i>Existing Alternative Living Arrangements (very- low rental)</i>	
Community Action Independent Living	4
Union County Arc I	4
Union County Arc II	3
Community Access I	6
Community Access II	6

<sup>1</sup>David N. Kinsey, PhD, PP, FAICP, NEW JERSEY LOW AND MODERATE INCOME HOUSING OBLIGATIONS FOR 1999-2025 CALCULATED USING THE NJ COAH PRIOR ROUND (1987-1999) METHODOLOGY, April 16, 2015, revised July 2015.

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Arc of Union County	3
<i>Existing Inclusionary Zoning</i>	
Blocks 310 and 311	9
<b>Total Units</b>	<b>102 units</b>
<i>Bonus Credits</i>	<i>Credits</i>
<i>The Villages at New Providence</i>	10
<i>Community Action Independent Living</i>	3
<i>Patriot Village</i>	4
<i>Spring Gardens</i>	6
<i>Union County Arc 1</i>	4
<i>Community Access 1</i>	6
<i>Total Rental Bonus Credits</i>	33 credits
<b>TOTAL</b>	<b>135 Credits</b>

The municipality, as calculated in Exh. A, had a realistic development potential (RDP) of 54 units in the Prior Round. The Borough has addressed its entire Prior Round Obligation of 135, which includes the RDP of 54 and unmet need of 81. The Borough is therefore foregoing the Vacant Land Adjustment (VLA) related to the Prior Round Obligation.

- The Borough has a Prospective Need of 316 units. The Borough, as calculated in Exh. A, has a revised realistic development potential (RDP) of 14 units for the Third Round. The RDP of 14 units, subtracted from the Third Round obligation of 316 units, results in an unmet need of 302 units.

The Borough has addressed its entire Prospective Need obligation of 316, which includes the RDP of 14 and an unmet need of 302 through the compliance mechanisms provided below, as detailed in Exh. A. In terms of the Borough's Third Round prospective need obligation of 316, the Borough fully satisfies its Third Round obligations through the adoption of inclusionary zoning on the following sites:

Existing Inclusionary Zoning:

These properties are located in the southeast section of New Providence across Mountain Avenue from each other and are both zoned A-2 for inclusionary development at 10 units/acre. Block 310 Lots 1 and 2 contain 2.9 acres, while Block 311 Lot 3 is approximately 1.9 acres in size. Both are served by sewer and water infrastructure. Between the two sites, a total of 50 units are permitted, including market rate and affordable units. Ordinance Section 275-9(A) requires all developments in the A-2 district to provide affordable housing units at a rate of 20% of the total constructed units. A total of 10 affordable family units would be required. Both proposed developments are approvable, available, developable, and suitable. Of the 10 units, 9 are applied to the

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Borough’s Prior Round obligation and 1 will address the Borough’s Third Round obligation.

Proposed Rezoning:

To create future opportunities for affordable housing, the Borough will enact an amendment to the zoning code for the area located northwest of the Murray Hill train station. This area of land includes lots in Blocks 210, 221, and 340 (“Rezoned Area”). A map of the Rezoned Area properties is attached.

The Rezoned Area includes a total of 79 acres of unconstrained land. Of the total acreage, 53.5 unconstrained acres are proposed to be developed for non-age restricted rental housing, ranging from 14 dwelling units per unconstrained acre to 18 dwelling units per unconstrained acre with a minimum 20 percent affordable set-aside. The higher density shall be located closest to the train station. At the proposed densities, this portion of the Rezoned Area can support approximately 785 units, of which 157 will be affordable units. Of the 157 affordable, a minimum of 79 units will be rental affordable.

As part of the Murray Hill rezoning, the Borough proposes to rezone Block 221 Lots 2.01, 5, and 6 and Block 340 Lot 4, which includes 25.5 acres of unconstrained land, for multi-family age-restricted housing at a density of 15 to 16 dwelling units per unconstrained acre, with a minimum 20% affordable set-aside. At this density, the sites will support approximately 395 age-restricted units, of which up to 79 will be affordable.

The Rezoned Area can support approximately 1,180 units, of which 236 will be affordable units. With rental bonus credits of 79, the Rezoned Area would result in 315 credits.

<b>Proposed Affordable Zone Breakdowns</b>	
Total Senior Affordable Units (25%):	79
Total Family Affordable Units:	157
Total Rental Bonus Credits (25%):	79
<b>Total Credits from New Zones:</b>	<b>315</b>
Total Units AH-AR:	395 units
Total Units in AH Zone:	785 units
<b>Estimated Total New Units - Market &amp; Affordable:</b>	<b>1180 units</b>

In summary, the Prospective Need obligation of 316 will be addressed as follows:

<b>Summary of New Providence Third Round</b>	
<b>Third Round Obligation</b>	<b>316 units</b>
Existing Inclusionary Zoning	1
Proposed Affordable Housing Zone	236
<i>Total Affordable AH-AR zone</i>	<i>79</i>
<i>Total Affordable AH zone</i>	<i>157</i>
<b>Total Affordable Units</b>	<b>237</b>
Rental Bonus Credits (25%)	79
<b>Third Round Total Credits</b>	<b>316</b>

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7. The Borough has provided a realistic opportunity for more than its collective RDP for the Prior Round and Third Round of 68 units (54+14=68) and thus has complied fully with its obligation to meet its Prior Round and Third Round RDPs, and by the inclusionary zoning set forth in Paragraph 6 above, the Borough has taken all steps necessary to satisfy the legal requirements for addressing its RDP and unmet need.
8. The Borough shall meet its Third Round Prospective Need in accordance with the following standards:
  - a. Third Round bonuses will be applied in accordance with N.J.A.C. 5:93-5.15(d).
  - b. At least 50 percent of the units addressing the Third Round Prospective Need shall be affordable to very-low-income and low-income households with the remainder affordable to moderate-income households.
  - c. At least twenty-five percent of the Third Round Prospective Need shall be met through rental units, including at least half in rental units available to families.
  - d. At least half of the units addressing the Third Round Prospective Need in total must be available to families.
  - e. The Borough agrees to comply with an age-restricted cap of 25% and to not request a waiver of that requirement. This shall be understood to mean that in no circumstance may the municipality claim credit toward its fair share obligation for age-restricted units that exceed 25% of all units developed or planned to meet its cumulative prior round and third round fair share obligation.
  - f. The Borough agrees to require 13% of all units referenced in this plan, with the exception of units constructed as of July 1, 2008, and units subject to preliminary or final site plan approval, to be very low income units, with half of the very low income units being available to families.
9. The Borough shall add to the list of community and regional organizations in its affirmative marketing plan, pursuant to N.J.A.C. 5:80-26.15(f)(5), FSHC (510 Park Blvd, Cherry Hill, NJ); the Latino Action Network (PO Box 943, Freehold, NJ 07728); East Orange NAACP (PO Box 1127, East Orange, NJ 07019); Newark NAACP (PO Box 1262, Newark, NJ 07101); Morris Co. NAACP (PO Box 2256, Morristown, NJ 07962); Elizabeth NAACP (PO Box 6732, Elizabeth, NJ 07206), and the New Jersey Housing Resource Center, and shall, as part of its regional affirmative marketing strategies during its implementation of this plan, provide notice to those organizations of all available affordable housing units. The Borough also agrees to require any other entities, including developers or persons or companies retained to do affirmative marketing, to comply with this paragraph.
10. All units shall include the required bedroom distribution, be governed by controls on affordability and affirmatively marketed in conformance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et. seq. or any successor regulation, with

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the exception that in lieu of 10 percent of affordable units in rental projects being required to be at 35 percent of median income, 13 percent of affordable units in such projects shall be required to be at 30 percent of median income, and all other applicable law. The Borough as part of its Plan shall adopt and/or update appropriate implementing ordinances in conformance with standard ordinances and guidelines developed by COAH to ensure that this provision is satisfied.

11. All new construction units shall be adaptable in conformance with P.L.2005, c.350/N.J.S.A. 52:27D-311a and -311b and all other applicable law.
12. As an essential term of this settlement, within one hundred twenty (120) days of Court's approval of this Settlement Agreement, the Borough shall adopt the Housing Element/Fair Share Plan and shall introduce an ordinance providing for the amendment of the Borough's Affordable Housing Ordinance and Zoning Ordinance to implement the terms of this settlement agreement and the Plan.
13. The parties agree that if a decision of a court of competent jurisdiction in Union County, or a determination by an administrative agency responsible for implementing the Fair Housing Act, or an action by the New Jersey Legislature, would result in (a) a calculation of an obligation for the Borough for the period 1999-2025 that would be lower by more than twenty (20%) percent of the total prospective Third Round need obligation established in this agreement (i.e. determined to be 253 or less), and if the calculation or determination is memorialized in an unappealable final judgment or action by the legislature or administrative agency, the Borough may seek to amend the judgment in this matter to reduce its fair share obligation accordingly. Notwithstanding any such reduction, New Providence shall be obligated to implement the fair share plan attached hereto, including by leaving in place any site specific zoning adopted or relied upon in connection with the Plan approved pursuant to this settlement agreement; taking all steps necessary to support the development of any 100% affordable developments referenced herein; maintaining all compliance mechanisms referenced herein; and otherwise fulfilling fully the fair share obligations as established herein. The reduction of the Borough's obligation below that established in this agreement does not provide a basis for seeking leave to amend this agreement or seeking leave to amend an order or judgment pursuant to R. 4:50-1. If the Borough prevails in reducing its prospective need for the Third Round, the Borough may carry over any resulting extra credits to future rounds in conformance with the then-applicable law.
14. The Borough shall prepare and submit a spending plan to the Special Master and the court for approval, with FSHC being provided an opportunity to comment on or object to the spending plan. The parties hereto agree that the spending plan, once approved, shall be valid. On the first anniversary of the execution of this agreement, and every anniversary thereafter through the end of this agreement, the Borough agrees to provide annual reporting of trust fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services.

The reporting shall include an accounting of all housing trust fund activity, including

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- the source and amount of funds collected and the amount and purpose for which any funds have been expended; however, the Borough may redact or remove any personally identifying information on individual assistance raising privacy concerns from the website
15. On the first anniversary of the execution of this agreement, and every anniversary thereafter through the end of this agreement, the Borough agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Special Master and FSHC.
16. The Fair Housing Act includes two provisions regarding action to be taken by the Borough during the ten-year period of protection provided in this agreement. The Borough agrees to comply with those provisions as follows:
- a. For the midpoint realistic opportunity review due on July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Borough will post on its municipal website, with a copy provided to Fair Share Housing Center, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether the mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the municipality, with a copy to Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether the mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the court regarding these issues.
  - b. For the review of very low income housing requirements required by N.J.S.A. 52:27D-329.1, within 30 days of the third anniversary of this agreement, and every third year thereafter, the Borough will post on its municipal website, with a copy provided to Fair Share Housing Center, a status report as to its satisfaction of its very low income requirements, including the family very low income requirements referenced herein. Such posting shall invite any interested party to submit comments to the municipality and Fair Share Housing Center on the issue of whether the municipality has complied with its very low income housing obligation under the terms of this settlement.
17. FSHC is hereby deemed to have party status in this matter and to have intervened in this matter as a defendant without the need to file a motion to intervene or an answer or other pleading. The parties to this agreement agree to request the Court to enter an order declaring FSHC is an intervenor, but the absence of such an order shall not impact FSHC's rights.
18. This settlement agreement must be approved by the Court following a fairness hearing as required by Morris Cty. Fair Hous. Council v. Boonton Twp., 197 N.J. Super. 359, 367-69 (Law Div. 1984), aff'd o.b., 209 N.J. Super. 108 (App. Div. 1986); East/West Venture v. Borough of Fort Lee, 286 N.J. Super. 311, 328-29 (App. Div. 1996). The Borough shall present its planner as a witness at this hearing. FSHC agrees to support the approval of attached Plan (Exh. A) at the fairness hearing. In the event the Court approves this proposed settlement, the parties contemplate the

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municipality will receive “the judicial equivalent of substantive certification and accompanying protection as provided under the FHA,” as addressed in the Supreme Court’s decision in In re N.J.A.C. 5:96 & 5:97, 221 N.J. 1, 36 (2015). The “accompanying protection” shall remain in effect through July 1, 2025.

19. This settlement agreement may be enforced through a motion to enforce litigant’s rights or a separate action filed in Superior Court, Union County.
20. Unless otherwise specified, it is intended that the provisions of this Agreement are to be severable. The validity of any article, section, clause or provision of this Agreement shall not affect the validity of the remaining articles, sections, clauses or provisions hereof. If any section of this Agreement shall be adjudged by a court to be invalid, illegal, or unenforceable in any respect, such determination shall not affect the remaining sections.
21. This Agreement shall be governed by and construed by the laws of the State of New Jersey.
22. This Agreement may not be modified, amended or altered in any way except by a writing signed by each of the Parties.
23. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which together shall constitute but one and the same Agreement.
24. The Parties acknowledge that each has entered into this Agreement on its own volition without coercion or duress after consulting with its counsel, that each party is the proper person and possess the authority to sign the Agreement, that this Agreement contains the entire understanding of the Parties and that there are no representations, warranties, covenants or undertakings other than those expressly set forth herein.
25. Each of the Parties hereto acknowledges that this Agreement was not drafted by any one of the Parties, but was drafted, negotiated and reviewed by all Parties and, therefore, the presumption of resolving ambiguities against the drafter shall not apply. Each of the Parties expressly represents to the other Parties that: (i) it has been represented by counsel in connection with negotiating the terms of this Agreement; and (ii) it has conferred due authority for execution of this Agreement upon the persons executing it; and, (iii) has provided documentation authorizing the signing of the agreement on behalf of the party.
26. Any and all Exhibits and Schedules annexed to this Agreement are hereby made a part of this Agreement by this reference thereto. Any and all Exhibits and Schedules now and/or in the future are hereby made or will be made a part of this Agreement with prior written approval of both Parties.
27. This Agreement constitutes the entire Agreement between the Parties hereto and supersedes all prior oral and written agreements between the Parties with respect to the subject matter hereof except as otherwise provided herein.

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28. Anything herein contained to the contrary notwithstanding, the effective date of this Agreement shall be the date upon which all of the Parties hereto have executed and delivered this Agreement.

29. All notices required under this Agreement ("Notice[s]") shall be written and shall be served upon the respective Parties by certified mail, return receipt requested, or by a recognized overnight or by a personal carrier. In addition, where feasible (for example, transmittals of less than fifty pages) shall be served by facsimile or e-mail. All Notices shall be deemed received upon the date of delivery. Delivery shall be affected as follows, subject to change as to the person(s) to be notified and/or their respective addresses upon ten (10) days notice as provided herein:

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

**TO THE BOROUGH:** Paul R. Rizzo, Esq  
DiFrancesco, Bateman, et. al.  
15 Mountain Blvd.  
Warren, NJ 07059  
Phone (908) 757-7800  
Telecopier: (908)757-8039  
Email: prizzo@newjerseylaw.net

**WITH A COPY TO THE ADMINISTRATOR:** Douglas R. Marvin  
Borough of New Providence  
360 Elkwood Ave.  
New Providence, NJ 07974  
Phone: (908) 665-1400  
Telecopier: (908) 665-9272  
E-mail: dmarvin@newprov.org

Agreed on behalf of the Borough of New Providence, with the authorization of the Governing Body and Planning Board:

\_\_\_\_\_  
\_\_\_\_\_  
Dated:\_\_\_\_\_

Agreed on behalf of Fair Share Housing Center with the authorization of the Board of Trustees.

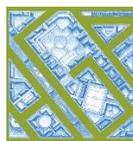
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\_\_\_\_\_  
Dated:\_\_\_\_\_

**DRAFT**  
**HOUSING ELEMENT AND**  
**FAIR SHARE PLAN**

Borough of New Providence  
Union County, New Jersey

November 2016

Prepared By:



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

# **DRAFT**

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

Borough of New Providence  
Union County, New Jersey

November 2016

Prepared By:

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

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

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Susan S. Gruel, P.P. #1955

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Fred Heyer, AICP, P.P. #3581

*Content contributed by M. McKinley Mertz, Associate Planner*

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## **PART 1: HOUSING ELEMENT**

### **INTRODUCTION**

The need to protect and promote affordable housing in New Jersey, the country's densest state, has been recognized for decades. In the case of Southern Burlington County NAACP v. the Township of Mount Laurel, (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities in New Jersey have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing in their communities. In its Mount Laurel decision, decided on January 20, 1983 (Mount Laurel II), the Supreme Court expanded the Mount Laurel doctrine by determining that this constitutional responsibility extended to all municipalities in New Jersey.

In response to the Mount Laurel II decision, the New Jersey Legislature adopted the Fair Housing Act in 1985 (Chapter 222, Laws Of New Jersey, 1985). The Fair Housing Act established the Council on Affordable Housing (COAH) as an administrative alternative to the courts. COAH was given the responsibility of dividing the state into housing regions, determining regional and municipal fair share affordable housing obligations, and adopting regulations that would establish the guidelines and approaches that municipalities may use in addressing their affordable housing need.

Low income households are defined as those with incomes no greater than 50 percent of the median household income, adjusted for household size, of the housing region in which the municipality is located. Moderate-income households are those with incomes no greater than 80 percent and no less than 50 percent of the median household income, adjusted for household size, of the housing region.

This Housing Element and Fair Share Plan for New Providence Borough has been prepared, following the New Jersey Supreme Court Decision decided on March 10, 2015, In re Adoption of N.J.A.C. 5:96 & 5:97 by the N.J. Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"). In this decision, the Supreme Court held that since COAH was no longer functioning, trial courts were to resume their role as the forum of first instance for evaluating municipal compliance with Mount Laurel obligations, and also established a transitional process for municipalities to seek a Judgment of Compliance and Repose ("JOR") in lieu of Substantive Certification from COAH.

The Supreme Court defined two types of municipalities: (i) municipalities that had received Round 3 Substantive Certification under the invalidated 2008 COAH regulations, and (ii) "participating" municipalities that had subjected themselves to the jurisdiction of COAH and had not yet received Round 3 Substantive Certification from COAH.

The Borough previously received First and Second Round Certification on September 18, 1989 and August 5, 1998, respectively. On December 15, 2008 New Providence's Planning Board adopted a Round 3 Housing Element and Fair Share Plan ("2008 Plan"), and on December 30, 2008 the Borough petitioned COAH for substantive certification. The Borough then adopted an amended Round 3 Housing Element and Fair Share Plan on June 1, 2010 ("2010 Plan") under the revised COAH Third Round methodology, and subsequently petitioned COAH again for substantive certification on July 16, 2010. New Providence was deemed complete on October 4, 2010. The Borough, however, did not receive substantive certification for the Third Round because the Appellate Division deemed the Third Round growth share methodology invalid. In response to Mount Laurel IV, New Providence filed a Declaratory Judgment action on July 7, 2015. The Borough seeks from the Court an affirmative declaration of compliance regarding all aspects of its affordable housing obligations.

Because of the current uncertainty in the appropriate manner by which to calculate the Boroughs obligation, the Borough and the Fair Share Housing Center (FSHC) agree that a settlement is in the best interest of the households of need of low and moderate income housing and the Borough. This Housing Element and Fair Share Plan effectuates the settlement which has been approved by the court.

## **PLANNING FOR AFFORDABLE HOUSING**

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

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- b. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for 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; and
- 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.

## **MUNICIPAL SUMMARY**

The Borough of New Providence is a 3.67 square mile developed community located in northeast New Jersey in the County of Union. The Borough is surrounded by Summit to the north, Berkeley Heights to the east and south, and Chatham Township to the west in Morris County. The Passaic River also borders New Providence on its western edge.

According to the 2010 Census, New Providence's population was 12,171, which represents an increase of about 2 percent from 2000. The US Census Bureau 2009-2013 American Community Survey (ACS) estimates a total population in 2013 of 12,225. The median age in 2010 was 41 years, and the average household size increased slightly from the 2000 level of 2.67 persons to 2.73 persons in 2010.

The housing stock of the Borough is predominantly single-family detached dwelling units. A majority of the housing structures were built in the 1950s and 1960s. According to the guidelines established by COAH, the Borough is located in Housing Region 2, a region that consists of Essex, Morris, Union, and Warren counties. Based on the 2014 COAH Regional Income Limits, the median income in Region 2 for a four-person household is \$90,614, the moderate-income is \$72,492, and the low-income is \$45,307.

The agreed upon settlement between the Borough of New Providence and the FSHC assigns a Present Need obligation of 37 units, a Prior Round obligation of 135 units, and a Prospective Need obligation of 316 units.

The Borough proposes to address its overall obligation through the following:

- A Rehabilitation Program
- Existing Credits
- Proposed Rezoning for inclusionary development

## DEMOGRAPHIC CHARACTERISTICS

### Population

The population trends experienced in New Providence, Union County, and the State of New Jersey from 1930 through 2010 are shown below as well as the 2013 population estimate from the U.S. Census Bureau American Community Survey. There were 12,171 residents in New Providence in 2010, which was a small increase of 265 people, or 2.2 percent, from 2000. The 2013 population estimate also shows a slight increase to 12,225 persons. New Providence has primarily experienced steady growth over the past 80 years with small decreases in population during the 1970s and 1980s. The largest and most significant increase in population occurred during the 1950s when population within the Borough increased by 203 percent from 1950 to 1960. Union County and the State, have also experience continued growth since 1930. Similar to New Providence, both the County and State experienced their largest growth in the 1950s.

Population Trends									
Year	Borough of New Providence			Union County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1930	1,918	-	-	305,209	-	-	4,041,334	-	-
1940	2,374	456	23.8%	328,344	23,135	7.6%	4,160,165	118,831	2.9%
1950	3,380	1,006	42.4%	398,138	69,794	21.3%	4,835,329	675,164	16.2%
1960	10,243	6,863	203.0%	504,255	106,117	26.7%	6,066,782	1,231,453	25.5%
1970	13,796	3,553	34.7%	543,116	38,861	7.7%	7,171,112	1,104,330	18.2%
1980	12,426	-1,370	-9.9%	504,094	-39,022	-7.2%	7,365,011	193,899	2.7%
1990	11,439	-987	-7.9%	493,819	-10,275	-2.0%	7,730,188	365,177	5.0%
2000	11,907	468	4.1%	522,541	28,722	5.8%	8,414,350	684,162	8.9%
2010	12,171	264	2.2%	536,499	13,958	2.7%	8,791,894	377,544	4.5%
2013 Estimate	12,225	54	0.4%	540,568	4,069	0.8%	8,874,374	82,480	0.9%

Source: U.S. Census Bureau, 2009-2013 American Community Survey 5-Year Estimates

### Population Composition by Age

The median age of the residents in New Providence in 2010 was 41 years. Analysis of age group characteristics provides insight into the actual changes in population. This comparison is helpful in determining impacts these changes have on housing needs, community facilities and services for the municipality. As detailed in the table below, the entire composition of New Providence experienced notable shifts since 2000. The most significant increase was in the 55 to 64 age cohort, which saw an increase of 34.6 percent. The 15 to 24 age cohort also increased significantly by approximately 28 percent. A significant decrease was seen in the under 35 to 44 age cohort (-25.6%).

<b>Population by Age 2000 and 2010, Borough of New Providence</b>						
<b>Population</b>	<b>2000</b>		<b>2010</b>		<b>Change, 2000 to 2010</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Total population	11,907	100.0%	12,171	100.0%	264	2.2%
Under 5 years	934	7.8%	875	7.2%	-59	-6.3%
5 to 14	1,779	14.9%	1,892	15.5%	113	6.4%
15 to 24	900	7.6%	1,156	9.5%	256	28.4%
25 to 34	1,432	12.0%	1,066	8.8%	-366	-25.6%
35 to 44	2,264	19.0%	1,888	15.5%	-376	-16.6%
45 to 54	1,720	14.4%	2,178	17.9%	458	26.6%
55 to 64	1,057	8.9%	1,423	11.7%	366	34.6%
65 and over	1,822	15.3%	1,693	13.9%	-129	-7.1%

Source: U.S. Census Bureau

Union County experienced population fluctuation as well. The most significant increase was also in the 55 to 64 age cohort, which grew by 31.7 percent. Significant increases were also seen in the 45 to 54 age cohort (24.2%) and 15 to 24 age cohort (12.3%). Similar to New Providence, a decrease was experienced in the 35 to 44 age cohort (-11.3%).

<b>Population by Age 2000 and 2010, Union County</b>						
<b>Population</b>	<b>2000</b>		<b>2010</b>		<b>Change, 2000 to 2010</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Total population	522,541	100.0%	536,499	100.0%	13,958	2.7%
Under 5 years	36,441	7.0%	35,783	6.7%	-658	-1.8%
5 to 14	73,754	14.1%	72,589	13.5%	-1,165	-1.6%
15 to 24	61,215	11.7%	68,765	12.8%	7,550	12.3%
25 to 34	75,189	14.4%	69,279	12.9%	-5,910	-7.9%
35 to 44	88,398	16.9%	78,418	14.6%	-9,980	-11.3%
45 to 54	69,568	13.3%	86,409	16.1%	16,841	24.2%
55 to 64	45,935	8.8%	60,495	11.3%	14,560	31.7%
65 and over	72,041	13.8%	67,761	12.6%	-4,280	-5.9%

Source: U.S. Census Bureau

### Households

A household is defined as one or more persons, either related or not, living together in a housing unit. In 2010 there was a total of 4,408 households in New Providence. Roughly 51 percent of the households were occupied by two persons or less. The average household size of the Borough in 2010 was 2.73, slightly less than that of the County's average of 2.82. Both the Borough's and the County's largest percentage of households was a two-person household, 30.5% and 27.2% respectively. The Borough's second most common household size was one-person households (20.8%), closely followed by four-person households (20%), and the County's was one-person households (23.6%).

<b>Household Size- Occupied Housing Units Borough of New Providence and Union County</b>				
	<b>Borough</b>		<b>County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total Households</b>	<b>4,408</b>	<b>100.0%</b>	<b>188,118</b>	<b>100.0%</b>
1-person household	916	20.8%	44,401	23.6%
2-person household	1,346	30.5%	51,129	27.2%
3-person household	793	18.0%	34,241	18.2%
4-person household	880	20.0%	31,873	16.9%
5-person household	362	8.2%	15,551	8.3%
6-person household	80	1.8%	6,153	3.3%
7-or-more-person household	31	0.7%	4,770	2.5%
<b>Average Household Size</b>	<b>2.73</b>		<b>2.82</b>	

Source: U.S. Census Bureau

Family households are defined as two or more persons living in the same household, related by blood, marriage or adoption. They do not include same-sex married couples. Most households in the Borough in 2010 were family households, comprising 75.7 percent of all households. The average family size was 3.2 persons. The majority of family households (87.5%) were married-couple families, of which over half had children under the age of 18. Roughly 20 percent of the households were one-person households, with male householders representing 38.6 percent and female householders representing 61.4 percent.

In providing more detail of American households, the 2010 Census includes the sub-groups of non-traditional households: Other family and Non-family households. "Other" family households made up 9.4 percent of all households, of which 76.1 percent were female households with no husband present. "Non-family" households are defined as households that consist of a householder living alone or sharing the home exclusively with people whom he/she is not related. Non-family households comprised approximately 3.6 percent of all households in the Borough.

<b>Household Size and Type, 2010 Borough of New Providence</b>		
	<b>Total</b>	<b>Percent</b>
<b>Total Households</b>	<b>4,408</b>	<b>100.0%</b>
<b>1 person household</b>	<b>916</b>	<b>20.8%</b>
Male householder	354	38.6%
Female householder	562	61.4%
<b>2 or more person household</b>	<b>3,492</b>	<b>79.2%</b>
<b>Family households</b>	<b>3,335</b>	<b>75.7%</b>
Married Couple Family	2,917	87.5%
With own children under 18 years	1,534	52.6%
No children under 18 years	1,383	47.4%
<b>Other Family</b>	<b>418</b>	<b>9.5%</b>
Male householder, no wife present	100	23.9%
With own children under 18 years	32	32.0%
No own children under 18 year	68	68.0%
Female householder, no husband present	318	76.1%
With own children under 18 years	160	50.3%
No own children under 18 year	158	49.7%
<b>Nonfamily Households</b>	<b>158</b>	<b>3.6%</b>
Male householder	86	54.4%
Female householder	71	44.9%
<b>Average Family Size</b>	<b>3.2</b>	

Source: U.S. Census Bureau

### Income

As measured in 2013, New Providence had a significantly higher median household income compared to Union County and the State of New Jersey. In 2013, the median income in New Providence was \$130,536, roughly \$62,029 more than that of the County and \$58,607 more than the State's median income.

<b>Per Capita and Household Income</b>		
	<b>2013 Per Capita Income</b>	<b>2013 Median Household Income</b>
New Providence	\$56,654	\$130,536
Union County	\$35,089	\$68,507
New Jersey	\$36,027	\$71,929

Source: 2009-2013 American Community Survey 5-Year Estimates

In 2013, over 77 percent of all households in the Borough earned \$50,000 or more with the largest percentage (28.8%) earning \$200,000 or more. This percentage was followed by those households that earned \$100,000 to \$149,999 (17.2%) and finally those who earned \$150,000 to

\$199,999 (12.3%). About 11 percent of households earned less than \$35,000. In Union County, the most common income bracket was the \$50,000 to \$75,000 range with roughly 16.6 percent of households earning that much. Roughly 25 percent of households in the County earned less than \$35,000.

<b>Household Income New Providence and Union County, 2013</b>				
	<b>New Providence</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
<b>Total Households</b>	<b>4,423</b>	<b>100.0%</b>	<b>185,483</b>	<b>100.0%</b>
Less than \$10,000	24	0.5%	10,293	5.5%
\$10,000 to \$14,999	138	3.1%	6,761	3.6%
\$15,000 to \$24,999	238	5.4%	15,307	8.3%
\$25,000 to \$34,999	105	2.4%	14,608	7.9%
\$35,000 to \$49,999	451	10.2%	21,913	11.8%
\$50,000 to \$74,999	512	11.6%	30,848	16.6%
\$75,000 to \$99,999	337	7.6%	22,685	12.2%
\$100,000 to \$149,999	767	17.3%	30,040	16.2%
\$150,000 to \$199,999	545	12.3%	14,384	7.8%
\$200,000 or more	1,276	28.8%	18,644	10.1%
<b>Median Household Income</b>	<b>\$130,536</b>		<b>\$68,507</b>	

Source: 2009-2013 American Community Survey 5-Year Estimates

### Poverty Status

Of the 12,114 persons of New Providence's population for which poverty status is determined, 631 individuals, or 5.2 percent, lived in poverty in 2013. Of those in poverty, a majority (66.2%) were in the age range of 18 to 64 years old. About 32 percent were children (under the age of 18) and roughly 1.4 percent were seniors (over 65). The County had a slightly higher poverty rate of 10.8 percent.

<b>Poverty Status New Providence and Union County, 2013 Estimates</b>				
	<b>New Providence</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Total persons	12,114	-	533,443	-
Total persons below poverty level	631	5.2%	57,591	10.8%
Under 18	204	32.3%	19,815	34.4%
18 to 64	418	66.2%	32,248	56.0%
65 and over	9	1.4%	5,528	9.6%

Source: 2010-2014 American Community Survey 5-Year Estimates

### Household Costs

The tables below show the expenditures for housing for those who own and rent housing in New Providence and Union County. Most people in the Borough lived in homes they owned, and according to the 2009-2013 5-year estimates by the ACS, roughly 28 percent of all owner-occupied households spent 30 percent or more of their household income on housing. About 48 percent of renter-occupied households spent 30 percent or more of their household income on housing. General affordability standards set a limit at 30 percent of gross income to be allocated for owner-occupied housing costs and 28 percent of gross income to be allocated for renter-occupied housing costs.

<b>Selected Monthly Owner Costs as a Percentage of Household Income 2013 Estimates</b>				
	<b>New Providence</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Total Owner-Occupied Housing Units	3,389	100.0%	111,977	100.0%
Less than 15%	988	29.2%	21,149	18.9%
15 to 19%	609	18.0%	14,578	13.0%
20 to 24%	455	13.4%	14,096	12.6%
25 to 29%	364	10.7%	12,406	11.1%
30 to 34%	227	6.7%	9,777	8.7%
35% or more	731	21.6%	39,244	35.0%
Not computed	15	0.4%	727	0.6%

Source: 2009-2013 American Community Survey 5-Year Estimates

<b>Gross Rent as a Percentage of Household Income 2013 Estimates</b>				
	<b>New Providence</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Total Renter-Occupied Housing Units	1,010	100.0%	70,754	100.0%
Less than 15%	84	8.3%	6,662	9.4%
15 to 19%	127	12.6%	8,224	11.6%
20 to 24%	119	11.8%	8,707	12.3%
25 to 29%	194	19.2%	8,263	11.7%
30 to 34%	204	20.2%	6,229	8.8%
35% or more	282	27.9%	32,669	46.2%
Not computed	24	2.4%	2,752	3.9%

Source: 2009-2013 American Community Survey 5-Year Estimates

Similar to New Providence, a large majority of Union County residents own their home. Roughly 44 percent of all County owner-occupied homes spent 30 percent or more of their household income on housing, and 55 percent of renter-occupied households spent 30 percent or more of their household income on housing.

## EXISTING HOUSING CONDITIONS

### Housing Unit Data

New Providence's housing stock consists of primarily older structures. In 2010, New Providence had a total of 4,408 occupied housing units. A majority of these units (3,375 or 74.6%) were owner-occupied while 1,033 units (23.4%) were renter-occupied. The Borough experienced housing booms in the 1950s and 1960s. During that time, nearly 57 percent of the Borough's housing stock was built. Since the 1960s, housing construction has remained steady, but not to the same extent as in the 1950s and 1960s. The median year of construction for the housing stock in New Providence is 1957.

<b>Housing Data Borough of New Providence, 2010</b>		
	<b>Number</b>	<b>Percentage</b>
Total Housing Units	4,537	100.0%
Occupied Housing Units	4,408	97.2%
Owner Occupied	3,375	76.6%
Renter Occupied	1,033	23.4%

Source: 2010 Census

<b>Year Structure Built</b>		
	<b>Number</b>	<b>Percentage</b>
Built 1939 or earlier	467	10.3%
Built 1940 to 1949	794	17.4%
Built 1950 to 1959	1,477	32.4%
Built 1960 to 1969	1,109	24.4%
Built 1970 to 1979	306	6.7%
Built 1980 to 1989	91	2.0%
Built 1990 to 1999	150	3.3%
Built 2000 to 2009	159	3.5%
Built 2010 or later	0	0.0%
<b>Total</b>	<b>4,553</b>	<b>100.0%</b>
<b>Median Year Structure Built</b>	<b>1957</b>	

Source: 2009-2013 American Community Survey 5-Year Estimates

### Housing Type and Size

The majority of the housing stock in New Providence is single-family detached housing, with most structures containing nine or more rooms. In 2013, there were 3,368 single-family detached homes representing 74 percent of the housing stock. Three- to four-family homes were the next most common housing type representing 10.2 percent of the Borough's housing stock.

The median number of rooms within housing structures in the Borough was 7.2 with the largest percentage of structures (26.1%) having 9 rooms or more.

<b>Housing Type and Size New Providence, 2013 Estimates</b>		
<b>Units in Structure</b>	<b>Total</b>	<b>Percentage</b>
Total	4,553	100.0%
1, detached	3,368	74.0%
1, attached	163	3.6%
2	192	4.2%
3 or 4	464	10.2%
5 to 9	42	0.9%
10 to 19	170	3.7%
20 to 49	93	2.0%
50 or more	61	1.3%
Mobile home	0	0.0%
Boat, RV, van, etc.	0	0.0%
<b>Rooms</b>	<b>Total</b>	<b>Percentage</b>
1 room	37	0.8%
2 rooms	48	1.1%
3 rooms	395	8.7%
4 rooms	508	11.2%
5 rooms	363	8.0%
6 rooms	545	12.0%
7 rooms	567	12.5%
8 rooms	901	19.8%
9 or more rooms	1189	26.1%
<b>Median number of rooms</b>	<b>7.2</b>	

Source: 2009-2013 American Community Survey 5-Year Estimates

In terms of residential growth, for the period January 2000 through December 2014, the Borough issued building permits authorizing the development of 468 units. The majority of the Borough's building permits were authorized before 2009, with the exception of the year 2014, when 284 permits were issued. The high 2014 number comes after a period of five years of few to no permits issued.

<b>Housing Units Authorized by Building Permits: 2000-2014*</b>				
<b>Borough of New Providence</b>				
<b>Year</b>	<b>1 &amp; 2 Family</b>	<b>Multi Family</b>	<b>Mixed-Use</b>	<b>Total</b>
2000-2003	-	-	-	20
2004	6	0	0	6
2005	28	36	0	64
2006	27	27	0	54
2007	6	0	0	6
2008	16	0	0	16
2009	0	0	0	0
2010	2	0	0	2
2011	2	0	0	2
2012	1	0	0	1
2013	13	0	0	13
2014	12	272	0	284
<b>Total</b>	<b>113</b>	<b>335</b>	<b>0</b>	<b>468</b>

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

\*The DCA Construction Reporter did not begin to report housing permits by type until 2004.

### Occupancy

According to the 2010 Census, of the 4,567 units in New Providence, 4,408 (97.2%) were occupied while only 129 (2.9%) were vacant. Of those units that were vacant, about 33 percent were for rent, another 14 percent were for sale, and 11.6 percent were for seasonal, recreational or occasional use.

<b>Occupancy Status New Providence, 2010</b>		
	<b>Total</b>	<b>Percentage</b>
Total Housing Units	4,537	100%
Occupied	4,408	97.2%
Vacant Housing Units	129	2.8%
For Rent/Rented Not Occupied	42	32.6%
For Sale Only	31	24.0%
Sold, not occupied	11	8.5%
For Seasonal, Recreational or Occasional Use	15	11.6%
Other Vacant	30	23.3%

Source: 2010 Census

### Housing Values and Contract Rents

According to the 2009-2013 ACS Survey, nearly the entire owner-occupied housing stock in New Providence (96.9%) were valued at over \$200,000, and approximately 67 percent of all units were financed by a mortgage, contract to purchase, or similar debt. Housing values for owner-occupied housings units are listed in the table below along with mortgage status data. The most common housing-value range for the Borough was \$500,000 and greater with 64 percent of all owner-occupied units falling within this range. The second most common value range was between \$400,000 and \$499,999, comprising 21.2 percent of all owner-occupied units. The median value of an owner-occupied housing unit in New Providence was \$579,200. Though most units were covered by a mortgage (66.8%), roughly 33 percent had no mortgage at all.

The County's trends mirror that of the Borough with nearly 88 percent of homes valued at over \$200,000 and 70 percent of housing units functioning with a mortgage, contract to purchase, or similar debt. It's also the case that about a third of the County's housing units have no mortgage.

<b>Value for Owner-Occupied Housing Units Borough of New Providence and Union County, 2013 Estimates</b>				
	<b>New Providence</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
<b>Total</b>	<b>3,389</b>	<b>100.0%</b>	<b>111,977</b>	<b>100.0%</b>
Less than \$50,000	40	1.2%	1,749	1.6%
\$50,000 to \$99,999	10	0.3%	1,204	1.1%
\$100,000 to \$149,999	11	0.3%	3,281	2.9%
\$150,000 to \$199,999	43	1.3%	7,266	6.5%
\$200,000 to \$299,999	153	4.5%	24,458	21.8%
\$300,000 to \$399,999	244	7.2%	28,955	25.9%
\$400,000 to \$499,999	718	21.2%	17,182	15.3%
\$500,000 and greater	2,170	64.0%	27,882	24.9%
<b>Median Value</b>	<b>\$579,200</b>		<b>\$362,300</b>	

Source: 2009-2013 American Community Survey 5-Year Estimates

<b>Mortgage Status</b>				
<b>Borough of New Providence and Union County, 2013 Estimates</b>				
	<b>New Providence</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Housing units with a mortgage, contract to purchase, or similar debt:	2,264	66.8%	78,437	70.0%
With either a second mortgage or home equity loan, but not both:	704	31.1%	18,309	23.3%
Second mortgage only	28	4.0%	3,473	19.0%
Home equity loan only	676	96.0%	14,863	81.2%
Both second mortgage and home equity loan	59	2.6%	1,230	1.6%
No second mortgage and no home equity loan	1,501	66.3%	58,898	75.1%
Housing units without a mortgage	1,125	33.2%	33,540	30.0%

Source: 2009-2013 American Community Survey 5-Year Estimates

According to the 2009-2013 5-year estimates produced by the ACS, the median contract rent in New Providence was \$1,280. The highest percentage of renters (54.1%) paid between \$1,000 and \$1,499 for rent, followed by 18.8 percent who paid \$1,500 to \$1,999 for rent. The County's median contract rent was slightly lower at \$1,010. Similar to the Borough, the majority of renters in the County paid between \$1,000 and \$1,499 for rent.

<b>Contract Rent</b>				
<b>Borough of New Providence and Union County, 2013 Estimates</b>				
	<b>New Providence</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Total Renter Occupied Units	1,034	100.0%	73,506	100.0%
Less than \$200	9	0.9%	1,646	2.2%
\$200 to \$499	19	1.8%	3,922	5.3%
\$500 to \$699	14	1.4%	5,304	7.2%
\$700 to \$899	119	11.5%	14,188	19.3%
\$900 to \$999	52	5.0%	10,090	13.7%
\$1,000 to \$1,499	559	54.1%	27,316	37.2%
\$1,500 to \$1,999	194	18.8%	7,009	9.5%
\$2,000 or more	53	5.1%	2,236	3.0%
No cash rent	15	1.5%	1,795	2.4%
<b>Median Contract Rent</b>	<b>\$1,280</b>		<b>\$1,010</b>	

Source: 2009-2013 American Community Survey 5-Year Estimates

According to the 2009-2013 American Community Survey 5-Year Estimates, the median contract rent in New Providence is \$1,280 per month (\$15,360 annually). A minimum annual income of \$51,200 (\$15,360/0.30) would be necessary to afford the median contract rent. Therefore, an estimated minimum 22 percent of all households within the Borough could not afford to live in a dwelling unit at or above the median contract rent. Countywide, an estimated 30 percent of all

countywide households could not afford to live within a residence whose rent is at or above the median contract rent of \$1,010.

### Housing Conditions

The table below details the condition of the housing within New Providence. Overcrowding and age, plumbing, and kitchen facilities are used to determine housing deficiency. In 2013, there were no owner-occupied units in New Providence that experienced overcrowding (more than one person per room). Renter-occupied dwellings saw a total of 97 overcrowded units. Throughout the Borough, no units lacked complete plumbing facilities or complete kitchen facilities.

<b>Housing Conditions New Providence, 2013 Estimates</b>		
	<b>Number</b>	<b>Percentage</b>
<b>House Heating Fuel-Occupied Housing Units</b>		
Total	4,423	100.0%
Utility gas	3,804	86.0%
Bottled, tank, or LP gas	48	1.1%
Electricity	356	8.0%
Fuel oil, kerosene, etc.	180	4.1%
Coal or coke	0	0.0%
Wood	0	0.0%
Solar energy	0	0.0%
Other fuel	10	0.2%
No fuel used	25	0.6%
<b>Occupants per Room- Occupied Housing Units</b>		
Total	4,423	100.0%
Owner-Occupied (Over 1.0)	0	0.0%
Renter-Occupied (Over 1.0)	97	2.2%
<b>Facilities-Total Units</b>		
Total	4,423	100.0%
Lacking complete plumbing facilities	0	0.0%
Lacking complete kitchen facilities	0	0.0%
<b>Telephone Service- Occupied Housing Units</b>		
Total	4,423	100.0%
No Service	64	1.4%

Source: 2009-2013 American Community Survey 5-Year Estimates

**EMPLOYMENT DATA**

The following tables detail changes in employment from 2003 to 2014 for New Providence, Union County, and New Jersey. Employment in New Providence remained steady from 2003 to 2009 as the labor force continued to increase gradually each year. The unemployment rate in New Providence saw minimal fluctuation between 2003 and 2008 with its lowest rate occurring in 2004 and 2007 at 3 percent. In 2010, the unemployment rate reached a decade high of 7.7 percent. Since this peak, the unemployment rate has decreased, and in 2014 was at 4.2 percent. The unemployment rate of the Borough has remained steadily lower than that of the County and State as a whole, who have experienced similar unemployment trends over the past ten years.

<b>New Providence Employment and Residential Labor Force -- 2003 - 2014</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2003	6,378	3,146	232	3.6%
2004	6,346	6,156	190	3.0%
2005	6,304	6,106	198	3.1%
2006	6,361	6,150	211	3.3%
2007	6,356	6,165	191	3.0%
2008	6,428	6,183	245	3.8%
2009	6,437	6,013	424	6.6%
2010	6,094	5,627	468	7.7%
2011	5,949	5,555	394	6.6%
2012	6,064	5,689	375	6.2%
2013	5,955	5,657	298	5.0%
2014	5,985	5,735	250	4.2%

<b>Union County Employment and Residential Labor Force -- 2003 - 2014</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2003	267,100	250,200	16,800	6.3%
2004	264,400	250,600	13,800	5.2%
2005	264,900	252,200	12,700	4.8%
2006	267,400	254,200	13,200	4.9%
2007	267,100	255,100	12,000	4.5%
2008	271,300	256,000	15,200	5.6%
2009	274,000	248,500	25,500	9.3%
2010	279,500	252,900	26,600	9.5%
2011	281,000	254,400	26,600	9.5%
2012	283,400	256,800	26,600	9.4%
2013	279,800	256,600	23,200	8.3%
2014	279,100	260,100	19,000	6.8%

<b>New Jersey Employment and Resident Labor Force -- 2003 - 2014</b>				
<b>Year</b>	<b>Labor Force</b>	<b>Employment</b>	<b>Unemployment</b>	<b>Unemployment Rate</b>
2003	4,347,200	4,093,700	253,500	5.8%
2004	4,349,200	4,138,800	210,300	4.8%
2005	4,391,600	4,194,900	196,700	4.5%
2006	4,445,900	4,236,500	209,400	4.7%
2007	4,441,800	4,251,800	190,000	4.3%
2008	4,504,400	4,264,000	240,500	5.3%
2009	4,550,600	4,138,600	412,100	9.1%
2010	4,555,300	4,121,500	433,900	9.5%
2011	4,565,700	4,140,500	425,300	9.3%
2012	4,588,100	4,162,100	426,000	9.3%
2013	4,534,400	4,164,400	370,000	8.2%
2014	4,518,700	4,218,400	300,300	6.6%

Source: NJ Dept. of Labor & workforce Development Labor Force Estimate

### Employment Status

The 2009-2013 5-year American Community Survey estimates reveal that 66.7 percent of New Providence's 16 and over population is in the labor force. The County's employment status is similar to that of New Providence. About one third of both the Borough's and the County's over 16 population are not in the labor force (33.3% and 31.0%, respectively).

<b>Employment Borough of New Providence and Union County, 2013 Estimates</b>				
	<b>New Providence</b>		<b>Union County</b>	
	<b>Number</b>	<b>Percentage</b>	<b>Number</b>	<b>Percentage</b>
Population 16 years and over	9,231	100.0%	423,674	100.0%
In labor force	6,154	66.7%	292,414	69.0%
Civilian Labor Force	6,154	66.7%	292,340	69.0%
Employed	5,767	62.5%	260,121	61.4%
Unemployed	387	4.2%	32,219	7.6%
Armed Forces	0	0.0%	74	0.0%
Not in labor force	3,077	33.3%	131,260	31.0%

Source: 2009-2013 American Community Survey 5-Year Estimates

### Class of Worker and Occupation

According to the 2009-2013 ACS Estimates, the majority of workers (80.4%) living in New Providence were a part of the private wage and salary worker group. This group includes people who work for wages, salary, commission, and tips for a private for-profit employer or a private not-for-profit, tax-exempt or charitable organization. The second largest category was government worker (14.3%), followed by those who were self-employed.

<b>Class of Worker Borough of New Providence, 2013 Estimates</b>		
	<b>Number</b>	<b>Percentage</b>
Total	5,767	100.0%
Private Wage and Salary Worker	4,638	80.4%
Government Worker	827	14.3%
Self-Employed Worker	302	5.2%
Unpaid Family Worker	0	0.0%

Source: 2009-2013 American Community Survey 5-Year Estimates

The occupational breakdown shown in the table below includes only private wage and salary workers. Those that worked within the private wage field were concentrated heavily in management and professional positions as well as sales and office occupations. Together the two fields account for roughly 82 percent of the entire resident workforce.

<b>Resident Employment by Occupation Borough of New Providence, 2013 Estimates</b>		
	<b>Number</b>	<b>Percentage</b>
Employed Civilian population 16 years and over	5,767	100.0%
Management, business, science and arts occupations	3,467	60.1%
Service occupations	561	9.7%
Sales and office occupations	1,257	21.8%
Natural resources, construction and maintenance occupations	188	3.3%
Production Transportation and material moving occupations	294	5.1%

Source: 2009-2013 American Community Survey 5-Year Estimates

The most common industry for New Providence residents is the educational services, and health care and social assistance sector, employing approximately 47 percent of the Borough's resident workforce. The second most common industry is professional, scientific, and management, and administrative and waste management services, which employs 37.2 percent of the Borough's resident workforce.

<b>Employment by Industry Borough of New Providence, 2013 Estimates</b>		
<b>Industry</b>	<b>Number</b>	<b>Percentage</b>
Civilian employed population 16 years and over	5,767	100.0%
Agriculture, forestry, fishing and hunting, mining	15	0.5%
Construction	202	7.3%
Manufacturing	640	23.1%
Wholesale Trade	140	5.1%
Retail Trade	374	13.5%
Transportation and Warehousing, and Utilities	180	6.5%
Information	247	8.9%
Finance and insurance, and real estate and rental and leasing	899	32.5%
Professional, scientific, and management, and administrative and waste management services	1,028	37.2%
Educational services, and health care and social assistance	1,309	47.3%
Arts, entertainment, and recreation, and accommodation and food services	324	11.7%
Other Services, except public administration	169	6.1%
Public administration	240	8.7%

Source: 2009-2013 American Community Survey 5-Year Estimates

### Commuting to Work

According to the 2009-2013 ACS Estimates, the mean travel time to work for those who lived in the Borough was 29 minutes. The vast majority of commuters, roughly 87 percent, traveled less than an hour to work, and roughly 57 percent had less than a half-hour commute.

<b>Travel Time to Work Borough of New Providence, 2013 Estimates</b>		
	<b>Number</b>	<b>Percentage</b>
Workers who did not work at home	5,286	100.0%
Less than 10 minutes	864	16.3%
10 to 14 minutes	685	13.0%
15 to 19 minutes	542	10.3%
20 to 24 minutes	502	9.5%
25 to 29 minutes	439	8.3%
30 to 34 minutes	741	14.0%
35 to 44 minutes	456	8.6%
45 to 59 minutes	355	6.7%
60 to 89 minutes	551	10.4%
90 or more minutes	241	4.6%
<b>Mean travel time to work (minutes)</b>	<b>29.3</b>	

Source: 2009-2013 American Community Survey 5-Year Estimates

The largest portion of workers drove to work alone (77.5%), while roughly 3 percent carpooled. Approximately 9.6 percent of workers commuted via public transportation and another 6.8 percent worked from home.

<b>Means of Commute Borough of New Providence, 2013 Estimates</b>		
	<b>Number</b>	<b>Percentage</b>
Workers 16 years and over	5,669	100.0%
Car, truck, van- Drove Alone	4,395	77.5%
Car, truck, van- Carpooled	151	2.7%
Public Transportation	544	9.6%
Walked	140	2.5%
Other Means	56	1.0%
Worked at home	383	6.8%

Source: 2009-2013 American Community Survey 5-Year Estimates

### Covered Employment

There is currently very limited information available on actual jobs within municipalities. The Department of Labor collects information on covered employment, which is employment and wage data for private employees covered by unemployment insurance. The tables below provide a snapshot of private employers located within New Providence. The first table reflects the number of jobs covered by private employment insurance from 2003 through 2013. The second table reflects the disbursement of jobs by industry in 2013.

According to data from the New Jersey Department of Labor and Workforce Development, the highest number of covered jobs in New Providence was in 2011 when 9,226 jobs were covered by unemployment insurance. Private employment has remained relatively steady in New Providence since 2003, with its largest loss occurring between 2011 and 2012 (-9.4%).

<b>Private Wage Covered Employment 2003 - 2013 New Providence</b>			
Year	Number of Jobs	# Change	% Change
2003	8,259	-	-
2004	7,569	-690	-8.4%
2005	7,592	23	0.3%
2006	7,647	55	0.7%
2007	7,709	62	0.8%
2008	7,982	273	3.5%
2009	8,352	370	4.6%
2010	8,955	603	7.2%
2011	9,226	271	3.0%
2012	8,355	-871	-9.4%
2013	8,203	-152	-1.8%

Source: NJ Dept. of Labor & workforce Development Labor Force Estimate

**In-Borough Establishments and Employees by Industry: 2013**

The table below depicts the average annual number of establishments and employees by industry sector that exist within the Borough, as grouped by North American Industry Classification System (NAICS). In 2013, the Borough had an annual average of 374 establishments employing on average 8,203 persons. The professional/technical trade was the predominant sector, accounting for nearly 22 percent of the establishments in New Providence and 18.4 percent of the Borough's in-place employment.

<b>Average Number of Establishments and Employees by Industry: 2013</b>		
<b>Industry</b>	<b>2013 Average</b>	
	<b>Units</b>	<b>Employment</b>
Construction	27	233
Manufacturing	18	1,156
Wholesale Trade	19	273
Retail Trade	29	217
Transp/Warehousing	.	.
Information	.	.
Finance/Insurance	26	212
Real Estate	.	.
Professional/Technical	82	1,512
Management	.	.
Admin/Waste Remediation	.	.
Education	6	49
Health/Social	34	508
Arts/Entertainment	8	87
Accommodations/Food	27	347
Other Services	38	118
<b>Private Sector Totals</b>	<b>374</b>	<b>8,203</b>
Local Government Totals	7	741

Source: NJ Dept. of Labor & workforce Development Labor Force Estimate

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

### **Probable Future Employment Opportunities**

The North Jersey Transportation Planning Authority (NJTPA) completes regional forecasts for the New York/New Jersey metropolitan area every four years for populations, households, and employment. The most recent report was released in 2013. Due to the built-out nature of the Borough, there is limited opportunity for new job growth. The 2013 NJTPA report predicts New Providence's employment will increase by 1,200 jobs, or 0.4% by the year 2040. In addition, the New Jersey Department of Labor releases a Regional Community Fact Book for each county in New Jersey. Between 2010 and 2020, the County is projected to increase its job holding by 8,150 jobs. The construction industry is projected to create the most jobs in Union County, adding a predicted total of 2,300 jobs.

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

### **INTRODUCTION**

The following Fair Share Plan (the Plan) details New Providence's present need, prior round obligation (1987-1999), and prospective affordable housing need. This Plan proposes mechanisms for which the Borough can realistically provide opportunities for affordable housing for moderate-, low-, and very low- income households.

The need for affordable housing in New Jersey is divided into three components:

- *Present Need* – The present need, or rehabilitation share, represents the number of existing housing units that are both deficient and occupied by low and moderate income households. This number is derived from review and analysis of housing conditions reported in the U.S. Census and American Community Survey.
- *Prior Round Obligation* – The Prior Round obligation is the cumulative 1987-1999 fair share obligation determined by 2014 COAH regulations. The First Round and the Second Round are mutually referred to as the "Prior Round."
- *Third Round Need (Prospective Need)* – The Third Round need represents the anticipated future affordable housing needs of a municipality between July 1, 2015 and June 30, 2025.

New Providence's affordable housing obligations are as follows per the agreed upon settlement between the Borough and Fair Share Housing Center (FSHC):

Rehabilitation Share	37
Prior Round Obligation	135
Third Round	316

Municipalities can request an adjustment to their obligation based on the determination that there is not sufficient vacant or developable land within the municipality. As permitted by N.J.A.C. 5:93-4 a municipality can submit a Vacant Land Adjustment (VLA) that examines the amount of parcels available for development. The end result of the Vacant Land Adjustment is the determination of the Borough's Realistic Development Potential (RDP) for new affordable housing units. The Borough of New Providence received a Vacant Land Adjustment on June 5, 1989 during its first round substantive certification, reducing the Borough's 135-unit obligation to

a 54-unit RDP, and producing an 81-unit unmet need. The 2010 Housing Element and Fair Share Plan prepared by the Borough included the 1989 Vacant Land Adjustment, and maintained “the approach set forth within the Borough’s previously certified Plan to address its prior round obligations including reliance on its previously granted Vacant Land Adjustment,”<sup>1</sup> as allowed by N.J.A.C. 5:97-5.1(c).

An updated Vacant Land Adjustment was prepared in October 2015 (see Appendix A). Based upon the 2015 VLA, a total of 10.2 developable acres were identified. The 1989 VLA identified 35.8 developable acres. The 2015 VLA demonstrates that many of the vacant lots identified in 1989 have since been developed into apartment and condominium units. Many of these projects have an affordable component. Any lots that are still vacant and developable have been retained in the present analysis. The 2015 VLA identified 10.2 developable acres across four (4) sites and, assuming a maximum set-aside of 20%, determined New Providence to have an RDP of 14 units.

The Borough has addressed its entire Prior Round Obligation of 135, which includes the RDP of 54 and an unmet need of 81. With the exception of Block 310 Lots 1 and 2 and Block 311 Lot 3, which are zoned for inclusionary development, and the Riverbend development (under construction) at Block 234 Lot 17.01, all of the units that address the Prior Round have been developed and are occupied. The Borough is therefore foregoing the VLA and will therefore claim rental bonus credits on the entire Prior Round Obligation of 135 units.

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<sup>1</sup> 2010 Housing Plan Element and Fair Share Plan, Borough of New Providence, page 3.

## **PRESENT NEED**

Present Need was previously determined in N.J.A.C. 5:93-1.3 to be the sum of a municipality's indigenous need, the deficient housing units occupied by low- and moderate-income households, and the reallocated present need, which is the portion of a housing region's present need that is redistributed throughout the housing region. Under the second round rules, evidence for deficient housing included: year structure was built, persons per room, plumbing facilities, kitchen facilities, heating fuel, sewer service, and water supply.

The third round rules reduced the amount of criteria of evidence of deficient housing to three: pre-1960 over-crowded units, which are units that have more than 1.0 persons per room; incomplete plumbing, and incomplete kitchen facilities. This reduction in the amount of criteria was found to be by the Appellate Division to be within the Council's discretion and was upheld in the Supreme Court's decision *In re N.J.A.C. 5:96 & 97*.

The previously discussed Mount Laurel IV decision found that the reallocated need is no longer a component in the determination of Present Need. Therefore, the Present Need now equates to indigenous need, which means the obligation is based on deficient housing as determined by pre-1960 over-crowded units, incomplete plumbing, and incomplete kitchen facilities.

According to the May 16, 2016 Econsult Solutions report, New Providence has a Present Need of 56 units. The revised May 17, 2016 FSHC report prepared for Union County municipalities gives the Borough a Present Need obligation of 37 units. New Providence intends to address its 37 to 56-unit rehabilitation obligation through continued participation in Union County rehabilitation programs, operated by the County's Bureau of Community Development and Bureau of Housing. These Bureaus oversee the federally funded Community Development Block Grant (CDBG) program and the HOME Investment Partnership Program (HOME). The Borough will also rely on monies from the affordable housing trust fund to supplement the County rehabilitation programs in order to address rehabilitation for moderate and low-income rental units within the Borough.

### **PRIOR ROUND OBLIGATION (1987-1999)**

The Borough has a Prior Round obligation of 135 units. A vacant land adjustment (VLA) prepared in 1989 provided New Providence with a Realistic Development Potential (RDP) of 54 units and an unmet need of 81 units. However, the Borough has fully addressed its obligation of 135, and therefore, is foregoing the VLA.

#### **Prior Round Credits (4/1/1980 - 12/31/1986):**

##### Our House

Our House, located at 32 Pine way, was completed on July 12, 1982. The alternative living development is comprised of 4 very low-income rental units (bedrooms).

#### **Existing/ Under Construction Inclusionary Developments**

##### The Villages at New Providence

The Villages at New Providence was completed in July 1994 and includes 5 low-income family rental units and 5 moderate-income family rental units. The inclusionary development is located on Spring Street and Floral Avenue in the southwestern part of New Providence. The development is located in the A-2 Affordable Housing District.

##### Patriot Village

Patriot Village, an inclusionary development, was completed in March 2006 and includes 2 low-income family rental units and 2 moderate-income family rental units. The development is located at 53 Division Avenue on the eastern boundary of New Providence. The development is situated in the A-2 Affordable Housing zone of the Borough.

##### Spring Gardens

Spring Gardens, an inclusionary development, was completed in 2008 and includes 3 low-income family rental units and 3 moderate-income family rental units. The development is located at 851 Springfield Avenue on the northeast section of New Providence. The development is zoned A-3 Affordable Housing.

##### Stonefields at New Providence

Stonefields was constructed in March 2007 and is comprised of 1 low-income for sale family unit and 1 moderate-income for sale family unit. The inclusionary development is located at 50 Union Avenue in the southwest section of New Providence. The development is zoned A-2 Affordable Housing.

Riverbend

Riverbend, an inclusionary development, is currently under construction and includes 2 low-income for sale family units and 2 moderate-income for sale family units. It is located on Marion Avenue in the A-2 Affordable Housing zone of the Borough.

Southgate at Murray Hill

Southgate at Murray Hill was completed in November 1995 and includes 1 low-income for sale family unit and 1 moderate-income for sale family unit. The development is located at 43 Southgate Road in the southeastern area of New Providence. The development is located in the R-1 Single-family zone of the Borough.

Murray Hill Farms

Murray Hill Farms was completed in September 1994. The inclusionary development includes 7 low-income for sale family units and 6 moderate-income for sale family units, and is located on Timothy Field Road in the southwest section of the Borough. The development is located in the A-1 Affordable Housing District.

**100% Affordable**

Elizabeth Barabash Manor

Elizabeth Barabash Manor is a 100% affordable rental age-restricted facility located at 101 Academy Street in the northwest section of the Borough. The development is a HUD Section 202 project that was constructed in 1997. There are 22 low-income rental units within this development.

**Existing Alternative Living Arrangements**

Community Action Independent Living

Community Action Independent Living, located at 1141 Springfield Avenue is an alternative living arrangement, and was completed in June 1992. It consists of 4 very low-income rental units (bedrooms).

Union County Arc I

Union County Arc I was completed in November 2002 and includes 4 very-low income rental units/bedrooms. The development is an alternative living facility located at 4 Possum Way, and is within the R-2 Single-family zone of the Borough.

Union County Arc II

Union County Arc II was completed in September 1996 and includes 3 very low-income rental units/bedrooms. The development is an alternative living facility located at 182 Runnymede Parkway, and is within the R-2 Single-family zone of the Borough.

Community Access I

Community Access I was completed in January 1998 and includes 6 very-low income rental units/bedrooms. The development is an alternative living facility located at 1180 Springfield Avenue, and is within the R-2 Single-family zone of the Borough.

Community Access II

Community Access II was completed in January 1998 and includes 6 very low-income rental units/bedrooms. The development is an alternative living facility located at 1176 Springfield Avenue, and is within the R-2 Single-family zone of the Borough.

Arc of Union County

Arc of Union County was completed in February 2009 and includes 3 very low-income rental units/bedrooms. The development is an alternative living facility located at 905 Springfield Avenue, and is within the R-1 Single-family zone of the Borough.

**Existing Inclusionary Zoning**

Block 310 Lots 1 and 2; Block 311 Lot 3

These properties are located in the southeast section of New Providence across Mountain Avenue from each other and are both zoned A-2 for inclusionary development at 10 units/acre. Block 310 Lots 1 and 2 contain 2.9 acres, while Block 311 Lot 3 is approximately 1.9 acres in size. Both are served by sewer and water infrastructure. Between the two sites, a total of 50 units are permitted, including market rate and affordable units. Ordinance Section 275-9(A) requires all developments in the A-2 district to provide affordable housing units at a rate of 20% of the total constructed units. A total of 10 affordable family units would be required. Both proposed developments are approvable, available, developable, and suitable. Nine of these units are applied to the Borough's Prior Round.

<b>Summary of New Providence Prior Round Obligation</b>	
<i>Prior Round Credits</i>	Units
Our House (very low, rental)	4
<i>Existing/Under Construction Inclusionary Development</i>	
The Villages at New Providence (rental)	10
Patriot Village (rental)	4
Spring Gardens (rental)	6
Stonefields at New Providence	2
Riverbend	4
Southgate at Murray Hill	2
Murray Hill Farms	13
<i>100% Affordable</i>	
Elizabeth Barabash Manor (rental)	22
<i>Existing Alternative Living Arrangements (very- low rental)</i>	
Community Action Independent Living	4
Union County Arc I	4
Union County Arc II	3
Community Access I	6
Community Access II	6
Arc of Union County	3
<i>Existing Inclusionary Zoning</i>	
Blocks 310 and 311	9
<b>Total Units</b>	<b>102 units</b>
<i>Bonus Credits</i>	Credits
<i>The Villages at New Providence</i>	10
<i>Community Action Independent Living</i>	3
<i>Patriot Village</i>	4
<i>Spring Gardens</i>	6
<i>Union County Arc I</i>	4
<i>Community Access I</i>	6
<i>Total Rental Bonus Credits</i>	33 credits
<b>TOTAL</b>	<b>135 Credits</b>

Summary of unit breakdown for Prior Round obligation:

<b>Total Very Low Units</b>	<b>30 / 135 (22.2%)</b>
<b>Total Senior Units</b>	<b>22 / 135 (16.3%)</b>
<b>Total Rental Units</b>	<b>72 / 135 (53.3%)</b>

### **ROUND 3 NEED**

Per the agreed upon settlement agreement between the Borough and the FSHC, the Borough has a Third Round obligation of 316 units.

As previously discussed, the original RDP of 54 units from the 1989 VLA has been revised to reflect the development which has occurred since 1989. Many of these projects have been developed with an affordable housing component, which is detailed in the 2015 VLA found in Appendix A. The 2015 VLA identified only 10.2 developable acres, which translates to an RDP of 14 units and an unmet need of 302 units. The Borough as addressed its entire Prospective Need obligation of 316, which includes the RDP of 14 and an unmet need of 302 through the following compliance mechanisms. In terms of the Borough's Third Round prospective need obligation of 316, the Borough fully satisfies its Third Round obligations through adoption of inclusionary zoning on the following sites:

#### **Existing Inclusionary Zoning**

The remaining one unit from the existing inclusionary zoning site, located on Block 310 Lots 1 and 2 will be applied to the Borough's Third Round.

#### **Proposed Rezoning:**

To create realistic opportunities for affordable housing within New Providence, the Borough will enact an amendment to the zoning code for the area located northwest of the Murray Hill train station. This area ("Rezoned Area") is composed of:

- Block 221 Lots 2.01, 5, and 6
- Block 210 Lots 21, 23, 32, and 33
- Block 340 Lots 4, 6, and 8

The Rezoned Area includes a total of 79 acres of unconstrained developable land. Of the total acreage, 53.5 unconstrained acres are proposed to be developed for non-age restricted

housing (proposed AH Affordable Housing District) ranging from 14 units per unconstrained acre to 18 dwelling units per unconstrained acre with a minimum 20% affordable set-aside. The higher density is proposed closest to the train station. This district comprises Block 210 Lots 21, 23 32 and 33, and Block 340 Lots 6 and 8. At the proposed densities, the AH district could theoretically support approximately 785 units, of which 157 will be affordable. Of the 157 affordable units, a minimum of 79 units will be rental.

The remaining 25.5 acres of unconstrained land within the Rezoned Area will comprise the AH-AR Affordable Housing Age-Restricted District. This district includes Block 221 Lots 2.01, 5, and 6, and Block 340 Lot 4. This area is proposed to be rezoned for multi-family age-restricted housing with a density range of 15-16 dwelling units per unconstrained acre to with a minimum 20% affordable set-aside. At this density, the district will support approximately 395 age-restricted units, of which up to 79 will be affordable.

In total, the Rezoned Area can support approximately 1,180 units, of which 236 will be affordable units. With rental bonus credits of 79, the Rezoned Area will result in 315 credits (see Appendix for map).

<b>Proposed Affordable Zone Breakdowns</b>	
Total Senior Affordable Units (25%):	79
Total Family Affordable Units:	157
Total Rental Bonus Credits (25%):	79
<b>Total Credits from New Zones:</b>	<b>315</b>
Total Units AH-AR:	395 units
Total Units in AH Zone:	785 units
<b>Estimated Total New Units - Market &amp; Affordable:</b>	<b>1180 units</b>

The Borough's Prospective Need obligation of 316 will be completed addressed as follows:

<b>Summary of New Providence Third Round</b>	
<b>Third Round Obligation</b>	<b>316 units</b>
Existing Inclusionary Zoning	1
Proposed Affordable Housing Zone	236
<i>Total Affordable AH-AR zone</i>	79
<i>Total Affordable AH zone</i>	157
<b>Total Affordable Units</b>	237
Rental Bonus Credits (25%)	79
<b>Third Round Total Credits</b>	<b>316</b>

With respect to addressing New Providence's Round 3 need, the Borough will comply with the N.J.A.C. 5:93 rules and regulations, which includes a minimum 13% very low household component, a cap of 25% on senior income-restricted units, and a maximum rental bonus of 25%.

**SUMMARY OF FAIR SHARE COMPLIANCE**

<b>Present Need</b>	<b>37-56</b>
Union County and Borough Rehabilitation Programs	37-56
<b>Present Need Total</b>	<b>37-56 credits</b>
<b>Prior Round Obligation (1987-1999)</b>	<b>135</b>
Our House (very low, rental)	4
The Villages at New Providence (rental)	10
<i>Bonus Credit</i>	10
Patriot Village (rental)	4
<i>Bonus Credit</i>	4
Spring Gardens (rental)	6
<i>Bonus Credit</i>	6
Stonefields at New Providence	2
Riverbend	4
Southgate at Murray Hill	2
Murray Hill Farms	13
Elizabeth Barabash Manor (rental)	22
Community Action Independent Living (very low, rental)	4
<i>Bonus Credit</i>	3
Union County Arc I (very low, rental)	4
<i>Bonus Credit</i>	4
Union County Arc II (very low, rental)	3
Community Access I (very low, rental)	6
<i>Bonus Credit</i>	6
Community Access II (very low, rental)	6
Arc of Union County (very low, rental)	3
Blocks 310 and 311	9
<b>Prior Round Total</b>	<b>135 credits</b>

Continued on next page

<b>Third Round Obligation</b>	<b>316</b>
Existing Inclusionary Zoning	1
Proposed Affordable Housing Zone	236
<i>Total Affordable AH-AR zone</i>	<i>79</i>
<i>Total Affordable AH zone</i>	<i>157</i>
<b>Total Affordable Units</b>	<b>237</b>
Rental Bonus Credits (25%)	79
<b>Third Round Total Credits</b>	<b>316</b>

<b>DETAILED SUMMARY OF NEW PROVIDENCE AFFORDABLE HOUSING</b>				
<b>Prior Cycle Credits (4/1/1980 – 12/31/1986)</b>				
Our House Inc.	32 Pine Way Block 111 Lot 29 Zone: R-1	4	Alt. Living Arrangement Very Low	Completed 7/12/1982
<b>Prior Cycle Total</b>		<b>4</b>	-	-
<b>Inclusionary Zoning – Existing Affordable Units</b>				
The Villages at New Providence	Spring Street and Floral Ave Block 340 Lot 7 Zone: A-2 AH District	10	Family Rental	Completed 7/31/1994
Southgate at Murray Hill	77 and 79 Southgate Road Block 341 Lots 2.09, 2.10 Zone: R-1 Single Fam	2	Family	Completed 11/22/1995
Murray Hill Farms	1-27 Timothy Field Road Block 376 Lots 1.01-1.13 Zone: A-1 AH District	13	Family	Completed 9/28/1994
Patriot Village	53 Division Avenue Block 121 Lot 26.01 Zone: A-2 AH District	4	Family Rental	Completed 3/10/2006
Spring Gardens	851 Springfield Avenue Block 103 Lot 22.01 Zone: A-3 AH District	6	Family Rental	Completed 2008
Stonefields at New Providence	50 Union Avenue Block 192 Lot 27.01 Zone: A-2 AH District	2	Family	Approved 8/14/2007 Completed 2012
Riverbend	Marion Avenue Block 234 Lot 17.01 Zone: A-2 AH District	4	Family	Under construction
<b>Inclusionary Zoning – Existing Zoning</b>				
Block 310 Lots 1 and 2	Block 310 Lots 1 and 2 Zone: A-2 AH District	5	-	Existing Zoning
Block 311 Lots 1, 2, and 3	Block 311 Lots 1, 2, and 3 Zone: R-1 Single Fam	5	-	Existing Zoning
<b>Inclusionary Zoning Total</b>		<b>51</b>	-	-

Continued on next page

<b>100% Affordable – Senior Housing</b>				
Elizabeth Barabash Manor	101 Academy Street Block 50 Lot 14.02 Zone: R-S Senior Citizen	22	Age- Restricted Rental	Completed 11/17/1997
<b>Total</b>		<b>22</b>	-	-
<b>Existing Alternative Living Arrangement/Supportive &amp; Special Needs</b>				
Community Action Independent Living	1141 Springfield Avenue Block 63 Lot 43 Zone: R-2 Single Fam	4	Alt. Living Arrangement Very Low	Completed 6/9/1992
Union County Arc I	4 Possum Way Block 380 Lot 19 Zone: R-1 Single Fam	4	Alt. Living Arrangement Very Low	Completed 11/14/2002
Union County Arc II	182 Runnymede Parkway Block 34 Lot 17 Zone: R-2 Single Fam	3	Alt. Living Arrangement Very Low	Completed 9/25/1996
Community Access I	1180 Springfield Avenue Block 151 Lot 6 Zone: R-2 Single Fam	6	Alt. Living Arrangement Very Low	Completed 1/30/1998
Community Access II	1176 Springfield Avenue Block 151 Lot 7 Zone: R-2 Single Fam	6	Alt. Living Arrangement Very Low	Completed 1/30/1998
Group Home Addition – Arc of Union County	905 Springfield Avenue Block 102 Lot 24 Zone: R-1 Single Fam	3	Alt. Living Arrangement Very Low	Completed Feb. 2009
<b>Total</b>		<b>26</b>	-	-
<b>Proposed Rezoned Area</b>				
AH-AR Proposed Affordable Housing Age-Restricted District	Block 221 Lots 2.01, 5, and 6 Block 340 Lot 4	79	Age- restricted	Rezoning Proposed
AH Affordable Housing District	Block 210 Lots 21, 23, 32, and 33 Block 221 Lot 2.01 Block 340 Lots 6 and 8	157	non-age restricted	Rezoning Proposed
<b>Total</b>		<b>236</b>		



# **APPENDIX A**

**2015 VACANT LAND ADJUSTMENT**

# Affordable Housing Report

**Borough of New Providence  
Union County, New Jersey**

**October 2015**

**Prepared by:**

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



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

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Susan S. Gruel, P.P. #1955

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Fred Heyer, AICP, P.P. #3581

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Helen Zincavage, Associate Planner



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## I. Executive Summary

This report has been prepared to assess the extent of vacant land in New Providence that may be used to determine the Borough's Realistic Development Potential (RDP) to provide its fair share of low and moderate income housing. It updates a previous Vacant Land Adjustment that was granted to New Providence in June 1989 based upon the statutory requirements for conducting Vacant Land Adjustments established in N.J.S.A 5:93-4.2.

In total, 56 vacant private- and publicly-owned lots were analyzed for potential residential development. After excluding all environmentally-constrained and undersized properties, nine (9) vacant lots in New Providence are considered developable, either in whole or in part. The nine lots total **10.2 developable acres** across four sites. Taking into consideration maximum reasonable densities for the four sites, the Realistic Development Potential (RDP) for new affordable housing in New Providence is a maximum of **14 units**. More detailed descriptions of the developable sites and the methodology used to identify them follow later in this report.

## II. Background on Affordable Housing in New Providence

### History of New Providence's Fair Share Housing Obligation and Compliance

New Providence received first round substantive certification on September 18, 1989. A Vacant Land Adjustment was approved during the course of certification, reducing the Borough's 135 unit obligation to a 54-unit Realistic Development Potential (RDP), and an 81-unit unmet need.

Continuing its active compliance with Mount Laurel obligations, New Providence received second round substantive certification on August 15, 1998. This second round certification was extended until May 11, 2005, and expired on December 20, 2005.

The Borough most recently applied for third round substantive certification on December 30, 2008, for Housing Element and Fair Share Plan that had been officially adopted in November 2008. Substantive certification was not, however, granted at that time due to the filing of objections from two parties in April 2009. The Borough was given a deadline of July 13, 2010 to amend its Housing Element and Fair Share Plan to address additional information requested by COAH. The deadline was met with a new Housing Element and Fair Share Plan adopted in June 2010 and submitted to COAH. COAH deemed the submission complete on October 7, 2010, but substantive certification was ultimately not granted.

The 2010 Housing Plan "maintains the approach set forth within the Borough's previously certified Plan to address its prior round obligations including reliance on its previously granted Vacant Land Adjustment,"<sup>1</sup> as allowed by NJAC 5:97-5.1(c).

As demonstrated in the 2010 Plan, New Providence met its prior round RDP through a combination of prior cycle units, inclusionary developments, 100% affordable developments, and alternative living arrangements. The 2010 plan proposed additional strategies for addressing the 81 unit unmet need, and a growth share obligation, which has since been invalidated by the New Jersey Supreme Court's March 2015 decision to return fair share determinations to the prior round methodology and judicial oversight.

Table 1. New Providence's Affordable Housing Obligation, 1986-present

Round	Prior Round Obligation	Vacant Land Adjustment	Unmet Need	Third Round Obligation	Present Need (Rehabilitation) Obligation
First and Second Round	135	54	81	-	
Third, second revision (2008)	0		81	187	19

<sup>1</sup> 2010 Housing Plan Element and Fair Share Plan, p. 3.

### III. Vacant Land Analysis

#### Vacant Land Assessment Methodology

The current analysis identified and examined lots belonging to three types of property classes; vacant (1), publicly owned (15C), and otherwise tax exempt (15F). Tax Assessment data (2015) was attached to an updated parcel base using a Geographic Information System (GIS).

First, the analysis identified all vacant lots within the 1, 15C, and 15F property classes in New Providence by querying and extracting those properties with an entry in the Building Description field or with a number other than 0 in the Building Assessment field. Those parcels have improvements and were removed from the analysis. The remaining parcels were then visually inspected in aerial photography. Parcels containing unassessed improvements (such as parking lots for adjacent uses or utility infrastructure), parcels belonging to another non-local government entity, and parcels permanently preserved as open space through the New Jersey Green Acres program, deed restriction, or conservation easement were also removed.

Second, the final set of 56 vacant properties were analyzed for limitations to development caused by environmental constraints based upon those listed in N.J.S.A 5:93-4.2,<sup>2</sup> listing on the National or State inventory of Historic Places,<sup>3</sup> or inadequate lot size.<sup>4</sup> See Appendix C for a map of development constraints in New Providence.

Lastly, all unconstrained properties were examined for accessibility from the public right of way. No identified properties in New Providence were found to be inaccessible. See Appendix D for a tabular summary of the 56 vacant parcels that were analyzed for development suitability. Reasons for excluding each property from the final Vacant Land Inventory are given in the table.

#### Vacant Land Assessment Findings

In total, 56 vacant private- and publicly-owned lots were analyzed for their development potential. After excluding all environmentally-constrained and undersized properties, nine (9) vacant lots in New Providence are developable. The nine lots total **10.2 developable acres** across four sites. The table in Appendix E details the properties included in New Providence's final Vacant Land Inventory.

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<sup>2</sup> Environmentally constrained areas include those lands located in wetlands, 100-year floodplain, a 300-foot buffer around Category 1 waterways, and/or steep slopes in excess of 15% (the threshold of New Providence's municipal steep slope ordinance).

<sup>3</sup> New Providence contains only one property listed on the National and State Registers of Historic Places, and it is part of the rail system, not relevant to the current analysis.

<sup>4</sup> Half an acre was chosen as the cut-off for developable properties because if developed at appropriate densities, they would not yield any affordable units.

Table 2. Final Vacant Land Inventory for the Borough of New Providence

Site ID	Block	Lot	Owner	Property Location	Zone	Total Area (Acres)	Developable Area (Acres)	Notes
A	123	1	CLEARWATER CLUB CORP	99 DIVISION AVE	R-1	3.9	3.4	
B	310	2	LUCENT TECHNOLOGIES, INC-%M F POER	550 SOUTH ST	A-2	1.8	1.4	
	311	3	LUCENT TECHNOLOGIES, INC-%M F POER	450 MOUNTAIN AVE	A-2	1.9	1.9	
C	25	30	COUNTY OF UNION ADMIN BLDG	CENTRAL AVE	R-2	3.7	0.9	
D	362	1	BOROUGH OF NEW PROVIDENCE	335 UNION AVE	R-1	0.7	0.5	
	365	1	BOROUGH OF NEW PROVIDENCE	2 CHESTNUT ST	R-1	2.2	0.6	
	366	2	BOROUGH OF NEW PROVIDENCE	385 UNION AVE	R-1	1.6	1.0	
	372	7	BOROUGH OF NEW PROVIDENCE	395 UNION AVE	R-1	0.1	0.1	Adjacent to lot 8 of block 372 and under common ownership, together yielding .6 acres of developable land.
	372	8	BOROUGH OF NEW PROVIDENCE	2 SPRUCE ST	R-1	0.6	0.5	Adjacent to lot 7 of block 372 and under common ownership, together yielding .6 acres of developable land.
<b>Total Developable Acreage:</b>							<b>10.2</b>	

### Consistency with Previous Vacant Land Assessments

A Vacant Land Adjustment (VLA) for New Providence was granted in June 1989 as part of the Borough's first round substantive certification. COAH found that the Realistic Development Potential for new affordable housing construction was 54 units, leaving a remaining unmet need in the Borough of 81 units.

The 1989 Vacant Land Adjustment identified seven vacant sites of sufficient size (over .5 acre) that could be developed with additional housing units. The sites are listed in the following table:

Site ID	Block	Lot(s)	Developable acreage (acres as reported in 1989)	Notes
1	210	20	15.99	Stream channelized through it, not suitable
2	123	1	3.77	
3	103	24	2.5	
4	234	15, 17, 19, 20, 27	2.1	Zoned A-2
5	310	1, 2	2.5	Lot 2 has a stream
6	311	3	2.04	Zone A-2
7	192	27	1.03	Could also include property that is a paper street

A second inventory identified nine municipally-owned sites, which were “excluded from the calculation of vacant and developable land, because of the three percent recreational land exemption, but are nevertheless potentially suitable as sites for inclusionary housing development or for senior citizens housing.”<sup>5</sup> Though the list includes nine sites, six were determined to be undevelopable because they were either permanently preserved on the ROSI, serving as recreation facilities, or used as an accessory use to a school. Those that were suitable for development include the sites in the following table:

Site ID	Block(s)	Lot(s)	Developable acreage (acres as reported in 1989)	Notes
1 (15C)	50	14	.75	Planned to contain 22 affordable units
8 (15C)	341	25	2.44	Vacant
9 (15C)	361-368			“Tea” lots that are vacant but which may be environmentally constrained

<sup>5</sup> 2010 Housing Plan Element and Fair Share Plan, Appendix C.

The following table compares the vacant developable sites from the 1989 VLA and from the 2015 VLA.

Table 3. Comparison of the 1989 and 2015 Vacant Land Assessments

Site ID 1989 VLA	Included in 2015 VLA?	Site ID in 2015 VLA	Block	Lot	Developable Acreage		Notes
					As reported in 1989	As reported in 2015	
1	No	-	210	20	15.99	0	Now part of lot 32, an industrial property. A large portion of the undeveloped area is environmentally constrained.
2	Yes	A	123	1	3.77	3.4	Vacant lot with more than 0.5 developable acres.
3	No	-	103	24	2.5	0	Inclusionary development (Spring Gardens) constructed in 2008.
4	No	-	234	15, 17, 19, 20, 27	2.1	0	Inclusionary for-sale development (Riverbend) currently under construction.
5	Yes	B	310	1, 2	2.5	1.4	Vacant lot with more than 0.5 developable acres.
6	Yes		311	3	2.04	1.9	Vacant lot with more than 0.5 developable acres.
7	No	-	192	27	1.03	0	Inclusionary for-sale development (Stonefields at New Providence) completed in 2012.
1 (15C)	No	-	50	14	.75	0	Developed into low-income age-restricted rental units (Elizabeth Barabash Manor) in 1997.
8 (15C)	No	-	341	25	2.44	0	Now preserved on the ROSI.
9 (15C)	Yes	D	362, 365, 366, 372, 372	1, 1, 2, 7, 8	2.7	2.7	"Tea lots" Vacant lots with more than 0.5 developable acres.
<b>Newly included properties (not included in 1989 VLA)</b>							
-	Yes	C	25	30	-	0.9	Portion of a publicly-owned lot that is not environmentally constrained.

**Total developable acres 1989 – 35.82**

**Total developable acres 2015 – 10.2**

The table demonstrates that many of the vacant lots identified in 1989 have since been developed into apartment and condominium units. Many of these projects have had an affordable component. Any lots that are still vacant and unreserved lands have been retained in the present analysis. One property, lot 30 of block 25, has been added. The majority of this publicly-owned parcel is environmentally constrained, but there are 0.9 acres in its southern portion that are developable accessible via Central Ave.

#### IV. Realistic Development Potential

The current analysis identified four sites that are developable and contribute to New Providence's Realistic Development Potential (RDP).

The following sites and corresponding densities are included in the overall calculation of the Borough's RDP:

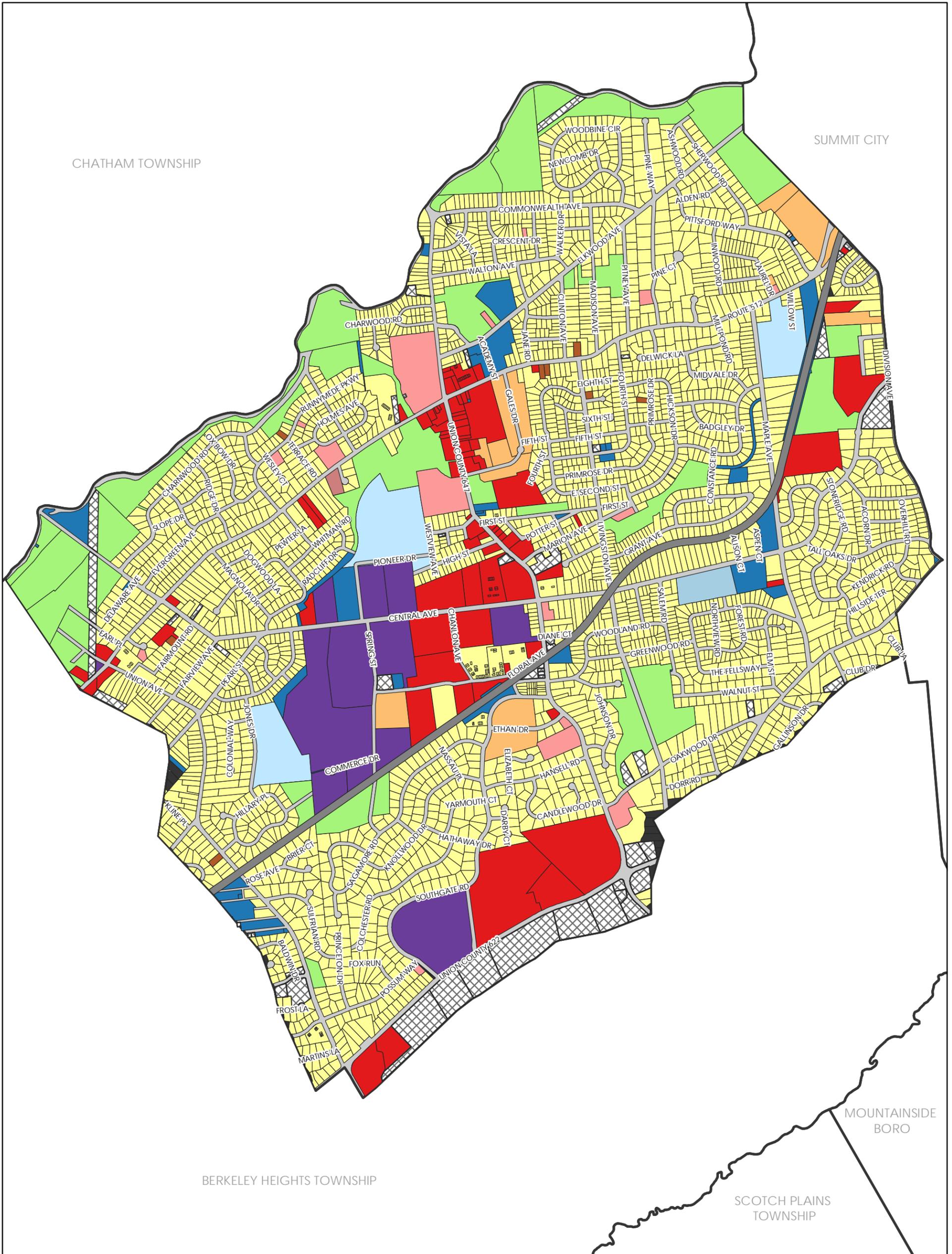
Site	Developable Acreage	Zoning	Density	Total Units	RDP
A	3.4	R-1	6 dwelling units per acre	20	4 units
B	3.3	A-2	10 dwelling units per acre	33	6 units
C	0.9	R-2	8 dwelling units per acre	7	1 unit
D	2.7	R-1	6 dwelling units per acre	16	3 units

Assuming a maximum set-aside rate of 20%, New Providence has a RDP of **14 affordable units** due to an extremely limited supply of available vacant land.

#### V. Conclusion

Due to an extreme lack of available developable vacant land, the Borough of New Providence can only presently accommodate a limited number of new market and affordable housing units. Vacant land analyses have been performed previously. The 1989 VLA found approximately 35.82 acres of available land and a Realistic Development Potential for affordable housing of 54 units.

The present Vacant Land Adjustment updates the previous vacant land and RDP determinations. This analysis identified 10.2 acres of developable vacant land in New Providence, applied the minimum presumptive densities of 6 dwelling units per acre, 8 dwelling units per acre, and 10 dwelling units per acre with a 20% set-aside, and found a current RDP of 14 affordable units.

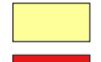
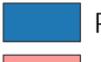
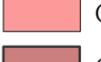
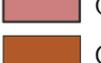
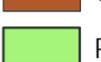
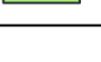


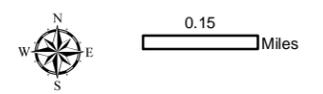
New Providence  
Vacant Land Assessment  
Appendix A

Existing Land Use

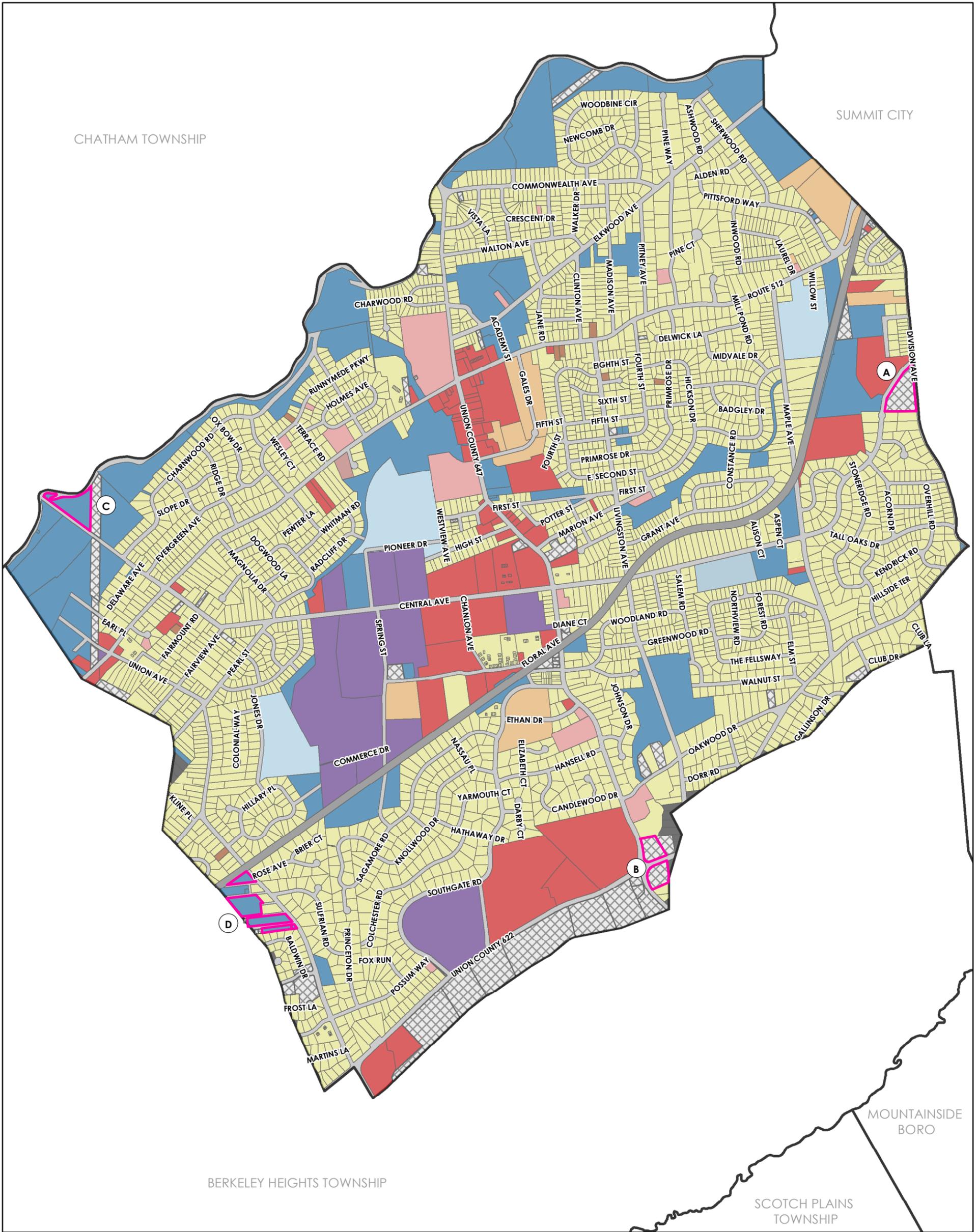
HEYER GRUEL & ASSOCIATES  
October 2015

Parcels  
Property Class

 Vacant (1)	 Other school (15B)
 Residential (2)	 Public property (15C)
 Commercial (4A)	 Churches/charitable (15D)
 Industrial (4B)	 Cemeteries (15E)
 Apartment (4C)	 Other tax exempt (15F)
 Public school (15A)	 Preserved Park



Sources: Parcel data (2011), NJGIS. Assessment data (2015) from the Monmouth County records database. Roads from NJDOT.



New Providence  
Vacant Land Assessment  
Appendix B

## Vacant Land Inventory

HEYER GRUEL & ASSOCIATES

October 2015

 Vacant Developable Properties

### Parcels

#### Property Class (MODIV)

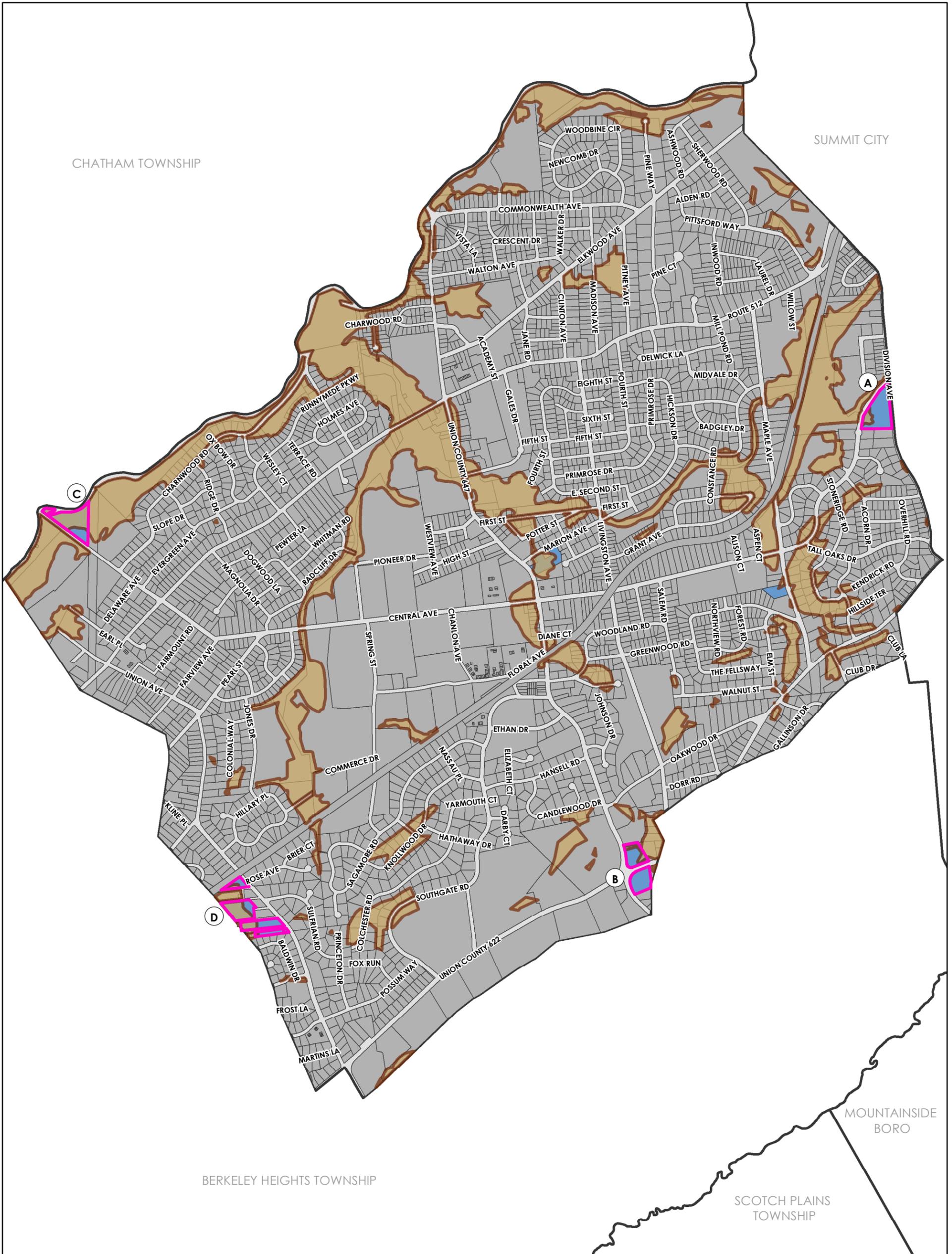
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|---|--|
|  Vacant (1)          |  Other School (15B)           |
|  Residential (2)     |  Public Property (15C)        |
|  Apartment (4C)      |  Church and Charitable (15D)  |
|  Commercial (4A)     |  Cemeteries (15E)             |
|  Industrial (4B)     |  Other Tax Exempt (15F)       |
|  Railroad (5)        |  No Data (assessed elsewhere) |
|  Public School (15A) |  |

### Developable Sites

- |   |  |
|---|--|
| A. Block 123, Lot 1                       | D. Block 362, Lot 1 &<br>Block 365, Lot 1 &<br>Block 366, Lot 2 &<br>Block 372, Lots 7 & 8 |
| B. Block 310, Lot 2 &<br>Block 311, Lot 3 |  |
| C. Block 25, Lot 30                       |  |

 0.25 Miles

Sources: Parcel data (2011), NJOGIS. Assessment data (2015) from the Monmouth County records database. Roads from NJDOT.



CHATHAM TOWNSHIP

SUMMIT CITY

BERKELEY HEIGHTS TOWNSHIP

MOUNTAINSIDE BORO

SCOTCH PLAINS TOWNSHIP

New Providence  
Vacant Land Assessment  
Appendix C

### Environmental Constraints

**HEYER GRUEL & ASSOCIATES**

October 2015

- Vacant Developable Properties
- Vacant Public and Private Properties over .5 Acre in Size
- Environmentally Constrained Areas\*
- Parcels

\*Environmental constraints include steep slopes over 15%, the 100-year floodplain (FEMA), and wetlands.



0.15 Miles

Sources: Parcel data (2011), NJGIS. Roads from NJDOT. FEMA's National Flood Hazard Layer, published 1/31/2014. Wetlands from NJDEP land use/land cover 2012. State historic properties from NJDEP.

**New Providence Vacant Land Assessment  
Appendix D: All Vacant Public and Private Properties**

Prop Class	Block	Lot	Owner	Property Location	Zone	SDRP Area	SSA	Total Area (Acres)	Unsuitable Area (Acres)	Constraint Factors	Developable Area (Acres)	Over Half Acre	In Vacant Land Inventory	Reason for Exclusion
1	41	31	HERITAGE ASSOCIATES, INC	1357 SPRINGFIELD AVE	R-2	1	Within	0.7	0.7	wetlands and floodplain	0.0		No	Developable area less than .5 acre due to environmental constraints.
1	41	35	BELL ATLANTIC % DUFF & PHELPS	REAR 1307 SPRINGFIELD AVE	R-2	1	Within	0.1	0.1	wetlands and floodplain	0.0		No	Lot size less than .5 acre.
1	44	16	IUZZOLINO, MICHAEL	114 PASSAIC ST	R-2	1	Within	0.5	0.5	floodplain	0.0		No	Developable area less than .5 acre due to environmental constraints.
1	71	3	MC BRIARTY, MATTHEW	15 COMMONWEALTH AVE	R-2	1	Within	0.2	0.0		0.2		No	Lot size less than .5 acre.
1	103	16	LANGZAAL, CARLOS R & HELENE L	47 PITTSFORD WAY	R-1	1	Within	0.1	0.1	steep slope	0.0		No	Lot size less than .5 acre.
1	103	18	SHOJI, TOSHIYUKI	39 PITTSFORD WAY	R-1	1	Within	0.1	0.1	steep slope	0.0		No	Lot size less than .5 acre.
1	123	1	CLEARWATER CLUB CORP	99 DIVISION AVE	R-1	1	Within	3.9	0.5	wetlands	3.4	Yes	Yes	-
1	170	20	MAZZUCCO, PACIFICO P	1 WILLIAM ST	R-3	1	Within	0.1	0.0		0.1		No	Lot size less than .5 acre.
1	180	41	DIPPOLITO, JOANT & EDWARD P	917 CENTRAL AVE	R-2	1	Within	0.3	0.0		0.3		No	Lot size less than .5 acre.

**New Providence Vacant Land Assessment  
Appendix D: All Vacant Public and Private Properties**

Prop Class	Block	Lot	Owner	Property Location	Zone	SDRP Area	SSA	Total Area (Acres)	Unsuitable Area (Acres)	Constraint Factors	Developable Area (Acres)	Over Half Acre	In Vacant Land Inventory	Reason for Exclusion
1	190	2	FALCONE, EDITH J	REAR 1818 SPRINGFIELD AVE	R2A	1	Within	1.2	0.0		1.2	Yes	No	Accessory area for condominium development.
1	191	23	SURMAN, THOMAS W III & SUELLEN P	932 CENTRAL AVE	R-2	1	Within	0.3	0.0		0.3		No	Lot size less than .5 acre.
1	194	25.01	FUSCHETTO, VINCENT	6 FAIRVIEW AVE	R-2	1	Within	0.4	0.0		0.4		No	Lot size less than .5 acre.
1	220	19	MURRAY HILL INN ASSOC-CURTIS,BRYAN	195 SOUTH ST	LI	1	Within	0.5	0.0		0.5		No	-
1	233	18	FOX, GREGORY & TRACY	2 DIANE CT	R-3	1	Within	0.2	0.2	floodplain and steep slope	0.0		No	Lot size less than .5 acre.
1	233	19	BENDER, MARGARET	302 SOUTH ST	R-3	1	Within	0.2	0.1	floodplain and steep slope	0.1		No	Lot size less than .5 acre.
1	234	17	JAM REALTY INC	35 MARION AVE	A-2	1	Within	2.1	1.3	floodplain	0.7	Yes	No	Under construction - inclusionary development.
1	283	11	RUIZ,CHARLES &FOURNIER,A NINE	25 OAKWOOD DR	R-1	1	Within	0.5	0.0		0.5	Yes	No	New home is under construction.

**New Providence Vacant Land Assessment  
Appendix D: All Vacant Public and Private Properties**

Prop Class	Block	Lot	Owner	Property Location	Zone	SDRP Area	SSA	Total Area (Acres)	Unsuitable Area (Acres)	Constraint Factors	Developable Area (Acres)	Over Half Acre	In Vacant Land Inventory	Reason for Exclusion
1	310	1	CONTI, GINA M	425 MOUNTAIN AVE	A-2	1	Within	1.1	0.9	wetlands	0.2		No	Developable area less than .5 acre due to environmental constraints.
1	310	2	LUCENT TECHNOLOGIES, INC-%M F POER	550 SOUTH ST	A-2	1	Within	1.8	0.5	wetlands	1.4	Yes	Yes	-
1	311	3	LUCENT TECHNOLOGIES, INC-%M F POER	450 MOUNTAIN AVE	A-2	1	Within	1.9	0.0		1.9	Yes	Yes	-
1	330	2.01	FOLEY SQUARE AT MURRAY HILL, LLC	1E FOLEY SQUARE	R-4	1	Within	0.1	0.0		0.1		No	Lot size less than .5 acre.
1	330	2.02	FOLEY SQUARE AT MURRAY HILL, LLC	2E FOLEY SQUARE	R-4	1	Within	0.1	0.0		0.1		No	Lot size less than .5 acre.
1	330	2.03	FOLEY SQUARE AT MURRAY HILL, LLC	3E FOLEY SQUARE	R-4	1	Within	0.1	0.0		0.1		No	Lot size less than .5 acre.
1	366	1	EDWARDS, S C/O GILL & COHEN,ESQ	2 WALNUT ST	R-1	1	Within	0.1	0.0	wetlands	0.0		No	Lot size less than .5 acre.
1	372	13	HILL, RUTH LOUISE	4 SPRUCE ST	R-1	1	Within	0.1	0.1	wetlands	0.0		No	Lot size less than .5 acre.

**New Providence Vacant Land Assessment  
Appendix D: All Vacant Public and Private Properties**

Prop Class	Block	Lot	Owner	Property Location	Zone	SDRP Area	SSA	Total Area (Acres)	Unsuitable Area (Acres)	Constraint Factors	Developable Area (Acres)	Over Half Acre	In Vacant Land Inventory	Reason for Exclusion
1	372	14	EDWARDS, S C/O GILL & COHEN,ESQ	6 SPRUCE ST	R-1	1	Within	0.1	0.1	wetlands	0.0		No	Lot size less than .5 acre.
1	380	20	BOC GROUP INC-% TAX TECH SERVICES	15 RYDER WAY	R-1	1	Within	0.1	0.0		0.1		No	Lot size less than .5 acre.
15C	12	29	BOROUGH OF NEW PROVIDENCE	8 DELAWARE AVE	R-2	1	Within	0.1	0.0		0.1		No	Lot size less than .5 acre.
15C	14	3	COUNTY OF UNION ADMIN BLDG	REAR 1060 CENTRAL AVE	R-2	6	Within	0.0	0.0	wetlands and floodplain	0.0		No	Lot size less than .5 acre.
15C	25	30	COUNTY OF UNION ADMIN BLDG	CENTRAL AVE	R-2	6	Partial	3.7	2.9	wetlands and floodplain	0.9	Yes	Yes	-
15C	41	36	BOROUGH OF NEW PROVIDENCE	REAR 98 RUNNYMEDE PKWY	R-2	1	Partial	0.5	0.5	wetlands and floodplain	0.0		No	Developable area less than .5 acre due to environmental constraints.
15C	103	17	BOROUGH OF NEW PROVIDENCE	43 PITTSFORD WAY	R-1	1	Within	0.1	0.1	steep slope	0.0		No	Lot size less than .5 acre.
15C	125	13	STATE OF N.J.DEPT OF TRANSPORTATI ON	NORTH OF MAPLE ST		1	Within	1.6	1.2	wetlands and floodplain	0.3		No	Lot size less than .5 acre.

**New Providence Vacant Land Assessment  
Appendix D: All Vacant Public and Private Properties**

Prop Class	Block	Lot	Owner	Property Location	Zone	SDRP Area	SSA	Total Area (Acres)	Unsuitable Area (Acres)	Constraint Factors	Developable Area (Acres)	Over Half Acre	In Vacant Land Inventory	Reason for Exclusion
15C	134	55	BOROUGH OF NEW PROVIDENCE	50 END OF ARDSLEY CT	R-2	1	Within	0.0	0.0		0.0		No	Developable area less than .5 acre due to environmental constraints.
15C	153	12	BOROUGH OF NEW PROVIDENCE	1 FIFTH ST	R-2	1	Within	0.0	0.0		0.0		No	Lot size less than .5 acre.
15C	163	40	BOROUGH OF NEW PROVIDENCE	124 SOUTH ST	OR	1	Within	0.8	0.7	wetlands and floodplain	0.0		No	Lot size less than .5 acre.
15C	185	7	BOROUGH OF NEW PROVIDENCE	66 CODDINGTON DR	R-2	1	Within	1.7	1.5	floodplain	0.2		No	Developable area less than .5 acre due to environmental constraints.
15C	185	20	BOROUGH OF NEW PROVIDENCE	789 CENTRAL AVE	R-2	1	Within	0.2	0.1	floodplain	0.1		No	Developable area less than .5 acre due to environmental constraints.
15C	204	25	BOROUGH OF NEW PROVIDENCE	160 PEARL ST	R-2	1	Within	0.4	0.0		0.4		No	Lot size less than .5 acre.
15C	210	22	BOROUGH OF NEW PROVIDENCE	47 COMMERCE DR	LI	1	Within	0.2	0.0	wetlands	0.2		No	Lot size less than .5 acre.
15C	210	34	BOROUGH OF NEW PROVIDENCE	REAR 50 HAWTHORNE DR	LI	1	Within	2.1	2.0	wetlands and floodplain	0.1		No	Lot size less than .5 acre.

**New Providence Vacant Land Assessment  
Appendix D: All Vacant Public and Private Properties**

Prop Class	Block	Lot	Owner	Property Location	Zone	SDRP Area	SSA	Total Area (Acres)	Unsuitable Area (Acres)	Constraint Factors	Developable Area (Acres)	Over Half Acre	In Vacant Land Inventory	Reason for Exclusion
15C	232	22	BOROUGH OF NEW PROVIDENCE	320 SOUTH ST	R-2	1	Within	1.2	1.1	floodplain	0.1		No	Developable area less than .5 acre due to environmental constraints.
15C	236	15	BOROUGH OF NEW PROVIDENCE	175 LIVINGSTON AVE	R-3	1	Within	0.0	0.0	floodplain	0.0		No	Lot size less than .5 acre.
15C	244	7	BOROUGH OF NEW PROVIDENCE	40 CONSTANCE RD	R-2	1	Within	1.4	1.4	floodplain	0.0		No	Developable area less than .5 acre due to environmental constraints.
15C	244	26	BOROUGH OF NEW PROVIDENCE	REAR 40 CONSTANCE RD	R-2	1	Within	1.2	1.1	floodplain	0.0		No	Developable area less than .5 acre due to environmental constraints.
15C	263	3	BOROUGH OF NEW PROVIDENCE	1 MOUNTAIN AVENUE	R-1	1	Within	0.1	0.0		0.1		No	Lot size less than .5 acre.
15C	270	31	BOROUGH OF NEW PROVIDENCE	251 MAPLE ST	R-2	1	Within	3.1	3.0	wetlands and floodplain	0.2		No	Developable area less than .5 acre due to environmental constraints.
15C	271	42	BOROUGH OF NEW PROVIDENCE	325 MAPLE ST	R-2	1	Within	1.0	0.1	steep slope	0.9	Yes	No	Municipal flood storage and open water course.

**New Providence Vacant Land Assessment  
Appendix D: All Vacant Public and Private Properties**

Prop Class	Block	Lot	Owner	Property Location	Zone	SDRP Area	SSA	Total Area (Acres)	Unsuitable Area (Acres)	Constraint Factors	Developable Area (Acres)	Over Half Acre	In Vacant Land Inventory	Reason for Exclusion
15C	283	29	BOROUGH OF NEW PROVIDENCE	39 HICKORY PL	R-1	1	Within	0.0	0.0		0.0		No	Lot size less than .5 acre.
15C	362	1	BOROUGH OF NEW PROVIDENCE	335 UNION AVE	R-1	1	Within	0.7	0.2	wetlands	0.5	Yes	Yes	-
15C	363	1	BOROUGH OF NEW PROVIDENCE	1 CHESTNUT ST	R-1	1	Within	0.9	0.9	wetlands	0.1		No	Developable area less than .5 acre due to environmental constraints.
15C	363	2	BOROUGH OF NEW PROVIDENCE	3 CHESTNUT ST	R-1	1	Within	0.1	0.1	wetlands	0.0		No	Lot size less than .5 acre.
15C	365	1	BOROUGH OF NEW PROVIDENCE	2 CHESTNUT ST	R-1	1	Within	2.2	1.7	wetlands	0.6	Yes	Yes	-
15C	366	2	BOROUGH OF NEW PROVIDENCE	385 UNION AVE	R-1	1	Within	1.6	0.6	wetlands	1.0	Yes	Yes	-
15C	372	7	BOROUGH OF NEW PROVIDENCE	395 UNION AVE	R-1	1	Within	0.1	0.0		0.1		Yes	-
15C	372	8	BOROUGH OF NEW PROVIDENCE	2 SPRUCE ST	R-1	1	Within	0.6	0.1	wetlands	0.5	Yes	Yes	-

New Providence Vacant Land Adjustment  
Appendix E: Final Vacant Land Inventory

Site ID	Block	Lot	Prop Class	Owner	Property Location	Zone	SDRP Area	SSA	Total Area (Acres)	Unsuitable Area (Acres)	Constraint Factors	Developable Area (Acres)	Over Half Acre	Notes
A	123	1	1	CLEARWATER CLUB CORP	99 DIVISION AVE	R-1	1	Within	3.9	0.5	wetlands	3.4	Yes	
B	310	2	1	LUCENT TECHNOLOGIES,IN C-%M F POER	550 SOUTH ST	A-2	1	Within	1.8	0.5	wetlands	1.4	Yes	
	311	3	1	LUCENT TECHNOLOGIES,IN C-%M F POER	450 MOUNTAIN AVE	A-2	1	Within	1.9	0.0		1.9	Yes	
C	25	30	15C	COUNTY OF UNION ADMIN BLDG	CENTRAL AVE	R-2	6	Partial	3.7	2.9	wetlands and floodplain	0.9	Yes	
D	362	1	15C	BOROUGH OF NEW PROVIDENCE	335 UNION AVE	R-1	1	Within	0.7	0.2	wetlands	0.5	Yes	
	365	1	15C	BOROUGH OF NEW PROVIDENCE	2 CHESTNUT ST	R-1	1	Within	2.2	1.7	wetlands	0.6	Yes	
	366	2	15C	BOROUGH OF NEW PROVIDENCE	385 UNION AVE	R-1	1	Within	1.6	0.6	wetlands	1.0	Yes	
	372	7	15C	BOROUGH OF NEW PROVIDENCE	395 UNION AVE	R-1	1	Within	0.1	0.0		0.1		Adjacent to lot 8 of block 372 and under common ownership, together yielding .6 acres of developable land.

New Providence Vacant Land Adjustment  
Appendix E: Final Vacant Land Inventory

Site ID	Block	Lot	Prop Class	Owner	Property Location	Zone	SDRP Area	SSA	Total Area (Acres)	Unsuitable Area (Acres)	Constraint Factors	Developable Area (Acres)	Over Half Acre	Notes
D	372	8	15C	BOROUGH OF NEW PROVIDENCE	2 SPRUCE ST	R-1	1	Within	0.6	0.1	wetlands	0.5	Yes	Adjacent to lot 7 of block 372 and under common ownership, together yielding .6 acres of developable land.

Total Developable Acreage:

**10.2**



New Providence  
Vacant Land Inventory  
Appendix F.1

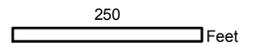
**Site A**

**HEYER GRUEL & ASSOCIATES**

October 2015

-  Site
-  Environmentally Constrained Areas\*
-  Parcels
-  New Providence Boundary

\*Environmental constraints include steep slopes over 15%, the 100-year floodplain (FEMA), and wetlands.



Sources: Parcel data (2011), NJOGIS. Roads from NJDOT. FEMA's National Flood Hazard Layer, published 1/31/2014. Wetlands from NJDEP land use/land cover 2012. State historic properties from NJDEP.



New Providence  
Vacant Land Inventory  
Appendix F.2

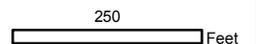
**Site B**

**HEYER GRUEL & ASSOCIATES**

October 2015

-  Site
-  Environmentally Constrained Areas\*
-  Parcels
-  New Providence Boundary

\*Environmental constraints include steep slopes over 15%, the 100-year floodplain (FEMA), and wetlands.



Sources: Parcel data (2011), NJOGIS. Roads from NJDOT. FEMA's National Flood Hazard Layer, published 1/31/2014. Wetlands from NJDEP land use/land cover 2012. State historic properties from NJDEP.



New Providence  
Vacant Land Inventory  
Appendix F.3

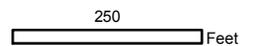
**Site C**

**HEYER GRUEL & ASSOCIATES**

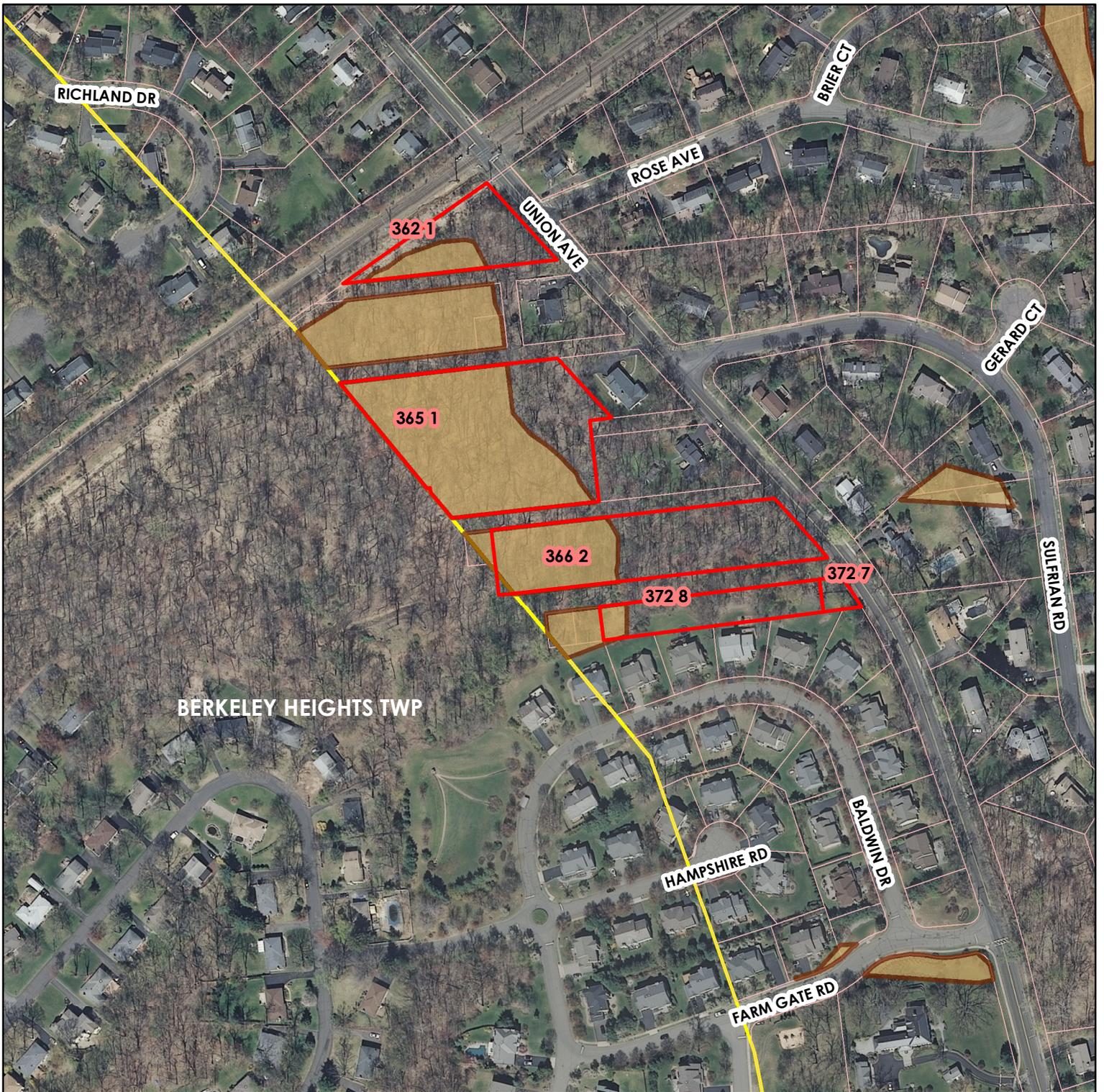
October 2015

-  Site
-  Environmentally Constrained Areas\*
-  Parcels
-  New Providence Boundary

\*Environmental constraints include steep slopes over 15%, the 100-year floodplain (FEMA), and wetlands.



Sources: Parcel data (2011), NJOGIS. Roads from NJDOT. FEMA's National Flood Hazard Layer, published 1/31/2014. Wetlands from NJDEP land use/land cover 2012. State historic properties from NJDEP.



New Providence  
Vacant Land Inventory  
Appendix F.4

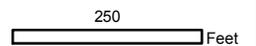
**Site D**

**HEYER GRUEL & ASSOCIATES**

October 2015

- Site
- Environmentally Constrained Areas\*
- Parcels
- New Providence Boundary

\*Environmental constraints include steep slopes over 15%, the 100-year floodplain (FEMA), and wetlands.



Sources: Parcel data (2011), NJGIS. Roads from NJDOT. FEMA's National Flood Hazard Layer, published 1/31/2014. Wetlands from NJDEP land use/land cover 2012. State historic properties from NJDEP.

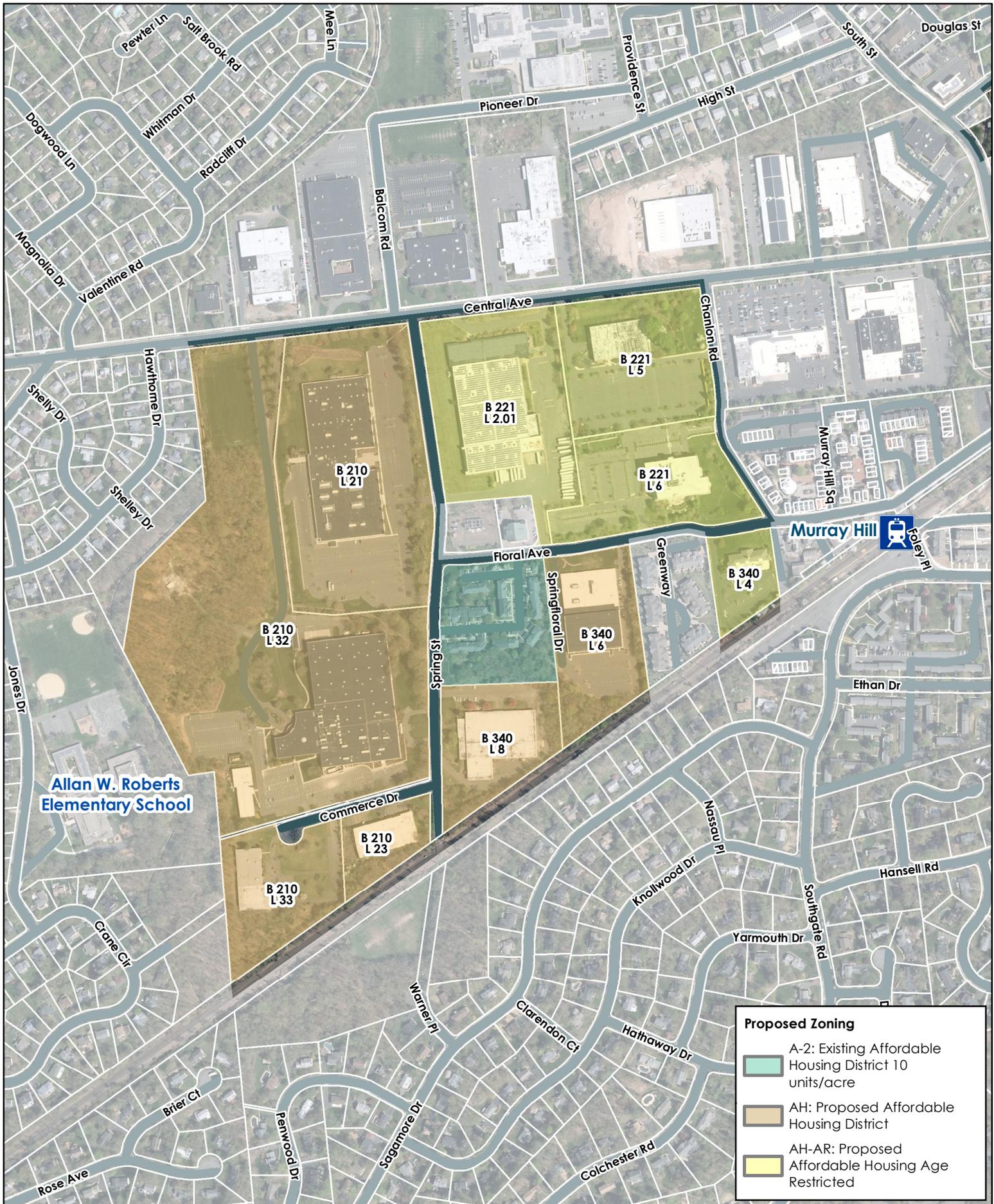


# **APPENDIX B**

**PROPOSED REZONING**

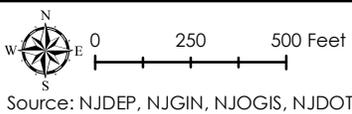
**“REZONED AREA”**





**Proposed Zoning**

- A-2: Existing Affordable Housing District 10 units/acre
- AH: Proposed Affordable Housing District
- AH-AR: Proposed Affordable Housing Age Restricted



**Affordable Housing Murray Hill Districts**  
New Providence, NJ