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Robbinsville

T O W N S H I P

Housing Element and Fair Share Plan



The Township of Robbinsville
Housing Element
and
Fourth-Round
Fair Share Plan
(2025-2035)

The County of Mercer

Date Prepared

Adopted On

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I. Introduction

A. Executive Summary & Introduction

In 1975, the New Jersey Supreme Court decision of Southern Burlington NAACP v. Mount Laurel Township ruled to outlaw exclusionary zoning, and required all New Jersey municipalities to provide their “fair share” of affordable housing. This decision was borne out of the recognition and acknowledgement that “disparities in wealth, health, and general well-being are inextricably linked to housing access, making residential segregation a public health issue” according to the Fair Share Housing Center. From the Mount Laurel decision, came the Mount Laurel Doctrine, which mandates that municipalities must utilize their zoning powers to provide their share of the region's affordable housing.

In New Jersey, affordable housing is defined as units reserved for households earning no more than 80% of the regional median income. With limited exceptions, each unit must remain affordable for at least 30 years—and 40 years for Fourth-Round rental units—typically through a deed restriction. Each qualifying unit earns one credit toward a municipality's obligation, with certain units eligible for bonus credits, offering more than one credit per unit. Municipalities must also ensure a mix of affordability levels (very-low, low, and moderate income) and unit sizes (one-, two-, and three-bedroom) to meet compliance standards.

This housing plan focuses on addressing the Township's obligations for the Fourth-Round of affordable housing, as defined by an amendment to the Fair Housing Act enacted in March 2024. This round covers the period from July 1, 2025, through June 30, 2035. Because one of the two primary components of the affordable housing obligation is cumulative, this plan also includes strategies to satisfy obligations from previous rounds. As a result, readers will recognize that several elements from the Township's Third-Round Housing Element and Fair Share Plan—adopted by the Planning Board on April 10, 2023—are carried forward here.

The 2024 amendments to the Fair Housing Act initiated a structured process with specific deadlines, requiring close coordination between the Township's Governing Body and the Planning Board. These actions are necessary for any municipality seeking to comply with the Mount Laurel Doctrine, which mandates that all New Jersey municipalities provide a fair share of affordable housing for both current and future residents.

To determine the number of affordable housing units each municipality must provide, the Division of Community Affairs performs calculations based on existing deficient housing, each region's Income Capacity Factor, the municipal population, existing land capacity, and the local capacity to accommodate growth. The purpose of this Housing Element and Fair Share Plan is to outline how the Township of Robbinsville intends to meet its constitutionally mandated affordable housing obligation.

B. Summary of Judicial and Legislative Background of Affordable Housing in New Jersey

New Jersey's affordable housing framework is grounded in the landmark *Mount Laurel* decisions, which require municipalities to provide realistic opportunities for low- and moderate-income housing. The 1983 *Mount Laurel II* ruling introduced the builder's remedy, allowing higher-density developments with affordable units even on non-zoned sites.

In response, the Legislature enacted the Fair Housing Act (FHA) in 1985, establishing the Council on Affordable Housing (COAH) to manage municipal compliance. COAH administered three planning rounds. The first two (1987–1993 and 1993–1999) assigned municipalities both rehabilitation and projected growth obligations—now known as the "prior round." The Third-Round (1999–2025) attempted to link housing obligations to development through a "growth share" model, which was later invalidated by the courts. COAH's failure to adopt new rules led the New Jersey Supreme Court to deem the agency defunct in 2015, transferring jurisdiction to the courts. Municipalities now secure plan approval through declaratory judgment actions, protecting them from builder's remedy litigation.

In 2017, the Court determined that the 1999–2015 "gap period" generated a separate housing obligation. Together with rehabilitation, prior round, and prospective need, this gap-period need forms today's cumulative housing requirement. Subsequent legislative updates have strengthened the framework. The 2008 FHA amendments eliminated regional contribution agreements and introduced requirements for very low-income housing. In 2020, new transparency measures required all affordable units to be listed publicly.

Most notably, Public Law 2024, Chapter 2, permanently dissolved COAH and assigned the Department of Community Affairs (DCA) the task of calculating Fourth-Round obligations for 2025–2035. While these figures are advisory, the law established a court-based Affordable Housing Dispute Resolution Program and imposed stricter standards for Housing Element and Fair Share Plans, including site suitability analysis, verification of affordability controls, and evidence of realistic unit delivery.

Administrative Directive #14-24, issued in December 2024, further defined these requirements, mandating that municipalities document zoning, affordability mechanisms, unit feasibility, and implementation strategies through formal ordinances and resolutions.

C. Affordability Requirements

Under New Jersey's Fair Housing Act (FHA), affordable housing is defined as a dwelling—whether for sale or rent—that falls within the financial reach of very-low, low-, or moderate-income households, as determined within each designated housing region. Robbinsville is located in Region 4, which comprises Mercer, Monmouth, and Ocean counties.

Moderate-income households are those earning more than 50% but less than 80% of the regional median income. Low-income households earn 50% or less of the regional median. Very-low-income households, a subset of the low-income category, are defined as those earning no more than 30% of the regional median income.

Pursuant to the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.3 et seq., rent and sale prices for affordable housing must align with defined income thresholds. Maximum rent must be affordable to households earning no more than 60% of the regional median income, while the average rent must be affordable to those earning no more than 52%. For ownership units, the maximum sale price must be affordable to households earning up to 70% of the median income, with the average sale price affordable to those earning no more than 55%.

Regional median income figures are established annually by the U.S. Department of Housing and Urban Development (HUD) and serve as the basis for setting affordable rents and sale prices. Following *Mount Laurel IV*, income limits are now set by Court Order.

Income limits for all units included in the Township's Housing Element and Fair Share Plan—excluding those governed by federal programs—shall be updated annually upon HUD's publication of revised median incomes, using the following process:

- Regional income limits for Region 4 (which includes Monmouth, Mercer, and Ocean Counties) shall be based on a weighted average of uncapped Section 8 income limits published by HUD. This is calculated by multiplying HUD's median income for a four-person household by the number of households in each county per the latest Census, summing these products across the region, and dividing by the total number of households in Region 4. The result is the weighted regional median income for a household of four.
- Income limits for affordable housing shall be set as follows: 80% of the regional weighted median income for moderate-income households, 50% for low-income households, and 30% for very low-income

households. These limits are adjusted by household size using HUD multipliers and may not fall below the previous year's levels.

- The Regional Asset Limit, used to determine applicant eligibility under N.J.A.C. 5:80-26.16(b)3, shall also be updated annually. The Township will calculate the percentage increase in income limits year over year and apply the same percentage to adjust the Regional Asset Limit. This limit, too, shall not decrease from the prior year.
- For 2024, income limits for all housing regions in New Jersey—including Region 4—were developed jointly by the Affordable Housing Professionals of New Jersey (AHPNJ) and Fair Share Housing Center (FSHC), using the methodology described above. These court-approved limits will be applied to Robbinsville. See Table 1 for the 2024 income limits for Region 4.

Table 1

Maximum Gross Income by Household Size for Housing Region 4			
Household Size	Very-Low	Low	Moderate
1	\$27,311	\$45,519	\$72,830
2	\$31,213	\$52,022	\$83,234
3	\$35,115	\$58,524	\$93,639
4	\$39,016	\$65,027	\$104,043
5	\$42,137	\$70,229	\$112,367
6	\$45,259	\$75,431	\$120,690
7	\$48,380	\$80,633	\$129,013
8	\$51,501	\$85,836	\$137,337
Source: Affordable Housing Professionals Of New Jersey (Ahpnj) - April 12, 2024, 2024 Affordable Housing Regional Income Limits By Household Size Prepared By Affordable Housing Professionals Of New Jersey. https://Ahpnj.Org/Member_Docs/Income_Limits_2024_Final.Pdf			

The following tables present illustrative 2024 gross rents and sale prices. These figures are for demonstration purposes only and do not reflect adjustments for utility allowances (rentals) or variables such as mortgage rates, taxes, or other financing factors (sales).

Table 2

Illustrative 2024 Affordable Gross Rents for Region 4			
Household Income Levels	1 Bedroom	2 Bedroom	3 Bedroom
Moderate	\$2,060	\$2,475	\$2,850
Low	\$1,280	\$1,545	\$1,785
Very Low	\$770	\$925	\$1,071
Source: 2024 Affordable Housing Pricing Calculator prepared by Affordable Housing Professionals of New Jersey			

Table 3

Illustrative 2024 Affordable Gross Sales for Region 4			
Household Income Levels	1 Bedroom	2 Bedroom	3 Bedroom
Moderate	\$190,029	\$229,913	\$267,137
Low	\$133,053	\$161,541	\$188,130
Very Low	\$118,909	\$144,448	\$168,378
Source: 2024 Affordable Housing Pricing Calculator prepared by Affordable Housing Professionals of New Jersey.			

D. Housing Element and Fair Share Plan Requirements

Under the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), every municipal master plan must include a housing element to support its zoning ordinance. Pursuant to the amended Fair Housing Act, (N.J.S.A. 52:27D-310), this Housing Element and Fair Share Plan includes the following components:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
- b. A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including, but not necessarily limited to, household size, income level, and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;
- e. A determination of the municipality's present and prospective fair share of low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low- and moderate-income housing, as established pursuant to section 3 of P.L. 2024, c.2 (C.52:27D-304.1);
- f. A consideration of the lands most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing;
- g. An analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multigenerational family continuity as expressed in the recommendations of the Multigenerational Family Housing Continuity Commission, adopted pursuant to paragraph (1) of subsection f. of 23 section 1 of P.L.2021, c.273 (C.52:27D-329.20); and

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

In addition to FHA requirements, this Fourth-Round HEFSP complies with the standards outlined in Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024:

1. One of the requirements for a final HEFSP is the inclusion of detailed site suitability analyses, based on the best available data, for each of the un-built inclusionary or 100 percent affordable housing sites in the plan as well as an identification of each of the sites that were proposed for such development and rejected, along with the reasons for such rejection.
2. The concept plan for the development of each of the selected sites should be overlaid on the most up to date environmental constraints map for that site as part of its analysis. When the detailed analyses are completed, the municipality can see what changes will be needed (either to the selected sites or to their zoning) to ensure that all of the units required by the settlement agreement will actually be produced. If it becomes apparent that one (or more) of the sites in the plan does not have the capacity to accommodate all of the development proposed for it, the burden will be on the municipality either to adjust its zoning regulations (height, setbacks, etc.) so that the site will be able to yield the number of units and affordable units anticipated by the settlement agreement or to find other mechanisms or other sites as needed to address the likelihood of a shortfall.
3. The final HEFSP must fully document the creditworthiness of all of the existing affordable housing units in its HEFSP and to demonstrate that it has followed all of the applicable requirements for extending expiring controls, including confirmation that all of the units on which the controls have been extended are code-compliant or have been rehabilitated to code-compliance, and that all extended controls cover a full 30-year period beginning with the end of the original control period. Documentation as to the start dates and lengths of affordability controls applicable to these units and applicable Affordable Housing Agreements and/or deed restrictions is also required. Additionally, the income and bedroom distributions and continued creditworthiness of all other existing affordable units in the HEFSP must be provided.

4. The HEFSP must include an analysis of how the HEFSP complies with or will comply with all of the terms of the executed settlement agreement. Once the HEFSP has been prepared, it must be reviewed by Fair Share Housing Center and the Program's Special Adjudicator for compliance with the terms of the executed settlement agreement, the FHA and Uniform Housing Affordability Controls ("UHAC") regulations. The HEFSP must be adopted by the Planning Board and the implementation components of the HEFSP must be adopted by the governing body.

The HEFSP must also include (in an Appendix) all adopted ordinances and resolutions needed to implement the HEFSP, including:

1. All zoning amendments (or redevelopment plans, if applicable).
2. An Affordable Housing Ordinance that includes, among other required regulations, its applicability to 100 percent affordable and tax credit projects, the monitoring and any reporting requirements set forth in the settlement agreement, requirements regarding very low income housing and very low income affordability consistent with the FHA and the settlement agreement, provisions for calculating annual increases in income levels and sales prices and rent levels, and a clarification regarding the minimum length of the affordability controls (at least 30 years, until the municipality takes action to release the controls).
3. The adoption of the mandatory set aside ordinance, if any, and the repeal of the existing growth share provisions of the code.
4. An executed and updated Development Fee Ordinance that reflects the court's jurisdiction.
5. An Affirmative Marketing Plan adopted by resolution that contains specific directive to be followed by the Administrative Agent in affirmatively marketing affordable housing units, with an updated COAH form appended to the Affirmative Marketing Plan, and with both documents specifically reflecting the direct notification requirements set forth in the settlement agreement.
6. An updated and adopted Spending Plan indicating how the municipality intends to allocate development fees and other funds, and detailing (in mini manuals) how the municipality proposes to expend funds for affordability assistance, especially those funds earmarked for very low-income affordability assistance.

7. A resolution of intent to fund any shortfall in the costs of the municipality's municipally sponsored affordable housing developments as well as its rehabilitation program, including by bonding if necessary.
8. Copies of the resolution(s) and/or contract(s) appointing one or more Administrative Agent(s) and of the adopted ordinance creating the position of, and resolution appointing, the Municipal Affordable Housing Liaison.
9. A resolution from the Planning Board adopting the HEFSP, and, if a final Judgment is sought before all of the implementing ordinances and resolutions can be adopted, a resolution of the governing body endorsing the HEFSP.

II. The Housing Plan Element

A. *Analysis of Housing Stock*

Age of Units

Table 4 below reflects that the housing stock in the Township comprises 6,084 total units, with the majority of residential development occurring between 1980 and 1999. Specifically, 1,592 housing units (26.2%) were constructed during the 1980s, followed closely by 1,738 units (28.6%) built in the 1990s, indicating a period of substantial residential growth. An additional 1,260 units (20.7%) were developed between 2000 and 2009, while more recent construction from 2010 to 2019 accounts for only 334 units (5.5%). Older housing comprises a smaller portion of the overall stock, with units built prior to 1980 representing less than 20% combined. Notably, there have been no new housing units reported as constructed in 2020 or later. This distribution suggests that while the Township experienced its most significant residential expansion in the late 20th century, new construction activity has slowed in the last decade.

Table 4

Age of Housing Units		
<u>Dates of Construction</u>	<u>Structures</u>	<u>Percent (%) of Total</u>
1939 or earlier	153	2.5%
1940 to 1949	109	1.8%
1950 to 1959	99	1.6%
1960 to 1969	379	6.2%
1970 to 1979	420	6.9%
1980 to 1989	1,592	26.2%
1990 to 1999	1,738	28.6%
2000 to 2009	1,260	20.7%
2010 to 2019	334	5.5%
2020 or Later	0	0.0%
Total Housing Units	6,084	100%

Source: United States. Bureau of the Census, 2023 American Community Survey 5-Year Estimates - "Selected Housing Characteristics"

As per the 2023 American Community Survey 5-Year Estimates, in Robbinsville, 361 units (5.9%) of the housing stock were built before 1960. This is generally an important indicator in calculating Robbinsville's Rehabilitation Share and explains why Robbinsville's Present Need (substandard housing) Share is 40 units. While age of housing stock is one indicator, it is noteworthy that homes do not need to be 50-years or older to be eligible for participation in the rehabilitation program.

Condition of Units

The first step the Division of Community affairs took in calculating the present need and deficient Low- and Moderate- Income Occupied Housing was calculating the "Present Need". Present need is defined by the Affordable Housing Law as *"the number of substandard existing deficient housing units currently occupied by low- and moderate-income (LMI) households"*

As per the DCA affordable housing obligations for 2025-2035 Methodology and Background, the third-round municipal present need calculations used three factors to calculate present need:

"the number of housing units lacking complete kitchen facilities, the number of units lacking complete plumbing facilities, and the number of overcrowded units. Moreover, the Affordable Housing Law explicitly defines "deficient housing units" as housing that is over 50 years and overcrowded, that lacks complete plumbing, or that lacks complete kitchen facilities."

In the fourth-round, the DCA used similar methodology with the same indicators (lacking kitchen facilities, lacking plumbing facilities, and overcrowded units).

However, in the fourth-round the DCA also took into consideration the age of the housing, utilized more detailed and municipal level data (as opposed to county level) therefore the information was representative of actual conditions, as well as accounting for any overlaps to provide more accurate and fair information.

- The U.S. Census defines an overcrowded unit as “one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens). Units with more than 1.5 persons per room are considered severely overcrowded.”
- Plumbing Facilities: Inadequate plumbing sufficient for rehabilitation is indicated by incomplete plumbing facilities, i.e., lack of hot and cold piped water, flush toilet or bathtub/shower.
- Kitchen Facilities: Inadequate kitchen facilities signaling rehabilitation are indicated by the non -presence of kitchen facilities within the unit, or the non-presence of one of three components: a sink with piped water, a stove or a refrigerator.

Table 5

Person Per Room			
<u>Persons Per Room</u>	<u>Total Occupied Units</u>	<u>Owner Occupied Units</u>	<u>Renter Occupied Units</u>
1.01 to 1.50	46	32	14
1.51 to 2.00	0	0	0
2.01 or more	12	0	12
Total	58	32	26
<i>Source: United States. Bureau of the Census, 2023 American Community Survey 5-Year Estimates - "Selected Housing Characteristics"</i>			

Table 6

Plumbing Facilities	
	<u>Total Units</u>
With Complete Plumbing Facilities	5,895
Lacking Complete Plumbing Facilities	9
<i>Source: United States. Bureau of the Census, 2023 American Community Survey 5-Year Estimates - "Selected Housing Characteristics"</i>	

Table 7

Kitchen Facilities	
	<u>Total Units</u>
With Complete Kitchen Facilities	5,849
Lacking Complete Kitchen Facilities	55
<i>Source: United States. Bureau of the Census, 2023 American Community Survey 5-Year Estimates - "Selected Housing Characteristics"</i>	

As reflected above, according to the US Census Bureau 2023 ACS Survey, there are an estimated 58 total occupied units that are considered overcrowded, with

more “severely overcrowded” (2.01 persons per room or more) units being renter occupied (12 units). Moreover, there are 9 units lacking complete plumbing facilities, and 55 units lacking complete kitchen facilities.

Purchase and Rental Value

Table 8

Total Occupied Housing Units		
	Number of Units	Percentage
Owner Occupied	4,812	82%
Renter Occupied	1,092	18%
Total	5,904	100%

Source: United States, Bureau of the Census, 2023 American Community Survey 5-Year Estimates - "Selected Housing Characteristics"

Approximately 77% of the housing units within Robbinsville Township are owner occupied, whereas 23% of the housing units are renter occupied.

Table 6

Owner Occupied Housing Unit Values		
	Number of Units	Percentage
Less than \$50,000	163	3.1%
\$50,000 to \$99,999	68	1.3%
\$100,000 to \$149,999	89	1.7%
\$150,000 to \$199,999	158	3.0%
\$200,000 to \$299,999	666	12.5%
\$300,000 to \$499,999	1,345	25.2%
\$500,000 to \$999,999	2,636	49.4%
1,000,000 or more	209	3.9%
Total	4,812	100%
Median Value	\$523,500	

Source: United States, Bureau of the Census, 2023 American Community Survey 5-Year Estimates

The owner-occupied housing market consists of 4,812 units, with nearly half (49.4%) valued between \$500,000 and \$999,999. The next largest category includes homes valued between \$300,000 and \$499,999, comprising 25.2% of the total. Approximately 12.5% of units fall within the \$200,000 to \$299,999 range, while homes valued below \$200,000 collectively make up 9.10% of the market. High-value homes exceeding \$1 million account for 3.9% of the total. The median home value is \$523,500, indicating that more than half of the homes are valued above this amount.

Table 9

Occupied Units Paying Rent		
Gross Monthly Rent	Number of Units	Percentage
Less than \$500	0	0%
\$500 to \$999	106	9.7%
\$1,000 to \$1,499	157	14.4%
\$1,500 to \$1,999	359	32.9%
\$2,000 to \$2,499	339	31.0%
\$2,500 to \$2,999	16	1.5%
\$3,000 or more	70	6.4%
No Rent Paid	45	4.1%
Total	1,092	100%
Median Value		\$1,863

Source: United States. Bureau of the Census, 2023 American Community Survey 5-Year Estimates

Based on table 9 above, the majority of renter-occupied housing units in the Borough fall within the mid- to upper-range rent categories. Specifically, 32.9% of units have a gross monthly rent between \$1,500 and \$1,999, followed closely by 31.0% of units renting for \$2,000 to \$2,499. An additional 14.4% of units fall within the \$1,000 to \$1,499 range, while only 9.7% of units are rented for less than \$1,000 per month. High-end rentals—those with rents of \$2,500 or more—account for a combined 7.9% of the rental market. Notably, no units were reported to rent for less than \$500. Approximately 4.1% of occupied units reported no rent paid. The median gross monthly rent across all occupied rental units is \$1,863.

Anecdotally, the prior figure appears to be low. To develop a more accurate estimate of average rental costs within the Township, fifteen properties were evaluated using rental platforms such as Zillow, Apartments.com, Realtor.com, and Trulia. The data indicate that the overall average monthly rent for one- to three-bedroom units is approximately \$2,358. When examining individual unit types, the average monthly rent is \$1,869 for a one-bedroom unit, \$2,456 for a two-bedroom unit, and \$2,750 for a three-bedroom unit as of May 2025.

B. Projected Housing Stock

According to the 2025 Year-to-Date building permit summaries provided by the New Jersey Labor Market and Workforce Development division, sourced by the U.S Census bureau, the Township of Robbinsville authorized 30 total single-family units to be built in 2024. The Township of Robbinsville authorized 0 units to be built that were multi-family. However, as per resolution number 2025-060, the Township of Robbinsville has accepted their DCA calculated affordable housing obligation, and fully intends to satisfy that obligation within the fourth-round.

Robbinsville will address the future construction of low-and-moderate income housing as outlined in the Fair Share Plan section herein.

C. Municipality's Demographic Characteristics

Population

As illustrated in Table 10 below, Robbinsville Township has experienced steady population growth over the last century, with several notable periods of rapid expansion. Significant growth occurred in the 1950s and 1970s, when the population increased by 35 percent and 53.6 percent, respectively. The 1990s saw the population rise by nearly 67 percent, and the early 2000s continued this trend with a 76.7 percent increase. These decades of rapid growth were followed by a slower pace in the 2010s, with a 32.8 percent increase from 2000 to 2010, and a more modest 13.4 percent growth from 2010 to 2020.

Table 10

Robbinsville Township Population Characteristics 1900-2020		
<u>Year</u>	<u>Population</u>	<u>% ±</u>
1900	1,157	2.80%
1910	1,090	-5.8%
1920	1,161	6.50%
1930	1,347	16.00%
1940	1,365	1.30%
1950	1,843	35.00%
1960	2,156	17.00%
1970	3,311	53.60%
1980	3,487	5.30%
1990	5,815	66.80%
2000	10,275	76.70%
2010	13,642	32.80%
2020	15,476	13.40%

Source: United States. Bureau of the Census Historical Data, 2023 American Community Survey 5-Year Estimates; Robbinsville Township was formerly named Washington Township of Mercer County (2007) Washington Township population data was utilized.

According to the U.S. Census data, Robbinsville Township's population in 2010 was 13,642, and by 2020, it had grown to 15,476. The historical data shows that Robbinsville Township will likely experience a period of more stable growth moving forward. The projected population increase over the next several decades is expected to be more modest, following the trends of slower growth observed in recent years. Table 1, Robbinsville Township Population Characteristics 1900-2020 illustrates these trends, highlighting a continued but slower pace of population growth in the Township.

Population Age

As illustrated in Table 11, the age cohort breakdown of Robbinsville Township residents shows some notable differences when compared to Mercer County as a whole. Robbinsville has a higher percentage of school-aged children, particularly in the 5 to 9 years and 10 to 14 years age groups, with 7.7% and 8.7%, respectively, compared to 5.4% and 7.1% in Mercer County. Additionally, Robbinsville has a higher proportion of adults aged 40 and above, especially in the 40 to 44 years and 45 to 49 years age ranges, where Robbinsville's percentages are 9.3% and 9.7%, respectively, compared to 7.4% and 6.6% in Mercer County. These differences suggest that Robbinsville has a higher number of families with children and a more substantial middle-aged adult population. A breakdown of the population by age for Robbinsville and Mercer County is provided below.

Table 11

Population Comparison By Age				
	Robbinsville Township		Mercer County	
	<u>Number</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Under 5 years	547	3.5%	21,033	5.5%
5 to 9 years	1,181	7.7%	20,521	5.4%
10 to 14 years	1,342	8.7%	26,935	7.1%
15 to 19 years	1,241	8%	26,452	6.9%
20 to 24 years	589	3.8%	26,496	6.9%
25 to 29 years	460	3%	22,837	6%
30 to 34 years	738	4.8%	23,709	6.2%
35 to 39 years	801	5.2%	21,396	5.6%
40 to 44 years	1,432	9.3%	28,358	7.4%
45 to 49 years	1,503	9.7%	25,229	6.6%
50 to 54 years	1,363	8.8%	25,834	6.8%
55 to 59 years	1,444	9.4%	22,927	6%
60 to 64 years	1,067	6.9%	26,572	7%
65 to 69 years	712	4.6%	20,395	5.3%
70 to 74 years	405	2.6%	16,733	4.4%
75 to 79 years	196	1.3%	10,156	2.7%
80 to 84 years	214	1.4%	8,324	2.2%
85 years and over	197	1.3%	7,764	2%
Total	15,432	100%	381,671	100%
Median Age	41	-	40.2	-

Source: United States. Bureau of the Census, 2023 American Community Survey 5-Year Estimates

Household Income Level

As measured in the 2017 ACS five-year estimates, Robbinsville Township had a higher median household income than Mercer County as a whole. The median household income in Robbinsville was \$118,190, which is significantly higher than

the County's median income of \$80,776. Approximately 9.6% of households in Robbinsville had an income of less than \$35,000, while around 63.4% of households had an income greater than \$100,000. Furthermore, over 24% of Robbinsville households earned more than \$200,000 annually, which is notably higher than the County's proportion of high-income households. This indicates a relatively affluent population within Robbinsville compared to Mercer County as a whole.

Table 12

Households by Income in 2023				
	Robbinsville Township		Mercer County	
	<u>Number</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Less than \$10,000	159.408	2.7	9067.996	6.20
\$10,000 to \$14,999	100.368	1.7	4095.224	2.80
\$15,000 to \$24,999	289.296	4.9	6727.868	4.60
\$25,000 to \$34,999	153.504	2.6	8775.48	6
\$35,000 to \$49,999	301.104	5.1	14479.542	9.90
\$50,000 to \$74,999	531.36	9.0	18721.024	12.80
\$75,000 to \$99,999	324.72	5.5	14187.026	9.70
\$100,000 to \$149,999	832.464	14.1	26033.924	17.80
\$150,000 to \$199,999	1068.624	18.1	15503.348	10.60
\$200,000 or more	2131.344	36.1	28812.826	19.70
Less than \$10,000	159.408	2.7	9067.996	6.20
\$10,000 to \$14,999	100.368	1.7	4095.224	2.80
Median income (dollars)	\$162,813		\$96,152	
Mean income (dollars)	\$184,169		\$133,495	

Source: United States. Bureau of the Census, 2023 American Community Survey 5-Year Estimates

Household Type

Family households are classified by the U.S. Census Bureau as two or more persons living in the same household, related by blood, marriage, or adoption. As shown in the table below, 63% of all households in Robbinsville Township are family households, with an average household size of 3.15 persons. Of these, 55% are married-couple families, 6% are female householder families with no husband present, and 2% are male householder families with no wife present. Non-family households make up 19% of the total, with 17% consisting of individuals living alone.

Table 13

Households by Type in 2023		
Household Type	Number	Percent
Total Households	5,904	100
Family Households (families)	3,694	63
Married-couple family	3,224	55
Female householder, no husband present	340	6
Male householder, no wife present	130	2
Nonfamily households	1,118	19
Householder living alone	1,005	17
Householders 65 years and over	358	6
<i>Source: United States. Bureau of the Census, 2023 American Community Survey 5-Year Estimates</i>		

D. Employment Characteristics

There are an estimated 8,449 Robbinsville Township residents over the age of 16 that make up the Townships labor force. There is a near-balanced workforce gender distribution with females holding more positions. The top three industries employing the highest percentage of the workforce are Professional, scientific, and technical services (15.92%) with 1,345 employees, Finance and insurance (13.49%) with 1,140 employees, and Health care and social assistance (11.29%) with 954 employees.

Table 14

Employed Persons 16 Years and Over				
<u>Industry</u>	<u>Total No. of People</u>	<u>Male</u>	<u>Female</u>	<u>Percent of Total</u>
Agriculture, forestry, fishing, hunting & mining	12	12	0	0.14%
Construction	314	213	101	3.72%
Manufacturing	888	494	394	10.51%
Wholesale Trade	223	117	106	2.64%
Retail Trade	559	358	201	6.62%
Transportation and Warehousing	279	245	34	3.30%
Utilities	133	110	23	1.57%
Information	316	155	161	3.74%
Finance and Insurance	1,140	734	406	13.49%
Real estate and rental and leasing	52	31	21	0.62%
Professional, scientific and technical services	1,345	793	552	15.92%
Management of companies and enterprises	40	17	23	0.47%
Administrative and support and waste management services	301	64	237	3.56%
Educational services	663	200	463	7.85%
Health care and social assistance	954	203	751	11.29%
Arts, Entertainment and Recreation	201	106	95	2.38%
Accommodation and food services	287	101	186	3.40%
Other services except public administration	167	69	98	1.98%
Public administration	575	345	230	6.81%
Total	8,449	4,367	4,802	100%
<i>Source: United States. Bureau of the Census, 2023 American Community Survey 5-Year Estimates</i>				

III. Fair Share Plan

A. *Introduction*

In March 2024, Governor Murphy signed P.L.2024, c.2—landmark legislation aimed at ensuring every New Jersey municipality meets its constitutional obligation to provide affordable housing. The law requires municipalities to update their Master Plans and revise zoning and land use regulations to support both the creation of new affordable housing and the rehabilitation of substandard units.

This section of Robbinsville’s Housing Element and Fair Share Plan outlines how the Township will meet its Fourth-Round obligations, which include both Present Need and Prospective Need. Present Need—also known as the Rehabilitation Share—is recalculated each round using census data to estimate the number of substandard homes currently occupied by low- and moderate-income households. Based on updated methodology in the amended Fair Housing Act, statewide Fourth-Round need is set at 84,698 units. Of that, Region 4 (Mercer, Monmouth, and Ocean Counties) is responsible for 13,822 units, with allocations made to each municipality, including Robbinsville.

According to the DCA, Robbinsville’s Fourth-Round obligation includes 40 Present Need units and 336 Prospective Need units. The Township formally accepted these numbers by way of resolution, resolution number 2025-060 included in Appendix G.

B. *Cumulative Fair Share Obligation*

The Township of Robbinsville has a “Present Need” affordable housing obligation of 40 units, and a “Prospective Need” affordable housing obligation of 336 units for the 2025 – 2035 Fourth-Round. By way of resolution (Resolution Number 2025-060) on January 30, 2025, the Township accepted both the present and the prospective need unit obligations.

Prior to the acceptance of the Fourth-Round obligation, the Township had entered a Court-approved settlement agreement on October 17, 2018 that stipulated the Fair Share obligation for the period of 1987 through July 1, 2025, which included a Present Need of 16 units for rehabilitation, a Third-Round obligation (1999-2025) of 638 units, and a Prior Round obligation (1987-1999) of 293 units.

As reflected in the Townships 2018 Housing Element and Fair Share Plan, and the Third Amended Settlement Agreement dated February 22, 2018, Robbinsville successfully created sufficient realistic opportunities for the provision of low- and moderate-income housing through July 1, 2025 to satisfy its Fair Share Housing Obligation up until this Fourth-Round. (the 2017 and 2018 HEFSP are attached within this document under Appendix I).

Present Need refers to “the number of substandard existing deficient housing units currently occupied by low- and moderate-income households.” A “deficient housing unit” is “housing that (1) is over fifty years old and overcrowded, (2) lacks complete plumbing, or (3) lacks complete kitchen facilities.” Robbinsville’s Present Need obligation is 40 units.

Prior Round Obligation covers the cumulative affordable housing requirement for new construction from 1987 through 1999, encompassing both the First and Second Rounds of planning. This obligation framework was upheld by the New Jersey Supreme Court in 2013. Robbinsville’s Prior Round obligation, as calculated by COAH, is 293 units.

Third-Round Obligation includes two components: the “gap period” from 1999 to 2015, during which no valid affordable housing regulations were in place, and the Prospective Need from 2015 to 2025, reflecting projected demand over a ten-year period beginning in July 2015. In 2001, COAH formally extended the duration of housing rounds from six to ten years.

Mercer County’s Third-Round Gap and Prospective Need figures were established by Judge Mary C. Jacobson in the March 8, 2018 decision *Opinion on Fair Share Methodology to Implement the Mount Laurel Affordable Housing Doctrine for the Third-Round*. This ruling—commonly referred to as the “Jacobson Methodology”—set a binding framework for municipalities in Mercer County and was later extended statewide through amendments to the Fair Housing Act. Under this methodology, Robbinsville was assigned a Third-Round obligation of 638 units.

Prospective Need refers to projected housing demand based on expected development and population growth in a region or municipality. Robbinsville’s Fourth-Round Prospective Need, as determined by the New Jersey Department of Community Affairs (DCA) using the methodology detailed in its October 2024 report, is 336 units.

Table 15 presents the break-down of the Cumulative 1987-2025 Obligation, totaling 1,307.

Table 15

Cumulative 1987-2035 Obligation	
Fourth-Round	
<i>Present Need</i>	40
<i>Prospective Need</i>	336
Third-Round	638
Prior Round	293
Total Cumulative Obligation (1987-2035)	1,307

C. Addressing the Townships Rehabilitation Obligation

In satisfying its present need of 40 units to be rehabilitated, the Township of Robbinsville operates an affordable housing rehabilitation program that provides eligible applicants with deferred payment, 0% interest loans of up to \$20,000 that require no monthly payments but do require repayment of the loan principal when the home is sold or title transferred. Rehabilitation focuses on major systems and code violations.

Since April 1, 2010, Robbinsville has completed the rehabilitation of seven units. The remaining nine units will be fulfilled either through an existing contract with Community Action Services or by utilizing credits from rehabilitation efforts related to the Mercer Mobile Home Park. All rehabilitated units are required to meet applicable code standards, have a minimum investment of \$10,000 per unit, and remain affordable for at least ten years. Refer to Appendix K for rehabilitation completion information to date.

D. Addressing the Township's Affordability Assistance Obligation

In order to address the Township's affordability assistance obligation, the Township has an Emergency Repair/Energy Efficiency Assistance program for the affordable housing properties in Robbinsville. This is done as affordability assistance. This helps currently recertified income eligible owners of affordable units, homeowners that would not have the funds necessary to keep their properties up to code. The township provides loans up to \$20,000 that are interest free, no monthly payments and are forgiven if the homeowner remains in the affordable property for 6 years.

E. Prior Round Obligation

For the Prior Round Obligation, Robbinsville was required to provide 293 affordable housing units, which includes a 73-unit rental obligation. The Township has met this obligation through a combination of for-sale units, group homes, rental developments, and regional contribution agreements. Foxmoor developments provided a substantial portion of the for-sale units, while Project Freedom added 35 general occupancy rental apartments. Group homes across various sites contributed 24 bedrooms. Additionally, Robbinsville had entered into a regional contribution agreement with Trenton, resulting in 11 rental units being credited to the Prior Round. The Township also received a seven-unit reduction through a substantial compliance credit.

For further information on the prior round, refer to Appendix I attached within this document.

F. Third-Round Obligation

The Third-Round Obligation, established through a settlement agreement with Fair Share Housing Center, required Robbinsville to provide 638 affordable units by 2025. This includes 160 rental units and allows for a maximum of 159 age-restricted units. Further, 13 percent of all units constructed after July 1, 2008, must be reserved for very low-income households.

To date, Robbinsville has already built or preserved 333 units toward this obligation. These include affordable rentals in Sharbell's Town Center and Springside developments, extended affordability controls at Foxmoor, affordable sales units at Sharbell Union Lofts, additional RCA units, and multiple group homes. An assisted living facility, Rose Hill, also contributes with 14 Medicaid Waiver apartments.

Table 16

<u>Project Name</u>	<u>Type</u>	<u>Number of Units</u>
Sharbell (Town Center)	Family Rentals	26
Foxmoor	Extend Controls – Family Sales	181
Sharbell Union Lofts	Family Sales	8
RCA*	13 Rentals / 4 Non Rentals	17
Foxmoor	Family Sales	31
203 Robbinsville-Edinburg	Group Home	4
165 Robbinsville-Edinburg	Group Home	4
Sharbell Springside	Family Rentals	38
Rose Hill	Medicaid Bedrooms	14
154 Robbinsville-Allentown	Group Home	4
14 Vahlsing	Group Home	4
2230 Route 22	Group Home	2
Total		333 (Built)
<i>*Applied pre July 1, 2008 portion of the Third Round Obligation</i>		

To meet the remainder of its obligation, Robbinsville has added 146 more affordable units. A major component of this strategy involved acquiring 70 units at the Mercer Mobile Home Park. Additionally, Robbinsville intends to develop 45 family rental units as part of a mixed-use redevelopment project at Town Center South, under a plan led by Capodagli Property Company. This project replaces previously considered sites and will contribute significantly toward meeting affordable family rental needs. Furthermore, 19 new group home bedrooms will be created throughout the Period of Repose, and two smaller projects—Robbinsville Commons II and a site at 2320 Route 33—will yield a total of 12 additional family rental units.

To fulfill its 638-unit requirement, Robbinsville also relies on 159 rental bonus credits, earned primarily through the inclusion of family rentals and group homes. The combined total of built units, proposed developments, and bonus credits reaches 649 units, slightly exceeding the target obligation by 11 credits.

The Township's plan fully complies with income targeting and family housing requirements. At least 260 of the units are allocated for low or very low-income households, surpassing the required 240. Of the rental units, 172 are affordable, with 121 designated for families. In total, 412 units in the plan are family-oriented, well above the minimum threshold. Robbinsville has ensured that no more than 25 percent of all affordable units across the Prior and Third-Round obligations are age-restricted.

Table 17 below illustrates how the Township has intended to meet its 638 unit obligation.

Table 17

<u>Project Name</u>	<u>Type</u>	<u>Number of Units</u>
Mercer Mobile Home Park	Family Sales	70
Town Center South (Project Freedom)	Family / Disabled Rentals	52 out of 72 total Family/ Disabled Rentals
Group Homes (New)	Bedrooms	19
Town Center	Family Rentals	5
Market to Affordable	Family Sales	3
Robbinsville Commons II (King)	Family Rentals	7
Total		157 (Proposed)
Rental Bonus		159
Grand Total		649

For further information on the third-round, refer to Appendix I attached within this document.

G. Fourth-Round Obligation

The Township is fulfilling its affordable housing obligation through a multifaceted approach, which includes proposed inclusionary housing projects, the application of carryover credits from prior affordable developments, the extension of affordability controls on existing inclusionary units, and the use of development bonuses for transit-oriented, age-restricted, and group home projects.

As previously stated, the DCA calculated that the Township of Robbinsville has a "Present Need" affordable housing obligation of 40 units, and a "Prospective Need" affordable housing obligation of 336 units for the 2025 – 2035 Fourth-Round.

The Township has approved, or been working to approve a number of sites to contribute to satisfying the 336-unit obligation, as well an ongoing rehabilitation program that provides interest free loans of up to \$20,000 with no monthly payments and repayment is deferred until the homeowner sells the home, to address the 40 units under present need.

Table 18 below illustrates how the Township intends to meet their 336 unit obligation to satisfy the Fourth-Round.

Table 18

Fourth-Round Proposed Projects				
Project Name	Block	Lot(s)	No. of Affordable Units	Project Status
Mercer Mobile Home Park	1	59.01	70	Fully Approved per Consent Order
Sharbell Gordon Simpson	21	27.01 & 27.02	56	Board Approval; In Resolution Compliance
Kushner Capodagli	1	65.02	38	Named Redeveloper. Town is committed to the Amendment to make this an As-of-Right Development. Resolution No. 2024-129; 2024-187
Gordon Road AHA	21	27.03	6	
Group Homes	N/A	N/A	27	
Extension of Controls	N/A	N/A	66	All are being taken pursuant to Judge Jacobsons directives in Third-Round
Total Before Bonuses			263	
Transit Bonus for MMHP			15	
Age Restricted Bonus for Kushner Capodagli			28	
Municipal Sponsored Bonus			3	
Group Homes Bonus			27	
Overall Total			336	
Fourth-Round Prospective Need			336	

As reflected above, the Townships Fourth-Round Prospective Need obligation is 336 units. The following table illustrates the formulas that summarize the minimum or maximum number of Fourth-Round bonuses, affordable family rental units, senior units, low-income, and very low-income units:

Table 19

	Requirement
Maximum Bonuses	84
$.25 \times (\text{obligation}) = .25 \times 336 =$	84
Minimum Family Rental Units	132
$.50 \times (\text{obligation} - \text{maximum bonuses}) = .50 \times (336 - 84)$	131.5
Maximum Senior Units	76
$.30 \times (\text{obligation} - \text{maximum bonuses}) = .30 \times (336 - 84)$	75.6
Minimum Low-Income	132
$.50 \times (\text{obligation} - \text{maximum bonuses}) = .50 \times (336 - 84)$	131.5
Minimum Very Low-Income	33
$.13 \times (\text{obligation} - \text{maximum bonuses}) = .13 \times (336 - 84)$	32.76
Minimum Very Low-Income Family Rental Units	132
$.50 \times (\text{required very low-income units}) = .50 \times (336 - 84)$	131.5

1. Site Suitability Analysis

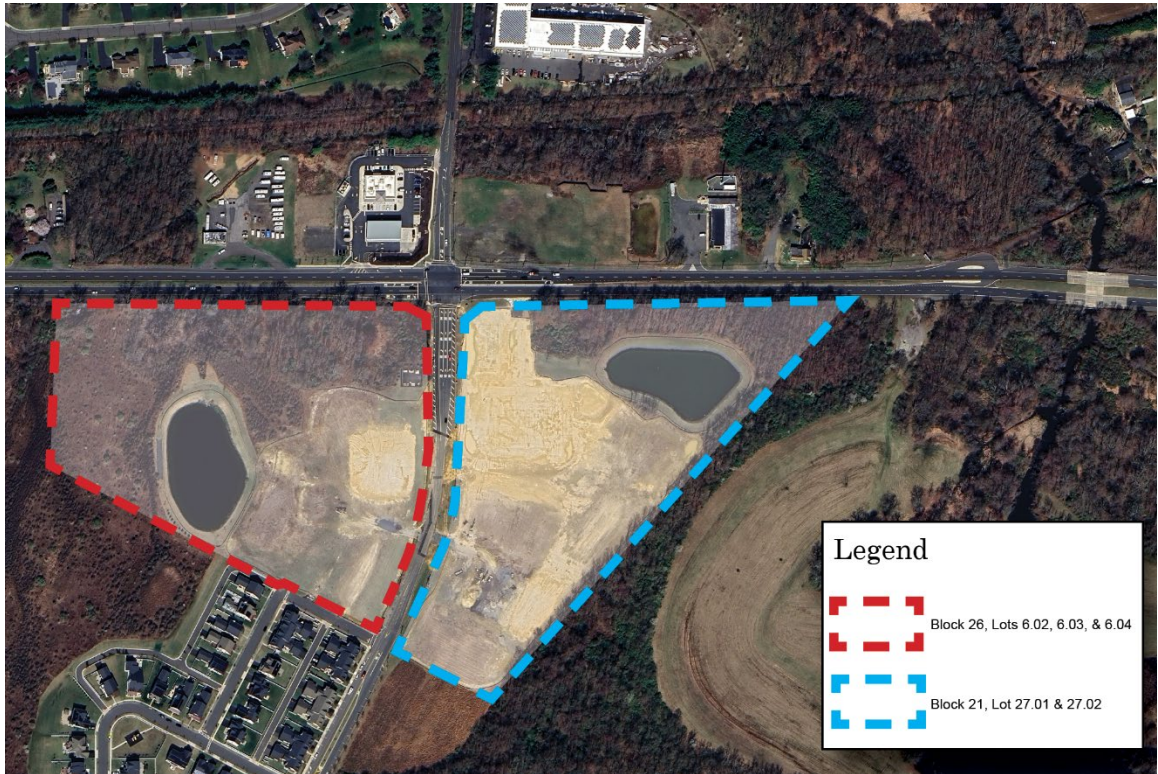
One of the requirements for a final HEFSP is the inclusion of detailed site suitability analyses, based on the best available data, for each of the un-built inclusionary or 100% affordable housing sites in the plan. In accordance with the Council on Affordable Housing's site suitability criteria found at N.J.A.C. 5:93-1.3, all sites to be used for affordable housing purposes must be "available, approvable, developable, and suitable," as follows:

- "Available site" means a site with clear title, free of encumbrances which preclude development for low- and moderate-income housing.
- "Approvable site" means a site that may be developed for low- and moderate-income housing in a manner consistent with the rules or regulations of agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low- and moderate-income housing.
- "Developable site" means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable area wide water quality management plan (including the wastewater plan) or is included in an amendment to the area wide water quality management plan submitted to and under review by the DEP.
- "Suitable site" means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.

In addition to the above qualifications, it is also sound planning for sites to be consistent with the State Development and Redevelopment Plan. Sites that are located in "Planning Area 1: Metropolitan" or "Planning Area 2: Suburban" of the State Development and Redevelopment Plan, or are located in an existing sewer service area, are the **preferred** location for municipalities to address their fair share obligations.

The following pages provide a site suitability analysis for each of the proposed

sites that will be included within the Township's Fourth-Round.
Sharbell Gordon, LLC



SOURCE: GOOGLE EARTH AERIAL IMAGERY DATED APRIL 2022,
BOUNDARY IS APPROXIMATE, NOT EXACT

Project Location: Block 26, Lots 6.02, 6.03, & 6.04; Block 21, Lot 27.01 & 27.02

Project Proposal: Sharbell Gordon, LLC proposes a mixed-use development containing 206 garden apartments, 100 townhome units, with a shopping center market and retail component. For purposes of this housing plan, the development proposes a set aside of 56 affordable units.

Site Suitability Analysis:

- Available: There is no title or deed restriction encumbrances or other hindrances that would preclude an inclusionary development.
- Approvable: The proposed development is supported by local, regional, and state planning policies. The overall site is located within the State Planning Area "PA2 - Suburban Planning Area". Block 26, Lots 6.02, 6.03, & 6.04 are currently vacant, and contain no buildings or significant structures. A manmade reservoir exists central to the overall site. Block 21, Lots 27.01, & 27.02 contain a manmade reservoir. Surrounding the property are single-family and multi-family residential developments, with limited commercial properties to the north, east, and west, along US Route 130. The addition of a mixed-use shopping center, retail and residential development would

complement the existing development of the area, fostering a diverse and synergistic relationship between uses while meeting all applicable regulatory requirements for development approval.

- Developable: Per publicly available information provided by NJDEP GIS Maps modified Agricultural Wetlands, as well as Herbaceous Wetlands exist within isolated portions of the site. These conditions exist on only a percentage of the site within an isolated area, which does not hinder development. The presence of wetlands on a site does not render the site “un-developable”. The applicant is able and willing to comply with all state regulations regarding the presence of wetlands. Additionally, the site is not within a flood zone.

The site is located approximately 120 feet southeast of the Aqua NJ - Hamilton Square water service area; located within the Jersey Central Power & Light service area for electricity; located within the Public Service Electric and Gas Co. service area for natural gas; and located within the Hamilton Township Department of Water Pollution Control for Sewer Service. The Township of Hamilton has confirmed sewer capacity within a letter dated November 22, 2024. Therefore, there are utility services that are already provided, or can be provided to the site to accommodate the development.

- Suitable: The proposed inclusionary development would be compatible with the existing residential properties within the surrounding area, as well as the highway commercial businesses along Route 130. Additionally, the site includes direct access to Route 130, which provides access to other local and state highways such as Route 206, I-195 and I-295. The site is large enough to accommodate the required number of parking spaces for the development. From a site planning perspective, there is an appropriate amount of open space proposed on the site, which is clear evidence of the site not being or appearing overdeveloped.

In addition to site suitability, the developer of the affordable housing project will be required to meet the applicable requirements of UHAC:

- Administrative Entity: In compliance with Article 28-17 of the Township Code and applicable state regulations, the Township will require the residential developer to retain a qualified administrative agent. This agent will be responsible for overseeing the affordable housing program at the development, including affirmatively marketing the units, verifying applicant income eligibility, applying a minimum 40-year affordability control on rental units, and managing the long-term compliance and administration of the units. These responsibilities will be carried out in accordance with the requirements of N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1 et seq.

- **Low/Moderate Income Split:** In accordance with the Uniform Housing Affordability Controls (UHAC) set forth in N.J.A.C. 5:80-26.1, at least 50% of the affordable units produced will be designated for low-income households. Additionally, no less than 13% of all affordable units will be reserved for very low-income households, ensuring compliance with state mandates.
- **Affirmative Marketing:** All affordable units will be marketed in accordance with the affirmative marketing requirements outlined in N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1 et seq., to ensure fair and broad outreach to eligible populations.
- **Controls on Affordability:** The Township's agreement with the site developer will mandate that all affordable units be subject to deed restrictions ensuring affordability for a minimum of 30 years, in accordance with the provisions of N.J.A.C. 5:93 et seq. and the Uniform Housing Affordability Controls (UHAC) outlined in N.J.A.C. 5:80-26.1.
- **Bedroom Distribution:** The configuration and distribution of bedrooms within the affordable units will adhere to the standards established under the Uniform Housing Affordability Controls (UHAC).

Kushner Capodagli – Autumn at Robbinsville



SOURCE: GOOGLE EARTH AERIAL IMAGERY DATED JUNE 2022, BOUNDARY IS APPROXIMATE

Project Location: Block 1, Lot 65.02

Project Proposal: Capodagli Property Company, LLC proposes an inclusionary housing development that will provide 250 age-restricted affordable housing units. For purposes of this housing plan, the development proposes a set aside of 38 affordable units.

Site Suitability Analysis:

- Available: There is no title or deed restriction encumbrances or other hindrances that would preclude an inclusionary development.
- Approvable: The proposed development is supported by local, regional, and state planning policies. The site is located within the State Planning Area "PA2 - Suburban Planning Area". Currently, the site is vacant, and contains no buildings or significant structures. Surrounding the property are single-family and multi-family residential developments, and Robbinsville Town Center located to the north. commercial development exists to the east and west along Route 33. The addition of an inclusionary residential development would provide the area with diverse housing options, that support the surrounding commercial uses.
- Developable: Per publicly available information provided by NJDEP GIS Maps Deciduous Wooded Wetlands exist along small portions of the east, south, and west property lines. Additionally, Freshwater Forested / Shrub Wetlands exist isolated to the eastern portion of the site. As noted, these conditions exist on only a percentage of the site within isolated areas, which does not hinder development. The presence of wetlands on a site does not render the site "un-developable". The applicant is able and willing to comply with all state regulations regarding the presence of wetlands. Additionally, the site is not within a flood zone. Additionally, the site is not within a flood zone.

The site is located within the Aqua NJ - Hamilton Square water service area; located within the Jersey Central Power & Light service area for electricity; located within the Public Service Electric and Gas Co. service area for natural gas; and located within the Hamilton Township Department of Water Pollution Control for Sewer Service. Therefore, there are utility services that are already provided to accommodate the development.

- Suitable: The proposed inclusionary development would be compatible with the Town Center, as well as the existing residential and commercial properties within the surrounding area. Additionally, the site includes direct access to New Jersey Highway 33, which provides access to other local and state highways such as Route 130, Route 206, I-195 and I-295.

In addition to site suitability, the developer of the affordable housing project will

be required to meet the applicable requirements of UHAC:

- **Administrative Entity:** In compliance with Article 28-17 of the Township Code and applicable state regulations, the Township will require the residential developer to retain a qualified administrative agent. This agent will be responsible for overseeing the affordable housing program at the development, including affirmatively marketing the units, verifying applicant income eligibility, applying a minimum 40-year affordability control on rental units, and managing the long-term compliance and administration of the units. These responsibilities will be carried out in accordance with the requirements of N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1 et seq.
- **Low/Moderate Income Split:** In accordance with the Uniform Housing Affordability Controls (UHAC) set forth in N.J.A.C. 5:80-26.1, at least 50% of the affordable units produced will be designated for low-income households. Additionally, no less than 13% of all affordable units will be reserved for very low-income households, ensuring compliance with state mandates.
- **Affirmative Marketing:** All affordable units will be marketed in accordance with the affirmative marketing requirements outlined in N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1 et seq., to ensure fair and broad outreach to eligible populations.
- **Controls on Affordability:** The Township's agreement with the site developer will mandate that all affordable units be subject to deed restrictions ensuring affordability for a minimum of 30 years, in accordance with the provisions of N.J.A.C. 5:93 et seq. and the Uniform Housing Affordability Controls (UHAC) outlined in N.J.A.C. 5:80-26.1.
- **Bedroom Distribution:** The configuration and distribution of bedrooms within the affordable units will adhere to the standards established under the Uniform Housing Affordability Controls (UHAC).

Gordon Road Affordable Housing Alliance



It should be noted that this site was represented within the prior round, but ultimately was not utilized to satisfy the Township's obligation, not because it was not suitable, but because the Township elected to pursue "other housing options" as per the 2017 Housing Element Plan found within APPENDIX I. Therefore, it was established that this site meets the site suitability criteria for inclusionary housing.

Project Location: Block 21, Lot 27.03

Project Proposal: Gordon Road Affordable Housing Alliance proposes an inclusionary housing development that will provide 6 single-family affordable housing units.

Site Suitability Analysis:

- Available: There is no title or deed restriction encumbrances or other hindrances that would preclude an inclusionary development.
- Approvable: The proposed development is supported by local, regional, and state planning policies. The site is located within the State Planning Area

“PA 4B – Rural Environmentally Sensitive”. Currently, the site is vacant, and contains no buildings or significant structures. Surrounding the property are single-family and multi-family residential developments, with limited commercial properties to the north, east, and west, along US Route 130. The addition of a mixed-use shopping center, retail and residential development would complement the existing development of the area, fostering a diverse and synergistic relationship between uses while meeting all applicable regulatory requirements for development approval.

- Developable: Per publicly available information provided by NJDEP GIS there are no wetlands that exist on the site, and the site is not within a flood zone.

The site is located approximately 1,087 FT southeast of the Aqua NJ - Hamilton Square water service area; located within the Jersey Central Power & Light service area for electricity; located within the Public Service Electric and Gas Co. service area for natural gas; and located within the Hamilton Township Department of Water Pollution Control for Sewer Service. Therefore, there are utility services that are already provided, or can be provided to the site to accommodate the development.

- Suitable: The proposed inclusionary development would be compatible with the existing residential properties within the surrounding area, as well as the highway commercial businesses along Route 130. Additionally, the site is located approximately 993 FT southeast of Route 130, which provides access to other local and state highways such as Route 206, I-195 and I-295.

In addition to site suitability, the developer of the affordable housing project will be required to meet the applicable requirements of UHAC:

- Administrative Entity: In compliance with Article 28-17 of the Township Code and applicable state regulations, the Township will require the residential developer to retain a qualified administrative agent. This agent will be responsible for overseeing the affordable housing program at the development, including affirmatively marketing the units, verifying applicant income eligibility, applying a minimum 30-year affordability deed restriction for sales units, and managing the long-term compliance and administration of the units. These responsibilities will be carried out in accordance with the requirements of N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1 et seq.
- Low/Moderate Income Split: In accordance with the Uniform Housing Affordability Controls (UHAC) set forth in N.J.A.C. 5:80-26.1, at least 50% of the affordable units produced will be designated for low-income households. Additionally, no less than 13% of all affordable units will be

reserved for very low-income households, ensuring compliance with state mandates.

- **Affirmative Marketing:** All affordable units will be marketed in accordance with the affirmative marketing requirements outlined in N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:80-26.1 et seq., to ensure fair and broad outreach to eligible populations.
- **Controls on Affordability:** The Township's agreement with the site developer will mandate that all affordable units be subject to deed restrictions ensuring affordability for a minimum of 30 years, in accordance with the provisions of N.J.A.C. 5:93 et seq. and the Uniform Housing Affordability Controls (UHAC) outlined in N.J.A.C. 5:80-26.1.
- **Bedroom Distribution:** The configuration and distribution of bedrooms within the affordable units will adhere to the standards established under the Uniform Housing Affordability Controls (UHAC).

2. Group Homes

Table 20 below outlines the group home projects developed throughout the Township, reflecting the community's ongoing commitment to providing supportive housing options. Various organizations—including Eden Acres, Eden Autism, Community Options, Advancing Opportunities, Arc Mercer, Serv, and Hillside Development—have established group homes of varying sizes, with capacities ranging from small two-bedroom residences to larger facilities. These homes have been incorporated across multiple affordable housing rounds, with many providers participating in more than one round. The projects listed contribute a total of 27 bedrooms toward the municipality's Fourth Round affordable housing obligation, highlighting a continued investment in inclusive and supportive residential opportunities.

Table 20

Group Home Projects						
<u>Block</u>	<u>Lot</u>	<u>Provider</u>	<u>No. of Bedrooms</u>	<u>Prior Round</u>	<u>Third Round</u>	<u>Fourth Round</u>
22	25	Eden Acres	6	4	2	2
28.03	6	Eden Acres	4	4	-	-
25.06	42	Eden Acres	4	4	-	-
28.08	2	Eden Autism	4	-	4	-
28.01	2	Eden Autism	4	-	4	4
3.44	1.01 C0615	Eden Autism	2	-	2	-
30	24	Eden Autism	4	-	4	-
6	23	Community Options	4	4	-	-
3.01	6.18 C191	Community Options	2	2	-	-
5	11	Advancing Opportunities	4	4	-	-
34	9	Arc Mercer	4	-	4	-

28.10	8	Arc Mercer	4	4	-	-
5	2.02	Serv	4	-	4	-
5	2.02	Serv	52	28	24	-
5	25.02 C131	Community Options	2	-	-	2
8.01	58	Eden	5	-	-	5
8.01	58	Eden		28	24	
8.04	11	Eden	4	-	-	4
5.02	1	Arc Mercer	6	-	-	6
28.12	6	Hillside Development	4	-	-	4
Total Fourth Round						27

3. Creditworthiness of Existing Affordable Housing Units

The Township of Robbinsville has continued to utilize the State's Affordable Housing Monitoring System (AHMS, formerly CMT), in accordance with the requirements of the Fair Housing Act and recent amendments under P.L. 2024, c.2. The Township remains in full compliance with its statutory obligations related to the reporting of affordable housing unit activity and Affordable Housing Trust Fund revenues and expenditures. Robbinsville will continue to use this State-administered system as the primary method for meeting its annual reporting requirements and ensuring transparency and accountability in the administration of its affordable housing program.

4. Compliance Analysis

The Township of Robbinsville has consistently demonstrated a commitment to advancing the development of affordable housing. This Housing Element and Fair Share Plan outlines the comprehensive strategies and mechanisms the Township will implement to fulfill its cumulative affordable housing obligation.

5. Very Low / Low / Moderate Income Requirements

In accordance with the amended Fair Housing Act (P.L. 2008, c.46), municipalities are required to ensure that a minimum of 13% of all affordable housing units approved and constructed (or planned for construction) after July 17, 2008, are reserved for very low-income households. Furthermore, under the most recent amendment to the Fair Housing Act (P.L. 2024, c.2), codified at N.J.S.A. 52:27D-329.1, at least 50% of the very low-income units intended to fulfill Fourth-Round Prospective Need must be designated for families with children. To meet these obligations, the Township will incorporate deed restrictions into any development or redevelopment agreement involving affordable housing to ensure that units are made available to households earning no more than 30% of the area median income. Additionally, subject to the availability of affordable housing trust funds, the Township may allocate resources through its Spending Plan to support small-scale developers in

delivering very low-income units. The specific terms of such financial support will be outlined in individual developer or redeveloper agreements.

6. Preservation of Multigenerational Family Continuity

Pursuant to the amended Fair Housing Act, the Housing Element and Fair Share Plan must include an analysis of how municipal ordinances and local factors support or hinder the goal of preserving multigenerational family continuity, as outlined in the recommendations of the Multigenerational Family Housing Continuity Commission (P.L.2021, c.273; N.J.S.A. 52:27D-329.20). The Commission's stated objective is to enable senior citizens to remain in the homes of extended family members, thereby strengthening multigenerational living arrangements.

As of April 2025, the Commission has not issued formal recommendations. Nonetheless, a review of the Robbinsville Land Use Ordinance indicates that the municipality supports this goal. The Township defines "family" in the Land Use Ordinance as: "One or more persons related by blood, marriage, civil union, domestic partnership, adoption or guardianship, or not more than six persons not so related occupying a dwelling unit and living as a single housekeeping unit." This definition clearly permits senior citizens to reside with younger generations. Accordingly, the Township's Ordinance advances, rather than detract from, multigenerational family continuity.

7. Mandatory Set Aside Ordinance

The Mandatory Set Aside Ordinance adopted and included as Exhibit F in the Third-Round HEFSP will be repealed due to the unintended consequences of such ordinance. More specifically, there are occasions where prospective residential housing developers retreated from pursuing projects due to the requirements of the ordinance. Had those developments been permitted to move forward without an affordable housing set aside but rather a contribution, much needed infusions into the Affordable Housing Trust Fund would have been realized. As such, in accordance with the agreement reached with Fair Share Housing Center, the Ordinance will be repealed.

8. Development Fee Ordinance

Robbinsville first adopted its development fee ordinance in 2011, with the most recent amendment adopted in 2017 (refer to Appendix I). The ordinance is codified at §142-96 of the Township Code. It authorizes the collection of residential development fees equal to 1.5% of the equalized assessed value of new residential construction and additions, and non-residential development fees equal to 2.5% of the equalized assessed value of new non-residential construction and additions. Once the New Jersey Department of Community

Affairs (DCA) and the New Jersey Housing and Mortgage Finance Agency (HMFA) finalize their proposed rule changes—anticipated no earlier than June 30, 2025—the Township will prepare an updated development fee ordinance. This revised ordinance will be consistent with the forthcoming regulations under N.J.A.C. 5:99, the expected 2025 updates to the Uniform Housing Affordability Controls (UHAC), any applicable Council on Affordable Housing (COAH) rules not superseded by the new DCA or UHAC regulations, and will also reflect the terms of the court-approved Third-Round agreement with the Fair Share Housing Center (FSHC).

9. Spending Plan

Following the finalization of rule proposals by the New Jersey Department of Community Affairs (DCA) and the New Jersey Housing and Mortgage Finance Agency (HMFA)—which is not expected prior to June 30, 2025—the Township will develop an updated Spending Plan. This plan will be prepared in accordance with DCA’s anticipated new regulations under N.J.A.C. 5:99, the forthcoming 2025 amendments to the Uniform Housing Affordability Controls (UHAC), and any existing Council on Affordable Housing (COAH) regulations that remain applicable and are not superseded by the new DCA or UHAC rules. Additionally, the updated Spending Plan will incorporate provisions necessary to comply with the terms of the court-approved Third-Round agreement with the Fair Share Housing Center (FSHC).

The forthcoming Spending Plan will outline projected revenue sources, the process for revenue collection, and the intended allocation of those funds. It will be developed in accordance with the applicable substantive rules. All funds collected will be deposited into the Township’s Affordable Housing Trust Fund and may be utilized to support eligible affordable housing activities, including but not limited to:

- New construction of affordable housing units and related development costs;
- Extensions or improvements of roads and infrastructure directly serving affordable housing development sites;
- Acquisition and/or improvement of land to be used for affordable housing;
- Purchase of affordable housing units for the purpose of maintaining or implementing affordability controls;
- Maintenance and repair of affordable housing units;
- Repayment of municipal bonds issued to finance low- and moderate-income housing activity; and
- Any other activity as specified in the approved spending plan.

A minimum of 30% of development fee revenues – excluding those expended after July 17, 2008, when affordability assistance became a statutory

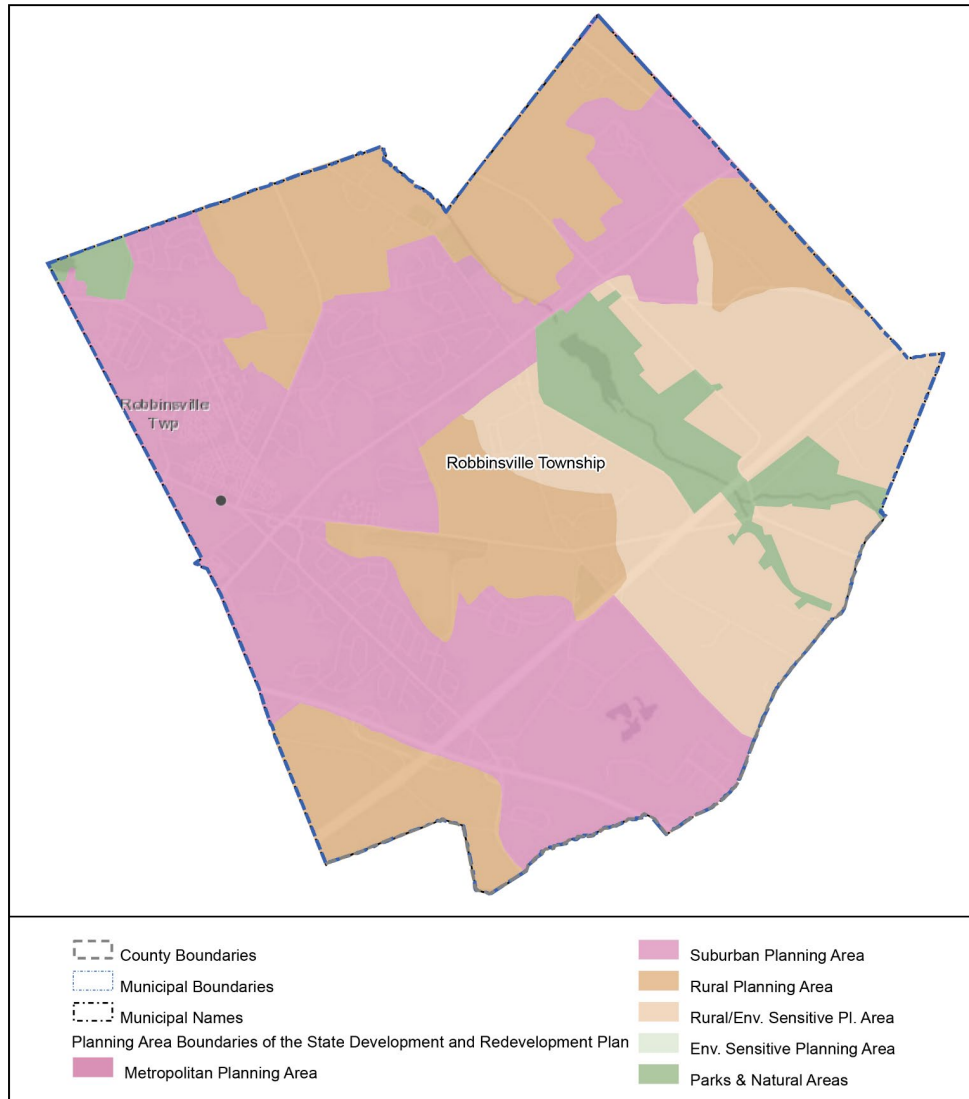
requirement under the Fair Housing Act – must be allocated toward providing affordability assistance for low- and moderate-income households residing in affordable units identified in the municipality's Fair Share Plan. Of that portion, at least one-third must specifically support very low-income households. Additionally, no more than 20% of the annual development fee revenue may be used for administrative purposes. This includes, but is not limited to, compensation and benefits for municipal staff or payments to consultants engaged in the preparation or implementation of rehabilitation programs, new construction initiatives, housing elements and fair share plans, or affirmative marketing strategies. It should be noted that the 30% affordability assistance requirement may be subject to change, pending adoption of new regulations currently under consideration by the New Jersey Department of Community Affairs (DCA) or the New Jersey Housing and Mortgage Finance Agency (HMFA). The Township will comply with any revisions to the applicable legal and regulatory framework once they are enacted.

In order to address the Township's affordability assistance obligation in Round 4, the Township will continue its Emergency Repair/Energy Efficiency Assistance Program for the affordable housing properties in Robbinsville. This helps the current owners of affordable units that would not have the funds necessary to keep their properties up to code. The Township provides loans to currently income eligible owners of affordable properties up to \$20,000 that are interest free, no monthly payments and are forgiven if the homeowner remains in the affordable property for 6 years.

10.State Development and Redevelopment Plan Consistency

This Housing Element and Fair Share Plan aligns with the 2001 State Development and Redevelopment Plan (SDRP) and the draft proposed update. The projects and zoning strategies outlined herein create a realistic opportunity for the development of affordable housing. In accordance with the SDRP, Planning Area 2 (PA2)—the Suburban Planning Area is prioritized for providing much of the state's future development, and concentrating growth in Centers and compact areas. Robbinsville is located within PA2, rendering it a suitable and consistent location for affordable housing development. Advancing affordable housing in PA2 furthers the SDRP's overarching objective of concentrating growth in established centers with existing infrastructure.

The Township of Robbinsville Planning Areas Map



Source: New Jersey Department of State Office of Planning Advocacy Locator Map

11. Consideration of Lands Appropriate for Affordable Housing

The properties identified in this plan, as well as in the previous Housing Element and Fair Share Plan (HEFSP) for the Third-Round, has been determined by the Planning Board—through careful analysis and evaluation—to offer the most viable opportunity for redevelopment into multi-family and mixed-use inclusionary development to help satisfy Robbinsville’s affordable housing obligations.

12. Cost Generation

The Township has reviewed its Land Development Ordinance and related land-use provisions to identify and eliminate any unnecessary cost-generating standards. No such provisions have been identified to date. To ensure continued

compliance, development applications involving affordable housing will be reviewed for consistency with the Township Code, the Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.), the Municipal Land Use Law (N.J.S.A. 40:55D-40.1 through -40.7), and the Fair Housing Act's prohibition on unnecessary cost-generating features.

The Township will comply with the procedural requirements set forth in N.J.A.C. 5:93-10.1(a) and (b), as well as with N.J.A.C. 5:93-10.3 and -10.4 concerning special studies and escrow accounts for development applications containing affordable housing.

13. Monitoring

Pursuant to the requirements set forth in N.J.S.A. 52:27D-329.2 and 329.4, as amended by P.L. 2024, c.2, the Municipality will submit an annual report by February 15 of each year during the Fourth-Round. This report will be filed through the New Jersey Department of Community Affairs' (DCA) newly established Affordable Housing Monitoring System (AHMS). The submission will include a comprehensive accounting of all affordable housing units completed or under construction in the preceding calendar year, along with a record of all residential and non-residential development fees collected, interest accrued, and other revenues deposited into Township's Affordable Housing Trust Fund during that period. The Township will also provide a detailed report on all expenditures from the trust fund, including specific amounts, purposes, and the remaining fund balance as of December 31 of the prior year.

Additionally, the Township—or any other interested party—may initiate a realistic opportunity review through the AHMS Program at the midpoint of the Fourth-Round certification period. Public notice will be required, and the review will include an evaluation of any inclusionary development site listed in this Housing Element and Fair Share Plan that has not received preliminary site plan approval by the midpoint of the 10-year cycle. In the event such a review is initiated, the Township may identify and propose one or more alternative sites, along with detailed development plans, that offer a realistic opportunity to deliver the same number of affordable units and meet the standards of the Fair Housing Act and Mount Laurel doctrine.

IV. Appendix

A. All Zoning Amendments

B. Affordable Housing Ordinance

C. Set Aside Ordinance

D. Development Fee Ordinance

E. Affirmative Marketing Plan

F. Spending Plan

G. Resolution of Intent

H. Copies of Resolutions

I. 2017 Housing Element Plan

J. 2018 Housing Element Plan

K. Rehabilitation Completion Status Information