



Parsippany Troy Hills

Master Plan Element

Housing Element & Fair Share Plan

June 12, 2025

Township of Parsippany-Troy Hills | Morris County, New Jersey





Community Planning
Land Development and Design
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Housing Element and Fair Share Plan Master Plan

Township of Parsippany-Troy Hills
Morris County, New Jersey

Prepared for the Township of Parsippany-Troy Hills
Planning Board

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Table of Acronyms

Acronym	Meaning
BOCA	Building Officials and Code Administrators
CHAS	Comprehensive Housing Affordability Strategy
CO	Certificate of Occupancy
COAH	Council on Affordable Housing
DCA	Department of Community Affairs
FHA	Fair Housing Act
FHA-2	Fair Housing Act- As Amended
FSHC	Fair Share Housing Center
GDP	General Development Plan
HE&FSP	Housing Element and Fair Share Plan
HUD	Department of Housing and Urban Development
MLUL	Municipal Land Use Law
NJAC	New Jersey Administrative Code
NJSA	New Jersey Statutes Annotated
PTS	Princeton Theological Seminar
RCA	Regional Contribution Agreement

Executive Summary

The following executive summary is offered for the 2025 Township of Parsippany-Troy Hills Housing Element and Fair Share Plan (HE&FSP).

Executive Summary

The following 2025 Housing Element and Fair Share Plan (HE&FSP) of the Master Plan outlines the manner in which the Township of Parsippany-Troy Hills will address its affordable housing obligation. The plan is organized into four sections:

- ❖ Section 1: Introduction and Overview
Section 1 offers an introduction to the plan, as well as background information regarding affordable housing and its history in both the State of New Jersey and the Township of Parsippany-Troy Hills. It also identifies the requirements of a master plan as well as a HE&FSP.
- ❖ Section 2: Housing Element
Next, Section 2 contains the Housing Element. This section provides background data regarding the Township’s physical, demographic, and housing characteristics. It also provides a projection of the Township’s housing stock as well as its capacity to accommodate its overall fair share.
- ❖ Section 3: Fair Share Obligations
Section 3 summarizes the past and present affordable housing obligations of the Township.
- ❖ Section 4: Fair Share Plan
Finally, Section 4 contains the Fair Share Plan which details how the Township will address its Present Need, Prior Round, Third Round, and Prospective Need Obligations.

The Township’s obligations were derived from a variety of different sources, including the former Council on Affordable Housing (COAH), a prior settlement agreement with Fair Share Housing Center (FSHC), and most recently a methodology provided by the Department of Community Affairs (DCA). These obligations are summarized in the table below and on the following pages.

Table 1: Affordable Housing Obligations Summary

Category	Obligation
Prior Round Obligation (1987-1999)	664
Third Round Obligation (1999-2025)	1,314
-Third Round RDP	845
-Third Round Unmet Need	469
Fourth Round Obligation (2025-2035)	496*
Present Need (Rehabilitation) Obligation	138

* The Township received an adjusted allocation of 496 based upon a Superior Court Order Fixing Municipal Obligation dated May 13, 2025.

Prior Round Obligation

The Prior Round Obligation encompasses the years 1987 through 1999. The Township was assigned a Prior Round Obligation of **664 affordable units** which was entirely addressed through a variety of components. These components are summarized in the following table and are discussed in greater detail in Section 4.3.

Table 2: Prior Round Obligation Summary: 664.

Prior Round Compliance Mechanisms	Credits	Bonus	Total	Status
Prior Cycle Credits: 100% Affordable Developments - Completed				
<u>Baldwin Oaks</u> (B 712, L 39) (Rental)-Age Restricted: 250 units	166	N/A*	166	Complete
Alternative Living Arrangements- Completed/Proposed				
<u>ARC</u> (B 202, L 9.06) (Rental) Entin Rd.	6	6	12	Complete
<u>ARC</u> (B 202, L 9.07) (Rental) Entin Rd	6	6	12	Complete
<u>Dept. of Special Ed-Roman Catholic</u> -B 208, L 5 (Rental) Littleton Rd.	5	5	10	Complete
<u>CBH to Homeless Solutions</u> (B 10, L 1.03) (Rental) Ruth Davis Drive	32	32	64	Complete
<u>JSDD of Metrowest</u> (B 446, L 10) (Rental) Pleasant Terrace	5	5	10	Complete
<u>Advancing Opportunities, Inc.</u> (B 518, L 25) (Rental) Hiawatha Blvd.	4	4	8	Complete
<u>Advancing Opportunities, Inc.</u> (B 709, L 27) (Rental) 66 N. Beverwyck Rd.	4	4	8	Complete
<u>Community Hope Inc.</u> (B 174, L 12) (Rental) 639 Tabor Road	6	6	12	Complete
<u>New Bridge & The Rose House</u> (B 168, L 119) (Rental) Moraine Road	4	4	8	Complete
<u>Special Homes NJ & Monarch Associates</u> (B 204, L 1) Littleton Rd.	4	4	8	Complete
<u>The Rose House Corp.</u> -B 497, L 10 (Rental) Knoll Rd.	4	4	8	Complete
<u>Carmela Lunt Corp. Community Hope</u> (B 756, L 5) (Rental) Deauville Dr.	4	4	8	Complete
Regional Contribution Agreement: Newark (294 committed, 269 creditable)	269	N/A	269	
Inclusionary Developments- Completed or Proposed				
Mill Run Apartment (B 15, L 5&6) (Rental)-Route 10	16	16	32	Complete
Palmar Assoc. LLC. (B 450, L 14, 15, 16 & 17) (For sale)-Interval Road (2 available, 1 applied)	1	0	1	Complete
Weichert- Johnston Road- B 200, L 8 (Rental) (19 total available, 14 applied)	14	14	28	Approved
Total- (Prior Round Credit Summary and Surplus (Age Restricted) (250-166=84)	550	114	664	

Third Round Obligation

The Third Round Obligation encompasses the years 1999 through 2025. Pursuant to a Settlement Agreement between Parsippany-Troy Hills and FSHC and approved by the Court, the Township's Third Round need allocation was 1,314 units although the Township sought and was granted a vacant land adjustment resulting in a Third Round Realistic Development Potential (RDP) obligation of 845 units and a total Unmet Need of 469 units.

This RDP obligation is largely satisfied through a variety of components both existing, proposed and as modified herein to address a few programs that have not been effectuated. As shown, these components comprise a total of 634 units and 211 bonus credits applied. These components are summarized in the following table and are discussed in greater detail in Section 4.4.

Table 3: Third Round Components RDP 845 Obligation

Plan Component	Credits	Bonus	Total	Status
Prior Cycle Surplus Credits from Prior Round				
Baldwin Oaks- B 712, L 39 (Rental)	84	N/A	84	Complete
Brookside- B 412, L 15 (Rental)	127	N/A	127	Complete
Prior Cycle Credits: Alternative Living Arrangements- Completed				
Cheshire (B 484, L 8.01) (Rental)- North Beverwyck Road	6	N/A*	6	Complete
<u>ARC</u> (B 601, L 1) (Rental)- Hiawatha Blvd.-Prior Cycle	4	N/A*	4	Complete
Applicable Units Built and/or Approved in Third Round				
700 Mountain Way- B 14, L 9, 9.1&10 (Rental)	15	15	30	Complete
Palmar Assoc. LLC. (B 450, L 14, 15, 16 & 17) (For sale)-Interval Road (2 total, 1 available from Prior Round)	1	0	1	Complete
Special Homes of New Jersey- B 129, L 6 (Rental) Glenwood Place	4	4	8	Complete
Market to Affordable- Completed				
Habitat for Humanity. (B 528, L 1.1) (Ownership) (2002)	1	0	1	Complete
Inclusionary Developments- Zoned and Under Construction				
Stanberry Parsippany LLC. - B 200, L 1.02 (Rental)	67	34	101	Construction
Mack Cali-aka Avalon Residential B 202, L 3.12 & 3.20 (Rental)	82	82	164	Construction
Westmount Plaza- B 698, L 15.2 (Rental)	63	63	126	Zoned
PARQ aka Lanidex- Block 392 Lots 1 and 2, (Rental) 120 total AH units approved, 74 applied +12 rental bonus**	74	12*	76	Zoned, Approved,

Plan Component	Credits	Bonus	Total	Status
				under Construction
Weichert- Johnston Road- B 200, L 8 (Rental) (19 total, 5 available from Prior Round)	5	-	5	Approved
Lexica-aka SJP MC VI- Cherry Hill Road- B 136, L 44 & 76 (Rental)	65	-	65	Constructed
Proposed-Alternative Living Arrangements				
Community Options: B 741, L 58 (Rental) Normandy Drive	4	-	4	Complete
Community Options: 4 sites: (Rental) Ferncliff Rd, Maplewood Dr, Norman Ave & N Beverwyck Rd	16	-	16	Completed
Allies and Mental Health Assoc to replace planned Advancing Opportunities, Inc.: 2 sites (Rental)	8	-	8	Completed
Avidd Community Services of NJ: B 598, L 12 (Rental) Minnehaha Blvd.	4	-	4	Complete
Avidd Community Services of NJ: B 30, L 3.02 (Rental) Circle Drive.	4	-	4	Complete
Totals:	634	211	845	Required 845

*Bonus cap of 25% of 845 reached.

**This development was formerly an overlay zone to address unmet need, it is being reallocated to the Third Round RDP to replace developments and programs that are no longer viable since it has received preliminary and final site plan approval and has been partially constructed in the Third Round.

The 2019 HE&FSP also identified numerous plan components to address Parsippany Troy Hills Third Round Unmet Need of 469 units. These plan components are summarized in Section 4.4 .

Fourth Round Obligation

Governor Murphy signed the A-40/S-50 Bill into law on March 20, 2024 after the Senate and Assembly adopted it. This legislation (FHA-2) amended the Fair Housing Act (FHA or the Act) by abolishing COAH and created a new process that involved the creation of a new entity known as the Affordable Housing Dispute Resolution Program (the Program), as well as the DCA and the Administrative Office of the Courts (AOC).

FHA-2 directed the DCA to calculate the Present Need (also referred to as the Rehabilitation obligation) and the Prospective Need (also known as the new construction obligation) for Round Four based upon the standards set forth in the Act. The DCA issued its report on October 18, 2024, and, in accordance with the Act, made clear that the obligations generated by the report were advisory only and non-binding. For Parsippany Troy Hills, the DCA Report identified a Present Need of 138 and a Prospective Round Four Need of 553.

Since the DCA report is non-binding, each municipality had the opportunity to study and define why its obligations should be different based on the standards in the Act. The

Township conducted such an analysis and determined that the DCA had made oversights in the Land Capacity Factor calculation, which is part of the formula that determines fair share obligations. The Township adopted a binding resolution on January 11, 2025 which committed to the 138-unit Present Need obligation identified by DCA, but identified a reduced Prospective Need obligation of 496 units due to the Township's assessment of errors in DCA's report pertaining to Parsippany Troy Hills Land Capacity Factor. Ultimately, the Township's Prospective Need obligation was established at **496 affordable units** by a trial court order issued on May 13, 2025.

The January 11, 2025 resolution further noted that the Township reserved the right to seek an adjustment of its Fourth Round Prospective Need number based upon a lack of vacant, developable and suitable land. Since the time of the Third Round HE&FSP, the Township entered into compliance with the Highlands Council-Planning Area. Accordingly, the Township undertook a detailed Vacant Land Analysis using the Highlands Build Out Analysis and an analysis of numerous redevelopment proposals to determine if there were any changed circumstances since the 2019 HE&FSP that would warrant a recalibration of Parsippany Troy Hills RDP. At this time, the Township concludes the Highlands Build Out analysis did not identify any additional parcels that were not included in the Third Round Vacant Land Analysis. Although the Township has 7 properties representing a changed circumstance requiring a Fourth Round RDP obligation. Together, these 7 properties generate a total Fourth Round RDP obligation of the full 496 units.

The Township proposes to address its **496 Fourth Round RDP** obligation via new contemplated redevelopment areas and infill development, plus eligible bonus credits, as summarized in Table 5 below totaling 496 credits. The components to address this obligation are summarized on the following table and are discussed in greater detail in Section 3.3.

Table 4: Fourth Round Components-496-Unit RDP-Full Obligation

Project Description	Credits	Bonus (25% Max)	Total
Inclusionary Developments - Proposed			
<u>4 Gatehall -Toll Brothers</u> : B 175, L52; 13.66 ac <ul style="list-style-type: none"> Conventional and stacked townhouses 	36	18	54
<u>Parq-Lanidex</u> : B 392, L 1.01, 1.02, 1.03, 1.04; 31.7 ac <ul style="list-style-type: none"> AIN-Mixed Use multifamily development. 	120	60	180
<u>3081 Route 46 Bixmor Redevelopment Mixed Use</u> : B 411 , L 31.1; 18.4 ac <ul style="list-style-type: none"> AIN Mixed Use-multifamily residential development 	78	39	117
<u>909-Parsippany Boulevard-Embassy Suites KRE</u> : B 420, L2 <ul style="list-style-type: none"> Adaptive Re-Use-Multifamily residential development 	42	7 (cap)	49
<u>400 Interpace- P3 Properties</u> : B 136, L43.5; 27.3 ac <ul style="list-style-type: none"> Mixed Use-Office-Multifamily residential development 	40	-	40
<u>1 Upper Pond Road</u> : B 13, L 43.4; 16 ac <ul style="list-style-type: none"> Stacked and conventional townhouses 	31	-	31
<u>1855 US 46- Cerbo Lumber Property 1855 US 46, LLC-Shree</u> <ul style="list-style-type: none"> Multifamily residential development 	25	-	25
Total	372	124	496
Remaining Need in Fourth-Round			0

Section 1: Introduction and Overview

The following section offers an introduction to the Township of Parsippany-Troy Hills 2025 Housing Element and Fair Share Plan. It provides background information regarding affordable housing and its history in both the State of New Jersey and the Township of Parsippany-Troy Hills. It also identifies the requirements of a master plan as well as a Housing Element and Fair Share Plan.

1.1: What is Affordable Housing?

Affordable housing is income-restricted housing that is available for sale or for rent. Typically, affordable housing is restricted to very-low, low-, and moderate-income households. These categories are derived from median regional income limits established for the state. New Jersey is delineated into six different affordable housing regions. Parsippany-Troy Hills is located in Region 4 which includes Morris, Monmouth, and Ocean Counties.



Regional income limitations are updated every year, with different categories established for varying household sizes. The table below identifies the 2024 regional income limits by household size for Region 2. As shown, a three-person family with a total household income of no greater than \$97,440 could qualify for affordable housing in the Township's region.

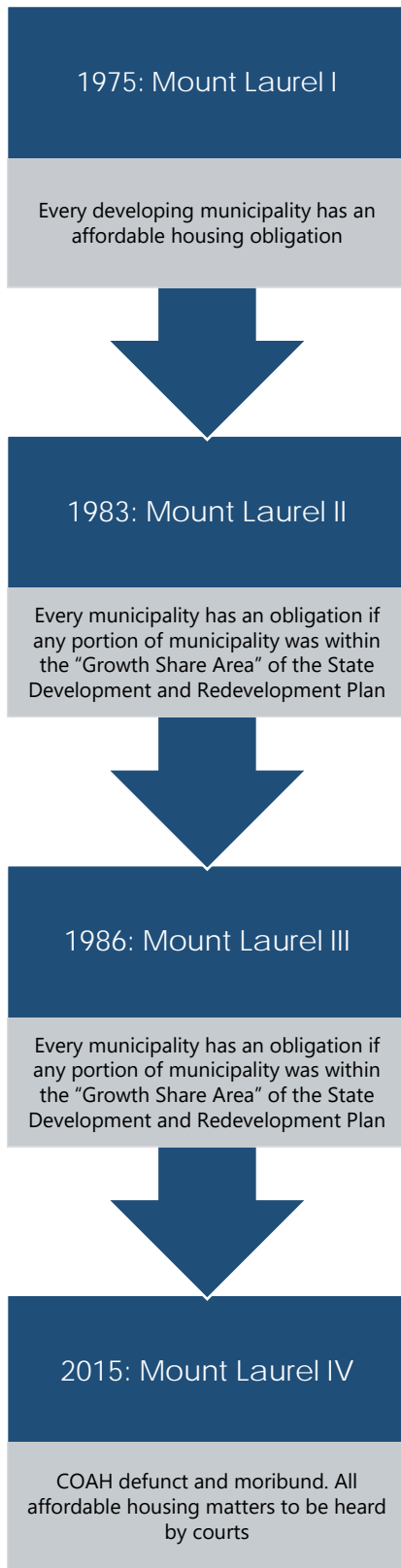
Table 5: 2025 Affordable Housing Region 2 Income Limits by Household Size

Income Level	1 Person	2 Person	3 Person	4 Person
Median	\$94,800	\$108,300	\$121,800	\$135,300
Moderate	\$75,840	\$86,640	\$97,440	\$108,240
Low	\$47,400	\$54,150	\$60,900	\$67,650
Very-Low	\$28,440	\$32,490	\$36,540	\$40,590

Source: UHAC 2025 April 29, 2025 NJHMFA

One of the most common forms of affordable housing is inclusionary development, in which a certain percentage of units within a multifamily development are reserved for affordable housing. Affordable housing can be found in a variety of other forms, including but not limited to: one hundred percent affordable housing developments, deed-restricted accessory apartments, assisted living facilities, alternating arrangements such as supportive housing or group homes, and age restricted housing.

1.2: History of Affordable Housing



The history of affordable housing in New Jersey can be traced back to 1975, when the Supreme Court first decided in *So. Burlington Cty. NAACP v. Township of Mount Laurel* (known as Mount Laurel I) that every developing municipality throughout New Jersey had an affirmative obligation to provide for its fair share of affordable housing. In a subsequent decision in 1983 (known as Mount Laurel II), the Court acknowledged that the vast majority of municipalities had ignored their constitutional obligation to provide affordable housing.

Accordingly, the Court refined this obligation to establish that every municipality had an obligation, although those within the growth area of the State Development and Redevelopment Plan (SDRP) had a greater obligation. The Court also called for the state legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. The result of this decision was the adoption of the Fair Housing Act in 1985 as well as the creation of the New Jersey Council on Affordable Housing (COAH), which became the state agency responsible for overseeing the manner in which New Jersey's municipalities address their low and moderate income housing needs.

COAH proceeded to adopt regulations for the First Round obligation, which covered the years 1987 to 1993. It also established the Second Round housing-need numbers that cumulatively covered the years 1987 through 1999. Under both the First and Second Rounds, COAH utilized what is commonly referred to as the "Fair Share" methodology.

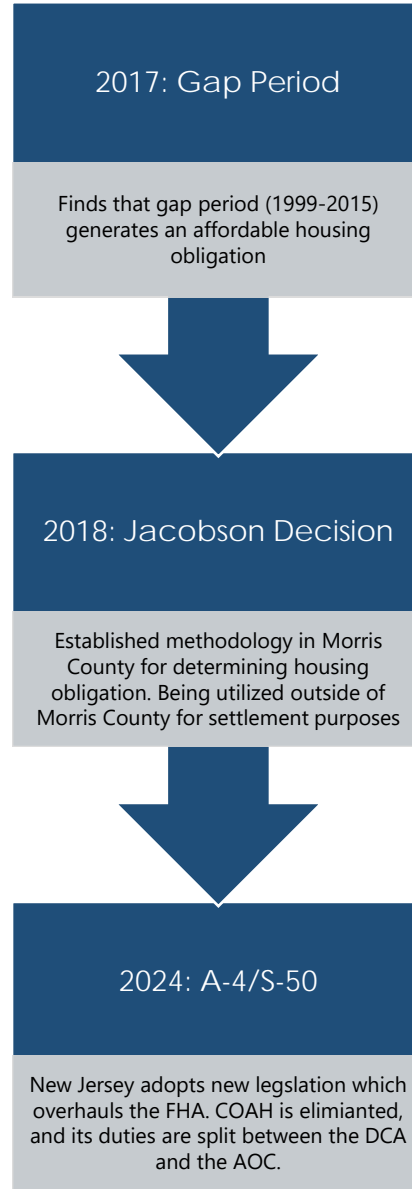
COAH utilized a different methodology, known as "Growth Share," beginning with its efforts to prepare Third Round housing-need numbers. The Third Round substantive and procedural rules were adopted in 2004.

However, these regulations were challenged and in January 2007, the Appellate Division invalidated various aspects of them and remanded considerable portions of the rules to COAH with the directive to adopt revised regulations.

In May 2008, COAH adopted revised Third Round regulations which were published and became effective on June 2, 2008. Coincident to this adoption, COAH proposed amendments to the rules they had just adopted, which subsequently went into effect in October 2008. These 2008 rules and regulations were subsequently challenged again, and in an October 2010 decision the Appellate Division invalidated the Growth Share methodology and also indicated that COAH should adopt regulations pursuant to the Fair Share methodology utilized in Rounds One and Two. The Supreme Court affirmed this decision in September 2013, which invalidated much of the third iteration of the Third Round regulations and sustained the invalidation of Growth Share. As a result, the Court directed COAH to adopt new regulations pursuant to the methodology utilized in Rounds One and Two.

Deadlocked with a 3-3 vote, COAH failed to adopt revised Third Round regulations in October 2014. Fair Share Housing Center (FSHC), who was a party in both the 2010 and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015 and issued its ruling on March 20, 2015. The Court ruled that COAH was effectively dysfunctional, and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had originally been prior to the creation of COAH in 1985.

This 2015 Court decision created a process in which municipalities may file a declaratory judgment action seeking a declaration that their HE&FSP is constitutionally compliant and receive temporary immunity from affordable housing builders' remedy lawsuits while preparing a new or revised HE&FSP to ensure their plan continues to affirmatively address their local housing need as may be adjusted by new housing-need numbers promulgated by the court or COAH.



Subsequently, the Supreme Court ruled on January 18, 2017 that municipalities are also responsible for obligations accruing during the so-called “gap period,” the period of time between 1999 and 2015. However, the Court stated that the gap obligation should be calculated as a never-before calculated component of Present Need, which would serve to capture Gap Period households that were presently in need of affordable housing as of the date of the Present Need calculation (i.e. that were still income eligible, were not captured as part of traditional present need, were still living in New Jersey and otherwise represented a Present affordable housing need).

On March 20, 2024, the State of New Jersey adopted a package of affordable housing bills which overhauled the Fair Housing Act. This legislation ultimately eliminated COAH and split its duties and functions between the Department of Community Affairs (DCA) and the Administrative Office of the Courts (AOC).

The DCA was designated by the legislation as the entity responsible for calculating the state’s regional needs as well as each municipality’s present and prospective fair share obligations pursuant to the Jacobson Decision. However, the legislation makes clear that these numbers are advisory and that each municipality must set its own obligation number utilizing the same methodology. Meanwhile, the Affordable Housing Dispute Resolution Program (the “Program”) within the AOC is tasked to handle any disputes regarding affordable housing obligations and plans.

1.3: The Township's Historic Responses

Parsippany-Troy Hills has a long history of substantial voluntary compliance with the Mount Laurel doctrine. The Township's initial effort to address its Mount Laurel obligation was set forth in the 1991 Housing Plan, whereby Parsippany-Troy Hills addressed its low- and moderate-income housing obligation of 1,028 dwelling units through a mix of inclusionary development, credits for previously constructed lower-income housing, rehabilitation, and participation in a Regional Contribution Agreement (RCA) with the City of Newark.

Following the 1991 Plan, the Council on Affordable Housing (COAH) adopted adjusted first and second round housing need numbers requiring the Township to provide for 727 affordable housing units, including 664 new construction units and 63 rehabilitation units. The Township prepared and submitted for certification a Housing Element and Fair Share Housing Plan dated March 7, 1995. By COAH resolution dated August 7, 1996, the Township received second round substantive certification of its Housing Element and Fair Share Plan.

To address the Township's Third Round obligation, COAH adopted new substantive (N.J.A.C. 5:94) and procedural rules (N.J.A.C. 5:95) for the period beginning December 20, 2004, changing its methodology from a "fair share" formula to a "growth share" formula. At the same time, COAH readjusted all municipal first and second round housing-need new-construction numbers. Parsippany-Troy Hills' previous 664 unit first and second round new construction obligation was reduced to 439 units. A 48-unit rehabilitation share was also assigned to the Township at that time.

As detailed in the Third Round Housing Plan adopted on November 29, 2005, the Township's third round "growth share" affordable housing obligation was projected to be 315 units, consisting of a 267-unit growth share obligation for the period between 2004 and 2014 and 48 rehabilitation units. At that time, Parsippany-Troy Hills had addressed 41 of its 48-unit rehabilitation obligation and identified that they would continue to participate in the rehabilitation of units to meet its obligation.

Parsippany-Troy Hills received extended substantive certification for their second-round plan from COAH on July 27, 2005. On December 16, 2005, the Township petitioned COAH for Third Round substantive certification with its plan dated November 29, 2005. This plan was never certified by COAH as in 2007 the Appellate Division issued an opinion on challenges to COAH's Third Round rules, and affirmed in part, reversed in part, and remanded the matter to COAH for adoption of revised rules in conformance with its decision. In *re* N.J.A.C. 5:94 & 5:95, 390 N.J. Super. 1 (App. Div.), cert. denied, 192 N.J. 71-72 (2007).

In 2008, COAH adopted revised Third Round rules to address the 2007 court decision. On June 7, 2010, the Township filed a petition for substantive certification with COAH in accordance with its revised Third Round obligations. Later in 2010, the Appellate Division again invalidated COAH's revised Third Round rules, including the "growth share"

methodology that COAH had promulgated in 2007 to determine municipalities' fair share affordable housing obligations. In re N.J.A.C. 5:96 & 5:97, 416 N.J. Super. 462 (App. Div. 2010), aff'd as modified, 215 N.J. 578 (2013). On September 26, 2013, the Court affirmed the Appellate Division's decision striking down COAH's Third Round rules and ordered COAH to promulgate new regulations in accordance with its first and second round regulations. In re N.J.A.C. 5:96 & 5:97, 416 N.J. Super. 462 (App. Div. 2010), aff'd as modified, 215 N.J. 578 (2013).

Parsippany-Troy Hills Township updated its previous 2008 Housing Plan in accordance with the New Jersey Supreme Court's March 10, 2015 decision. Ultimately, a Settlement Agreement was signed between the Township and the Fair Share Housing Center (FSHC) on April 11, 2019. On June 21, 2019, Superior Court Judge Honorable Michael C. Gaus J.S.C. entered an Order on July 24, 2019, approving the FSHC Settlement Agreement. The Settlement Agreement identified an adjustment to the Township's Third round Prospective Need to a Realistic Development Potential (RDP) of 857 units, later revised to 845 units. Leaving a balance of 469 units as what is termed "Unmet Need".

In response to the new legislation adopted by the State of New Jersey in March of 2024, the Township initially adopted Resolution #R2025-049 on January 21, 2025 which established its affordable housing obligations for the Fourth Round. While the Township accepted the methodology utilized by the DCA in determining its Prospective Need Obligation, it offered several adjustments to ensure the data utilized by the DCA was correct in determining this need. These corrections initially altered the Township's Prospective Need Obligation from 553 to 496 affordable units.

The Township received an objection regarding its calculated Prospective Need from The Builders Association. Following the settlement conferences conducted by the Program, the Township received a Superior Court Order of Hon. Janine M Allen, J.S.C. on May 13, 2025 establishing a Prospective Need Obligation of **496**. See Appendix A for a copy of this Order.

1.4: Overview of a Master Plan

The Municipal Land Use Law (MLUL), which serves as the guiding legal document for planning and zoning throughout the State of New Jersey, identifies a master plan as "...a composite of one or more written or graphic proposals for the development of the municipality as set forth in and adopted pursuant to section 19 of P.L. 1975, c.291 (C.40:55D-28)."

In other words, a master plan is a comprehensive, long-term strategic document which is intended to guide the growth and development of a community. It is a roadmap, one which identifies where a municipality presently is and where it wishes to be in the future. A master plan develops the general parameters around which development is to occur and, specifically, where different types of development should occur. By doing so, a master plan links a municipality's land use vision to its existing and proposed zoning regulations.

Master plans therefore provide municipalities with the legal basis to control development through the adoption of land use ordinances which are designed to implement its goals, policies, and recommendations. As per the MLUL, a Planning Board must reexamine its master plan at least once every ten years in order to ensure it is timely and effective.

As established by NJSA 40:55D-28 of the MLUL, the planning board is the designated entity responsible for the preparation and adoption of a master plan. A master plan must be adopted at a public hearing after proper public notice, thus ensuring that the community has an opportunity to contribute, ask questions, and offer recommendations.

The MLUL further identifies the mandatory contents of a master plan, which include:

- ❖ A statement of objectives, principles, assumptions, policies, and standards upon which the constituent proposals for the physical, economic, and social development of the municipality are based;
- ❖ A land use plan, and;
- ❖ A recycling plan, and;
- ❖ A housing plan.

The Township's last reexamination report and the subject of this reexamination was prepared by Burgis Associates, Inc., adopted by the Planning Board on July 25, 2019. It included a reexamination of the Township's 1979 and 1985 Master Plans and the 2002 and 2008 Master Plan and Development Regulations Periodic Reexamination Report. The 2019 reexamination report revised some of the goals and objectives in the previous plans and report.

The Township of Parsippany-Troy Hills adopted Master Plans in 1979 and 1985 to meet the requirements of New Jersey's new MLUL legislation adopted by the State in 1975. Since then, the Township has prepared and adopted several Master Plan Reexamination Reports including 2002, 2008, 2019 and the most recent in 2022.

1.5: Overview of a HE&FSP

A Housing Element and Fair Share Plan (HE&FSP) serves as the blueprint for how a municipality will address its fair share of affordable housing. It is designed to help a community broaden the accessibility of affordable housing.

While technically a discretionary component of a municipal master plan, a HE&FSP is nevertheless an effectively obligatory plan element. As established by NJSA 40:55D-62.a of the Municipal Land Use Law (MLUL), a municipality must have an adopted HE&FSP in order to enact its zoning ordinance. Thus, from a public policy perspective, a HE&FSP is an essential community document. Moreover, without a HE&FSP, a municipality may be susceptible to a builder's remedy lawsuit in which a developer could file a legal action to have a specific piece of property rezoned to permit housing at higher densities than a municipality would otherwise allow or in areas not planned for housing, provided a certain percentage of units are reserved as affordable.

The Fair Housing Act (FHA), which was adopted in 1985 and has been amended multiple times since then, establishes the required components of a HE&FSP. These are summarized as follows:

1. 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;
2. 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;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. 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;
6. A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and 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;
7. 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;
8. For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands conforming municipalities;
9. 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.

Section 2: Housing Element

The following section provides background data regarding the Township's physical, demographic, and housing characteristics. It also offers a projection of the Township's housing stock as well as its capacity to accommodate its overall fair share.

Information Regarding Data Sources

The information contained in Section 2.2 entitled "Demographic Changes," Section 2.3 entitled "Housing Demographics," Section 2.4 entitled "Employment Demographics," and Section 2.5 entitled "Employment Projections" was obtained from a variety of publicly available data sources. These are summarized below:

- 1. United States Decennial Census**

The US Census is described in Article I, Section 2 of the Constitution of the United States, which calls for an enumeration of the people every ten years for the apportionment of seats in the House of Representatives. Since the time of the first Census conducted in 1790, it has become the leading source of data about the nation's people and economy. Please note that all incomes reported in the Census are adjusted for inflation.
- 2. American Community Survey (ACS)**

The American Community Survey is a nationwide ongoing survey conducted by the US Census Bureau. The ACS gathers information previously contained only in the long form version of the decennial census, such as age, ancestry, educational attainment, income, language proficiency, migration, disability, employment, and housing characteristics. It relies upon random sampling to provide ongoing, monthly data collection. Please note that all incomes reported in the ACS are adjusted for inflation.
- 3. New Jersey Department of Health**

The New Jersey Department of Health is a governmental agency of the State of New Jersey. The department contains the Office of Vital Statistics and Registry, which gathers data regarding births, deaths, marriages, domestic partnerships, and civil unions.
- 4. New Jersey Department of Community Affairs (DCA)**

The New Jersey Department of Community Affairs is a governmental agency of the State of New Jersey. Its function is to provide administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses, and individuals to improve the quality of life in New Jersey.
- 5. New Jersey Department of Labor and Workforce Development**

The New Jersey Department of Labor and Workforce Development is a governmental agency of the State of New Jersey. One of its roles is to collect labor market information regarding employment and wages throughout the state.

2.1: Community Overview

The Township of Parsippany-Troy Hills is located within the northeasterly portion of Morris County. It is bounded by the Municipality of Township of Plainsboro and Cranbury to the north, the Monroe and Millstone Township to the east and southeast, the Township of Robbinsville to the south, the Township of West Windsor to the west.

Parsippany-Troy Hills has a total area of approximately 26.27 square miles, making it the third largest municipality in Morris County. The landscape of Parsippany-Troy Hills is a diversified one, and consists of well-established single-family and multi-family neighborhoods, concentrations of local business and regional commercial corridors, and large swaths of open space serving the region.

The total land area of the Township, excluding roadways and streets is 12,864 acres. The Township currently contains 16,014 parcels. The majority of the Township is primarily characterized by residential development. In fact, over 4,201.6 acres of the municipality's total land area, (40.4%) consists of residential uses. Single-family residential accounts for the bulk of this majority, accounting for 32.6% of the Township's total land area. Multi-family residential developments are less common, comprising 995.7 acres, or 7.7 %, of the Township's total land use area.

Commercial land uses account for a total of 2300 acres, or approximately 17.8 % of the Township's total land use area. Commercial land use constitutes the largest commercial use with 1,872.7 acres and Golf Course & Country Club making up 427.5 acres.

Land uses under the Public/Semi-Public classification comprise the second largest land use category in the Township, accounting for 3,559.1 acres, or 27.6% of the Township's total land area. Semi-public land uses, including places of worship and other non-profit organizations, account for 216.1 acres of the Township's total land area, while schools comprise an additional 296.5 acres. Municipal property makes up most of this category with more than 3,046.5 acres.

The Township also contains 3,311.3 acres of other land uses, or 25.7% of total acres, with vacant making up 205.4 acres, Industrial equaling 407.7 acres, while Utility's makes up 1,176.3 acres. Additionally, Railroad land use makes up less than 20 acres and 1,503.5 acres. Other Exempt land uses account for 11.7% percent of the total acreage of the Township and include preserved Green Acres Open Space.

The Township of Parsippany-Troy Hills is located in the easterly portion of Morris County. It is bounded by eight municipalities, including: the Borough of Mountain Lakes and the Town of Boonton to the north; the Montville Township to the northeast; East Hanover Township to the southeast, Hanover Township to the south, Borough of Morris Plains and Morris Township to the southwest and the Denville Township to the west. Even with the substantial size of the municipality, the Township has experienced such substantial growth over many years resulting in the it being essentially a fully developed community with very little vacant developable land remaining for new development.

The Township contains one Class I rail line known as the Morristown Line of NJ Transit, which is part of the Morris & Essex Lines that traverses the western portion of the Township from North to South

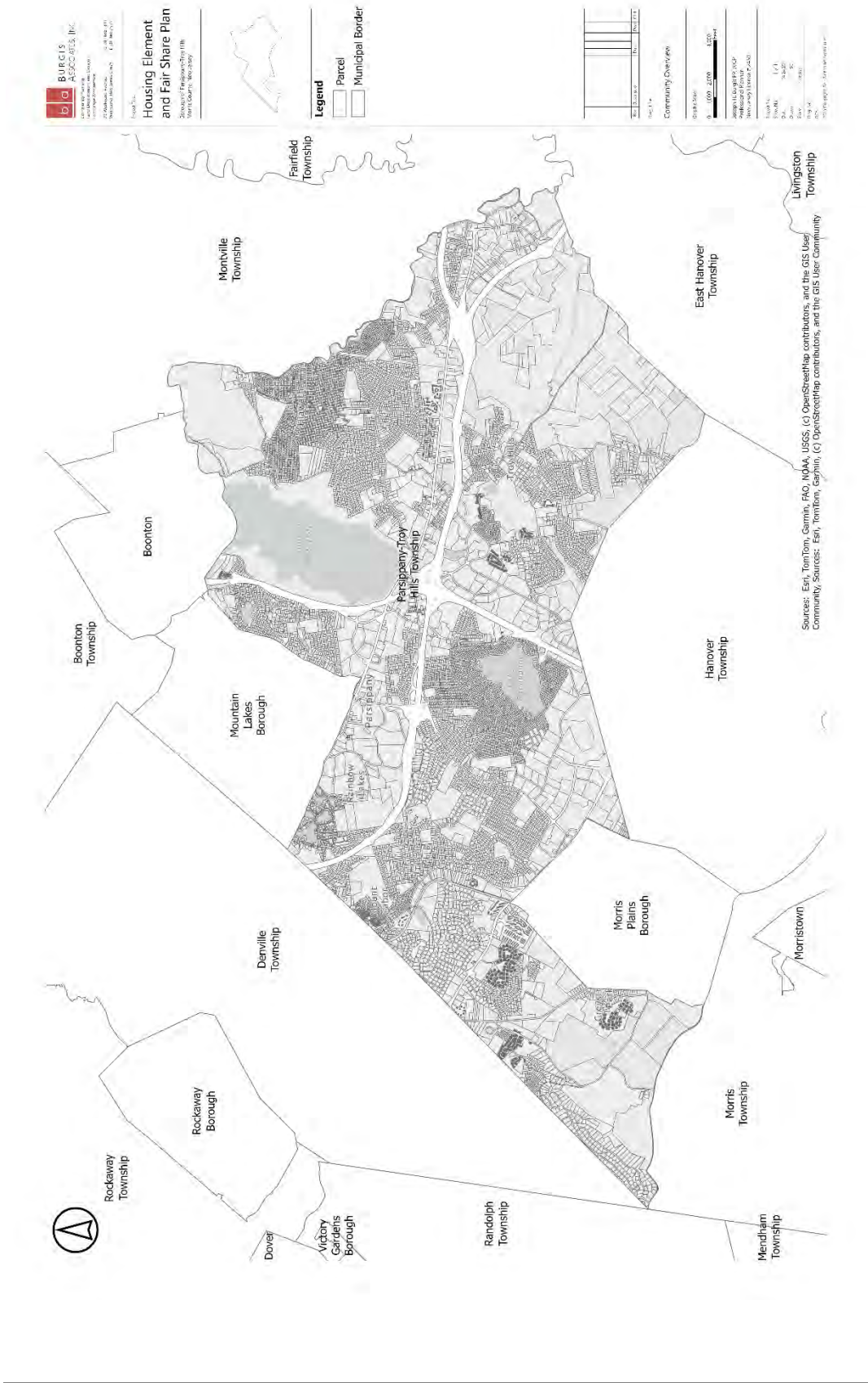
Table 6: Existing Land Uses

Land Use		Acres	% of Total Acres	Parcels	% of Total Parcels
Residential	Residential 1 & 2 Family	4,201.6	32.66%	12,169	75.99%
	Multifamily	995.7	7.74%	2,395	14.96%
Commercial	Commercial	1,872.7	14.56%	682	4.26%
	Golf Course & Country Club	427.5	3.32%	8	0.05%
Public/Semi-Public	Public Property	3,046.5	23.68%	409	2.55%
	Public School	296.6	2.31%	24	0.15%
	Church & Charitable	216.1	1.68%	73	0.46%
Other	Vacant	205.4	1.60%	63	0.39%
	Industrial	407.7	3.17%	73	0.46%
	Utility	1,176.3	9.14%	22	0.14%
	Railroad	18.5	0.14%	2	0.01%
	Other Exempt	1,503.5	11.69%	94	0.59%

Source: ArcGIS Calculations

Regional access to the Township is provided by access to the interstate highway network provided by three interstate highways: I-287 which runs north-south, I-80 which runs east-west. The interchange of I-80 and I-287 is in the center of the Township. The Township also is served by a number of State, and County arterial roads. The principal arterials include U.S. Route 46, which provides an east-west connection, and U.S. Route 202 (Littleton Road), which provides a north-south connection.

Map 1: Community Overview



2.2: Demographic Analysis

Analyzing demographic and population data is a necessary and integral step in planning for the future needs of a community. As such, the following section outlines the demographic changes experienced by the Township of Parsippany-Troy Hills over the past several decades.

This section is an analysis of demographic information is obtained from the 2010 Decennial Census as well as the 2010 and 2023 American Community Survey (ACS) 5-year estimates. The ACS data consists of estimates based upon data averages across a five-year span, otherwise known as “period” estimates. They are not actual counts, rather they are representative of data collected over a period of time and thus may not be directly comparable to decennial census figures. For example, the 2023 ACS includes data collected from 2019, 2020, 2021, 2022 and 2023. The following provides an assessment of population size, rate of population growth, age characteristics, as well as household size and income levels. Each of these items is described in detail below. This information is vital for the Township to carefully plan for the current and future needs of its residents and the community.

Population Changes

The Township experienced a substantial increase in population from 1950 to the 1970s. The boom in the population at that time could be attributable to the increase in housing availability. The Township maintained a steady population total, with a dip in 1980, but despite that reduction there has been consistent population growth ever since 2000. The population slightly increased from 2020 then through the year 2023.

Table 7: Population Growth, 1950-2023

Year	Population	Population Change	Percent Change
1950	15,290	X	X
1960	25,557	10267	67.1%
1970	55,112	29555	115.6%
1980	49,868	-5244	-9.5%
1990	48,478	-1390	-2.8%
2000	50,649	2171	4.5%
2010	52,854	2205	4.4%
2020	52,048	-806	-1.5%
2023	56,072	4024	7.7%

Source: US Census Bureau; 2023 American Community Survey Five-Year Estimate

Age Characteristics

As shown in the age distribution table below, the Township's age characteristics show a slight increase in median age from 40.4 years in 2010 to 42.4 according to the 2023 ACS data. The largest age cohort in 2023 represented 15.0% of the population (35-44 age group), and the largest cohort in 2010 accounted for 18.2% (45-54 age group). The age groups showing declines between the 2010 census and the 2023 ACS data appear to be 5 and under, 5-9, 25-44, 35-44, 45-54, 55-59-year-old cohorts.

Table 8: Age Characteristics, 2010-2023

Age Group	2010		2023	
	Pop	%	Pop	%
Under 5	3103	5.9%	2338	4.2%
5 to 9	3319	6.3%	2969	5.3%
10 to 14	2,736	5.2%	2961	5.3%
15 to 19	2,523	4.8%	2841	5.1%
20 to 24	2,605	4.9%	3347	6.0%
25 to 34	7,794	14.7%	7187	12.8%
35 to 44	8,509	16.1%	8404	15.0%
45 to 54	8,707	16.5%	7713	13.8%
55 to 59	3,858	7.3%	3896	6.9%
60 to 64	2,636	5.0%	4123	7.4%
65 to 74	3910	7.4%	5330	9.5%
75 to 84	2150	4.1%	3623	6.5%
85 +	1004	1.9%	1340	2.4%
Total	52,854	100.0%	56,072	100%
Median Age	40.4		42.4	

Sources: 2010 & 2023 American Community Survey 5-Year Estimates.

Household Type and Size

The data shown on the following table indicates that the breakdown between the share of owner occupied and rental occupied units has remained mainly the same since 2010 with the majority of units being owner occupied. There has been some increase in the number of rental units in the Township and housing vacancies have decreased over this time frame from 4.8% in 2010 to 2.4% in 2023.

Table 9: Owner-Occupied and Renter-Occupied Units, 2010-2023

Category	2010		2023	
	# of Units	%	# of Units	%
Owner Occupied	13,120	61.3%	13,538	58.3%
Renter Occupied	7,233	33.8%	9,118	39.3%
Vacant Units	1035	4.8%	559	2.4%
Total	21,388	100.0%	23,215	100.0%

Source: US Census Bureau; 2023 American Community Survey Five-Year Estimate

The census data shown below presents how the Township's average household size decreased from 2.46 in 2010 to 2.34 in 2023 while the Morris County household size also dipped steadily from 2.85 to 2.79 over the same time period. The total population increased from 2010 to 2023, while the number of households slightly increased over the same span of time.

Table 10: Average Household Sizes, 2010-2023

Year	Total Population	Number of Households	Average Household Size Parsippany-Troy Hills	Average Household Size Morris County
2010	52,854	21,388	2.46	2.85
2023	56,072	23,215	2.34	2.79

Sources: 2010 & 2023 American Community Survey 5-Year Estimates.

Income and Poverty

The following data from the 2010 census and the 2023 ACS indicates that the median household income in Parsippany-Troy Hills increased more than 31% from 2010 to 2023 increasing from \$85,760 to \$112,923. The Township household median income in 2023 was higher than both Morris County at \$96,152 and New Jersey as a whole at \$99,781.

Furthermore, household incomes have generally continued to rise throughout the Township since 2010. This is particularly evident in upper-tier incomes. In 2010, an estimated 20.6% of all households had a household income of \$150,000 or more. By

2023, this percentage is estimated to have increased to more than one third (35.7%) of the population.

Overall, the Township’s poverty rates as both a percentage of population and as a percentage of families is lower than both the rates reported by Morris County and New Jersey.

Table 11: Household Incomes, 2010-2023

Income Category	2010*		2023*	
	Number	%	Number	%
less than \$10,000	473	2.3%	927	4.1%
\$10,000 to \$14,999	318	1.6%	209	0.9%
\$15,000 to \$24,999	1055	5.2%	552	2.4%
\$25,000 to \$ 34,999	1407	6.9%	825	3.6%
\$35,000 to \$ \$49,999	1779	8.7%	1220	5.4%
\$50,000 to \$74,999	3934	19.3%	2439	10.8%
\$75,000 to \$99,999	2812	13.8%	3548	15.7%
\$100,000 to \$149,999	4391	21.6%	4858	21.4%
\$150,000 to \$199,000	2116	10.4%	2847	12.6%
\$200,000 or more	2,068	10.2%	5,231	23.1%
Total households	20,353	100.0%	22,656	100.0%
Median Income (Household)	\$85,760		\$112,923	

Source: US Census Bureau; 2010 & 2023 American Community Survey 5-Year Estimates.

Table 12: Income and Poverty, 2023

Income Type	Parsippany-Troy Hills	Morris County	New Jersey
Median Household Income	\$112,923	\$134,929	\$101,050
Median Family Income	\$148,266	\$168,431	\$123,892
Per Capita Income	\$59,526	\$69,226	\$53,118
Poverty Status (Percent of Population)	7.40%	10.80%	9.70%
Poverty Status (Percent of Families)	2.8%	8.20%	9.70%

Source: 2023 American Community Survey Five-Year Estimate

2.3: Housing Demographics

This section of the analysis provides an inventory of the Township’s housing stock. The inventory details housing characteristics such as age, condition, purchase/rental value and occupancy. It also details the number of affordable units available to low- and moderate-income households and the number of substandard housing units capable of being rehabilitated. As previously noted, the latest information from the American Community Survey consists of five-year estimates by the Census Bureau, not actual counts and may not be directly comparable to census figures.

Number of Housing Units

As illustrated in the table below, the overall number of housing units within the Township has continued to increase from the 1980s through 2023. Understandably, the slowest percentage increase in numbers was between 2000 and 2010 during the Great Recession.

Table 13: Housing Units, 1980-2023

Year	Housing Units	Numerical Change	% Change
1980	17,715	X	X
1990	18,960	1,245	7.0%
2000	20,066	1,106	5.8%
2010	21,388	1,322	6.6%
2023	23,215	1,827	8.5%

Source: US Census Bureau, 2023 ACS Five-Year Estimate

Units in Structure for Occupied Units

Information regarding the number of dwelling units in housing structures provides insights into the types of housing which exist throughout the Township. The following table offers insights into the unit-composition of the Township’s structures since 2010.

The Township’s housing stock has historically been comprised of single-family detached and attached dwellings. The 2023 ACS estimate data provided in the table below shows a total of 11,837 single-family detached dwellings which amounts to 51 percent of all housing units in the Township. This percentage is a decrease from 2010 when single-family dwellings accounted for approximately 56 percent of municipal housing units. There was an increase from 2010 to 2023 in the number of structures containing 20 units or more which represents 19.5 percent of overall units.

Table 14: Units in Structure, 2010-2023

Units in Structure	2010*		2023*	
	No.	%	No.	%
Single Family, Detached	11,978	56.0%	11,837	51.0%
Single Family, Attached	1233	5.8%	2050	8.8%
2	549	2.6%	780	3.4%
3 or 4	402	1.9%	713	3.1%
5 to 9	901	4.2%	993	4.3%
10 to 19	2993	14.0%	2295	9.9%
20+	3252	15.2%	4523	19.5%
Mobile Home	67	0.3%	24	0.1%
Other	13	0.1%	0	0.0%

Source: US Census Bureau; 2010 & 2023 American Community Survey Five-Year Estimates.

Purchase and Rental Value of Housing Units

The following two tables identify purchase values and rental values for the specified owner-occupied and renter-occupied units in Tenafly.

As shown in the Table below, the purchase values of the Township's owner-occupied housing stock have typically exceeded those of the State of New Jersey and have been somewhat commensurate to those of Bergen County. Over the past thirteen years, the median value of the Township's owner-occupied housing stock is estimated to have increased approximately 17.5%, from \$442,800 in 2010 to \$520,200 in 2023. This represents a lower percentage increase than that of the State (19.8%) and slightly higher than the County (17.3%).

Until recently, the median contract rental value in the Township has typically remained higher than both Bergen County and the State of New Jersey. However, the 2023 ACS estimates that the median contract rent for the County has surpassed that of the Township's. Over the past thirteen years, the median gross rent increased approximately 50.5%. This represents a lower percentage increase than that experienced by the County (52.3%) and the State (51.4%).

Table 15: Value of Owner-Occupied Units, 2010-2023

		2010		2023	
Value Range	Number	Percent	Number	Percent	
Less than \$50,000	121	0.9%	113	0.8%	
\$50,000 to \$99,999	76	0.6%	122	0.9%	
\$100,000 to \$149,999	44	0.3%	154	1.1%	
\$150,000 to \$199,999	525	4.0%	451	3.3%	
\$200,000 to \$299,999	1410	10.7%	1114	8.2%	
\$300,000 to \$499,999	6377	48.6%	4335	32.0%	
\$500,000 to \$999,999	4461	34.0%	7053	52.1%	
\$1,000,000 or more	106	0.8%	196	1.4%	
Total	13120	100.0%	13538	100.0%	
Township Median Value		\$442,800		\$520,200	
Morris County Median Value		\$474,700		\$557,000	
New Jersey Median Value		\$357,000		\$427,600	

Source: US Census Bureau; 2010 and 2023 American Community Survey Five-Year Estimates.

Table 16: Specified Renter Occupied Housing Units by Rent, 2000-2023

		2010		2023	
Value Range	Number	Percent	Number	Percent	
Less than \$500	426	6.0%	272	3.0%	
\$500 to \$999	1183	16.8%	166	1.8%	
\$1,000 to \$1,499	4668	66.1%	2415	26.5%	
\$1,500 to \$1,999	784	11.1%	3943	43.2%	
\$2,000 to \$2,499			1076	11.8%	
\$2,500 to \$2,999			563	6.2%	
\$3,000 or more			578	6.3%	
No cash rent	172	X	105	X	
Total	7,061	100.0%	9,118	100.0%	
Township Median Value		\$1,136		\$1,710	
Morris County Median Value		\$1,221		\$1,860	
New Jersey Median Value		\$1,092		\$1,653	

Source: US Census Bureau; 2010 and 2023 American Community Survey Five-Year Estimates.

Deficient Housing Units

Neither the Census nor the ACS classify housing units as deficient. However, the Fair Housing Act defines a “deficient housing unit” as housing which: is over fifty years old and overcrowded; lacks complete plumbing, or; lacks complete kitchen facilities.

Accordingly, the following tables are intended to provide insights into the extent to which the Township has deficient housing units. Table 17 examines the extent to which there is overcrowding in the Township’s housing stock. Overcrowding is typically associated with housing units with more than one occupant per room. As shown, the estimated number of occupied housing units considered to be overcrowded is negligible

Table 17: Occupants Per Room (2023)

Occupants per Room	Owner-Occupied	Renter-Occupied
0.50 or Fewer	10,382	5,455
0.51 to 1.00	3,019	3,326
1.01 to 1.50	102	177
1.51 to 2.00	12	92
2.01 or More	23	68
Total	13,538	9,118

Source: 2023 American Community Survey Five-Year Estimates.

Table 18 below identifies housing units with complete plumbing and kitchen facilities. As shown, all occupied units in the Township were identified as having complete plumbing and kitchen facilities.

Table 18: Plumbing and Kitchen Facilities (2023)

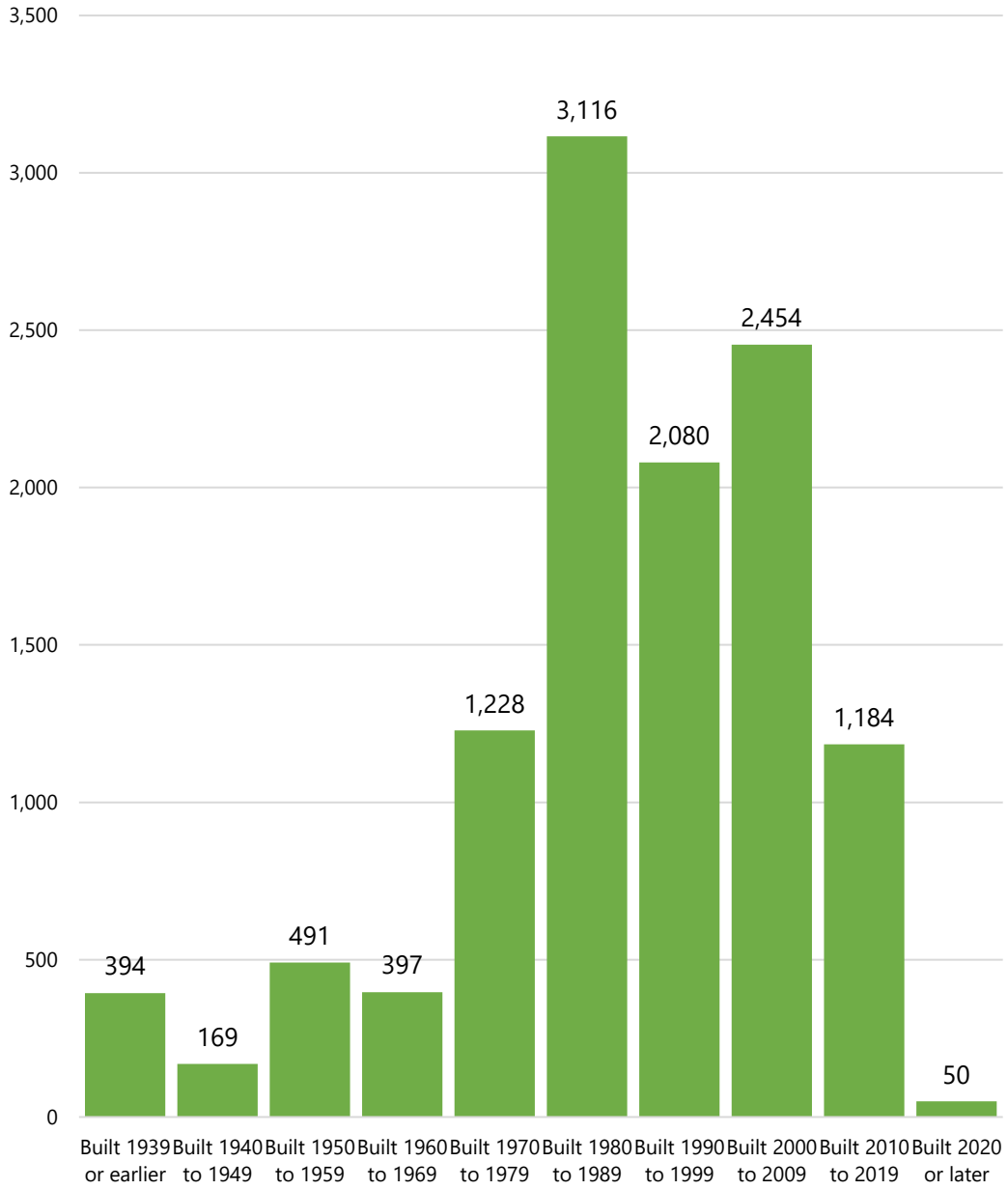
	Units with Complete Facilities	Units without Complete Facilities
Plumbing	22,617	39
Kitchen	22,600	56

Source: 2023 American Community Survey Five-Year Estimates.

Age of Housing Stock

The following figure identifies the years in which the Township’s structures were built. The Township’s housing stock is relatively new, with an estimated 76.8% having been constructed since 1980. This largely coincides with Table 11, which outlined the Township’s significant housing growth over the past several decades.

Figure 1: Year Structure Built



Source: 2023 American Community Survey 5-Year Estimates.

2.4: Housing and Employment Projections

The following section identifies the extent to which redevelopment housing and economic development has occurred in the community, which can assist in the determination of future residential and employment projections.

Recent Residential Development Activity

One way of examining the stability of a community’s housing stock is by comparing the number of residential building permits issued for new construction as well as demolition permits issued every year. Since 2013, the Township has annually issued an average of 27.3 and 22 building permits and demolition permits, respectively. This results in an average positive net of 5.3 permits annually. This is reflective of the Township’s established development pattern.

Table 19: Residential Building Permits and Demolition Permits

Year	Building Permits				Demos	Net
	1 & 2 Family	Multifamily	Mixed Use	Total		
2013	20	0	0	20	31	-11
2014	17	0	0	17	21	-4
2015	10	0	0	10	23	-13
2016	23	0	0	23	28	-5
2017	47	0	0	47	25	22
2018	38	0	0	38	25	13
2019	15	0	1	16	13	3
2020	27	0	0	27	21	6
2021	36	0	0	36	16	10
2022	45	0	0	45	14	31
2023	21	0	0	21	25	-4
Total	299	0	1	300	242	58

Source: Department of Community Affairs

Covered Employment

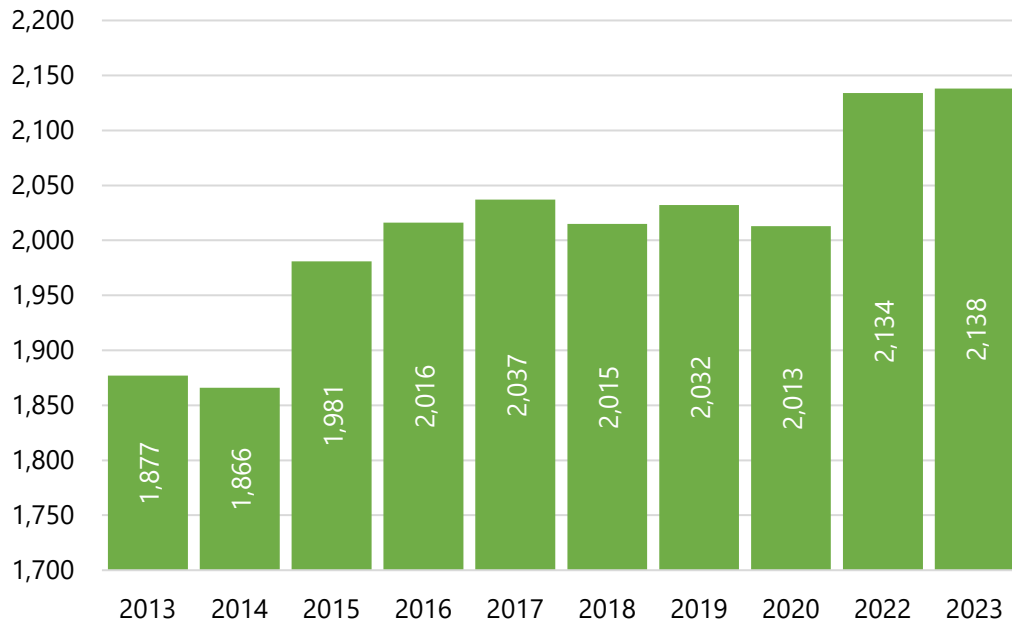
Figure 4 and Figure 5 below provide data on the Township’s covered employment trends between 2013 and 2023, as reported by the New Jersey Department of Labor and Workforce Development. “Covered employment” refers to any employment covered under the Unemployment and Temporary Disability Benefits Law. Generally, nearly all employment in the state is considered to be “covered employment.”

Figure 4 depicts the number of reported “employment units” within the Township. An “employment unit” is defined as an individual or organization which employs one or more workers. As shown, the Township experienced a fairly consistent loss of employment units between 2013 and 2014. Since that time, however, the number of employment units

rebounded in 2015, and remained relatively stable until growing again in 2022. As of 2023, there were a reported 2,134 employment units in the Township.

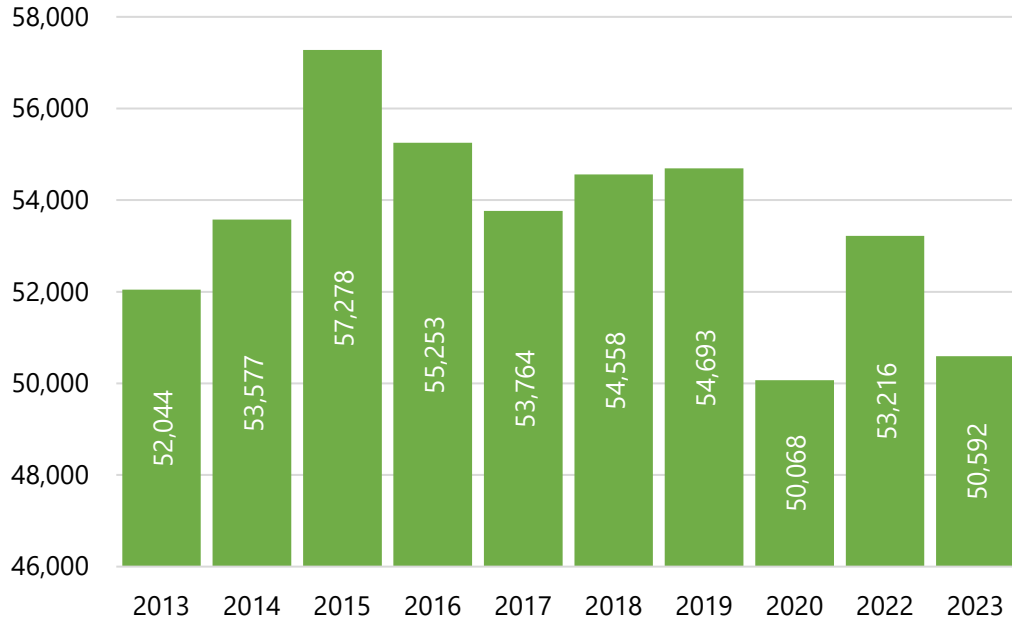
Similarly, employment levels have typically decreased since 2015. The most dramatic decrease occurred between 2019 and 2020, wherein employment in the Township decreased by a reported 8.5%. This may be attributed to COVID-19 pandemic. Since that time, employment in the Township has dropped down to 2020 employment levels. As of 2023, the Township's reported covered employment was 50,592 individuals.

Figure 2: Covered Employment Units, 2013-2023



Source: Department of Labor and Workforce Development * 2021 Not accounted for within State Database

Figure 3: Covered Employment, 2013-2023



Source: Department of Labor and Workforce Development * 2021 Not accounted for within State Database

Section 3: Fair Share Obligation

The following section provides an overview of the Township's fair share obligation. It includes a brief history of the methodologies utilized to calculate affordable housing obligations throughout the state.

3.1: Fair Share Obligation

On March 20, 2024, the State of New Jersey adopted a package of affordable housing bills which overhauled the Fair Housing Act (FHA). This legislation eliminated the Council on Affordable Housing (COAH) and split its duties and functions between the Department of Community Affairs (DCA) and the Administrative Office of the Courts (AOC).

The DCA has been designated as the entity responsible for calculating the state's regional needs. NJSA 52:27D-304.2 establishes the methodology to be utilized by the DCA to determine the state's regional prospective needs of low- and moderate-income housing for the ten-year period spanning from July 1, 2025 to June 30, 2035. In summary, the projected household change for this period is estimated by establishing the household change experienced in each region between the most recent federal decennial census and the second-most recent decennial census. This household change, if positive, is then to be divided by 2.5 to estimate the number of low- and moderate-income homes needed to address low- and moderate-income household change in the region for the next ten years. This methodology resulted in a statewide prospective need of 84,698 low- and moderate-income units.

Furthermore, the DCA was also designated to calculate each municipality's present and prospective fair share obligations. However, the FHA makes clear that these calculations are advisory and that each municipality must set its own obligation number utilizing the same methodology.

On January 27, 2025, the Township adopted Resolution #R2025-049 which established its affordable housing obligations for the Fourth Round. A copy of this resolution is located in the Appendix. While the Township accepted the methodology utilized by the DCA in determining its Prospective Need Obligation, it offered several adjustments to ensure the data utilized by the DCA was correct in determining this need. Many of these corrections related to issues including, not limited to, sites being incorrectly identified as vacant when in fact they were developed, preserved open space properties or sites otherwise encumbered that were mistakenly identified as being available for development, slivers of sites that were the result of geo-spatial layers that were not properly lined up. These corrections altered the Township's Prospective Need Obligation from 553 to 196 affordable units.

The Township received an objection regarding its calculated Prospective Need from The NJ Builders Association. Following the settlement conferences conducted by the Program, the Township was unable to settle with the Builders Association. Ultimately, the Township's Prospective Need obligation was established at 496 affordable units by Superior Court order issued on May 13, 2025.

3.2: Present Need Obligation

The following is noted regarding the Township's Present Need Obligation.

Present Need Obligation

As per the adopted legislation, a municipality's Present Need Obligation is determined "by estimating the deficient housing units occupied by low- and moderate-income households in the region, following a methodology similar to the methodology used to determine third round municipal present need, through the use of most recent datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof."

The "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background" workbook released by the DCA (herein referred to as the "DCA Workbook" or the "Workbook") notes that the Present Need calculations utilized three factors to calculate its 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.

The analysis employed by the DCA relied upon data from the Department of Housing and Urban Development's (HUD's) Comprehensive Housing Affordability Strategy (CHAS) dataset, which has municipal-level data on the number and percentage of low- and moderate-income households from a special tabulation of the US Census's American Community Survey (ACS) data. Utilizing the methodology outlined in the Workbook, the DCA calculated a Present Need of **138 affordable units** for the Township. The Township has at this time accepted this Present Need and will continue to implement its local rehabilitation program to satisfy this need. The Township reserves its right to monitor this need and depending upon the future interest in this program, to conduct a structural conditions survey as per NJAC 5:93-5.2 rules to confirm the number of affordable units that actually need this rehabilitation by a Township wide Structural Conditions Survey.

3.3: Realistic Development Potential (RDP)

As noted in the Township's Third Round Plan, the Township of Parsippany Troy Hills is practically a fully developed community and is therefore entitled to adjust its Prospective Need obligation in accordance with a procedure set forth in the FHA. Specifically, N.J.S.A. 52:27D-310.1 permits municipalities to perform a realistic development potential (RDP) analysis by seeking a vacant land adjustment (VLA).

An RDP analysis requires an identification of vacant sites and underutilized sites in a municipality. Municipalities are required to consider all privately- and municipally-owned vacant parcels, as well as underutilized sites such as driving ranges, farms in SDRP

Planning Areas 1 and 2, nurseries, golf courses not owned by their members, and non-conforming uses.

However, municipalities are also permitted to eliminate a site or a portion of a site based on a variety of factors, including: lands dedicated for public uses other than housing since 1997; park lands or open space; vacant contiguous parcels in private ownership of a size which would accommodate fewer than five housing units; historic and architecturally important sites listed on the State Register of Historic Places or the National Register of Historic Places; preserved architectural lands; sites designated for active recreation; and environmentally sensitive lands.

The Township conducted such a study in the Third Round as follows:

a. Third Round RDP

The Township's Third Round Prospective Need obligation was adjusted by a Vacant Land Adjustment (VLA), which included an RDP analysis. As set forth in Parsippany Troy Hills 2019 Settlement Agreement with FSHC and 2019 HE&FSP, the Township's VLA determined that it had sufficient vacant land and properties available for redevelopment to address an RDP of 845 units. The Township's Third Round RDP of 845 units was ultimately affirmed and accepted by the Superior Court as part of Parsippany Troy Hills Third Round JOR. A copy of the Township's Third Round VLA is included at Appendix of this plan.

b. Fourth Round RDP

Parsippany Troy Hills continues to lack vacant, developable land and is entitled to rely on its previous Vacant Land Adjustment which established its RDP. This is determined by COAH's rules regarding same at N.J.A.C. 5:97-5.1(c) and (d), which state that:

A vacant land adjustment that was granted as part of a (previous) round certification or judgment of compliance shall continue to be valid provided the municipality has implemented all of the terms of the substantive certification or judgment of compliance. If the municipality failed to implement the terms of the substantive certification or judgment of compliance, the Council may reevaluate the vacant land adjustment.

In addition, since the 2019 Third Round HE&FSP, the Township is in conformance with the Highlands Regional Master Plan (RMP) Therefore the Township is entitled to adjust its obligation in accordance with a procedure set forth in the FHA and by the Highland Council.

The amendments to the FHA discussed in Section 1.2 herein continued to recognize the importance of the Highlands Regional Master Plan as a necessary input for the responsible production of affordable housing in the Highlands Region. Moreover, the FHA was amended to require conforming municipalities to include in their HE&FSP a "consideration of the most recent Highlands Municipal Build Out report." Accordingly, on April 18, 2024, the Highlands Council adopted

an amendment to the RMP which provides standards based upon the RMP and the FHA as to where it is appropriate to locate affordable housing based upon the goals, policies, and objectives of the RMP. Affordable housing developments in conforming municipalities must be consistent with the RMP Land Use Capability Zone (LUCZ) designations while providing for the protection of individual resource protections.

Accordingly, to guide this development, the Highlands Council developed a Build-Out Update. The Highlands Council applied environmental and regulatory constraints to develop a dataset identifying parcels that can support the development of five (5) units or more and have a net developable acreage of 0.83 acres or greater. The dataset also provided information as to whether these properties can be serviced by public wastewater or via on-site septic systems.

Further, a municipal RDP obligation from a prior round is considered "fixed" and shall not be revisited absent a changed circumstance. *FSHC vs Twp. of Cherry Hill*, 173 NJ 303 (2002) is the leading case that required a possible recalibration of an RDP based upon "changed circumstances."

As such, this study undertook a detailed analysis in two parts, first was a review of the Highlands Build Out report. The review noted that the properties with identified buildout potential were properties that were either restricted from further development due to approved developed conditions (such as open space as part of an approved development or other restrictive covenants) or properties that were already accounted for in the Third Round RDP analysis. See the build out table in the Appendix of this report.

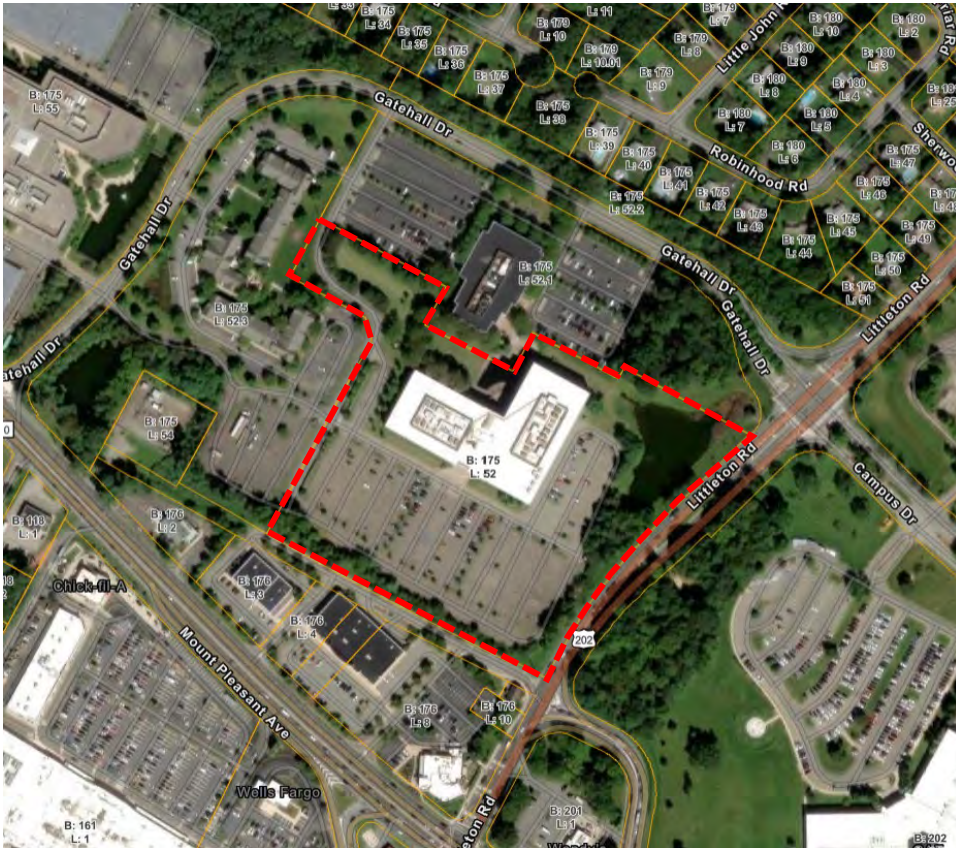
Second, this study reviewed potential changed circumstances in the Township in order to evaluate whether any such changed circumstance would warrant a recalibration of the Third Round's RDP. While the NJ Fair Housing Act permits a vacant land adjustment, the act at N.J.S.A. 52:27D-310.f, states a municipal housing element shall contain the review 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."

Therefore, we are required to the review certain non-vacant sites where they are determined to be appropriate for inclusionary development by a "willing" property owner taking into account sound planning rationale, goals, and objectives and, thus, not all presented non-vacant sites are appropriate for inclusionary development.

At this time, we have determined that 7 locations containing existing development represent through new development a changed circumstance requiring a Fourth Round RDP obligation. These seven sites are described as follows:

a. 4 Gatehall Holdings LLC



Gatehall Holdings, LLC (Gatehall), is the contract purchaser of property identified as Block 175, Lot 52. The property encompasses approximately 13.67 acres and is currently developed with a 4-story office building. On March 3, 2025, the Planning Board recommended the property be designated as a non-condemnation Area in Need of Redevelopment. The property is bounded by an office building to the north, assorted restaurants and hotels to the west and south, and offices to the east.

While a formal redevelopment plan has not been established for the property, Gatehall has proposed the property be redeveloped for an inclusionary residential development for up to 177 units. The Township nevertheless takes the conservative position that this is a changed circumstance warranting additional RDP obligation in the Fourth Round. The Township assigns this site a Fourth Round RDP of 35.4 units, which is the RDP generated at the proposed 177 units at a 20 percent affordable housing set-aside.

Site suitability requirements are addressed below:

- 1) Available Site: The Township is unaware of any title or easement issues that would preclude the construction of an inclusionary development. The site is identified as available, and the property information is as follows:

Property Owners/Developer	Gatehall Holdings, LLC
Acreage	13.67 acres
Block/ Lot	Block 175 Lot 52
Current Zoning	SED-5
SDRP Planning Area	PA- 1
Highlands LUCZ	ECZ Existing Community Zone
Street Access	Gatehall Road

- 2) Suitable: The site is bound by complimentary uses.
- 3) Developable: This site borders a joint stormwater basin along the easterly border of the property. These environmental features do not represent a limitation to future development of the property as contemplated since the development will be in currently developed portion of the property. The property is served by the Parsippany-Troy Hills Sewer Service Area. The Township does not anticipate constraints with providing water and sewer to the development.
- 4) Approvability: As noted above, the site will be rezoned to allow to be developed with up to 177-unit inclusionary development with a minimum 20 percent set-aside for affordable housing. It is anticipated that a final ordinance will be perfected by the Parsippany-Troy Hills Township Council upon approval of the Housing Element and Fair Share Plan.

b. PARQ Builders, LLC (aka Lanidex)



PARQ Builders, LLC (PARQ), is the owner of property identified as Block 392, Lots 1.01, 1.02, 1.03, and 1.04 located at 100-900 Lanidex Plaza. The property encompasses approximately 31.7 acres and is currently developed with a 2, 3-story office buildings on a portion of the property and new inclusionary multifamily and townhouse mixed use project under construction for a total of 600 units with a 20 percent affordable housing set aside. On September 17, 2019, the property was designated as a non-condemnation Area in Need of Redevelopment, by the Parsippany Troy Hills Council. The property is bounded by Route 80 to the north, Route 287 to the east, single family residential to the south and non-residential to the west.

While a formal redevelopment plan has not been established for the property, PARQ has proposed the property be further redeveloped to expand upon the inclusionary residential mixed-use development on the areas containing the remaining office buildings. While the property was previously included in the Third Round RDP to recognize the proposed overlay zoning for the property, the Township nevertheless takes the conservative position that this additional area of redevelopment a changed circumstance warranting, adding this proposal to the RDP obligation in the Fourth Round.

The Township identifies that the remaining areas of existing older office buildings on the tract can accommodate additional mixed-use development to complement the redevelopment currently underway. In

addition, in consideration of the sites additional area for redevelopment, the topographic and physical relationship to the surroundings including Route 80 to the north, this area can accommodate additional development. The Township assigns this site a Fourth Round RDP of 184 units, which is the RDP generated by adding an additional 920 units at a 20 percent affordable housing set-aside to the property.

Site suitability requirements are addressed below:

- 1) Available Site: The Township is unaware of any title or easement issues that would preclude the construction of an inclusionary development. The site is identified as available, and the property information is as follows:

Property Owners/Developer	PARQ Builders, LLC
Acreage	31.7 acres
Block/ Lot	Block 392 Lots 1.01, 1.02, 1.03, 1.04 and 1.05
Current Zoning	OVL-3
SDRP Planning Area	PA- 1
Highlands LUCZ	ECZ Existing Community Zone
Street Access	Parsippany Road

- 2) Suitable: The site is bound by complimentary uses and will incorporate buffers.
- 3) Developable: This site borders developed conditions and there are no known environmental limitations at this time. The property is served by the Parsippany-Troy Hills Sewer Service Area. The Township does not anticipate constraints with providing water and sewer to the development.
- 4) Approvability: As noted above, the sites existing OVL-3 zoning will be adjusted to allow to be developed with up to an additional 920-unit inclusionary development with a minimum 20 percent set-aside for affordable housing. It is anticipated that a final ordinance will be perfected by the Parsippany-Troy Hills Township Council upon approval of the Housing Element and Fair Share Plan.

c. KRE and 909-Parsippany Boulevard



909-Parsippany Boulevard LLC (909 Parsippany Boulevard), is the owner of property identified as Block 420, Lot 2. The property is the current location of the Embassy Suites Hotel. A proposal has been submitted by 909 Parsippany Boulevard and the Kushner Real Estate Group (KRE) to convert the existing hotel into a inclusionary residential building. The property encompasses approximately 8.51 acres and is currently developed with a 5-story, 274 key hotel with surface parking and related site improvements. The property is adjacent to the Parsippany Troy Hills Municipal Building to the southeast, Route 287 to the west, Waterview Boulevard to the north with an entrance to Route 287, Parsippany Boulevard to the west and adjacent office buildings and a vacant lot to the south.

While the property does not have a designation, 909-Parsippany Boulevard LLC and KRE have submitted a proposal to repurpose the building for an inclusionary residential development for up to 210 units. The Township nevertheless takes the conservative position that this will be a changed circumstance in the Fourth Round warranting an RDP

obligation. The Township assigns this site a Fourth Round RDP of 42 units, which is the RDP generated at a proposed 210 units with a 20 percent affordable housing set-aside.

Site suitability requirements are addressed below:

- 1) Available Site: The Township is unaware of any title or easement issues that would preclude the construction of an inclusionary development. The site is identified as available, and the property information is as follows:

Property Owners/Developer	909-Parsippany Boulevard LLC
Acreage	8.51 acres
Block/ Lot	Block 420 Lot 2
Current Zoning	POD
SDRP Planning Area	PA- 1
Highlands LUCZ	ECZ and LCZ
Street Access	909-Parsippany Boulevard

- 2) Suitable: The site is bound by complimentary uses.
- 3) Developable: This site has no known environmental features that represent a limitation to future development of the property as contemplated since the development will be in currently developed portion of the property. The property is served by the Parsippany-Troy Hills Sewer Service Area. The Township does not anticipate constraints with providing water and sewer to the development.
- 4) Approvability: As noted above, the site will be rezoned to allow to be developed with up to 210-unit inclusionary development with a minimum 20 percent set-aside for affordable housing. It is anticipated that a final ordinance will be perfected by the Parsippany-Troy Hills Township Council upon approval of the Housing Element and Fair Share Plan.

d. Bixmor Property Group



Bixmor Property Group (Bixmor), is the owner of property identified as Block 411, Lot 31.1 commonly known as the Morris Hills Shopping Center located at 3081 Route 46. The property encompasses approximately 18.4 acres and is currently developed with a shopping center and a separate movie theater. The movie theater is not in operation for some time and may need redevelopment. In consideration of this condition, the Township Council by Resolution R2024-207 on December 17, 2024 has formally requested the Planning Board consider if the property meets the statutory criteria for an area in need of redevelopment. The Planning Board has authorized the Board Planner on January 13, 2025 to conduct such a study. The property is bounded by Route 46 and assorted commercial development to the north, Parsippany Boulevard to the east, multifamily in the Tivoli Gardens Apartments development to the south, and the Parsippany Department of Public Works to the west.

While a formal redevelopment designation or plan has not been established for the property, Bixmor has proposed the property be redeveloped for mixed use commercial and inclusionary residential development for up to 390 units. The Township nevertheless takes the conservative position that this is a changed circumstance warranting an RDP obligation in the Fourth Round. The Township assigns this site a

Fourth Round RDP of 78 units, which is the RDP generated at the proposed 390 units at a 20 percent affordable housing set-aside.

Site suitability requirements are addressed below:

- 1) Available Site: The Township is unaware of any title or easement issues that would preclude the construction of an inclusionary development. The site is identified as available, and the property information is as follows:

Property Owners/Developer	Bixmor Property Group
Acreage	18.4 acres
Block/ Lot	Block 411, Lot 31.1
Current Zoning	B-1
SDRP Planning Area	PA- 1
Highlands LUCZ	ECZ and LCZ
Street Access	3081 Route 46

- 2) Suitable: The site is bound by complimentary uses with existing buffers.
- 3) Developable: This site has no known environmental features that represent a limitation to future development of the property as contemplated since the development will be in currently developed portion of the property. The property is served by the Parsippany-Troy Hills Sewer Service Area. The Township does not anticipate constraints with providing water and sewer to the development.
- 4) Approvability: As noted above, the site will be rezoned to allow to be developed with up to 390-unit inclusionary development with a minimum 20 percent set-aside for affordable housing. It is anticipated that a final ordinance will be perfected by the Parsippany-Troy Hills Township Council upon approval of the Housing Element and Fair Share Plan.

e. 400 Interpace Parkway



400 Interpace, MCC Owner, LLC (“MCC”). MCC is the contract purchaser of that certain property identified as Block 136, Lot 43.5 located at 400 Interpace Parkway. The property encompasses approximately 9.6 acres as a corner lot and is currently developed with several office buildings and parking structures and related surface parking areas. The property is bounded by Walsh Drive to the north, Interpace Parkway to the west and Upper Pond Road to the south. Surrounding properties contain office buildings to the north, east and south and warehouse buildings along the opposite side of Walsh Drive. The site connections to regional roadways of Route 46 via Walsh Drive to the north and to Route 80 to the south via Interpace Parkway.

MCC has proposed the property be redeveloped for a mixed use-office residential with inclusionary residential development. The Township nevertheless takes the conservative position that this is a changed circumstance warranting an RDP obligation in the Fourth Round. The Township assigns this site a Fourth Round RDP of 40 units, which is the RDP generated at the proposed 202 units at a 20 percent affordable housing set-aside.

Site suitability requirements are addressed below:

- 1) Available Site: The Township is unaware of any title or easement issues that would preclude the construction of an inclusionary development. The site is identified as available, and the property information is as follows:

Property Owners/Developer	MCC Owner, LLC
Acreage	9.6 acres
Block/ Lot	Block 136, Lot 43.5
Current Zoning	SED-5
SDRP Planning Area	PA- 1
Highlands LUCZ	ECZ
Street Access	400 Interpace Parkway

- 2) Suitable: The site is bound by complimentary uses with existing buffers.
- 3) Developable: This site has no known environmental features that represent a limitation to future development of the property as contemplated since the development will be in currently developed portion of the property. The property is served by the Parsippany-Troy Hills Sewer Service Area. The Township does not anticipate constraints with providing water and sewer to the development.
- 4) Approvability: As noted above, the site will be rezoned to allow it to be developed with up to 202-unit inclusionary development with a minimum 20 percent set-aside for affordable housing. It is anticipated that a final ordinance will be perfected by the Parsippany-Troy Hills Township Council upon approval of the Housing Element and Fair Share Plan.

f. 1- Upper Pond Road



Toll Brothers Inc., (Toll"). Toll is the contract purchaser of a portion of a property identified as Block 136, Lot 43.4 located at 1 Upper Pond Road. The property encompasses approximately 16 acres as a corner lot and is currently developed with two office buildings and related surface parking areas. The property is bounded by Upper Pond Road to the north, Interpace Parkway to the west and south. Surrounding properties contain office buildings to the north, east, west and south. The site connections to regional roadways of Route 46 via Interpace Parkway and Walsh Drive to the north and to Route 80 to the south via Interpace Parkway.

Toll has proposed the property be redeveloped for a mixed use-office residential with inclusionary residential development. The Township nevertheless takes the conservative position that this is a changed circumstance warranting an RDP obligation in the Fourth Round. The Township assigns this site a Fourth Round RDP of 31 units, which is the RDP generated at the proposed 152 units at a 20 percent affordable housing set-aside.

Site suitability requirements are addressed below:

- a. Available Site: The Township is unaware of any title or easement issues that would preclude the construction of an inclusionary development. The site is

identified as available, and the property information is as follows:

Property Owners/Developer	Toll Brothers Inc.
Acreage	16 acres
Block/ Lot	Block 136, Lot 43.4
Current Zoning	SED-5
SDRP Planning Area	PA- 1
Highlands LUCZ	ECZ
Street Access	300 Interpace Parkway

- b. Suitable: The site is bound by complimentary uses with existing buffers.
- c. Developable: This site has a stormwater retention pond on the property with no other known environmental features that represent a limitation to future development of the property as contemplated since the development will be in currently developed portion of the property. The property is served by the Parsippany-Troy Hills Sewer Service Area. The Township does not anticipate constraints with providing water and sewer to the development.
- d. Approvability: As noted above, the site will be rezoned to allow it to be developed with up to 152-unit inclusionary development with a minimum 20 percent set-aside for affordable housing. It is anticipated that a final ordinance will be perfected by the Parsippany-Troy Hills Township Council upon approval of the Housing Element and Fair Share Plan.

g. Shree 1855 US 46, LLC-Cerbo Lumber



Shree 1855 US 46, LLC, (“Shree”). Shree is the contract purchaser of a portion of a property identified as Block 725, Lot 1 and 3 located at 1855 US Route 46. The property encompasses approximately 4.1 acres as a corner lot and is currently developed with a commercial lumber yard and related surface parking areas. The property is bounded by Route 46 eastbound to the north, and Smith Road to the west. Surrounding properties contain the Boonton reservoir to the north, Veterans Memorial Park to the east and south, and commercial properties to the west. The site connections to regional roadways of Route 46 and Smith Road to the west and to Route 80 to the south via Littleton Road.

Shree has proposed the property be redeveloped for a inclusionary multifamily residential development. The Township nevertheless takes the conservative position that this is a changed circumstance warranting an RDP obligation in the Fourth Round. The Township assigns this site a Fourth Round RDP of 25 units, which is the RDP generated at the proposed 126 units at a 20 percent affordable housing set-aside.

Site suitability requirements are addressed below:

- d. Available Site: The Township is unaware of any title or easement issues that would preclude the construction of an inclusionary development. The site is identified as available, and the property information is as follows:

Property Owners/Developer	Shree 1855 US 46, LLC
Acreage	4.1 acres
Block/ Lot	Block 725, Lot 1 and 2
Current Zoning	B-2
SDRP Planning Area	PA- 1
Highlands LUCZ	LCZ
Street Access	300 Interpace Parkway

- e. Suitable: The site is bound by complimentary uses with existing buffers.
- f. Developable: This site has no known environmental features that represent a limitation to future development of the property as contemplated since the development will be in currently developed portion of the property. The property is served by the Parsippany-Troy Hills Sewer Service Area. The Township does not anticipate constraints with providing water and sewer to the development.
- d. Approvability: As noted above, the site will be rezoned to allow it to be developed with up to 126-unit inclusionary development with a minimum 20 percent set-aside for affordable housing. It is anticipated that a final ordinance will be perfected by the Parsippany-Troy Hills Township Council upon approval of the Housing Element and Fair Share Plan.

Based on the above changed circumstances, for the purposes of calculating Fourth Round RDP, we find that Montville has a total Fourth Round RDP obligation of 496 units which coincides with the entire Fourth Round need allocation. The Township’s proposal to satisfy this obligation is set forth in the following Section 4, Fair Share Plan.

Section 4: Fair Share Plan

The following section details the manner in which the Township will address its Present Need, Prior Round, Third Round, and Prospective Need Obligations.

4.1: Overview of Obligations

The following Fair Share Plan outlines the components the Township will utilize to address its affordable housing obligations. These obligations, which are summarized below and discussed in greater detail herein, consist of four different parts: the Present Need (Rehabilitation) Obligation; the Prior Round Obligation; the Third Round Obligation; and the Fourth Round Obligation.

Present Need (Rehabilitation) Obligation

The DCA calculations allocated Parsippany-Troy Hills a Present Need (Rehabilitation) Obligation of 138 affordable units. However, pursuant to NJAC 5:93-5.2(a), the Township is permitted to perform a structural conditions survey which can more accurately define its Present Need Obligation. The Township has not performed said survey to date although reserves it right to conduct the survey in accordance with applicable criteria.

Prior Round Obligation

Parsippany-Troy Hills was assigned a Prior Round Obligation of 664 affordable units. As established by the Second Round regulations, there are minimum and maximum requirements regarding the development of rental and age-restricted units for the Prior Round Obligation. These requirements are noted below:

1. Age-Restricted Units. A maximum of 25% of the Township's Prior Round Obligation may be reserved as age-restricted units. Accordingly, Parsippany-Troy Hills was permitted to take credit for a maximum of 166 age-restricted affordable units in the Prior Round.
2. Rental Units. In addition, at least 25% of the Township's Prior Round Obligation must be comprised of rental units. Accordingly, Parsippany-Troy Hills was required to provide at least 86 rental affordable units in the Prior Round. Furthermore, NJAC 5:93-5.15(d)3 limits the number of rental bonuses to the minimum required rental obligation. As such, Parsippany-Troy Hills was permitted to receive a maximum of 166 rental bonuses for the Prior Round.

Third Round Obligation

The Township was assigned a Third Round Obligation of 845 established during a Court-approved Settlement Agreement in 2017. Similarly minimum and maximum unit requirements as described above apply to this obligation:

1. Age-Restricted Units. The Township was permitted to age-restrict a maximum of 25% of the total need of 845 units or 124 affordable units in the Third Round.
2. Rental Units. The Township was required to provide at least 124 rental affordable units.
3. Bonus Credits. Pursuant to NJAC 5:93-5.15(d)3, the Township was permitted to receive a maximum of 211 rental bonuses for the Third Round.

Fourth Round Obligation

In the Fourth Round the Township was initially assigned a Prospective Need Obligation of 553 affordable units by DCA. However, as noted in Section 3.1, the Township conducted an analysis and determined its prospective need to be much lower. Ultimately, the Township's Prospective Need obligation was established at 496 affordable units by a Superior Court order issued on May 13, 2025.

The following minimum and maximum unit requirements are summarized for the Fourth Round Need of 496:

1. Age-Restricted Units. A maximum of 30% of the Township's adjusted Fourth Round Obligation may be reserved as age-restricted units. Accordingly, Parsippany-Troy Hills may age-restrict a maximum of 148 affordable units.
2. Rental Units. At least 25% of the Township's adjusted Fourth Round Obligation must be comprised of rental units. Accordingly, Parsippany-Troy Hills must provide at least 124 affordable rental units. Unlike the Prior Round and Third Round Obligations, the Township may no longer receive rental bonus credits under the Fourth round.
3. Bonus Credits. No more than 25% of the Township's adjusted Fourth Round Obligation may be satisfied with bonus credits. Accordingly, Parsippany-Troy Hills may only apply a maximum of 124 bonus credits.

4.2: Present Need (Rehabilitation) Obligation

The DCA allocated the Township a Present Need (Rehabilitation) Obligation of 138 affordable units. However, pursuant to NJAC 5:93-5.2(a), the Township is permitted to perform a structural conditions survey which can more accurately define its Present Need Obligation. The Township has not performed said survey to date although reserves it right to conduct the survey in accordance with applicable criteria.

The purpose of a rehabilitation program is to rehabilitate substandard housing units occupied by very-low, low-, and moderate-income households. A deficient housing unit is defined as a unit that is over five years old and is overcrowded, lacks complete plumbing, or lacks complete kitchen facilities.

Upon rehabilitation, housing deficiencies must be corrected, and the house must be brought up to code standard. The standard for evaluating rehabilitation activity shall be the local property maintenance code or, if none is available, the Building Officials and Code Administrators (BOCA) Property Maintenance Code in effect at the time of evaluation. The rehabilitation activity shall not include luxury improvements, the purchase of appliances (except for stoves), or improvements that are strictly cosmetic. A rehabilitated unit is considered complete at the date of final inspection.

The Township's current rehabilitation program is available to low- and moderate-income homeowners in Parsippany-Troy Hills and was expanded in the Third Round to include rental units occupied by low- and moderate-income households. The rehabilitation program has and will continue to be administered by the Township's Purchasing Department. CGP&H has prepared a rehabilitation Home Improvement Program-Policies and Procedures Manual that addresses both owner- and renter-occupied units (see Appendix)

Parsippany-Troy Hills has participated in an ongoing rehabilitation program to income qualified households for the rehabilitation of health and safety improvements. The Township's current program has been funded through Community Development Block Grants ("CDBG") from the New Jersey Department of Community Affairs. This program is for Parsippany-Troy Hill's residents funded since 1977. The Township will continue to apply for CDBG grants to fund part of its program although since it has become unclear if future programs will continue to receive the same or similar funding, the Township will institute its own rehabilitation program with funding from the affordable housing trust fund as available.

COAH'S Second Round Substantive Rules outline the funding requirements for rehabilitation programs: "Municipalities shall provide sufficient dollars to fund one-third of the municipal rehabilitation component within one year of substantive certification. In each subsequent year of the substantive certification period, the municipality shall provide sufficient dollars to fund one-sixth of the municipal rehabilitation component." The Township's proposed rehabilitation program funding schedule are included in the Fair Share Plan Appendix.

The Township's rehabilitation program will adhere to COAH's regulations per N.J.A.C. 5:93-5.2. A minimum of \$10,000 will be expended for actual hard costs up to \$20,000. All rehabilitated units will comply with the definition of a substandard unit in N.J.A.C. 5:93-5.2(b), which states, "a [housing] unit with health and safety code violations that require the repair or replacement of a major system." Major systems include roofing, plumbing, heating, electricity, sanitary plumbing, and/or load bearing structural systems. Rehabilitated units shall meet the applicable construction codes as well as any other work that is reasonable and deemed necessary or is related to the necessary repairs. Additionally, rehabilitated units shall be occupied by low- or moderate-income households and upon completion of the rehabilitation, 10-year affordability controls shall be placed on the property in the form of a lien (The Township will continue to follow the COAH's Third Round regulations which require 10-year controls for this program).

See the Township's 2017 Fair Share Plan Appendix for all documentation concerning the Township's means to address its Rehabilitation Share including the rehabilitation program funding schedule, the rehabilitation program manual and an executed contract with CGP&H for the administration of the local rehabilitation program.

It is anticipated that the Township's rehabilitation program will be structured to encourage rehabilitation and continued occupancy with a depreciating lien program. If a housing unit is sold prior to the end of the controls on affordability, at least part of the

loan shall be recaptured and used to rehabilitate another housing unit. If the Township structures a loan program to recapture money, recaptured money shall be used for another very-low, low-, and/or moderate-income housing purpose or to repay a municipal bond issued to finance a very-low, low- and/or moderate-income housing activity.

4.3: Prior Round Components

As previously noted, the Township has a Prior Round Obligation of 664 affordable units. The Township satisfied the entirety of this obligation through the components summarized in the table below. As shown, these components produce 550 credits and 114 bonuses for a total of 664 credits.

Table 20: Prior Round Obligation Summary: 664 Obligation

Prior Round Compliance Mechanisms	Credits	Bonus	Total	Status
Prior Cycle Credits: 100% Affordable Developments - Completed				
<u>Baldwin Oaks</u> (B 712, L 39) (Rental)-Age Restricted: 250 units	166	N/A*	166	Complete
Alternative Living Arrangements- Completed/Proposed				
<u>ARC</u> (B 202, L 9.06) (Rental) Entin Rd.	6	6	12	Complete
<u>ARC</u> (B 202, L 9.07) (Rental) Entin Rd	6	6	12	Complete
<u>Dept. of Special Ed-Roman Catholic</u> -B 208, L 5 (Rental) Littleton Rd.	5	5	10	Complete
<u>CBH to Homeless Solutions</u> (B 10, L 1.03) (Rental) Ruth Davis Drive	32	32	64	Complete
<u>JSDD of Metrowest</u> (B 446, L 10) (Rental) Pleasant Terrace	5	5	10	Complete
<u>Advancing Opportunities, Inc.</u> (B 518, L 25) (Rental) Hiawatha Blvd.	4	4	8	Complete
<u>Advancing Opportunities, Inc.</u> (B 709, L 27) (Rental) 66 N. Beverwyck Rd.	4	4	8	Complete
<u>Community Hope Inc.</u> (B 174, L 12) (Rental) 639 Tabor Road	6	6	12	Complete
<u>New Bridge & The Rose House</u> (B 168, L 119) (Rental) Moraine Road	4	4	8	Complete
<u>Special Homes NJ & Monarch Associates</u> (B 204, L 1) Littleton Rd.	4	4	8	Complete
<u>The Rose House Corp.</u> -B 497, L 10 (Rental) Knoll Rd.	4	4	8	Complete
<u>Carmela Lunt Corp. Community Hope</u> (B 756, L 5) (Rental) Deauville Dr.	4	4	8	Complete
Regional Contribution Agreement: Newark (294 committed, 269 creditable)	269	N/A	269	
Inclusionary Developments- Completed or Proposed				
Mill Run Apartment (B 15, L 5&6) (Rental)-Route 10	16	16	32	Complete

Prior Round Compliance Mechanisms	Credits	Bonus	Total	Status
Palmar Assoc. LLC. (B 450, L 14, 15, 16 & 17) (For sale)-Interval Road (2 available, 1 applied)	1	0	1	Complete
Weichert- Johnston Road- B 200, L 8 (Rental) (19 total available, 14 applied)	14	14	28	Approved
Total- (Prior Round Credit Summary and Surplus (Age Restricted) (250-166=84)	550	114	664	

Summary of Projects to Address Prior Round Obligation

Refer to the Township’s Third Round Plan, dated January 27, 2020, Section III Item D for a thorough description of the projects addressing the Prior Round obligation. These projects have all been certified and approved during the Third Round Judgment of Compliance and Repose.

4.4 Third Round Components

As noted, the Township was assigned a Third Round Obligation encompassing the years 1999 through 2025. Pursuant to a Settlement Agreement between Parsippany-Troy Hills and FSHC and approved by the Court, the Township’s Third Round need allocation was 1,314 units although the Township sought and was granted a vacant land adjustment resulting in a Third Round Realistic Development Potential (RDP) obligation of 845 units and a total Unmet Need of 469 units.

This RDP obligation is largely satisfied through a variety of components both existing, proposed and as modified herein to address a few programs that have not been effectuated. As shown in the table below, these components comprise a total of 634 units and 211 bonus credits applied.

Table 21: Third Round Components 845 Obligation

Plan Component	Credits	Bonus	Total	Status
Prior Cycle Surplus Credits from Prior Round				
Baldwin Oaks- B 712, L 39 (Rental)	84	N/A	84	Complete
Brookside- B 412, L 15 (Rental)	127	N/A	127	Complete
Prior Cycle Credits: Alternative Living Arrangements- Completed				
Cheshire (B 484, L 8.01) (Rental)- North Beverwyck Road	6	N/A*	6	Complete
<u>ARC</u> (B 601, L 1) (Rental)- Hiawatha Blvd.-Prior Cycle	4	N/A*	4	Complete
Applicable Units Built and/or Approved in Third Round				
700 Mountain Way- B 14, L 9, 9.1&10 (Rental)	15	15	30	Complete
Palmar Assoc. LLC. (B 450, L 14, 15, 16 & 17) (For sale)-Interval Road (2 total, 1 available from Prior Round)	1	0	1	Complete

Plan Component	Credits	Bonus	Total	Status
Special Homes of New Jersey- B 129, L 6 (Rental) Glenwood Place	4	4	8	Complete
Market to Affordable- Completed				
Habitat for Humanity. (B 528, L 1.1) (Ownership) (2002)	1	0	1	Complete
Inclusionary Developments- Zoned and Under Construction				
Stanberry Parsippany LLC. - B 200, L 1.02 (Rental)	67	34	101	Construction
Mack Cali-aka Avalon Residential B 202, L 3.12 & 3.20 (Rental)	82	82	164	Construction
Westmount Plaza- B 698, L 15.2 (Rental)	63	63	126	Zoned
PARQ aka Lanidex- Block 392 Lots 1 and 2, (Rental) 120 total AH units approved, 74 applied +12 rental bonus**	74	12*	76	Zoned, Approved, under Construction
Weichert- Johnston Road- B 200, L 8 (Rental) (19 total, 5 available from Prior Round)	5	-	5	Approved
Lexica-aka SJP MC VI- Cherry Hill Road- B 136, L 44 & 76 (Rental)	65	-	65	Constructed
Proposed-Alternative Living Arrangements				
Community Options: B 741, L 58 (Rental) Normandy Drive	4	-	4	Complete
Community Options: 4 sites: (Rental) Ferncliff Rd, Maplewood Dr, Norman Ave & N Beverwyck Rd	16	-	16	Completed
Allies and Mental Health Assoc to replace planned Advancing Opportunities, Inc.: 2 sites (Rental)	8	-	8	Completed
Avidd Community Services of NJ: B 598, L 12 (Rental) Minnehaha Blvd.	4	-	4	Complete
Avidd Community Services of NJ: B 30, L 3.02 (Rental) Circle Drive.	4	-	4	Complete
Totals:	634	211	845	Required 845

Review of Projects to Address Third Round Obligation

Section III Item D of the Township’s Third Round Plan, dated January 27, 2020, provides a in depth description of the projects addressing the Third-Round obligation. These projects have all been certified and approved as compliance programs during the Third Round Judgment of Compliance and Repose. Most remain valid except for the following development adjustments from the Third Round Plan due to their respective status.

1. Kingston Road The Kingston Road development was approved by the Parsippany-Troy

Hills Zoning Board of Adjustment on September 6, 2017 and construction was pending during the Third Round Gap Period. This project was redeveloped for an alternate development than the Zoning Board approval. It therefore is being replaced in the developments to address the Third Round RDP.

2. 750 Edwards Road and 887 Edwards Road. 750 Edwards Road LLC and 880 Edwards Road LLC previously proposed to develop inclusionary residential development consisting of a total of 114 units and 24 on sites identified by municipal tax records as Block 766 Lots 6, 7, 8, and 9 as well as Block 767 Lot 36. that are presently developed with existing commercial facilities. The Township entered into a Developers Agreement with both entities to resolve their intervention in the Township's Declaratory Judgment action.

During the Third Round, the New Jersey Department of Environmental Protection adjusted the Flood Hazard rules requiring a greater elevation distance above the established flood elevation. Edwards Road in this area and some portions of these sites contain 100-year flood zones. With the increased elevation requirements, the proposed residential development would no longer be viable.

3. Accessory Apartment Program. The Township implemented a program to provide funding for up to 10 accessory apartments through its Affordable Housing Trust Fund and create and adopt an Accessory Apartment Program, including adopting modifications to the Township's zoning regulations to permit accessory apartments in the R-1 zone district.

To date of the Fourth-Round cycle, while the zoning exists and the program was created and duly advertised there have been no units developed. The Township therefore removes this program from the Third Round and instead proposes to maintain this program in the Fourth-Round with zoning in the R-1 in existence and funding available similar to the Third-Round.

4. Market to Affordable Program. The township prepared a manual and allocated funding for the market to Affordable Program although the program was not implemented during the Third Round despite efforts to establish the program. Therefore, the proposed 35 units anticipated are replaced in the Third-Round plan noted above.

To allocate for the reduced units from the developments and programs noted above, the adjusted Third Round plan moves units from the PARQ (aka Lanidex), development which was zoned as an overlay zone unmet need mechanism and has received site plan approval and is under construction. As noted, the development was approved to include a total of 120 affordable units and 74 units are being reallocated to the plan and the remaining 46 remain as unmet need units.

Review of Projects to Unmet Need Obligation

The difference between the Township's combined Prior Round and Third Round need number and its combined Prior Round and Third Round RDP obligations is what is known as Unmet Need. Whereas the RDP obligations must be affirmatively addressed by the Township (as outlined above), addressing Unmet Need involves a lower standard, as the entire Unmet Need obligation does not have to be fully satisfied. Judge Padavano explained the standard applicable to the unmet need in the Judgement of Repose he entered in the Saddle River case as follows:

The court notes that while COAH's Second Round and Third Round rules require all municipalities to satisfy their RDP, the rules do not require municipalities to "satisfy" their unmet need - the rules only require municipalities to "address" the unmet need through the use of certain mechanisms specified in the rules. See N.J.A.C. 5:93-4.2(-f) (COAH's Second Round rule); N.J.A.C. 5:97-5.3(b) (COAH's Third Round rule). Significantly, none of the mechanisms specified in the rules require zoning exclusively for affordable housing (overlay zoning which offers an option for affordable housing is one of the mechanisms). Additionally, no rule requires a municipally sponsored affordable housing development, let alone a 100% affordable municipally sponsored development, which will result in the guarantee of construction of affordable units. N.J.S.A. 52:27D-3 l Id provides: "Nothing in ... C.52:27D-301 et al. [the FHA] shall require a municipality to raise or expend municipal revenues in order to provide low and moderate-income housing." As set forth above, the court finds the fact that the amended settlement will produce the actual construction of 42% of the Borough's unmet need quite compelling and leads the court to find that the amended settlement agreement will result in construction of a substantial number of affordable units.

Pursuant to the Township's Settlement Agreement with FSHC, Parsippany-Troy Hills has an Unmet Need in the Third Round of 469. The Court approved the following mechanisms to address the unmet need in Third-Round HE&FSP plan when it entered a Judgment of Compliance and Repose:

1. Existing Units. The Township addressed a portion of its Unmet Need, with existing credits summarized as follows:
 - a. Brookside (B 412, L 15) - 64 of the 191 units in the age-restricted rental development are credited to the municipality's Third Round unmet need.
 - b. Vail Manor Senior (B 455, L 2&3) - All 35 units of the age-restricted rental development are credited to the municipality's Third Round unmet need.

2. Overlay Zoning. The Township implemented several Overlay Zones, as required which, together, created what was determined as a realistic opportunity for an

additional 184 affordable housing units in the Township, the credits for which units will be applied toward the Township’s overall Unmet Need of 469.

It is noted that the Third-Round plan to address the Third Round RDP has been changed to account for certain programs that have not come to fruition due to various factors as identified in Section 4.4 above. The development known as PARQ was formerly an overlay zone to address Unmet Need. Since this project has progressed in the Third Round with units approved and constructed, 74 units were reallocated to address the need in the Third Round RDP. To make up for this reallocation, the Township is increasing the number of units permitted in the OVL-3 overlay zone by the 74 units so that this project continues to represent the same number of units that can address the Unmet Need in the Third Round.

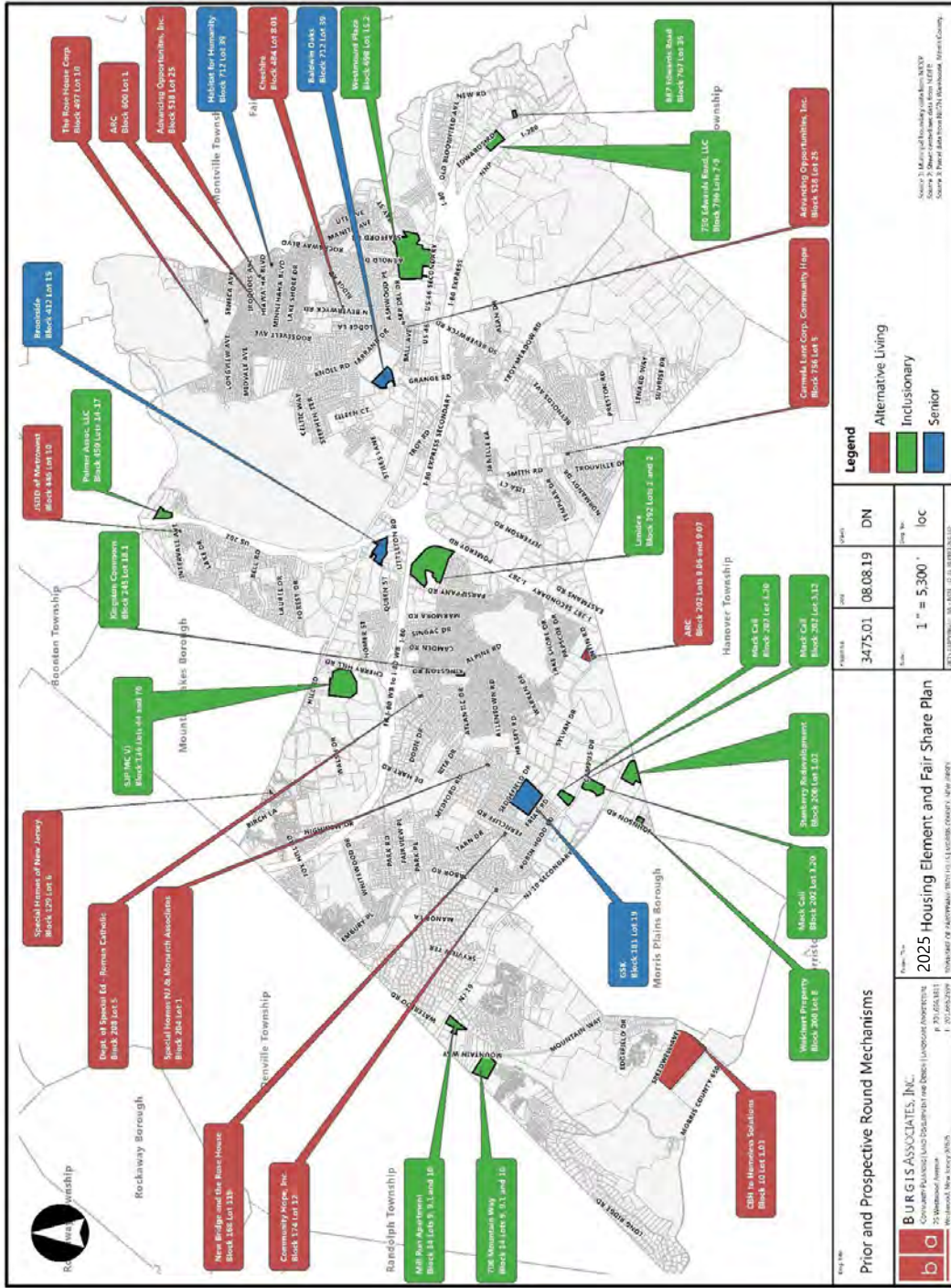
3. The Overlay Zones are described in the Third Round Plan and except for the change in the density for the OVL-3 zone noted above, they remain appropriate, along with the mandatory set aside and development fee ordinance establish potential credits as set forth in the table below.

Table 22: Third Round Unmet Need Components

Plan Component	Number of Credits
Excess Credits - Earlier Rounds:	
Third Round Surplus-Vail Manor	35
Prior Round Surplus-Brookside Senior Housing (Age Restricted) (191 total-127applied =64 available)	64
Overlay Zones:	
Overlay Zone-1: OVL-1 Zone	4*
Overlay Zone-2: OVL-2 Zone	7*
Overlay Zone-3: OVL-3 Zone- PARQ aka Lanidex- Block 392 Lots 1 and 2, (Rental) (120 total AH approved-74 applied 3 rd Round + 74 increased as noted above)	120
Overlay Zone-4: OVL-4 Zone	47*
Overlay Zone-5: OVL-5 Zone	63*
Overlay Zone-6: OVL-6 Zone	17*
Mandatory Set-Aside Ordinance (MSO)	
MSO: 240 Littleton Road, B 412, L 8 & 9, 20 units, 4 AH, ZBA Approved	4
Development Fee Ordinance	Ongoing

* Potential credits from zoning if developed.

Map 3: Prior and Third Round Components



4.5 Fourth Round Components

The Fourth Round Obligation encompasses the years 2025 through 2035. Governor Murphy signed the A-40/S-50 Bill into law on March 20, 2024 after the Senate and Assembly adopted it. This legislation (FHA-2) amended the Fair Housing Act (FHA or the Act) by abolishing COAH and created a new process that involved the creation of a new entity known as the Affordable Housing Dispute Resolution Program (the Program), as well as the DCA and the Administrative Office of the Courts (AOC).

FHA-2 directed the DCA to calculate the Present Need (also referred to as the Rehabilitation obligation) and the Prospective Need (also known as the new construction obligation) for Round Four based upon the standards set forth in the Act. The DCA issued its report on October 18, 2024, and, in accordance with the Act, made clear that the obligations generated by the report were advisory only and non-binding. For Parsippany Troy Hills, the DCA Report identified a Present Need of 138 and a Prospective Round Four Need of 553.

Since the DCA report is non-binding, each municipality had the opportunity to study and define why its obligations should be different based on the standards in the Act. The Township conducted such an analysis and determined that the DCA had made oversights in the Land Capacity Factor calculation, which is part of the formula that determines fair share obligations. The Township adopted a binding resolution on January 11, 2025 which committed to the 138-unit Present Need obligation identified by DCA, but identified a reduced Prospective Need obligation of 496 units due to the Township's assessment of errors in DCA's report pertaining to Parsippany Troy Hills Land Capacity Factor.

Ultimately, the Township's Prospective Need obligation was established at 496 affordable units by a Superior Court order issued on May 13, 2025. Since the township was approached by numerous interested development applications to address its Fourth Round Need, the calculation of suitable properties to address this need coincided with the total Fourth Round RDP of 496.

Furthermore, FHA II provides as follows:

Any municipality that receives an adjustment of its prospective need obligations for the fourth round or subsequent rounds based on a lack of vacant land shall as part of the process of adopting and implementing its housing element and fair share plan identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted, and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so.

[N.J.S.A. 52:27D-310.1]

For the Fourth Round, Parsippany Troy Hills “prospective need obligation that has been adjusted” (i.e., its RDP obligation) is the entirety of its Fourth Round Need of 496. The developments to address this need are identified in the Table below. As such, the Township’s efforts and work towards the redevelopment of all of the projects noted above addresses this effort and vastly exceeds this 25 percent standard. In fact the proposed projects are 100 percent repurposed or redeveloping projects of formerly developed properties.

Table 23: Fourth Round Components

Project Description	Credits	Bonus (25% Max)	Total
Inclusionary Developments - Proposed			
<u>4 Gatehall -Toll Brothers</u> : B 175, L52; 13.66 ac <ul style="list-style-type: none"> Conventional and stacked townhouses 	36	18	54
<u>Parq-Lanidex</u> : B 392, L 1.01, 1.02, 1.03, 1.04; 31.7 ac <ul style="list-style-type: none"> AIN-Mixed Use multifamily development. 	120	60	180
<u>3081 Route 46 Bixmor Redevelopment Mixed Use</u> : B 411 , L 31.1; 18.4 ac <ul style="list-style-type: none"> AIN Mixed Use-multifamily residential development 	78	39	117
<u>909-Parsippany Boulevard-Embassy Suites KRE</u> : B 420, L2 <ul style="list-style-type: none"> Adaptive Re-Use-Multifamily residential development 	42	7 (cap)	49
<u>400 Interpace- P3 Properties</u> : B 136, L43.5; 27.3 ac <ul style="list-style-type: none"> Mixed Use-Office-Multifamily residential development 	40	-	40
<u>1 Upper Pond Road</u> : B 13, L 43.4; 16 ac <ul style="list-style-type: none"> Stacked and conventional townhouses 	31	-	31
<u>1855 US 46- Cerbo Lumber Property 1855 US 46, LLC-Shree</u> <ul style="list-style-type: none"> Multifamily residential development 	25	-	25
Total	372	124	496
Remaining Need in Fourth-Round			0

Market to Affordable Program

The Township will continue to propose to implement a Market-to-Affordable program to create 10 affordable family units to be deed restricted for at least 30 years in the Fourth Round. The Market-to-Affordable program is proposed to be funded through the Township's Affordable Housing Trust Fund and operated by CGP&H, the Township affordable housing administrator. CGP&H will implement the program in accordance with COAH's regulations.

COAH's Third Round rules at N.J.A.C. 5:97-6.9 expanded and revised the permitted application of this mechanism, which was renamed as a Market-to-Affordable program. The Market-to-Affordable program under COAH 's Third Round rules included both for-sale and rental units, but was limited to for-sale units and 10 rental units or 10% of a municipality's fair share obligation, whichever was greater, until such time as the municipality demonstrated a successful Market-to-Affordable program.

CGP&H, the designated program administrator, has prepared an operating manual for the Township's proposed Market-to-Affordable program. The manual outlines program procedures and administration in accordance with UHAC. Affirmative marketing will be done in accordance with UHAC and the Township's affirmative marketing plan.

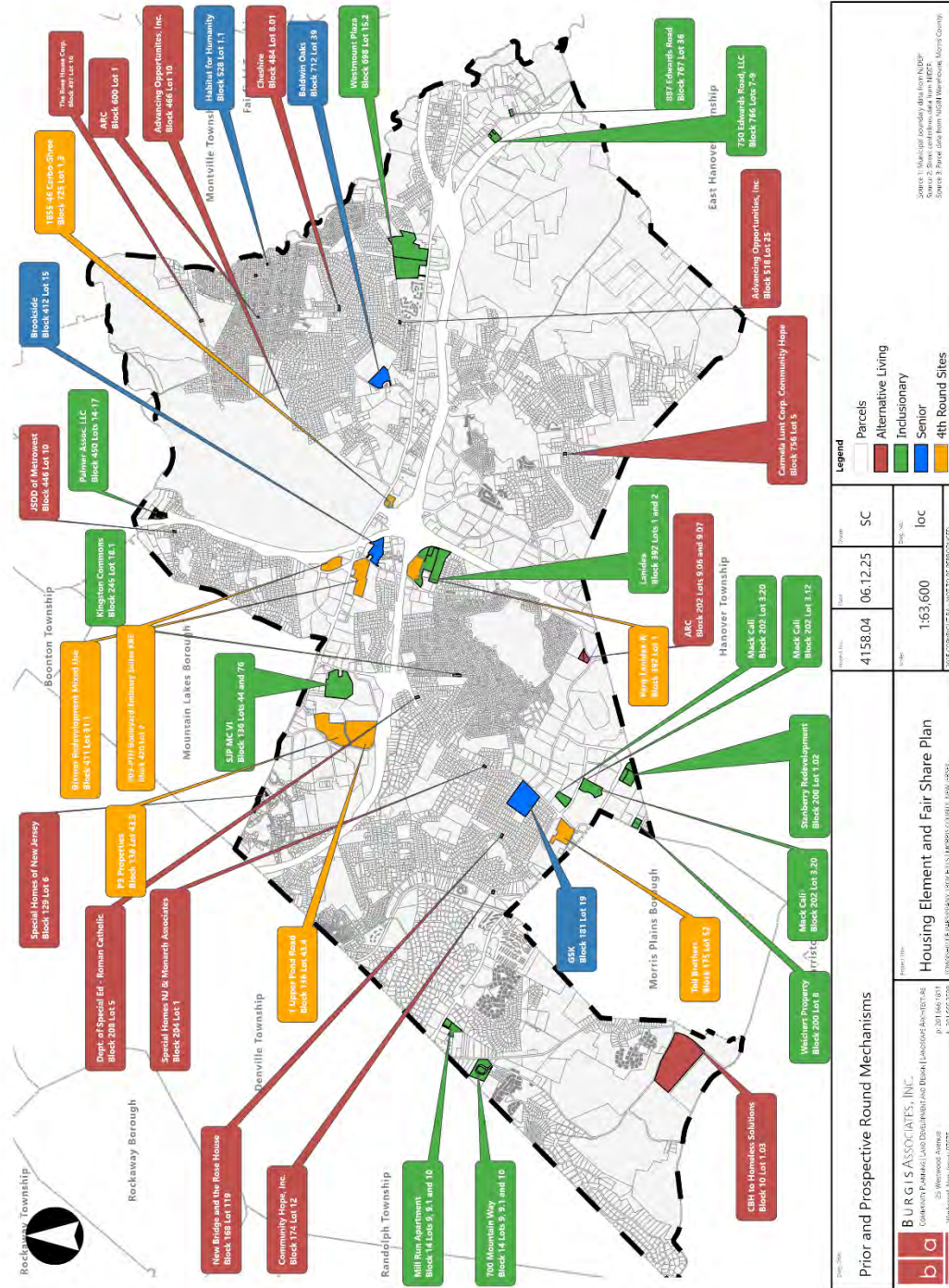
See Fair Share Plan Appendix for the Market-to-Affordable program manual.

Accessory Apartment Program

The Township has instituted a program in 2022 providing funding for up to 10 accessory apartments through its Affordable Housing Trust Fund. The Accessory Apartment Program has been instituted in the Township's zoning regulations to permit accessory apartments in the R-1 zone district. The Township proposes to commit on average \$47,500 per accessory apartment deed restricted for income qualified families, including up to \$55,000 per accessory apartment restricted for low income families, and up to \$40,000 per accessory apartment restricted for moderate income families.

The R-1 zone wherein this accessory use is to be permitted, encompasses over 1,700 acres in the Township and is developed with single family homes with a minimum lot size of 40,000 square feet with many exceeding this minimum lot size. The minimum lot size provides for adequate area for the creation of an accessory apartment on a lot as either an attached or incorporated unit or as a unit in accessory structures. The prevalence of existing homes of a size including numerous split or bi-level or walkout basement structures can be retrofitted to accommodate an accessory apartment. Additionally, the vast majority of the R-1 zone in the Township is served by public water and sewer service providing appropriate infrastructure to serve this program. Therefore, the accessory apartment program of 10 units in total on lot sizes of minimally 40,000 square feet, with available public infrastructure, provides a realistic opportunity for the development of these units.

Map 4: Prior and Third Round Components



Legend Parcels Alternative Living Inclusionary Senior 4th Round Sites	
Date: 06/12/25 Title: SC	Date: 06/12/25 Title: SC
Project No: 4158.04 Sheet: 1 of 1	Project No: 4158.04 Sheet: 1 of 1
Project Name: Housing Element and Fair Share Plan Project No: 4158.04 Sheet: 1 of 1	
Prepared by: BURGLIS ASSOCIATES, INC. CONSULTING PLANNING AND DESIGN ARCHITECTS 35 Westwood Avenue Westwood, New Jersey 07675 Phone: 201.662.2750 Fax: 201.662.2751	

4.6: Other Provisions

The following additional requirements are noted:

1. *Fourth Round Bonuses*. Fourth Round bonuses will be applied in accordance with NJAC 52:27d-311.k.
2. *Very-Low Income and Low-Income Units*. At least fifty percent (50%) of the units addressing the Fourth Round Prospective Need shall be affordable to low-income and very-low income and households with the remainder affordable to moderate-income households. A minimum of thirteen percent (13%) of the affordable units will be made available to very low income households, defined as households earning thirty percent (30%) or less of the regional median income by household size.
3. *Rental Component*. At least twenty-five percent (25%) of the Fourth Round Obligation shall be met through rental units, including at least half in rental units available to families.
4. *Families*. At least half of the units addressing the Third Round RDP and unmet need in total must be available to families.
5. *Age-Restricted Cap*. The Township shall comply with the age-restricted cap of thirty percent (30%) and will not request a waiver of this requirement. This shall be understood to mean that in no circumstances may the municipality claim credit towards its fair share obligation for age-restricted units that exceed thirty percent (30%) of all units developed or planned to meet its cumulative Prior Round, Third Round, and Fourth fair share obligations.
6. *Development Fees*. The Township will continue to impose development fees as permitted by COAH's prior round rules. The funds generated by the collection of development fees will be applied directly towards any activity approved by State regulations for addressing the municipal fair share.

4.7: Consistency with State Initiatives

As noted in Section 1, a HE&FSP must also include:

- ❖ 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, and;
- ❖ For a municipality located within the jurisdiction of the Highlands Water Protection and Planning Council, an analysis of compliance of the housing element with the Highlands Regional Master Plan of lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands conforming municipalities; and
- ❖ 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.

Accordingly, the following subsection analyzes the consistency of this HE&FSP to the above referenced state planning initiatives.

Multigenerational Family Housing Continuity Commission

The Multigenerational Family Housing Continuity Commission was established by the State of New Jersey in 2021. As noted in NJSA 52:27D-329.20, one of the primary duties of the Commission is to “prepare and adopt recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas.”

As of the date of this HE&FSP, the Multigenerational Family Housing Continuity Commission has not yet adopted any recommendations.

Highlands Regional Master Plan

The Township of Parsippany Troy Hills is located entirely within the Planning Area of the Highlands Region. The Township submitted a Petition for Plan Conformance for the Highlands Master Plan on December 8, 2018.

The Highlands Regional Master Plan (RMP) establishes that one of the overarching goals of the Planning Area is to protect and enhance the region's natural resources while also allowing for appropriate, sustainable development. This goal defines policies and programs, including those focused on water resource protection, environmentally sensitive lands, agricultural resources, and recreation opportunities.

The Highlands Regional Master Plan in the Planning Area balances the need for environmental protection with the desire for sustainable economic development, aiming

to preserve the region's natural resources while allowing for appropriate growth and development. This HE&FSP is consistent and compatible with the Highlands RMP's goals for the Planning Area.

In addition, this plan is consistent with the Highlands RMP language regarding affordable housing, which reads as follows:

In accordance with the Fair Housing Act, all newly constructed residential development within the Highlands Region are required to reserve for occupancy by low- or moderate-income households at least 20 percent of the residential units constructed. As the 20 percent reservation requirement is found in the Fair Housing Act and not the Highlands Act, all municipalities located in the Highlands Region are responsible for the 20 percent reservation requirement, irrespective of plan conformance status. This includes development exempt from the Highlands Act.

It is noteworthy that the Township's regulations pertaining to the Township-wide Mandatory Set-Aside Ordinance is already consistent with a minimum 20 percent affordable housing set-aside for all qualifying developments, regardless of tenure.

State Development and Redevelopment Plan

As established by NJSA 52:18A-200(f), the purpose of the State Development and Redevelopment Plan (SDRP) is to "coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination."

As such, the SDRP establishes a number of goals and strategies related to a number of different topics, including economic redevelopment. One such goal is to revitalize existing urban centers by directing growth and development to those areas. Specifically, the SDRP seeks to revitalize the State's cities and towns by protecting, preserving, and developing the valuable human and economic assets in cities, town, and other urban areas.

As indicated by the SDRP's Policy Map, the Fourth Round Obligation components identified herein are located in the PA-2 Suburban Planning Area, wherein development and redevelopment is intended to be directed. The intent of this Planning Area is to:

- ❖ Provide for much of the state's future redevelopment;
- ❖ Promote growth in Centers and other compact forms;
- ❖ Protect the character of existing stable communities;
- ❖ Protect natural resources;
- ❖ Redesign areas of sprawl;
- ❖ Reverse the current trend toward further sprawl; and
- ❖ Revitalize cities and towns.

Accordingly, this HE&FSP is consistent with the intents of the PA-2. Specifically, it is designed to encourage redevelopment and growth in a compact form, while also protecting the character of the existing community.

4.8: Requests Not Included

Several developers and landowners previously sent letters to Parsippany-Troy Hills requesting a rezoning of their respective properties to be rezoned to permit inclusionary development. These sites were subsequently prioritized by the Township to determine if they were appropriate for inclusion. Out of the over twenty inquiries or letters of interest sent to the Township regarding specific lands, seven were selected and included in this plan. The following requests were denied.

7 Century Drive- Kushner Real Estate Group, Inc.

The Township received a proposal from Kushner Real Estate Group, Inc (KRE). KRE is the contract purchaser of Block 202, Lot 1.5 and located at 7 Century Drive. The proposal is for the conversion of the existing office building to a 58-unit inclusionary community featuring 12 affordable housing units.

The Township did not select this property at this time to address its Fourth Round Need. The property did not represent the most advantageous or desirable location or the best land use planning option for the Township at this location. The proposal grouped all affordable units in one building whereas the rules require the units to be distributed throughout the development. The setbacks were too small to adjacent roadways and other land uses. Accordingly, this site was given a lower priority than the other sites included in this HE&FSP and was not included because it was not necessary to satisfy the fair share obligation.

299 Smith Road-Hyatt Extended Stay

The Township received a proposal from a developer named Blue Ocean. Blue Ocean was not identified as a contract purchaser of the property. They proposed repurpose the existing Hyatt Extended Stay facility at Block 735.02, Lot 1 and located at 299 Smith Road. The Proposal for the conversion of the existing hotel to a 140-unit inclusionary community featuring 28 affordable housing units.

The Township did not select this property at this time to address its Fourth Round Need. The property did not represent the most advantageous or desirable location or the best land use planning option for the Township at this location. The proposal was not able to accommodate the proper UHAC required bedroom distribution in the repurposing of the building. Accordingly, this site was given a lower priority than the other sites included in this HE&FSP and was not included because it was not necessary to satisfy the fair share obligation.

1-Jefferson-SIG One Jefferson LLC

The Township received a proposal from SIG One Jefferson, LLC ("SIG"). SIG is the owner of that certain property identified as Block 735.02, Lot 4 at 1 Jefferson Road. The Proposal is to convert the current structure to allow for the development of 80 apartments with a fifteen (15) percent affordable set aside. SIG further proposes to construct 33 new town

homes on the Property with 8 of those new town homes designated for affordable housing.

The Township did not select this property at this time to address its Fourth Round Need. The property did not represent the most advantageous or desirable location or the best land use planning option for the Township. The proposal did not identify adequate parking or site plan arrangement for proper site circulation. The plan did not identify the parking demand would be met or the residential amenities for such a density for the future residents. Accordingly, this site was given a lower priority than the other sites included in this HE&FSP and was not included because it was not necessary to satisfy the fair share obligation.

100 Kimball Drive- SIG Kimball LLC

The Township received a proposal from SIG Kimball, LLC ("SIG"). SIG is the owner of IG is the owner of that certain property identified as Block 735, Lot 6 at 100 Kimball Drive. The proposal is to convert the current structure currently located on the property to allow for the development of 140 apartments with a 15 percent affordable set aside. SIG further proposes to construct 60 new town homes on the Property with 12 of those new town homes designated for affordable housing.

The Township did not select this property at this time to address its Fourth Round Need. The property did not represent the most advantageous or desirable location or the best land use planning option for the Township. The plan did not identify the parking demand would be met or the residential amenities for such a density for the future residents. Accordingly, this site was given a lower priority than the other sites included in this HE&FSP and was not included because it was not necessary to satisfy the fair share obligation.

1599 Littleton Road -Toll Brothers, Inc.

The Township received a proposal from Toll Brothers, Inc (Toll). Toll is the contract purchaser of Block 202, Lot 4 and located at 1599 Littleton Road. The proposal is for Toll to redevelop this Property into 144-unit inclusionary residences with twenty-eight (28) affordable housing units.

The Township did not select this property at this time to address its Fourth Round Need. The property did not represent the most advantageous or desirable location or the best land use planning option for the Township at this location. The proposed arrangement of residential structures in close proximity to adjacent non-residential uses shared access drives with such uses and is burdened by a non-residential parking area which use not identified but seemed to be needed to address an adjacent office use. No apparent residential amenities proposed for the development and setbacks or buffers were too small. Accordingly, this site was given a lower priority than the other sites included in this HE&FSP and was not included because it was not necessary to satisfy the fair share obligation.

739 Mountain Way- Kasparian/Trelia

The Township received a proposal from a developer identified as Trelia. The developer Trelia is a contract purchaser of a property at Block 15, Lot 50 at 739 Mountain Way. The proposal is for the redevelopment of the single-family residential property to a 14 townhouse and 30 multifamily project. It was unclear what the set aside for affordable housing would be and where such units would be to determine compliance with the applicable affordable housing regulations.

The Township did not select this property at this time to address its Fourth Round Need. The property did not represent the most advantageous or desirable location or the best land use planning option for the Township at this location. The proposal seemingly grouped all affordable units in one building non-compliant with applicable regulations. The property which is mostly undeveloped contained significant environmental restrictions of wetlands and bands of steep slopes which did not present the best location for such development intensity requiring significant grading and retaining walls. The setbacks were too small to adjacent properties. Accordingly, this site was given a lower priority than the other sites included in this HE&FSP and was not included because it was not necessary to satisfy the fair share obligation.

6 Upper Pond Road- AMS Acquisitions LLC

The Township received a proposal from AMS Acquisitions LLC ("AMS"). AMS is the owner of that certain property identified as Block 136, Lot 43.7 at 6 Upper Pond Road. The proposal is to remove the existing office building currently located on the property to allow for the development of 208 total unit inclusionary residential community.

The Township did not select this property at this time to address its Fourth Round Need. The property did not represent the most advantageous or desirable location or the best land use planning option for the Township. The plan did not identify setbacks to adjacent properties on balance with the proposed density per acre. Accordingly, this site was given a lower priority than the other sites included in this HE&FSP and was not included because it was not necessary to satisfy the fair share obligation.

Fair Share Plan Appendices

- 1- Third Round Settlement Agreements
- 2- Third Round Certification
- 3- Fourth Round Need Resolution
- 4- Highlands Build Out Analysis- Vacant Land Analysis
- 5- Rehabilitation Program
- 6- Market to Affordable Program
- 7- Affordable Housing and Development Fee Ordinance
- 8- Affirmative Marketing Plan
- 9- Appointment of Municipal Affordable Housing Liaison- TO BE PROVIDED
- 10- Resolution Designating CGP&H as the Township's Administrative Agent and the 2025 Professional Services Agreement- TO BE PROVIDED
- 11- Resolution of Intent to Fund- TO BE PROVIDED
- 12- Proposed Development Draft Ordinances
- 13- Proposed Fourth Round Development Concept Plans
- 14- Township Council Endorsing Resolution-TO BE PROVIDED
- 15- 2025 Spending Plan

1. Third Round Settlement Agreements

- December 10, 2020 Court Order Approving the Settlement Agreement between the Township and FSHC.
- Executed Settlement Agreement

Leslie G. London, Esq. (020801988)
McMANIMON, SCOTLAND & BAUMANN, L.L.C.
75 Livingston Avenue, Second Floor
Roseland, New Jersey 07068
(973) 622-1800
Attorneys for Plaintiff/Petitioner,
Township of Parsippany-Troy Hills

FILED

JUL 24 2019

MICHAEL C. GAUS, J.S.C.
SUPERIOR COURT OF NJ

IN THE MATTER OF THE APPLICATION OF
THE TOWNSHIP OF PARSIPPANY TROY-
HILLS FOR A DETERMINATION OF
MOUNT LAUREL COMPLIANCE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY

DOCKET NO.: MRS-L-169-15
Civil Case
(Mount Laurel)

ORDER APPROVING SETTLEMENT
AGREEMENT AND FIXING DATE FOR
FINAL COMPLIANCE HEARING

THIS MATTER, having come before the Court by McManimon Scotland & Baumann, LLC attorneys for Petitioner Township of Parsippany-Troy Hills (the "Township") (Leslie G. London, Esq. appearing); and Intervenor Fair Share Housing Center ("FSHC") (Kevin Walsh Esq., appearing), by way of a Fairness and Preliminary Compliance Hearing held on June 21, 2019, pursuant to and in accordance with East/West Venture v. Borough of Fort Lee, 286 N.J. Super. 311 (App. Div. 1996) ("East/West Venture"); and sufficient notice of this hearing having been given in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel") and Morris County Fair Housing Council Housing v. Boonton Township, 197 N.J. Super. 359 (Law. Div. 1984), aff'd o.b., 209 N.J. Super, 108 (App. Div. 1986) ("Morris County Fair Housing"); and the Court having considered the testimony of the Township's qualified expert, Edward J. Snieckus, PP, LLA, ASLA, and the Court having considered the Settlement Agreement dated March 19, 2019 entered into between the Township and FSHC, and the other Exhibits presented by the Township in support thereof (see Exhibits P-1 through P-6 attached hereto); and the Court having

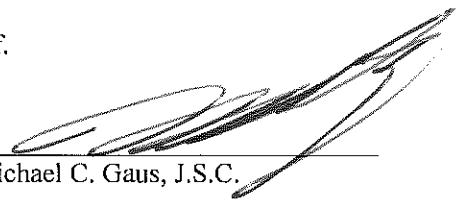
considered the testimony and Report presented by the Court Master, Brian M. Slauch, PP, AICP (see Exhibit S-1 attached hereto), and the testimony of Kevin Walsh of FSHC, and good cause having been shown;

IT IS on this 24th day of June, 2019;

ORDERED, as follows:

1. The Court finds that adequate notice of this Hearing was provided in accordance with Mount Laurel IV and Morris County Fair Housing; and
2. The Court finds that the Settlement Agreement between the Township and FSHC is fair and adequately protects the interest of low- and moderate-income persons within the Township's housing region based upon the criteria set forth in East/West Venture for approving a settlement of the Mount Laurel litigation; and
3. A Final Compliance Hearing is hereby scheduled for October 25, 2019 at 1:30 p.m. by which time the Township shall have complied with the conditions set forth in the Court Master's Report and the Township shall have submitted to the Court and FSHC the Township's Housing Element and Fair Share Plan ("HEFSP") and all Resolutions and Ordinances required to implement the HEFSP; and the Township shall have provided for the Planning Board of the Township to finalize and adopt the HEFSP and the Township's governing body to endorse same and to adopt all necessary effectuating Resolutions and Ordinances; and
4. A copy of the proposed Notice attached hereto, shall be published in a newspaper of general circulation in Morris County, Essex County, Union County and Warren County no later than October 1, 2019.

5. The temporary immunity previous granted to the Township is hereby extended until and through the day following the completion of the Final Compliance Hearing herein scheduled and the entry of an Order granting Final Judgment in this matter; and
6. A copy of this Order shall be served upon all counsel, Intervenors, and parties on the Service List in this matter within seven (7) day of the Township's receipt thereof.



Michael C. Gaus, J.S.C.

TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY

RESOLUTION

R2018-085: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROVING THE SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER TO RESOLVE THE TOWNSHIP OF PARSIPPANY-TROY HILLS' AFFORDABLE HOUSING DECLARATORY JUDGMENT ACTION

WHEREAS, on July 8, 2015, the Township of Parsippany-Troy Hills (the "Township") filed a Declaratory Judgment Complaint in Superior Court, Law Division, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. (2015) (Mount Laurel IV), seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan (hereinafter "Fair Share Plan"), as to be amended as necessary, satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the "Mount Laurel doctrine"; and

WHEREAS, the Township simultaneously sought, and ultimately secured, a protective Order providing the Township with immunity from all exclusionary zoning lawsuits while it pursues approval of its Fair Share Plan; and

WHEREAS, the Trial Judge appointed Brian Slauch, P.P., A.I.C.P. as the Special Court Master (hereinafter the "Court Master"), as is customary in Mount Laurel matters adjudicated in the courts; and

WHEREAS, with the assistance from the Court Master, the Township and Fair Share Housing Center (hereinafter "FSHC") engaged in good faith negotiations which resulted in an amicable accord on the various substantive terms and conditions as set forth in the Settlement Agreement attached hereto as Exhibit A; and

WHEREAS, the Township was represented in these negotiations by the Township's Affordable Housing Special Counsel and the Township's Affordable Housing Planner; and

WHEREAS, through the process, the Township and FSHC agreed upon the Township's affordable housing obligations and the compliance techniques necessary for the Township to satisfy its "fair share" of the regional need for low- and moderate-income housing; and

WHEREAS, the Township and FSHC also agreed to present the Settlement Agreement to the Trial Judge for approval at a duly-noticed Mount Laurel Fairness Hearing; and

WHEREAS, although there is a well-established policy favoring the settlement of all forms of litigation, the settlement of Mount Laurel litigation is particularly favored because (1) it avoids the expenditure of finite public resources; and (2) expedites the construction of safe, decent housing for the region's low- and moderate-income households; and

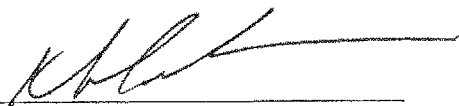
WHEREAS, in light of the above, the Council finds that it is in the best interest of the Township to execute the attached Settlement Agreement with FSHC and to take the various other actions delineated below, which will ultimately result in approval of the Township's Fair Share Plan which, in turn, will maintain the Township's immunity from all Mount Laurel lawsuits for the ten-year period set forth in the New Jersey Fair Share Housing Act, N.J.S.A. 52:27D-301 to 329.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Parsippany-Troy Hills, Morris County, State of New Jersey, as follows:

1. The Council hereby directs, authorizes and empowers the Mayor to execute the Settlement Agreement attached hereto as Exhibit A.
2. The Council hereby directs, authorizes and empowers the Township's Affordable Housing Special Counsel to (a) file the fully-executed Settlement Agreement with the Court for review and approval at a duly-noticed Fairness Hearing, (b) take all actions reasonable and necessary to secure an Order approving the Settlement Agreement, and (c) work towards ultimately securing judicial approval of the Township's Fair Share Plan, after it is drafted, adopted by the Township Planning Board and endorsed by the Council.
3. All other appropriate Township officials are hereby directed, authorized and empowered to execute all documents and take all steps necessary and appropriate to effectuate the terms and purposes of this Resolution and the Settlement Agreement.

COUNCIL MEMBER	Aye	Nay	Abstain	Absent	Motion	Second
Mr. Carifi	X					
Mr. dePierro	X				X	
Mrs. Gragnani	X					X
Mrs. McCarthy	X					
Mrs. Peterson	X					

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND LAWFUL COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AT ITS MEETING OF MARCH 19, 2019.



 KHALED MADIN
 TOWNSHIP CLERK



 COUNCIL PRESIDENT PAUL CARIFI JR.



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

March 19, 2019

Hon. Michael Soriano
Mayor, Parsippany-Troy Hills
Parsippany-Troy Hills Town Hall
1001 Parsippany Boulevard
Parsippany-Troy Hills, NJ 07054

Re: In the Matter of the Application of the Township of Parsippany-Troy Hills for Determination of Mount Laurel Compliance, Docket No. MRS-L-169-15

Dear Mayor Soriano:

This letter memorializes the terms of an agreement reached between the Township of Parsippany-Troy Hills (the Township or "Parsippany-Troy Hills"), 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

Parsippany-Troy Hills filed the above-captioned matter on July 7, 2015 seeking a declaration of its compliance with the Mount Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq. in accordance with In re N.J.A.C. 5:96 and 5:97, supra. Through the declaratory judgment process, the Township and FSHC agreed to settle the litigation and to present that settlement to the trial court with jurisdiction over this matter to review, recognizing that the settlement of Mount Laurel litigation is favored because it avoids delays and the expense of trial and results more quickly in the construction of homes for lower-income households.

Settlement terms

The Township and FSHC hereby agree to the following terms:

1. FSHC agrees that the Township, through the adoption of a Housing Element and Fair Share Plan conforming with the terms of this Agreement (hereafter "the Plan") and through the implementation of the Plan and this Agreement, satisfies its obligations under the Mount Laurel doctrine and Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., for the Prior Round (1987-1999) and Third Round (1999-2025).
2. At this time and at this particular point in the process resulting from the Supreme Court's Mount Laurel IV decision, when Third Round fair share obligations have yet to be definitively determined, it is appropriate for the parties to arrive at a settlement regarding a municipality's Third Round present and prospective need instead of doing so through plenary adjudication of the present and prospective need.
3. FSHC and Parsippany-Troy Hills hereby agree that the Township's affordable housing obligations are as follows:

Rehabilitation Share	190
Prior Round Obligation (pursuant to N.J.A.C. 5:93)	664
Third Round (1999-2025) Prospective Need	1314

4. For purposes of this Agreement, the Third Round Prospective Need shall be deemed to include the Gap Period Present Need, which is a measure of households formed from 1999-2015 that need affordable housing, that was recognized by the Supreme Court in In re Declaratory Judgment Actions Filed By Various Municipalities, 227 N.J. 508 (2017).
5. The Township's efforts to meet its present need include the following: The Township administers and will continue to implement, an ongoing rehabilitation program to income qualified households as funded by a Community Development Block Grant Program (CDBG). In addition, the Township will supplement this program with a municipally operated rehabilitation program that shall be available to rental units, both in accordance with the requirements in N.J.A.C. 5:97-6.2. This is sufficient to satisfy the Township's present need obligation of 190 units.
6. As noted above, the Township has a Prior Round prospective need of 664 units.
 - a. The Prior Round obligation is met through the following compliance mechanisms:

	Credits Applicable	Rental Bonus	Total Credits
Prior Cycle Credits: 100% Affordable Developments - Completed			
<u>Baldwin Oaks</u> (B 712, L 39) (Rental) Age Restricted Units: 250	166		166
Prior Cycle Credits: Alternative Living Arrangements- Completed			
<u>Cheshire</u> (B 484, L 8.01) (Rental) 339 North Beverwyck Road	6		6
<u>ARC</u> (B 601, L) (Rental) 143 Hiawatha Blvd.	5		5
Regional Contribution Agreement	294		294
Inclusionary Developments- Completed			
<u>Mill Run Apartment</u> (B 15, L 5&6) (Rental) 2889 Route 10	16	16	32
<u>Palmar Assoc. LLC.</u> (B 450, L 14, 15, 16 & 17) (Rental) 16 Interval Road	2	2	4
Market to Affordable - Completed			
<u>Habitat for Humanity</u> (B 528, L 1.1) 40 Sioux Ave.	1		1
Alternative Living Arrangements- Completed			
<u>ARC</u> (B 202, L 9.06) (Rental) 10 Entin Rd.	6	6	12
<u>ARC</u> (B 202, L 9.07) (Rental) 10 Entin Rd.	6	6	12
<u>CBH to Homeless Solutions</u> (B 10, L 1) (Rental) Ruth Davis Drive	34	34	68
<u>JSDD of Metrowest</u> (B 446, L 10) (Rental) 5 Pleasant Terrace	5	5	11
<u>Advancing Opportunities, Inc.</u> (B 518, L 25) (Rental) 112 Hiawatha Blvd.	4	4	8

	Credits Applicable	Rental Bonus	Total Credits
<u>Advancing Opportunities, Inc.</u> (B 709, L 27) (Rental) 66 N. Beverwyck Rd..	4	4	8
<u>Community Hope Inc.</u> (B 174 , L 12) (Rental) 639 Tabor Road	6	6	12
<u>New Bridge & The Rose House</u> (B 168 , L 119) (Rental) 37 Moraine Road	4	4	8
<u>Special Homes NJ & Monarch Associates</u> (B 204, L 1) 1259 Littleton Rd.	5	5	10
<u>Carmela Lunt Corp. c/o Community Hope</u> (B 756, L 5) (Rental) 2 Deauville Dr.	4	4	8
Total:	568	96	664

b. The parties agree to the following with regard to the units identified in paragraph 6a, above:

- i. During the compliance phase of this matter, the municipality will provide deed restrictions and other documentation requested by the Special Master or FSHC for the purpose of demonstrating the credits claimed to satisfy the Prior Round obligation.
- ii. The application of the age-restricted cap for the Prior Round is addressed in paragraph 11 of this Agreement.
- iii. The 294-units of regional contribution agreement credits were approved by the Council on Affordable Housing by resolution adopted on January 9, 1991. The regional contribution agreement obligation was completed with the City of Newark, Essex County. During the compliance phase of this matter, the municipality will provide documentation related to the regional contribution credits.
- iv. With regard to the 89 total units of Alternative Living Arrangements identified above, during the compliance phase of the litigation, the Township agrees to provide the following for each of these credits: 1) A copy of the deed restriction on the project; 2) The Supportive and Special Needs Housing Survey Form used by the Council on Affordable Housing; 3) A copy of the facility license, if applicable.

7. The municipality, as calculated in Exh. A, has a realistic development potential (RDP) of 857 units.

a. That RDP will be satisfied as follows:

	Credits Applicable	Rental Bonus	Total Credits
Prior Cycle Credits: Surplus 100% Affordable Developments – Completed			
<u>Baldwin Oaks</u> (B 712, L 39) (Rental) Age Restricted: 250 units (84 remaining)	84		84
<u>Brookside</u> (B 412, L 15) (Rental) Age Restricted: 191 units	130		130
Inclusionary Developments- Completed/Approved			
700 Mountain Way (B 14, L 9, 9.1&10) (Rental): 97 units	15	15	30
Kingston Commons (B 245, L 18.1) (Rental) 181 Kingston Road : 8 units	2	2	4

	Credits Applicable	Rental Bonus	Total Credits
Market to Affordable-Proposed			
Market to Affordable Program-CGPH	35		35
Accessory Apartments			
Proposed max permitted per rule	10		10
Alternative Living Arrangements- Completed			
<u>Dept. of Special Ed-Roman Catholic</u> (B 208, L 5) (Rental) 829 Littleton Rd.	5	5	10
<u>Special Homes of New Jersey</u> (B 129, L 6) Rental) 19 Glenwood Place	4	4	8
<u>The Rose House Corp.</u> (B 497, L 10) (Rental) 929 Knoll Road	4	4	8
Alternative Living Arrangements –Proposed			
<u>Community Options</u> (Rental) 3 sites, 4 bedrooms	12	12	24
<u>Advancing Opportunities, Inc.</u> (Rental) 2 sites, 4 bedrooms	8	8	16
Inclusionary Developments-Proposed			
Stanberry Parsippany LLC. (B 200, L1.02) (Rental) 1551 Route 10: 441 units	67	67	134
Mack Cali (B 202, L 3.12, and 3.20) (Rental): 410 units	82	82	164
Westmount Plaza (B 698, L 15.2) (Rental): 313 units	63	16	79
750 Edwards Road LLC. (B 766, L 6, 7, 8, 9) (Rental): 114 units	23	0	23
887 Edwards Road (B 767, L 36) (Rental): 24 units	5	0	5
Weichert- (B 200, L 8) 169 Johnston Road: 91 units	19	0	19
SJP MC VI- (B136, L44&76, B 200, L 800) 1 Cherry Hill Road: 325 units	65	0	65
199 Cherry Hill Road- (B411, L15): 60 units	12	0	12
Total:	645	215	860

- b. The parties agree to the following with regard to the units identified in paragraph 7a, above:
- i. During the compliance phase of this matter, for units that are completed, the municipality will provide deed restrictions and other documentation requested by the Special Master or FSHC for the purpose of demonstrating the credits claimed toward the Third Round obligation.
 - ii. The application of the age-restricted cap for the Third Round is addressed in paragraph 11 of this Agreement.
 - iii. With regard to the 35 units to be provided through the Township's creation and administration of a Market to Affordable program, the Township will subsidize the conversion of apartments into affordable, deed restricted units that will comply fully with the Uniform Housing Affordability Controls, including with regard to affirmative marketing, low/moderate-income split, very low income requirements, and bedroom distribution. A procedures manual will be created during the compliance period, including a subsidy amount that meets or exceeds the minimum required by N.J.A.C. 5:97-6.9. During the compliance period, the Township will also provide evidence that there are an adequate number

- of units that the Township can either acquire, or provide sufficient subsidy to eligible homebuyers that they can afford to purchase the unit, and the subsidy will be used to permanently write down the cost of the unit for at least 30 years and until released by the municipality in accordance with the Uniform Housing Affordability Controls. Funding will be identified in the spending plan. These units will be family units. The Township will have half of these completed by the end of 2022 and the other half by the end of 2024.
- iv. The Township has agreed to create 10 accessory apartments. An accessory apartment is a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters, and a private entrance, which is created within an existing home, or through the conversion of an existing attached accessory structure on the same site, or by an addition to an existing home or accessory building. During the compliance phase of the litigation, the Township will demonstrate that this program has been established and is ready to be implemented in accordance with N.J.A.C. 5:97-6.8. Half of the units will be made available to low-income households. The units must be affirmatively marketed and shall be affordable for 30 years and until released by the municipality in accordance with the Uniform Housing Affordability Controls. During the compliance phase of this litigation, the Township will prepare all necessary manuals and forms for review by FSHC, the Special Master, and the Court prior to and at the compliance hearing.
 - v. With regard to the 13 completed units of Alternative Living Arrangements identified above, during the compliance phase of the litigation, the Township agrees to provide the following for each of these credits: 1) A copy of the deed restriction on the project; 2) The Supportive and Special Needs Housing Survey Form used by the Council on Affordable Housing; 3) A copy of the facility license, if applicable.
 - vi. With regard to the proposed inclusionary developments, during the compliance phase of this matter, the municipality will adopt ordinances that create a realistic opportunity for the development of affordable housing and will provide evidence that the proposed inclusionary sites are available, approvable, developable and suitable. At least 60 days prior to the compliance hearing in this matter, the municipality will provide copies of agreements with the identified developers of the inclusionary sites.
8. The RDP of 857, subtracted from the Third Round obligation of 1314 units, results in an unmet need of 457 units, which shall be addressed through the following mechanisms:
- a. Brookside (B 412, L 15) - 61 of the 191 units in the age-restricted rental development are credited to the municipality's Third Round unmet need.
 - b. Vail Manor Senior (B 455, L 2&3) - All 35 units of the age-restricted rental development are credited to the municipality's Third Round unmet need.
 - c. Overlay zoning on designated sites, as described in Exh. B to this Agreement.
 - d. The municipality agrees to adopt an ordinance that provides that an affordable housing set-aside of 20% shall be required for all new multi-family and single family attached or townhouse residential developments of five (5) or more additional units that are developed at a density of six (6) or more units per acre, which developments become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multi-family residential housing where not previously permitted or a

new or amended redevelopment plan or a new or amended rehabilitation plan. This does not give any developer the right to any such rezoning, variance, redevelopment designation or redevelopment plan approval or other relief, or establish any obligation on the part of the municipality to grant such rezoning, variance, redevelopment designation or redevelopment plan approval or other relief.

9. The Township intends to provide a realistic opportunity for the development of affordable housing through the adoption of inclusionary zoning on the following sites:

Development	Affordable Units
Stanberry Parsippany LLC. (B 200, L1.02)	67
Mack Call (B 202, L 3.12, and 3.11)	82
Westmount Plaza (B 698, L 15.2)	63
750 Edwards Road LLC. (B 766, L 6, 7, 8, 9)	23
887 Edwards Road (B 767, L 36)	5
Weichert- (B 200, L 8) 169 Johnston Road	19
SJP MC VI- (B136, L44&76, B 200, L 800) 1 Cherry Hill Road	65
199 Cherry Hill Road- (B411, L15)	12

10. The Township will provide a realistic opportunity for the development of additional affordable housing that will be developed or created through means other than inclusionary zoning in the following ways:

Compliance Mechanism	Units
Market to Affordable Program-CGPH	35
Accessory Apartments	10
Community Options, 3 sites, 4 bedrooms	12
Advancing Opportunities, Inc., 2 sites, 4 bedrooms	8

In accordance with N.J.A.C. 5:93-5.5, the Township recognizes that it must provide evidence that the municipality has adequate and stable funding for any non-inclusionary affordable housing developments. The municipality is required to provide a pro forma of both total development costs and sources of funds and documentation of the funding available to the municipality and/or project sponsor, and any applications still pending. In the case where an application for outside funding is still pending, the municipality shall provide a stable alternative source, such as municipal bonding, in the event that the funding request is not approved. The Township shall demonstrate its satisfaction of these requirements at least 60 days prior to the compliance hearing in this matter.

In accordance with N.J.A.C. 5:93-5.5, for non-inclusionary developments, a construction or implementation schedule, or timetable, shall be submitted for each step in the development process: including preparation of a site plan, granting of municipal approvals, applications for State and Federal permits, selection of a contractor and construction. Unless another timeframe is expressly provided by this Agreement, the schedule shall provide for construction to begin within two years of court approval of this settlement. The municipality shall indicate the entity responsible for undertaking and monitoring the construction and overall development activity. The Township shall

demonstrate its satisfaction of these requirements at least 60 days prior to the compliance hearing in this matter.

11. The parties agree as follows with regard to the age-restricted cap:
 - a. The parties have agreed for purposes of this Agreement to apply the age-restricted cap of 25-percent to all credits applied toward the Township's Prior Round and Third Round prospective need obligations.
 - b. The age-restricted cap for the Prior Round is 166 ($664 \times .25 = 166$).
 - c. The age-restricted cap, as applied to the Third Round RDP of 857 units, is 214 ($857 \times .25 = 214.25$, rounded down).
 - d. The age-restricted cap, as applied to the Third Round unmet need of 457, is 114 ($457 \times .25 = 114.25$, rounded down).
 - e. This Agreement recognizes the following age-restricted credits:
 - i. Baldwin Oaks (B 712, L 39) is a 250-unit age-restricted rental development that was developed in 1980. 166 of the 250 units are credited to the municipality's Prior Round obligation. The remaining 84 of the 250 units are credited to the municipality's Third Round obligation.
 - ii. Brookside (B 412, L 15) is a 191-unit age-restricted rental development that was developed in 1981. 130 of these units are credited to the municipality's Third Round obligation. The remaining 61 of the 191 units are credited to the municipality's Third Round unmet need.
 - iii. Vail Manor Senior (B 455, L 2&3), 186 Vail Road, is a 35-unit age-restricted rental development that was developed in 2002. The 35 units are credited to the municipality's Third Round unmet need.

12. The Township agrees to require at least 13% of all units referenced in this Agreement, excepting those units that were constructed or granted preliminary or final site plan approval prior to July 1, 2008, to be very low income units, with half of the very low income units being available to families. The municipality will comply with those requirements through the adoption of an ordinance requiring 13% of all units in inclusionary developments, including on sites that are required by this Agreement to be rezoned with overlay zoning, and as follows on sites designated in this Agreement:

Development/Compliance Mechanism	Affordable Units	Required very low income units
Stanberry Parsippany LLC. (B 200, L1.02)	67	9
Mack Cali (B 202, L 3.12, and 3.11)	82	11
Westmount Plaza (B 698, L 15.2)	63	8
750 Edwards Road LLC. (B 766, L 6, 7, 8, 9)	23	3
887 Edwards Road (B 767, L 36)	5	1
Weichert- (B 200, L 8) 169 Johnston Road	19	3
SJP MC VI- (B136, L44&76, B 200, L 800) 1 Cherry Hill Road	65	9
199 Cherry Hill Road- (B411, L15)	12	2
Market to Affordable Program-CGPH	35	5
Accessory Apartments	10	1
Community Options, 3 sites, 4 bedrooms	12	12
Advancing Opportunities, Inc., 2 sites, 4 bedrooms	8	8

13. The Township shall meet its Third Round Prospective Need in accordance with the following standards as agreed to by the Parties and reflected in the table in paragraph 6 above:
 - a. Third Round bonuses will be applied in accordance with N.J.A.C. 5:93-5.15(d).
 - b. At least 50 percent of the units addressing the Third Round Prospective Need, including unmet 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, including unmet 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, including unmet need, in total must be available to families.
 - e. The Township agrees to comply with an age-restricted cap of 25% and to not request a waiver of that requirement. This shall be understood, consistent with the provisions of paragraph 11 of this Agreement, 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.
14. The Township shall add to the list of community and regional organizations in its affirmative marketing plan, pursuant to N.J.A.C. 5:80-26.15(f)(5), Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Morris County Chapter of the NAACP, Newark NAACP, East Orange NAACP, Housing Partnership for Morris County, Community Access Unlimited, Inc., Northwest New Jersey Community Action Program, Inc. (NORWESCAP), Homeless Solutions of Morristown, and the Supportive Housing Association, and shall, as part of its regional affirmative marketing strategies during its implementation of the affirmative marketing plan, provide notice to those organizations of all available affordable housing units. The Township also agrees to require any other entities, including developers or persons or companies retained to do affirmative marketing, to comply with this paragraph.
15. All units shall include the required bedroom distribution, be governed by controls on affordability and affirmatively marketed in conformance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et. seq. or any successor regulation, with the exception that in lieu of 10 percent of affordable units in rental projects being required to be at 35 percent of median income, 13 percent of affordable units in such projects shall be required to be at 30 percent of median income, and all other applicable law. The Township as part of its HEFSP shall adopt and/or update appropriate implementing ordinances in conformance with standard ordinances and guidelines developed by COAH to ensure that this provision is satisfied. Income limits for all units that are part of the Plan required by this Agreement and for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26.1 shall be updated by the Township annually within 30 days of the publication of determinations of median income by HUD as follows:
 - a. Regional income limits shall be established for the region that the Township is located within (i.e. Region 2) based on the median income by household size,

which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in the Township's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

- b. The income limits attached hereto as Exhibit C are the result of applying the percentages set forth in paragraph (a) above to HUD's determination of median income for FY 2018, and shall be utilized until the Township updates the income limits after HUD has published revised determinations of median income for the next fiscal year.
- c. The Regional Asset Limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by the Township annually by taking the percentage increase of the income limits calculated pursuant to paragraph (a) above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.
- d. The parties agree to request the Court prior to or at the fairness hearing in this matter to enter an order implementing this paragraph of this Agreement.

16. 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.

17. As an essential term of this Agreement, within one-hundred-and-twenty (120) days of Court's approval of this Agreement, the Township shall introduce an ordinance or ordinances providing for the amendment of the Township's Affordable Housing Ordinance and Zoning Ordinance to implement the terms of this Agreement and the zoning contemplated herein and adopt a Housing Element and Fair Share Plan and Spending Plan in conformance with the terms of this Agreement.

18. The parties agree that if a decision of a court of competent jurisdiction in Morris 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 calculation of an obligation for the Township for the period 1999-2025 that would be lower by more than ten (10%) percent than the total prospective Third Round need obligation established in this Agreement, and if that calculation is memorialized in an unappealable final judgment, the Township may seek to amend the judgment in this matter to reduce its fair share obligation accordingly. Notwithstanding any such reduction, the Township shall be obligated to adopt a Housing Element and Fair Share Plan that conforms to the

terms of this Agreement and to implement all compliance mechanisms included in this Agreement, including by adopting or leaving in place any site specific zoning adopted or relied upon in connection with the Plan adopted pursuant to this Agreement; taking all steps necessary to support the development of any 100% affordable developments referenced herein; maintaining all mechanisms to address unmet need; and otherwise fulfilling fully the fair share obligations as established herein. The reduction of the Township's obligation below that established in this Agreement does not provide a basis for seeking leave to amend this Agreement or seeking leave to amend an order or judgment pursuant to R. 4:50-1. If the Township prevails in reducing its prospective need for the Third Round, the Township may carry over any resulting extra credits to future rounds in conformance with the then-applicable law.

19. The Township shall prepare a Spending Plan within the period referenced above for the adoption of ordinances, subject to the review of FSHC and approval of the Court. The Township and reserves the right to seek approval from the Court that the expenditures of funds contemplated under the Spending Plan constitute "commitment" for expenditure pursuant to N.J.S.A. 52:27D-329.2 and -329.3, with the four-year time period for expenditure designated pursuant to those provisions beginning to run with the entry of a final judgment approving this settlement in accordance with the provisions of In re Tp. Of Monroe, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563). On the first anniversary of the execution of this Agreement, which shall be established as the date on which it is executed by a representative of the Township, and on every anniversary of that date thereafter through the end of the period of protection from litigation referenced in this Agreement, the Township agrees to provide annual reporting of trust fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services. The reporting shall include an accounting of all housing trust fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.
20. In April 2017, the Township, RD Realty, and FSHC executed a stipulation of dismissal in Fair Share Housing Center v. Township of Parsippany-Troy Hills and RD Realty, LLC, Docket No. MRS-L-220-16, a prerogative writ appeal filed by FSHC. As part of the settlement of that matter, RD Realty agreed with FSHC to take specified steps to facilitate the development of affordable housing in the Township. Subsequently, RD Realty agreed to provide a payment of \$600,000 toward affordable housing in the Township. FSHC agrees within 10 days of the court's approval of this Agreement following a fairness hearing to request that RD Realty pay that amount to the municipality's affordable housing trust fund instead of making the payment to a non-profit organization. Within 30 days of payment of the funds into the trust fund, the Township agrees to pay \$300,000 to Homeless Solutions, Inc. The Township shall also identify a proposed use for the remainder of the funds, which use shall be approved by FSHC. Prior to the fairness hearing in this matter, the Township shall provide an agreement with Homeless Solutions, Inc. addressing the use of the \$300,000 payment and any other agreement(s) involved regarding the Township's proposed use of the remainder of the funds, all in accordance with applicable law. At the fairness hearing, the parties shall request that the court approve the use of the trust funds in the manner designated by this paragraph. The parties agree that the \$600,000 payment to the trust fund in

accordance with this Agreement shall not be included in the calculation of permitted administrative expenses. In the event the Township determines that the funds cannot be used by Homeless Solutions, Inc. in a manner that produces affordable housing opportunities, it may notify FSHC of its intent to use the funds for a different purpose and the reason why it is not possible for the stated organization to use the funds in the manner contemplated by this paragraph and propose a different use for the funds. FSHC's consent to an alternative use of the funds in accordance with applicable law related to trust funds shall not be unreasonably withheld.

21. On the first anniversary of the execution of this Agreement, and every anniversary thereafter through the end of this Agreement, the Township agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Special Master and FSHC.
22. The Fair Housing Act includes two provisions regarding action to be taken by the Township during the ten-year period of protection provided in this Agreement. The Township agrees to comply with those provisions as follows:
 - a. For the midpoint realistic opportunity review due on July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Township will post on its municipal website, with a copy provided to Fair Share Housing Center, a status report as to its implementation of the Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the municipality, with a copy to Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the court regarding these issues.
 - b. For the review of very low income housing requirements required by N.J.S.A. 52:27D-329.1, within 30 days of the third anniversary of this Agreement, and every third year thereafter, the Township will post on its municipal website, with a copy provided to Fair Share Housing Center, a status report as to its satisfaction of its very low income requirements, including the family very low income requirements referenced herein. Such posting shall invite any interested party to submit comments to the municipality and Fair Share Housing Center on the issue of whether the municipality has complied with its very low income housing obligation under the terms of this settlement.
23. 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.
24. This Agreement must be approved by the Court following a fairness hearing as required by Morris Cty. Fair Hous. Council v. Boonton Twp., 197 N.J. Super. 359, 367-69 (Law Div. 1984), aff'd o.b., 209 N.J. Super. 108 (App. Div. 1986); East/West Venture v. Borough of Fort Lee, 286 N.J. Super. 311, 328-29 (App. Div. 1996). The Township shall

present its planner as a witness at this hearing. FSHC agrees to support this Agreement at the fairness hearing. In the event the Court approves this proposed settlement, the parties contemplate the municipality will receive "the judicial equivalent of substantive certification and accompanying protection as provided under the FHA," as addressed in the Supreme Court's decision in In re N.J.A.C. 5:96 & 5:97, 221 N.J. 1, 36 (2015). The "accompanying protection" shall remain in effect through July 1, 2025. If this Agreement is rejected by the Court at a fairness hearing it shall be null and void.

25. The Township agrees to pay FSHC's attorneys fees and costs in the amount of \$25,000 within ten (10) days of the Court's approval of this Agreement pursuant to a duly-noticed fairness hearing. The Township may delegate this payment obligation to one or more third parties by providing a written agreement evidencing the assumption of the obligation prior to the fairness hearing, but if payment is not received by FSHC within 20 days after the approval of this agreement by the Court at a fairness hearing the Township shall make the payment to FSHC within 10 days of FSHC's written request.
26. If an appeal is filed of the Court's approval or rejection of this Agreement, the Parties agree to defend the Agreement on appeal, including in proceedings before the Superior Court, Appellate Division and New Jersey Supreme Court, and to continue to implement the terms of this Agreement if the Agreement is approved before the trial court unless and until an appeal of the trial court's approval is successful, at which point the Parties reserve their right to rescind any action taken in anticipation of the trial court's approval. All Parties shall have an obligation to fulfill the intent and purpose of this Agreement.
27. This Agreement may be enforced through a motion to enforce litigant's rights or a separate action filed in Superior Court, Morris County. A prevailing movant or plaintiff in such a motion or separate action shall be entitled to reasonable attorney's fees.
28. 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.
29. This Agreement shall be governed by and construed by the laws of the State of New Jersey.
30. This Agreement may not be modified, amended or altered in any way except by a writing signed by each of the Parties.
31. 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.
32. 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.
33. 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.

34. 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.
35. 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.
36. No member, official or employee of the Township shall have any direct or indirect interest in this Agreement, nor participate in any decision relating to the Agreement which is prohibited by law, absent the need to invoke the rule of necessity.
37. 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.
38. 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:

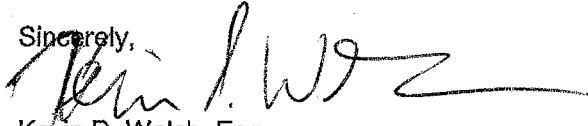
TO FSHC: Kevin D. Walsh, Esq.
Fair Share Housing Center
510 Park Boulevard
Cherry Hill, NJ 08002
Telecopier: (856) 663-8182
E-mail: kevinwalsh@fairsharehousing.org

TO THE TOWNSHIP: Leslie G. London, Esq.
McManimon, Scotland & Baumann, LLC
75 Livingston Avenue
Roseland, New Jersey 07068
Telecopier: (973) 712-1437
Email: llondon@msbnj.com

WITH A COPY TO THE MUNICIPAL CLERK: Khaled Madin
Parsippany-Troy Hills Town Hall
1001 Parsippany Boulevard
Parsippany-Troy Hills, NJ 07054
Telecopier: (973) 712-1437
Email: kmadin@parsippany.net

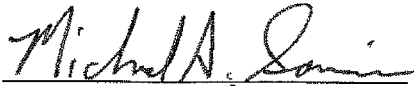
Please sign below if these terms are acceptable.

Sincerely,



Kevin D. Walsh, Esq.
Counsel for Intervenor/Interested Party
Fair Share Housing Center

On behalf of the Township of Parsippany-Troy Hills, with the authorization
of the governing body:



Michael A. Soriano, Mayor

Dated: 4/11/19

Exhibit A: Calculation of Realistic Development Potential (RDP)

EXHIBIT A

**PARSIPPANY-TROY HILLS:
Vacant Land, RDP ANALYSIS
March 8, 2019**

ID #	Block	Lot	Property Location	Owner Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved density/acre	Setback %	ROP of Developable
1	6	9.01	59 LONG RIDGE RD	PUDDINGSTONE DEVELOPERS, LLC	Qualifies.	0.94	0.94	6	20%	1.12
2	6	10.01	24 VIOLET ST	PUDDINGSTONE DEVELOPERS, LLC	Qualifies.	1.30	1.30	6	20%	1.56
3	6	11.01	18 VIOLET ST	PUDDINGSTONE DEVELOPERS, LLC	Qualifies.	1.58	1.58	6	20%	1.89
4	6	12	12 VIOLET ST	HALL, KATHERINE P	Qualifies.	2.01	2.01	6	20%	2.41
5	6	12.01	BEVERLY ST	HALL, KATHERINE P	Lot too small to qualify except when combined with Block 6, lot 12.	0.14	0.00	6	20%	0.00
6	7	45.02	5 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Lot is currently under development- MA to be included	1.84	0.63	6	20%	0.75
7	7	45.03	11 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Lot is currently under development- MA to be included	1.84	0.33	6	20%	0.40
8	7	45.04	17 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Lot is currently under development. MA to be included, Developable area limited by environmental constraints.	2.13	0.58	6	20%	0.70
9	7	45.05	23 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Developable area limited by environmental constraints except when combined with Block 7, Lot 45.05.-MA	1.84	0.75	6	20%	0.90
10	7	45.06	29 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Developable area limited by environmental constraints except when combined with Block 7, Lot 45.04.-MA	1.84	0.38	6	20%	0.46
11	7	45.07	35 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Developable area limited by environmental constraints except combined-MA	1.09	0.36	6	20%	0.43
12	7	45.08	41 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Developable area limited by environmental constraints except combined-MA	1.04	0.44	6	20%	0.52
13	7	45.09	47 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Qualifies. Constrained by steep slopes.	11.28	4.64	6	20%	5.57
14	7	45.10	53 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Developable area limited by environmental constraints except when combined	2.58	0.68	6	20%	0.82
15	7	45.11	48 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Lot does not qualify. Developable area limited by environmental constraints.	3.04	0.00	6	20%	0.00
16	7	45.12	42 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Lot does not qualify. Developable area limited by environmental constraints.	1.01	0.00	6	20%	0.00
17	7	45.13	36 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Lot does not qualify. Developable area limited by environmental constraints.	1.31	0.00	6	20%	0.00
18	7	45.14	30 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Lot does not qualify. Developable area limited by environmental constraints.	1.61	0.00	6	20%	0.00
19	7	45.15	24 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Lot does not qualify. Developable area limited by environmental constraints.	0.93	0.00	6	20%	0.00
20	7	45.16	18 BEVERLY ST	PUDDINGSTONE DEVELOPERS, LLC	Qualifies.	0.92	0.83	6	20%	1.00
21	7	45.17	11 VIOLET ST	PUDDINGSTONE DEVELOPERS, LLC	Qualifies.	0.92	0.92	6	20%	1.11

PARSIPPANY-TROY HILLS:
Vacant Land, RDP ANALYSIS
March 8, 2019

ID #	Block	Lot	Property Location	Owner Name	Comments	Total Area (sq)	Developable Area (sq)	Applied or Approved Density/Acre	Setback %	ROP of Developable
22	7	45.18	117 VIOLET ST	PUDDINGSTONE DEVELOPERS, LLC	Qualifies.	0.95	0.95	6	20%	1.14
23	7	45.19	123 VIOLET ST	PUDDINGSTONE DEVELOPERS, LLC	Qualifies.	0.96	0.96	6	20%	1.15
24	7	45.2	56 LONG RIDGE RD	PUDDINGSTONE DEVELOPERS, LLC	Qualifies.	0.92	0.87	6	20%	1.04
25	7	45.21	54 LONG RIDGE RD	PUDDINGSTONE DEVELOPERS, LLC	Does not qualify. Developable area limited by environmental constraints.	1.84	0.00	6	20%	0.00
26	8	2	12 BEVERLY ST	SCHATZ, EUNICE	Qualifies.	2.86	2.86	6	20%	3.43
27	8	10	UNION HILL RD	FARINA, JOSEPH M & ANGELA	Lot too small to qualify.	0.34	0.00	6	20%	0.00
28	9	9	7 PUDDINGSTONE RD	MASTERS, WILLIAM F JR/KATHRYN E	Qualifies.	1.06	1.06	6	20%	1.27
29	9	4	PUDDINGSTONE RD	GIBBON, JOHN & GIORJANNA	Does not qualify. Developable area limited by environmental constraints.	1.23	0.00	6	20%	0.00
30	12	1	BUENA VISTA WAY	SOUTHEAST MORRIS CO MUN UTIL AUTH	Utility property/easement. Does not qualify.	1.17	0.00	10	20%	0.00
31	12	1.01	BUENA VISTA WAY	YULIANO, VINCENT & ARLENE	Utility property/easement. Does not qualify.	0.91	0.00	10	20%	0.00
32	13	2	10 MEADOW BLUFF RD	SKYVIEW HEIGHTS-CH&POOL %TAYLOR MGT	Does not qualify. Already developed for residential. Remaining area is common open space for development & constrained by steep slopes and wetlands.	40.57	0.00	10	20%	0.00
33	13	4	MEADOW BLUFF RD	SKYVIEW HEIGHTS ASSN %TAYLOR MGT	Does not qualify. Common open space for development. Constrained by wetlands, non-C1 stream and steep slopes.	16.27	0.00	10	20%	0.00
34	13	5	MONNET CT	SKYVIEW HEIGHTS ASSN %TAYLOR MGT	Does not qualify. Common open space for development.	2.89	0.00	10	20%	0.00
35	13	11	OLD DOVER RD	AYAZ, TURAN	Lot too small to qualify.	0.79	0.26	10	20%	0.52
36	13	13	MOUNTAIN WAY	SOUTHEAST MORRIS CO MUN UTIL AU	Utility property/easement. Does not qualify.	3.02	0.00	10	20%	0.00
37	13.1	25	5 MEADOW BLUFF RD	SKYVIEW HEIGHTS % TAYLOR MGMT CO	Common open space for development. Does not qualify.	2.33	0.00	10	20%	0.00
38	13.2	73	EDGEFIELD DR	SKYVIEW HEIGHTS % TAYLOR MGMT CO	Common open space for development. Does not qualify.	9.08	0.00	10	20%	0.00
39	13.2	73.01	EDGEFIELD DR	SKYVIEW HEIGHTS % TAYLOR MGMT CO	Common open space for development. Does not qualify.	0.83	0.83	10	20%	1.66
40	13.2	74	AVERELL DR	SKYVIEW HEIGHTS % TAYLOR MGMT CO	Common open space for development. Does not qualify.	2.03	0.00	10	20%	0.00
41	13.3	31	AVERELL DR	SKYVIEW HEIGHTS % TAYLOR MGMT CO	Common open space for development. Does not qualify.	1.60	0.00	10	20%	0.00
42	14	9.1	660 OLD DOVER RD	700 MOUNTAIN WAY LLC	Not counted as vacant. Counted in inclusionary site calculation below	3.53	0.00	6	20%	0.00
43	14	10	648 OLD DOVER RD	700 MOUNTAIN WAY, LLC	Not counted as vacant. Counted in inclusionary site calculation below	3.99	0.00	6	20%	0.00
44	14	41	161 SPRINGHILL DR	GLENMONT COMMONS DEVLLO%CEDARCREST	Lot too small to qualify.	0.06	0.00	10	20%	0.00
45	14	9	700 MOUNTAIN WAY	700 MOUNTAIN WAY LLC	Not counted as vacant. Counted in inclusionary site calculation below	5.36	0.00	6	20%	0.00
46	14	12.02	SEASONS GLEN DR	LAKE LENORE ESTATES LLC	Qualifies.	1.48	1.48	6	20%	1.78
47	14	14.01	OLD DOVER RD	HARSANYI, DAVID & DIANE	Qualifies. Developable area limited by environmental constraints.	2.39	1.35	6	20%	1.62
48	14	16.1	522 OLD DOVER RD	HARSANYI, DAVID & DIANE G	Qualifies.	1.54	1.01	6	20%	1.21
49	14	17.01	558 OLD DOVER RD	GLENMONT COMMONS HOMEOWNERS ASS INC	Common open space for development. Does not qualify.	16.51	0.00	10	20%	0.00
50	14	17.73	12 SEASONS GLEN DR	GLENMONT COMMONS DEVELOPERS LLC	Common open space for development. Does not qualify.	0.66	0.00	10	20%	0.00
51	14	31	UNION HILL	JCP&L ATTN:TAX DEPT	Utility property/easement. Does not qualify.	5.58	0.00	10	20%	0.00
52	14	32	SPRINGHILL DR	GLENMONT COMMONS DEVELOPERS LLC	Common open space for development. Does not qualify.	13.58	0.00	10	20%	0.00
53	14	173	SUMMERHILL DR	GLENMONT COMMONS DEVELOPERS LLC	Developed with an accessory structure	0.12	0.00	10	20%	0.00
54	14.03	48	SPRINGHILL DR	GLENMONT COMMONS DEVELOPERS LLC	Common open space for development. Does not qualify.	1.02	0.00	10	20%	0.00
55	14.04	33	SPRINGHILL DR	GLENMONT COMMONS DEVELOPERS LLC	Common open space for development. Does not qualify.	0.68	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
Vacant Land, RDP ANALYSIS
March 8, 2019

ID #	Block	Lot	Property Location	Owner Name	Comments	Total Area (a0)	Developable Area (ac)	Applied or Approved density/acre	Setaside %	RD of Developable
55	15	1	MOUNTAIN WAY	NEAL, ROBERT/ANITA	Qualifies.	0.74	0.74	6	20%	0.69
57	15	2	YACENDA DR	ATRIUM CONDOMINIUM ASSOC.	Common open space for development. Does not qualify.	8.82	0.00	10	20%	0.00
58	15	5	2889 ROUTE 10	2889 ROUTE 10, LLC	Lot under common ownership with adjacent developed Block 15 Lot 5, with inclusionary development.	2.04	0.00	10	20%	0.00
59	15	7.1	ROUTE 10	CORDING REAL ESTATE, LLC	Qualifies. Developable area limited by environmental constraints. Increase density.	2.03	0.77	32	20%	1.85
60	15	23	2559 ROUTE 10	CERBONE, CARLA	Qualifies. Increase density.	0.95	0.95	12	20%	2.28
61	15.10	1.2	50 POWDERMILL RD	HOLLY GARDENS INC	Lot too small to qualify.	0.23	0.00	10	20%	0.00
62	15.10	11	11 CONCORD WAY	LEE, EDWIN H & SUZIE	Common open space for development. Does not qualify.	0.11	0.00	10	20%	0.00
63	15.10	12	15 CONCORD WAY	LIH, DAVID F/RACHEL CHAO	Common open space for development. Does not qualify.	0.99	0.00	10	20%	0.00
64	15.10	29	VALLEY FORGE LN	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	1.07	0.00	10	20%	0.00
65	15.10	34	CONTINENTAL RD	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	0.27	0.00	10	20%	0.00
66	15.12	2	STOCKTON CT	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	1.95	0.00	10	20%	0.00
67	15.12	8.01	STOCKTON CT	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	0.18	0.00	10	20%	0.00
68	15.12	36.01	STOCKTON CT	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	0.17	0.00	10	20%	0.00
69	15.12	40.01	STOCKTON CT	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	1.31	0.00	10	20%	0.00
70	15.12	70	GUILFORD CT	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	1.36	0.00	10	20%	0.00
71	15.13	1	15 EMERSON RD	A B I HOLDING CO LLC	Lot too small to qualify.	0.34	0.00	10	20%	0.00
72	15.25	10.11	2467 ROUTE 10 APT. 10-6A	MOUNTAIN CLUB TENANTS CORP % IMPAC	Common open space for development. Does not qualify.	0.18	0.00	10	20%	0.00
73	15.25	23.03	2467 ROUTE 10 APT. 23-2A	MOUNTAIN CLUB TENANTS CORP % IMPAC	Common open space for development. Does not qualify.	0.17	0.00	10	20%	0.00
74	15.25	28.07	2467 ROUTE 10 APT. 28-4A	MOUNTAIN CLUB TENANTS CORP % IMPAC	Common open space for development. Does not qualify.	0.17	0.00	10	20%	0.00
75	15.25	51	2467 ROUTE 10	MOUNTAIN CLUB ASC, INC % IMPAC	condominiums and constrained by steep slopes.	58.64	0.00	10	20%	0.00
76	15.3	79	PATRIOTS RD	POWDER MILL VILL ASSOC % CEDARCREST P	Lot too small to qualify.	0.40	0.00	10	20%	0.00
77	15.3	1.01	84 CONTINENTAL RD	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	3.51	0.00	10	20%	0.00
78	15.3	78	HERITAGE CT	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	2.62	0.00	10	20%	0.00
79	15.3	80	CONTINENTAL RD	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	4.77	0.00	10	20%	0.00
80	15.3	80.01	CONTINENTAL RD	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	3.06	0.00	10	20%	0.00
81	15.4	17	HERITAGE CT	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	1.12	0.00	10	20%	0.00
82	15.5	86	PATRIOTS RD	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	3.08	0.00	10	20%	0.00
83	15.5	87	PATRIOTS RD	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	0.86	0.00	10	20%	0.00
84	15.9	43	CONTINENTAL RD	POWDER MILL VILL ASSOC % CEDARCREST	Common open space for development. Does not qualify.	3.06	0.00	10	20%	0.00
85	18	7.01	POND, POWDERMILL	TABOR LAKE CORP % MICHAEL J TORRI	Qualifies. Majority of parcel is constrained by 100 yr. floodplain, wetlands and non-C1 stream.	22.20	7.77	6	20%	9.33
86	18	7.02	216 POWDERMILL RD	GALLT, NAHCY	Does not qualify. Constrained. Remaining area too small to qualify.	1.34	0.00	6	20%	0.00
87	25	2	TABOR RD	TABOR LAKE CORP % MICHAEL J TORRI	Does not qualify. Severely constrained by steep slopes	10.48	0.00	6	20%	0.00
88	25	40	15 CAMBRIDGE RD	CAGGIANO, LOUIS	which is too small to qualify.	1.09	0.00	6	20%	0.00
89	25.4	5.01	2350 ROUTE 10 - E1	CEDAR BROOK CONDO % LIMITED PROP MGMT	Lot too small to qualify.	0.02	0.00	10	20%	0.00
90	25.4	1	2350 ROUTE 10	CEDAR BROOK CONDO % LIMITED PROP MGMT	Common open space for development. Does not qualify.	12.39	0.00	10	20%	0.00
91	26	11	764 TABOR RD	BROOKSTONE P&H HOME OWNERS ASSOC	Common open space for development. Does not qualify.	0.79	0.00	10	20%	0.00
92	27	15	860-B TABOR RD	ISOD LAWN AND GARDEN CARE, INC.	Lot too small to qualify.	0.57	0.00	10	20%	0.00

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93	28	1	TABOR RD & POWDERMILL	JAIME REALTY ASSOCIATES INC	Lot too small to qualify.	0.20	0.00	10	20%	0.00
94	29	17.01	HOPE RD	HAKES, RICHARD & JEANETTE	Qualifies	0.65	0.63	10	20%	1.26
95	29	6	JAIME CT	JAIME ESTATES CONDOMINIUM	Common open space for development. Does not qualify.	12.67	0.00	10	20%	0.00
96	30	3.02	CIRCLE DR	2009 CIRCLE DRIVE LLC % TDI POWER	Lot too small to qualify.	0.30	0.00	10	20%	0.00
97	31	5	TABOR RD	HOPPING, RAYMOND/CYNTHIA E	Lot too small to qualify.	0.22	0.00	10	20%	0.00
98	32	1	HOPE RD	LAKE LENORE ESTATES C/O E MOSBERG	Lot too small to qualify.	0.44	0.00	10	20%	0.00
99	33	1	TABOR RD	DL&WRR,% ERIE LACKAWANNA R W CO	Does not qualify. Rail right-of-way.	12.29	0.00	6	20%	0.00
100	33	3	TABOR RD	DL&WRR,% ERIE LACKAWANNA R W CO	Does not qualify. Rail right-of-way.	6.20	0.00	6	20%	0.00
101	35	12	DICKERSON RD	CAMPBELL/RIVERS, J/C & FRANCES C	Lot too small to qualify.	0.04	0.00	10	20%	0.00
102	35	9	DICKERSON RD	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.04	0.00	10	20%	0.00
103	37	3	PITMAN PL	SALVANO, GERARD	Lot too small to qualify.	0.01	0.00	10	20%	0.00
104	37	4	PITMAN PL	GOOCH/IANE, TREVOR/MEGHAN	Lot too small to qualify.	0.01	0.00	10	20%	0.00
105	37	9	48 PITMAN PL	HANLON, JOHN/AIMEE	Lot too small to qualify.	0.06	0.00	10	20%	0.00
106	38	1	WHITFIELD PL	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.04	0.00	10	20%	0.00
107	39	6	16 WHITFIELD PL	DAVIDSON/CHEVALLER, ERIN T/WILLIAM	Lot too small to qualify.	0.06	0.00	10	20%	0.00
108	40	5	18 FLETCHER PL	ZEHL J & B A & WOKICK, S W & D L	Lot too small to qualify.	0.01	0.00	10	20%	0.00
109	43	1	BAKER AVE	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.02	0.00	10	20%	0.00
110	44	3	PITMAN PL	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.05	0.00	10	20%	0.00
111	46	9	E MORRIS AVE	DENTON, ANDREW/MAURA	Lot too small to qualify.	0.05	0.00	10	20%	0.00
112	47	3	PITMAN PL	FLURPACK, ROBERT A/SANDI/A A	Lot too small to qualify.	0.04	0.00	10	20%	0.00
113	52	3.1	BOEHM AVE	HORDYCH, DEBORAH L	Lot too small to qualify.	0.02	0.00	10	20%	0.00
114	52	6	WHITFIELD PL	TRAVIS, JEREMY D/ERICA G	Lot too small to qualify.	0.04	0.00	10	20%	0.00
115	52	7	23 WHITFIELD PL	EMBLER, DONALD C & JEAN M	Lot too small to qualify.	0.00	0.00	10	20%	0.00
116	54	3	WHITFIELD PL	VANDUZER/SCHALL-VANDUZER, D/R	Lot too small to qualify.	0.03	0.00	10	20%	0.00
117	55	1	WHITFIELD PL	WINSHP, DENISE M	Lot too small to qualify.	0.01	0.00	10	20%	0.00
118	55	2	34 WHITFIELD PL	34 WHITFIELD PLACE, LLC %L O'BOYLE	Lot too small to qualify.	0.03	0.00	10	20%	0.00
119	55	8	FLETCHER PL	34 WHITFIELD PLACE, LLC %L O'BOYLE	Lot too small to qualify.	0.01	0.00	10	20%	0.00
120	57	1	FLETCHER PL	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.01	0.00	10	20%	0.00
121	58	3	26 TRINITY PL	WALZ, JOHN R & STRAKOSCH, KATHLEEN	Lot too small to qualify.	0.01	0.00	10	20%	0.00
122	58	4	TRINITY PL	WENZEL, JILL	Lot too small to qualify.	0.00	0.00	10	20%	0.00
123	58	7	21 WESLEY PL	DAVIS, TIMOTHY C/CARRIE T	Lot too small to qualify.	0.01	0.00	10	20%	0.00
124	60	1	24 WESLEY PL	LOVE, LAWRENCE H/H/HELEN C	Lot too small to qualify.	0.00	0.00	10	20%	0.00
125	60	5	WEST PASS	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.01	0.00	10	20%	0.00
126	60	6	25 ASBURY PL	SCHMELZER, FRANCINE	Lot too small to qualify.	0.00	0.00	10	20%	0.00
127	60	9	14 SIMPSON AVE	SPECTOR, MICHAEL & WENDY B	Lot too small to qualify.	0.02	0.00	10	20%	0.00
128	61	2	29 ASBURY PL	CHAUDRUC, KEITH	Lot too small to qualify.	0.01	0.00	10	20%	0.00
129	61	3.1	WESLEY PL	NEWMAN, R W & A M C I	Lot too small to qualify.	0.02	0.00	10	20%	0.00
130	61	6	33 MORRIS AVE	LA CORTE, MARGUERITE M	Lot too small to qualify.	0.00	0.00	10	20%	0.00
131	61	10	WEST PASS	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.00	0.00	10	20%	0.00
132	62	1	ASBURY PL	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.01	0.00	10	20%	0.00
133	62	4	26 ASBURY PL	MC NEIL, KATHLEEN T	Lot too small to qualify.	0.01	0.00	10	20%	0.00
134	62	6	WEST PASS	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.00	0.00	10	20%	0.00

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135	63	4	25 MORRIS AVE	SANDS, RUSSELL B	Lot too small to qualify.	0.00	0.00	10	20%	0.00
136	64	1	8 SIMPSON AVE	ROTHMAN, RICHARD/DENISE	Lot too small to qualify.	0.01	0.00	10	20%	0.00
137	64	2,3	8 SIMPSON AVE	ROTHMAN, RICHARD/DENISE	Lot too small to qualify.	0.04	0.00	10	20%	0.00
138	65	2	19 W MORRIS AVE	GRAHAM, THERESA A	Lot too small to qualify.	0.01	0.00	10	20%	0.00
139	65	8	TABOR RD	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.00	0.00	10	20%	0.00
140	66	5	ST PETERS	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.42	0.00	10	20%	0.00
141	67	8	E MORRIS AVE	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.13	0.00	10	20%	0.00
142	71	4	HEDDING PL	MAINES, EDWARD M. & LORI A.	Lot too small to qualify.	0.01	0.00	10	20%	0.00
143	72	1	W HEDDING PL	JOHNSTON, LINDA S	Lot too small to qualify.	0.01	0.00	10	20%	0.00
144	74	8	6 W HEDDING PL	DEHTON, BRUCE	Lot too small to qualify.	0.06	0.00	10	20%	0.00
145	74	10	HEDDING PL	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.02	0.00	10	20%	0.00
146	80	4	59 RIDGEWOOD AVE	ENGLEHARDT, W E & S J	Lot too small to qualify.	0.19	0.00	10	20%	0.00
147	84	1	ST JOHNS AVE	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.03	0.00	10	20%	0.00
148	86	3	RIDGEWOOD AVE	CAMP MEETING ASSN OF THE NEWARK CON	Does not qualify, soil inventory shows the lot is developed with active recreation.	4.31	0.00	6	20%	0.00
149	86	5	RIDGEWOOD AVE	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.02	0.00	6	20%	0.00
150	90	12,1	HLSINGER RD	CAMP MEETING ASSN OF THE NEWARK CON	Lot too small to qualify.	0.02	0.00	10	20%	0.01
151	97	2	FOX HILL RD	CHAPMAN, NORMAN	Lot too small to qualify.	0.27	0.00	10	20%	0.00
152	98	10,11	17 FOX RUN	EST. OF K. KANTER % JUDGE J. CONTE	Lot too small to qualify.	0.35	0.00	10	20%	0.00
153	101	11	FOX HILL RD	RAINBOW LAKES COMMUNITY CLUB	Lot does not qualify due to environmental constraints limiting developable area. Lot also landlocked.	1.69	0.00	10	20%	0.00
154	101	23	FOX HILL RD	DE FRANCO, DARIO/CHAUNCEY	Lot too small to qualify.	0.01	0.00	10	20%	0.00
155	102	9	152 FOX HILL RD	DOUGLASS, ELEANOR M	Lot too small to qualify.	0.04	0.00	10	20%	0.00
156	102,1	6	FOX HILL RD	FERRISS, LINCOLN & THERESA D	Qualifies.	0.64	0.64	10	20%	1.28
157	109	21	FOX HILL RD	DAMIANO, MARIE S	Lot too small to qualify.	0.03	0.00	10	20%	0.00
158	109	22	FOX HILL RD	RAINBOW LAKES COMMUNITY CLUB	Lot too small to qualify.	0.06	0.00	10	20%	0.00
159	110	11	RAINBOW TRL	RAINBOW LAKES COMMUNITY CLUB	Lot too small to qualify.	0.04	0.00	10	20%	0.00
160	111	12	90 RAINBOW TRL	MYKOWSKI, MICHAEL/MICHELLE	Lot too small to qualify.	0.07	0.00	10	20%	0.00
161	111	14	RAINBOW TRL	RAINBOW LAKES COMMUNITY CLUB	Lot too small to qualify.	0.14	0.00	10	20%	0.00
162	114	19	JA LONG RD	HORMAN CONSTRUCTION INC	Lot too small to qualify.	0.16	0.00	10	20%	0.00
163	116	13	MAPLE LN	RAINBOW LAKES COMMUNITY CLUB	Lot too small to qualify.	0.09	0.00	10	20%	0.00
164	116	19	LAKE, FERN	RAINBOW LAKES COMMUNITY CLUB	Lot does not qualify due to environmental constraints limiting developable area.	1.05	0.00	10	20%	0.00
165	117	28	UPPER RAINBOW TRL	RAINBOW LAKES COMMUNITY CLUB	Lot too small to qualify.	0.13	0.00	10	20%	0.00
166	117	44	UPPER RAINBOW TRL	RAINBOW LAKES COMMUNITY CLUB	Lot too small to qualify.	0.04	0.00	10	20%	0.00
167	117	45	LAKE, UPPER RAINBOW	RAINBOW LAKES COMMUNITY CLUB	Lot does not qualify due to environmental constraints limiting developable area.	7.42	0.00	10	20%	0.00
168	118	1	RAINBOW TRL	BARRON, CAROL	Lot too small to qualify.	0.09	0.00	10	20%	0.00
169	118	4	RAINBOW TRL	RAINBOW LAKES COMMUNITY CLUB	Lot too small to qualify.	0.15	0.00	10	20%	0.00
170	119	1	COBB RD	RAINBOW LAKES COMMUNITY CLUB	Lot too small to qualify.	0.29	0.00	10	20%	0.00
171	119	13	LAKE, MIRROR	RAINBOW LAKES COMMUNITY CLUB	developable area	3.54	0.00	10	20%	0.00
172	120	24	LAKE, TWILIGHT	RAINBOW LAKES COMMUNITY CLUB	developable area	5.32	0.00	10	20%	0.00
173	120	25	17 UPPER RAINBOW TRL	ROSELLE, ANGELA T	Lot too small to qualify.	0.01	0.00	10	20%	0.00

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174	123	5	SPURR RD	SAILSMAN, ALLESON	Lot too small to qualify.	0.16	0.00	10	20%	0.00
175	124	4	SCENIC DR	LOWY, ROBERT/SANDRA	Lot too small to qualify.	0.02	0.00	10	20%	0.00
176	124	5	SCENIC DR	KENNEDY/POLLITT, RICHARD/JENNIFER	Lot too small to qualify.	0.03	0.00	10	20%	0.00
177	124	19	LAKE, CABIN	RAINBOW LAKES COMMUNITY CLUB	developable area	3.07	0.00	10	20%	0.00
178	128	4	OVERLOOK TER	RAINBOW LAKES COMMUNITY CLUB	Lot too small to qualify.	0.07	0.00	10	20%	0.00
179	128	6	OVERLOOK TER	DONNELLY JR B & H	Lot too small to qualify.	0.28	0.00	10	20%	0.00
180	128	10	LAKE, TWILIGHT	RAINBOW LAKES COMMUNITY CLUB	developable area	1.84	0.00	10	20%	0.00
181	129	6	19 GLENWOOD PL	KIEFER, ROBERT C/O KAREN BURROUGHS	Lot too small to qualify.	0.28	0.00	10	20%	0.00
182	130	1	LAKE, RAINBOW	RAINBOW LAKES COMMUNITY CLUB	developable area	16.27	0.00	10	20%	0.00
183	134	1	FOX HILL PARK	CRANBERRY REALTY GROUP, LLC	Lot too small to qualify.	0.28	0.00	10	20%	0.00
184	136	10.1	LONG RD	HALPER, EDWARD TRUSTEE	Lot too small to qualify.	0.41	0.00	10	20%	0.00
185	136	43.3	10 UPPER PCOND RD	BT PROPERTY, LLC	Does not qualify. Developed	20.91	0.00	10	20%	0.00
186	136	44	100 CHERRY HILL RD	MORRIS CORP CTR VI, LLC % SJP PROP	Not counted as vacant. Counted in inclusionary site calculation below	26.76	0.00	12	20%	0.00
187	136	47	24 HILL RD	ROTUNDA AT PARSIPPANY-CONDOMINIUM	Common open space for development. Does not qualify.	1.59	0.00	10	20%	0.00
188	136	48	HILLSIDE LN	WEBB, RAYMOND/TRACY	Lot too small to qualify.	0.49	0.00	10	20%	0.00
189	136	76	120 CHERRY HILL RD	MORRIS VI REALTY, LLC %SJP/PPRIDES	Not counted as vacant. Counted in inclusionary site calculation below	0.98	0.00	10	20%	0.00
190	136.01	1	79 INTERPACE PKWY	MCC VILL LLC C/O SJP	Qualifies.	13.27	13.27	10	20%	26.54
191	139	1	50 CHERRY HILL RD	50 CHERRY HILL RD LLC % COLE GROUP	Lot too small to qualify.	0.06	0.00	10	20%	0.00
192	139	4	79 OLD CHERRY HILL RD	VREELAND, E B JR & B F	Lot too small to qualify.	0.02	0.00	10	20%	0.00
193	143	1	TABOR RD	1121 TABOR ROAD, LLC % G KOPEC	Lot too small to qualify.	0.20	0.00	10	20%	0.00
194	143	6	3 PROSPECT AVE	GILPATRICK, CAROL	Lot too small to qualify.	0.16	0.00	10	20%	0.00
195	143	8	TABOR RD	1121 TABOR ROAD, LLC % G KOPEC	Lot too small to qualify.	0.13	0.00	10	20%	0.00
196	154	1	591 PARK RD	ZEE CONSTRUCTION, LLC	Lot too small to qualify.	0.41	0.00	10	20%	0.00
197	155	7	PARK RD	FRANCISCAN SISTERS OF ST ELIZABETH	Qualifies.	0.79	0.79	10	20%	1.59
198	157	1.1	JOHN ST	KURYLO, VLAD & ALINA	Qualifies.	0.73	0.73	10	20%	1.47
199	158	3	JOHN ST & PARK PL	YOUNG, WAYNE	Lot too small to qualify.	0.15	0.00	10	20%	0.00
200	165	6	PARK PL	GASIEWSKI, STANLEY J & SUSAN M	Lot too small to qualify.	0.09	0.00	10	20%	0.00
201	166	135.3	PARK RD	FRANCISCAN SISTERS OF ST ELIZABETH	Qualifies. Lot under common ownership with adjacent developed lot 135.	0.95	0.95	6	20%	1.13
202	166	111.1	PARK RD	LARACCA, VINCENT/AUREA/VINCENT JR	Lot does not qualify due to environmental constraints limiting developable area.	0.94	0.00	6	20%	0.00
203	166	135	PARK RD	FRANCISCAN SISTERS OF ST ELIZABETH	Does not qualify. Already developed with St. Elizabeth Nursery	23.15	0.00	6	20%	0.00
204	168	133	DRUMLIN DR	RVEINC, LLC	Montessori School. Constrained by steep slopes.	0.88	0.00	6	20%	0.00
205	170	38	MORRAINE RD	RVEINC, LLC	developable area	0.36	0.00	10	20%	0.00
206	170	49	TABOR RD	GLACIER HILLS ASSN	Lot too small to qualify.	3.57	0.00	10	20%	0.00
207	175	52.2	1 GATEHALL DR	GLB GATEHALL % GLENBOROUGH, LLC	Does not qualify. Lot is landlocked. Common Open Space.	2.12	0.00	6	20%	0.00
208	175	54	O'DELL RD	JCP&L ATTN:TAX DEPT	Does not qualify. Effectively a buffer area behind rear yards of parcels fronting on Robinhood Rd. and Friar Rd.	0.93	0.00	10	20%	0.00
209	175	58	ROUTE 10	KAMAD GIRI LLC %STATE BANK OF TEXAS	Utility property/leasehold. Does not qualify.	2.46	0.00	10	20%	0.00
210	195	39	880 LITTLETON RD	MONCADA, JENNIFER	Lot does not qualify-developed under common ownership with adjacent developed lot 56.	0.34	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owner's Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved density/acre	Setback %	ADP of Developable
211	197	1	791 PARK RD	ACUMEN REALTY LLC	Lot too small to qualify.	0.49	0.00	10	20%	0.00
212	200	5	159 JOHNSON RD	SOUTHEAST MORRIS CO MUN UTIL AU	Utility property/easement. Does not qualify.	14.15	0.00	10	20%	0.00
213	202	6.01	SYLVAN WAY	CCMA NOMINEE LLC % MACK-CALI REALTY	Does not qualify. Constrained by wetlands and nonC1 streams. Limited by USACE.	95.79	0.00	10	20%	0.00
214	202	6.04	DRYDEN WAY	PARS HANOVER RLTY 2 LLC % MACK-CALI	Qualifies.	11.36	5.41	10	20%	10.83
215	202	8.01	SYLVAN WAY	PARSIPPANY 202 RLTY LLC % MACK-CALI	Qualifies.	4.94	3.74	10	20%	7.47
216	202	10	ROUTE 287 REAR	PARSIPPANY 202 RLTY LLC % MACK-CALI	Lot too small to qualify.	0.36	0.00	10	20%	0.00
217	203	1.01	BEACHWOOD RD	CERBO, NICHOLAS	Qualifies.	0.53	0.53	10	20%	1.06
218	203	1.02	BEACHWOOD RD	CERBO, MARGARET MARY	Lot too small to qualify except when combined with Block 203, Lot 1.01.	0.47	0.00	10	20%	0.00
219	212	9	649 LITTLETON RD	CAMELOT GARDENS INC	Lot too small to qualify.	0.17	0.00	10	20%	0.00
220	212	22	310 MARCELLA RD	PFBIFFER, RICHARD W & BARBARA A	Lot too small to qualify.	0.16	0.00	10	20%	0.00
221	223	4	SINGAC CT	VAYALUKKAL, CHINTU J	Lot too small to qualify.	0.09	0.00	10	20%	0.00
222	226	3.2	20 LANIDEX PLAZA W	GPT PARSIPPANY OWNER LLC % NTS, LLC	Does not qualify. Visual inventory shows the lot is developed with a parking lot.	4.73	0.00	10	20%	0.00
223	230	7.2	ALLETOWN RD	MADIN, MOHAMED M/SAFIA MAMOUND	Lot too small to qualify.	0.09	0.00	10	20%	0.00
224	234	3	109 HARRISON RD	MURRAY, DAVID	Lot too small to qualify.	0.13	0.00	10	20%	0.00
225	237	10	EVERETT RD	JACOBUS, EDWARD B/KARLA	Lot too small to qualify.	0.08	0.00	10	20%	0.00
226	244	13	155 MARCELLA RD	WRIGHT, ROBERT L & HILDA H	Lot too small to qualify.	0.09	0.00	10	20%	0.00
227	245	17	139 KINGSTON RD	PAUL POWERS CONSTRUCTION, INC.	Lot too small to qualify.	0.15	0.00	10	20%	0.00
228	246	8	240 ATLANTIC DR	ZAMBITO, MICHAEL S	Lot too small to qualify.	0.18	0.00	10	20%	0.00
229	258	12	16 LEONARDO RD	ARBE ASSETS, LLC	Lot too small to qualify.	0.09	0.00	10	20%	0.00
230	265	6	FLEMINGTON DR	MOSCHBERGER, K ETAL-L/R MASKER, V	Lot too small to qualify.	0.06	0.00	10	20%	0.00
231	268	2.1	LAWRENCE RD	PATEL, NITIN & NAYNA	Lot too small to qualify.	0.08	0.00	10	20%	0.00
232	268	11.1	KINGSTON RD	PATEL, NITIN & NAYNA	Lot too small to qualify.	0.09	0.00	10	20%	0.00
233	271	5	18 MAYETTA RD	KRESSLER, NANCY	Lot too small to qualify.	0.23	0.00	10	20%	0.00
234	278	7.1	HARRISON RD	HARBULA, A R TRUSTEE UNDER A R & J	Lot too small to qualify.	0.21	0.00	10	20%	0.00
235	290	8	54 KINGSTON RD	CRISAFULLI, JAMES S	Lot too small to qualify.	0.18	0.00	10	20%	0.00
236	296	4	101 BRIDGETON DR	RABADI, ISSA/ZICHANHY	Lot too small to qualify.	0.14	0.00	10	20%	0.00
237	297	11.1	FLEMINGTON DR	DAVE, MUKESH J & HASU	Lot too small to qualify.	0.09	0.00	10	20%	0.00
238	303	9	18 CENTERTON DR	RICCIARDELLI, CATHERINE A	Lot too small to qualify.	0.14	0.00	10	20%	0.00
239	306	14.1	DELANCO DR	CALLE, ALEX	Lot too small to qualify.	0.05	0.00	10	20%	0.00
240	309	9	ELMWOOD DR	PARRILLO/BASARAB, JOSEPH/LARISSA	Lot too small to qualify.	0.10	0.00	10	20%	0.00
241	315	14.01	25 ELMWOOD DR	SUTTON, SANDRA E	Lot too small to qualify.	0.31	0.00	10	20%	0.00
242	323	16	SUNMIT RD	MC DERMOTT, DONALD J	Lot too small to qualify.	0.08	0.00	10	20%	0.00
243	326	1	HAISEY RD	TRICER MANAGEMENT LIMITED PARTNERSH	Lot too small to qualify.	0.19	0.00	10	20%	0.00
244	331	15.1	OAK RIDGE RD	LAFORGE, EILEEN	Lot too small to qualify.	0.09	0.00	10	20%	0.00
245	337	1.1	CHESTERFIELD RD	TISSOT, PATRICIA A	Lot too small to qualify.	0.03	0.00	10	20%	0.00
246	338	1	CHESTERFIELD RD	RELETTE, MICHAEL & DEBORAH A	Lot too small to qualify.	0.16	0.00	10	20%	0.00
247	340	7	56 ALDINE RD	SCHNEIDER, FLORENCE % J. SCHNEIDER	Lot too small to qualify.	0.08	0.00	10	20%	0.00
248	346	1	KEARNY CT	OOYLE, FL	Lot too small to qualify.	0.19	0.00	10	20%	0.00
249	348	12	53 HAMILTON RD	SVAGLINAC, MARIA	Lot too small to qualify.	0.19	0.00	10	20%	0.00

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250	351	6	FAIRMOUNT RD	KUDLAC, ALLAH	Lot too small to qualify.	0.09	0.00	10	20%	0.00
251	360	9	LAKE SHORE DR	NAZZARO/CECALA, DANIEL/PAUL	Lot too small to qualify.	0.11	0.00	10	20%	0.00
252	360	11	LAKE SHORE DR	LK PARS PROP OWNERS ASSN	Lot too small to qualify.	0.05	0.00	10	20%	0.00
253	360	17	LAKE SHORE DR	LK PARS PROP OWNERS ASSN	Lot too small to qualify.	0.05	0.00	10	20%	0.00
254	360	38	LAKE SHORE DR	RAMPERSAD, HENJKA	Lot too small to qualify.	0.10	0.00	10	20%	0.00
255	368	3	CALIFORN RD	PATEL, MONILBHAI V	Lot too small to qualify.	0.08	0.00	10	20%	0.00
256	380	8.1	ESSEX RD	RUFFE, PATRICIA C	Lot too small to qualify.	0.04	0.00	10	20%	0.00
257	381	5	LAKE SHORE DR	LEONE, MARINO/PATRICIA	Lot too small to qualify.	0.08	0.00	10	20%	0.00
258	385	1.1	HOLLAND RD	VHS, LLC	Lot too small to qualify.	0.13	0.00	10	20%	0.00
259	385	5	PARSIPPANY RD	PARSIPPANY ROAD WOROCO REAL ESTATE	Lot too small to qualify.	0.09	0.00	10	20%	0.00
260	386	8	113 PARPAPPANY RD	A.B.L. HOLDING CO., LLC	Lot too small to qualify.	0.08	0.00	10	20%	0.00
261	387	1	146-194 PARPAPPANY RD	GREEN HILL SHOP CONDO %VUOLO AGENCY	Common open space for development. Does not qualify.	2.65	0.00	10	20%	0.00
262	388	7.01	367 PARPAPPANY RD	CEDAR HILL OFF PARK CONDO%S BARTSCH	Common open space for development. Does not qualify.	0.99	0.00	10	20%	0.00
263	388	8	342 PARPAPPANY RD	PARPAPPANY OFFICE CONDO % DR. MAIN	Common open space for development. Does not qualify.	0.31	0.00	10	20%	0.00
264	393	20	76 ALEXANDER AVE	TAFT, RICHARD DONALD	Qualifies. Environmental constraints. 0.78 ac remaining.	0.89	0.78	10	20%	1.57
265	393.1	2	189 LITTLETON RD	CAMBRIDGE VILLAGE C/O COMM SVC GRP	Does not qualify. Common open space for development.	2.65	0.00	10	20%	0.00
266	411	17.01	65 CHERRY HILL RD	FAWBS, INC	Qualifies.	1.57	1.52	10	20%	3.05
267	412	6	180 LITTLETON RD	CAMBRIDGE VILLAGE % PROGRESSIVE CO	Common open space for development. Does not qualify.	3.43	0.00	10	20%	0.00
268	412	11	1159 PARPAPPANY BLVD	DOWEL-PARPAPPANY, LLC	Lot too small to qualify.	0.04	0.00	10	20%	0.00
269	413	2	3019 ROUTE 46	G & K OF NEW JERSEY INC	Lot too small to qualify.	0.33	0.00	10	20%	0.00
270	420	2.01	PARPAPPANY BLVD	BELLEMEAD DEV CORP	Qualifies.	1.90	1.90	10	20%	3.81
271	421	34	INTERVALE RD	DOREMIUS, EST OF JOHN A % D DOREMIUS	Qualifies.	0.50	0.50	10	20%	1.00
272	421.5	1	WATERVIEW BLVD	JCP&L ATTN:TAX DEPT	Does not qualify. Developed by JCP&L for substation.	1.21	0.00	10	20%	0.00
273	423.2	4	434 PARPAPPANY BLVD	BOGDANSKI, WILLIAM	Lot too small to qualify.	0.30	0.00	10	20%	0.00
274	435	72.01	98 RED GATE DRD	BRESLAUER/DYKSTRA/WALKER, P/K/M D	Does not qualify- House on lot	0.46	0.00	10	20%	0.00
275	435	72.02	100 RED GATE DRD	BRESLAUER/DYKSTRA/WALKER, P/K/M	Does not qualify- House on lot	0.59	0.00	10	20%	0.00
276	435.1	1	WOODCREST RD	AHRENS, HEATH	Lot too small to qualify.	0.28	0.00	10	20%	0.00
277	441	18	EDGEWATER PL	CORIGLIANO, HENRY & JANET	Lot too small to qualify.	0.19	0.00	10	20%	0.00
278	446	6	33 INTERVALE RD	THEESE/STANGO, DONNA //ALBERT	Lot too small to qualify.	0.15	0.00	10	20%	0.00
279	446.1	1	FAIRWAY PL	JCP&L ATTN:TAX DEPT	Utility property/easement. Does not qualify.	0.09	0.00	10	20%	0.00
280	448	6	94 FANNY RD	NORDA ESSENTIAL OIL & CHEMICAL CO	Lot too small to qualify.	0.22	0.00	10	20%	0.00
281	448	19	30 FANNY RD	FANNY REALTY CO. LLC % H.CORIGLIANO	Visual inventory shows the lot is developed with a parking lot.	1.41	0.00	10	20%	0.00
282	449	3	FANNY RD	ONORATI S & SONS INC	Visual inventory shows the lot is developed with a storage yard.	1.09	0.00	10	20%	0.00
283	450	1	FANNY RD	JERSEY CITY WATER DIV % JCMUA	Utility property/easement. Does not qualify.	3.78	0.00	10	20%	0.00
284	450	2	PARPAPPANY BLVD	JERSEY CITY WATER DIV % JCMUA	Utility property/easement. Does not qualify.	3.91	0.00	10	20%	0.00
285	450	5	PARPAPPANY BLVD	MJJLN, LLC C/O RESERVOIR TAVERN	Qualifies.	0.54	0.54	10	20%	1.07
286	455	3	186 VAIL RD	ELLRAY LAND CO	Does not qualify. Already developed as Vail Manor.	1.22	0.00	10	20%	0.00
287	459	43	38 STEPHEN TER	LUSTIG, GERALD A & ROBERTA H	Lot too small to qualify.	0.34	0.00	10	20%	0.00
288	475	2.01	189 KNOLL RD	SHAH, MEHUL/SWEETYBEN	Qualifies. Common ownership with B 475 L 2.02	0.36	0.36	10	20%	0.73
289	475	2.02	185 KNOLL RD	SHAH, MEHUL/SWEETYBEN	Qualifies. Common ownership with B 475 L 2.01	0.36	0.36	10	20%	0.73
290	475	2.03	179 KNOLL RD	SUNNYSIDE BUILDERS, LLC	Qualifies.	0.99	0.99	10	20%	1.98

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ID #	Block	Lot	Property Location	Owner's Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved Density/acre	Setback %	RDP of Developable
291	494	8	640 GREENBANK RD	JERSEY CITY WATER DIV % JCMUA	Does not qualify. Already developed by Jersey City Water Works & Boonton-Rockaway Valley Regional and constrained by wetlands.	55.49	0.00	10	20%	0.00
292	495	2.02	KNOLL RD	MARTINO, DEBRA E	Lot does not qualify due to environmental constraints limiting developable area	0.88	0.00	6	20%	0.00
293	497.01	21	203 NO BEVERWYCK RD	MANOR II CONDO C/O GERVIN REALTY CO	Common open space for development. Does not qualify.	0.68	0.00	6	20%	0.00
294	497.02	21	201 NO BEVERWYCK RD	MANOR II CONDO C/O GERVIN REALTY CO	Common open space for development. Does not qualify.	0.72	0.00	10	20%	0.00
295	497.03	55	199 NO BEVERWYCK RD	MANOR I CONDO C/O CEDARCREST REALTY	Common open space for development. Does not qualify.	1.90	0.00	10	20%	0.00
296	497.04	21	197 NO BEVERWYCK RD	MANOR II - A CONDOMINIUM	Common open space for development. Does not qualify.	0.72	0.00	10	20%	0.00
297	497.05	21	195 NO BEVERWYCK RD	MANOR II - A CONDOMINIUM	Common open space for development. Does not qualify.	0.82	0.00	10	20%	0.00
298	497.06	21	191 NO BEVERWYCK RD	MANOR II - A CONDOMINIUM	Common open space for development. Does not qualify.	0.75	0.00	10	20%	0.00
299	501	55	118 RIVER DR	CLC BUILDERS, LLC	Duplicate of 229. Removed from Analysis.	0.29	0.00	10	20%	0.00
300	509	8	33 HOFFMAN AVE	ARBE ASSETS, LLC	Lot too small to qualify.	0.23	0.00	10	20%	0.00
301	509	11	TIGGA AVE	D'ADDARIO, GIUSEPPE & FLORA	Lot too small to qualify.	0.11	0.00	10	20%	0.00
302	511	26	NO BEVERWYCK RD	MS REALTY ASSOCIATES, LLC	Lot too small to qualify.	0.12	0.00	10	20%	0.00
303	515	2	114 NO BEVERWYCK RD	MANOR II - A CONDOMINIUM	Common open space for development. Does not qualify.	0.35	0.00	10	20%	0.00
304	516	37.02	58 CHESAPEAKE AVE	KOCIS, DONALD/LORRAINE	Lot too small to qualify.	0.14	0.00	10	20%	0.00
305	518	15	13 CHESAPEAKE AVE	SERBAN, IVETTE	Lot too small to qualify.	0.18	0.00	10	20%	0.00
306	519	1	104 NO BEVERWYCK RD	MANOR II CONDO C/O GERVIN REALTY CO	Common open space for development. Does not qualify.	0.34	0.00	10	20%	0.00
307	520	17	84-86 NO BEVERWYCK RD	84-86 NO BEVERWYCK CONDOMINIUM	Common open space for development. Does not qualify.	0.22	0.00	10	20%	0.00
308	522	3	127 HAWATHA BLVD	OSTERLE, ROBERT & NANCY	Lot too small to qualify.	0.09	0.00	10	20%	0.00
309	522	7	57 CALLUMET AVE	CLC BUILDERS LLC	Lot too small to qualify.	0.14	0.00	10	20%	0.00
310	523	12	43 MINNEHABA BLVD	K&S REAL ESTATE INVESTMENT LLC	Lot too small to qualify.	0.14	0.00	10	20%	0.00
311	523	17	50 CALLUMET AVE	SHAH, SAURABH	Lot too small to qualify.	0.10	0.00	10	20%	0.00
312	531	7.1	NOKOMIS AVE	MUTTER, DUANE	Lot too small to qualify.	0.08	0.00	10	20%	0.00
313	535	7	29 HAWAHD AVE	SANTIAGO, PHILIP B. JUDITH	Lot too small to qualify.	0.18	0.00	10	20%	0.00
314	537	13	14 MOHAWK AVE	KELLY, CLAIRE M	Lot too small to qualify.	0.14	0.00	10	20%	0.00
315	542	7	23 NOKOMIS AVE	GEORGIAN HOMES, INC	Lot too small to qualify.	0.16	0.00	10	20%	0.00
316	542	18	16 NO BEVERWYCK RD	LANE, BEN C. O.D.	Lot too small to qualify.	0.21	0.00	10	20%	0.00
317	542	23	NO BEVERWYCK RD	32 N BEVERWYCK RD INC	Lot too small to qualify.	0.04	0.00	10	20%	0.00
318	542	24	NO BEVERWYCK RD	32 N BEVERWYCK RD INC	Lot too small to qualify.	0.09	0.00	10	20%	0.00
319	547	1	121 LAKE SHORE DR	US BANK NATIONAL ASSOCIATION	Lot too small to qualify.	0.18	0.00	10	20%	0.00
320	550	1	83 LAKE SHORE DR	K&S REAL ESTATE INVESTMENT LLC	Lot too small to qualify. Common ownership with Lot 1.01.	0.23	0.00	10	20%	0.00
321	550	1.01	83 LAKE SHORE DR	K&S REAL ESTATE INVESTMENT LLC	Lot too small to qualify. Common ownership with Lot 1.	0.09	0.00	10	20%	0.00
322	553	4	LAKE SHORE DR	ALGONQUIN GAS TRANS CORP MORONEY JR	Lot too small to qualify.	0.25	0.00	10	20%	0.00
323	557	1	62 ROCKAWAY BLVD	LAKE HAWATHA COUNTRY CLUB	developable area.	4.99	0.00	10	20%	0.00
324	558	17.02	48 NORMAN AVE	CAMPBELL, PATRICIA	Lot too small to qualify.	0.11	0.00	10	20%	0.00
325	562	3	UTE AVE	SZCZERBAK, J & E	Lot too small to qualify.	0.10	0.00	10	20%	0.00
326	565	13	PAWNEE	DEBOLD, ROBERT	Lot too small to qualify.	0.08	0.00	10	20%	0.00
327	574	43	44 LONGVIEW AVE	FEDERAL NATIONAL MORTGAGE ASSOC.	Lot too small to qualify.	0.18	0.00	10	20%	0.00
328	577	13	64 MIDVALE AVE	ALFA INVESTMENTS, LLC	Lot too small to qualify.	0.14	0.00	10	20%	0.00
329	577	14	66 MIDVALE AVE	ALFA INVESTMENTS, LLC	Lot too small to qualify.	0.18	0.00	10	20%	0.00
330	581	28.1	S GLENWOOD AVE	IVER, SURESH N/HANDIRI	Lot too small to qualify.	0.12	0.00	10	20%	0.00

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ID #	Block	Lot	Property Location	Owners Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved density/size	Setback %	RD of Developable
331	583	12	1 RIDGEWOOD AVE	LE DONNE, SALVATORE/PATRICIA	Lot too small to qualify.	0.16	0.00	10	20%	0.00
332	593	3	91 IROQUOIS AVE	CITRO, EILEEN J MC DERMOTT	Lot too small to qualify.	0.29	0.00	10	20%	0.00
333	594	16	101 NO BEVERWYCK RD	MANOR II CONDO C/O GERVIN REALTY CO	Common open space for development. Does not qualify.	0.36	0.00	10	20%	0.00
334	600	2	149 HIAWATHA BLVD	KOPEC, JOHN S JR	Lot too small to qualify.	0.14	0.00	10	20%	0.00
335	601	3	NO BEVERWYCK RD	P. BOMMAREDDY, LLC	Lot too small to qualify.	0.05	0.00	10	20%	0.00
336	601	22	WASHINGTON AVE	SANTIAGO, PHILIP T & SUSAN M	Lot too small to qualify.	0.22	0.00	10	20%	0.00
337	603	5	118 MINNEHaha BLVD	NYEGAARD, BAIRD, LIFE RIGHTS A. BAIRD	Lot too small to qualify.	0.17	0.00	10	20%	0.00
338	608	14.01	LINCOLN AVE	ABATE, LOUIS	Lot too small to qualify.	0.14	0.00	10	20%	0.00
339	608	21.1	ROOSEVELT AVE	DEVRES, JOHN H	Lot too small to qualify.	0.19	0.00	10	20%	0.00
340	609	13	LINCOLN GARDENS	LINCOLN GARDENS-CONDO % GERVIN RLTY	Common open space for development. Does not qualify.	2.44	0.00	10	20%	0.00
341	611	9	NO BEVERWYCK RD	K AND S REAL ESTATE INVESTMENT, LLC	Lot too small to qualify.	0.09	0.00	10	20%	0.00
342	621	12	VAIL RD	JCP&L ATTN:TAX DEPT	Utility property/easement. Does not qualify.	2.26	0.00	10	20%	0.00
343	621	72.02	EDWARDS RD	LAROY, RITA	Does not qualify. Completely constrained by wetlands, nonCI stream, 100 yr. floodplain and waterbody.	4.45	0.00	10	20%	0.00
344	621	79	PERCYPENY LN	GRUBER, CORP C/O MILTON LEVIN	Lot does not qualify due to environmental constraints limiting developable area	0.83	0.00	10	20%	0.00
345	629	6	MAPLE AVE	OLD BLOOMFIELD ASSOCIATES, LLC	Lot too small to qualify.	0.13	0.00	10	20%	0.00
346	693	7	315 OLD BLOOMFIELD AVE	AVRA PLAZA LLC	Qualifies.	1.54	1.54	10	20%	3.07
347	693	9	279 OLD BLOOMFIELD AVE	OLD BLOOMFIELD LLC	Lot too small to qualify.	0.35	0.00	10	20%	0.00
348	693	10	259 OLD BLOOMFIELD AVE	OLD BLOOMFIELD, LLC	Does not qualify- House on lot	1.55	0.00	10	20%	0.00
349	693	11	239 OLD BLOOMFIELD AVE	ANNE SHULMAN REY LIV TRST % P MILLER	Qualifies.	0.57	0.57	10	20%	1.13
350	698	14.01	968 ROUTE 46	SNOW GOOSE HOLDINGS, LLC	Qualifies.	1.33	1.21	10	20%	2.41
351	698	17	ROUTE 46	4 SEASONS @ TROY-HILLS % GERVIN RLTY	Common open space for development. Does not qualify.	2.78	0.00	10	20%	0.00
352	698	19.01	50 KELLEY LN	4 SEASONS @ TROY-HILLS% T.CHILENSKI	Common open space for development. Does not qualify.	34.20	0.00	10	20%	0.00
353	698	41	EDWARDS RD	JCP&L ATTN:TAX DEPT	Utility property/easement. Does not qualify.	0.35	0.00	10	20%	0.00
354	698	56	VAIL RD	RIVERBEND HOMES, INC	Does not qualify. Remaining upland is developed as a street.	4.01	0.00	10	20%	0.00
355	698	71	VAIL RD	RIVERBEND HOMES, INC	Lot too small to qualify.	0.40	0.28	10	20%	0.55
356	698.05	13.01	940-950 ROUTE 46	HUNTING RIDGE ASSOC C/O INTEGRA MTG	Does not qualify. Common open space for development. Constrained by wetlands, nonCI stream and steep slopes.	41.72	0.00	10	20%	0.00
357	712	38	239-275 BALDWIN RD	BALDWIN PROF BUILD OFF CONDO	Common open space for development. Does not qualify.	1.44	0.00	10	20%	0.00
358	712	42	199 BALDWIN RD	BALDWIN ROAD PARTNERS, LLC	Lot too small to qualify.	0.27	0.00	10	20%	0.00
359	714	19	182 HAWKINS AVE	PETACCIA, STEPHEN A/PATRICIA A	Lot too small to qualify.	0.23	0.00	10	20%	0.00
360	715	15	1272 ROUTE 46	LM PROPERTIES % CHARLES GEORGE	Lot too small to qualify.	0.13	0.00	10	20%	0.00
361	717	6	HAWKINS AVE	MORADIA, HEMENDRA/PRIIT	Lot too small to qualify.	0.14	0.00	10	20%	0.00
362	718	10	277 VAIL RD	SHAH, PRANAV N/SANGITA P	Does not qualify- House under construction	0.95	0.00	10	20%	0.00
363	718	13.1	351 VAIL RD REAR	PASQUALE, MARIE	Lot under common ownership with adjacent Block 718 Lot 16.	0.97	0.00	10	20%	0.00
364	718	31	ROUTE 46	JCP&L ATTN:TAX DEPT	Utility property/easement. Does not qualify.	1.42	0.00	10	20%	0.00
365	719	3	20 SANDRA DR	CHEN, WEI/THERESA K-C FENG %ROBERTS	Qualifies.	0.61	0.61	10	20%	1.21
366	722	6	ROUTE 46	HIRSHFELD/BERGER, NIHA MASOVI/JUDITH	Lot does not qualify due to environmental constraints limiting developable area	3.30	0.00	10	20%	0.00
367	722	12	ROUTE 46	JCP&L ATTN:TAX DEPT	Utility property/easement. Does not qualify.	0.24	0.00	10	20%	0.00

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ID #	Block	Lot	Property Location	Owners Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved Density/Acre	Setaside %	NDC of Developable
368	723	32	74 PRESTON RD	LODZINSKI, STELLA % R. LODZINSKI	Qualifies.	0.91	0.91	10	20%	1.81
369	724	1	TROY RD	KIMBALL, JANE SMEDLEY, ETALS	Lot too small to qualify.	0.30	0.00	6	20%	0.00
370	725	3	ROUTE 46	TRICER MANAGEMENT LIMITED PARTNERSH	Qualifies.	2.79	1.56	10	20%	3.12
371	725	6	ROUTE 46	CF OAK LAKE PLAZA, LTD	Common open space for development. Does not qualify.	13.60	0.00	10	20%	0.00
372	725	25	129 TROY RD	LARACCA, VICTOR & JOSEPHINE	Qualifies.	1.45	1.45	10	20%	2.90
373	726	17	3517 ROUTE 46	PRENDVILLE, EDWARD J & ROBERT G	Lot too small to qualify.	0.06	0.00	10	20%	0.00
374	726	11.01	60 BALDWIN RD	BALDWIN OFFICE CONDO BOB RICCIARDI	Common open space for development. Does not qualify.	1.64	0.00	10	20%	0.00
375	733	47	12 CARLTON DR	FORGE POND DEVELOPERS, L.L.C.	Lot too small to qualify.	0.44	0.00	10	20%	0.00
376	734	2.12	SPRINGFIELD CT	PARKSIDE GARDENS/PARSIPPANY INC	Lot does not qualify due to environmental constraints limiting developable area	1.76	0.00	10	20%	0.00
377	734	3.24	BYRON CT	FORGE POND DEVELOPERS, LLC	Common open space for development. Does not qualify.	10.24	0.00	10	20%	0.00
378	734	49.6	TARA DR	REYNOLDS FARM HOMEOWNERS ASC % GOLL	Qualifies.	2.92	2.73	10	20%	5.47
379	734	51.29	SCHINDLER CT	STERLING MIST LLC	Common open space for development. Does not qualify.	6.56	0.00	10	20%	0.00
380	734	56	REAR SMITH RD	STACY VILLAGE PROP OWNERS ASSOC	Lot does not qualify due to environmental constraints limiting developable area	4.82	0.00	6	20%	0.00
381	734	61	755 SMITH RD	CASTRO/DA COSTA-CASTRO, P/J	Does not qualify. Developed residential. Constrained by wetlands and 100 yr. floodplain.	1.01	0.00	6	20%	0.00
382	734	69	108 RAYMOUND BLVD	MAZDABROOK DEVELOPERS, LLC	Lot does not qualify. common open space for development. -Settlement agreement-Constrained by wetlands, nonCL stream, and steep slopes.	37.94	0.00	10	20%	0.00
383	735	1.03	JEFFERSON RD	COMC PROP OWNERS ASC INC% CBRE,INC	Common open space for development. Does not qualify.	12.67	0.00	10	20%	0.00
384	735	1.02	SMITH RD	COMC PROP OWNERS ASC INC% CBRE,INC	Common open space for development. Does not qualify.	3.17	0.00	10	20%	0.00
385	735.02	3	SMITH RD	COMC PROP OWNERS ASC INC% CBRE,INC	Lot under common ownership with adjacent developed Block 735.02 Lot 4	11.06	0.00	10	20%	0.00
386	735.1	1.01	150 SMITH RD	FRANCIS HOLDING CO., LLC	Lot too small to qualify.	0.26	0.00	10	20%	0.00
387	736	18	E HALSEY RD	WOODMONT OFFICE PARK, LLC	Lot does not qualify. Lot contains developed parking area for adjacent office building under common ownership.	0.86	0.00	10	20%	0.00
388	736	24	JILLIAN BLVD	MAZDABROOK DEVELOPERS, LLC	Common open space for development. Does not qualify.	20.95	0.00	10	20%	0.00
389	736.03	49	EMILY PL	MAZDABROOK DEVELOPERS, LLC	Common open space for development. Does not qualify.	1.71	0.00	16	20%	0.00
390	737	1	399 POMEROY RD	JCP&L ATTN:TAX DEPT	Utility property/easement. Does not qualify.	1.01	0.00	10	20%	0.00
391	740	4	800 JEFFERSON RD	CHURCH OF LIVING GRACE OF NJ	Does not qualify. Developed as a place of worship and parking lot.	5.79	0.00	10	20%	0.00
392	757	15	REYNOLDS AVE	MOUNTAINVIEW GARDENS APARTMENTS	Qualifies. Developable area limited by environmental constraints	3.07	2.25	10	20%	4.49
393	757	19	REYNOLDS AVE	STEWART, JEANNETTE	Does not qualify Lot is landlocked. Not accessible. Surrounded by park land	2.66	0.00	6	20%	0.00
394	757	53.01	1150 SQ BEVERWYCK RD	RNI PROPERTIES, LLC	Qualifies.	1.83	1.83	6	20%	2.26
395	757	54	1160 SQ BEVERWYCK RD	LEMO/BARONE, JOSEPH/DOMINICK	Qualifies.	3.37	3.37	6	20%	4.04
396	757	54.01	19 PHILLIP DR	RNI PROPERTIES LLC % JAYANTI DHADUK	Lot too small to qualify.	0.74	0.00	6	20%	0.00
397	757	54.02	18 PHILLIP DR	BARONE, DOMINICK	Lot too small to qualify.	0.74	0.00	6	20%	0.00
398	763	9.01	50 BEVERWYCK RD	LEZANSKI, MAREK & MIRIAM	Lot too small to qualify.	0.68	0.00	6	20%	0.00
399	764	26	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNERBLANDS	Does not qualify. Ew. constraint: Majority of parcel is constrained by C1 stream, wetlands and 100 yr. floodplain. Areas unconstrained are	203.82	0.00	10	20%	0.00

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ID #	Block	Lot	Property Location	Owner Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved Density/Space	Grade %	RDP or Developable
400	764	26.1	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	Does not qualify. Constrained by wetlands and nonCI streams. Areas unconstrained are inaccessible.	87.00	0.00	6	20%	0.00
401	764	26.2	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	Does not qualify. Constrained by 100 yr. flood plain, wetlands, and nonCI streams. Areas unconstrained are inaccessible.	41.52	0.00	6	20%	0.00
402	764	26.3	SMITH DITCH NEAR	WILDLIFE PRESERVES INC%MEYNER&LANDS	Does not qualify. Landlocked and completely constrained by wetlands, nonCI stream and 100 yr. floodplain.	14.80	0.00	10	20%	0.00
403	764	27.3	15 HOWELL CT	WILDLIFE PRESERVES INC%MEYNER&LANDS	Lot too small to qualify.	0.41	0.00	6	20%	0.00
404	764	39	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	Does not qualify. Entire parcel constrained by wetlands.	145.85	0.00	6	20%	0.00
405	764	44	TROY MEADOW RD	WILDLIFE PRESERVES INC	Does not qualify. Landlocked and completely constrained by wetlands, nonCI stream, and 100 yr. floodplain.	13.02	0.00	6	20%	0.00
406	764	40	TROY MEADOW RD	SMITH, W C W%MEYNER & LANDIS	developable area	3.39	0.00	6	20%	0.00
407	764	46	SO BEVERWYCK RD	WILDLIFE PRESERVES, INC % MEYNER	wetlands.	22.49	0.00	6	20%	0.00
408	764	60	1329 SO BEVERWYCK RD	COLUMBIA GAS TRANSMISSION CORP	Utility property/easement. Does not qualify.	5.50	0.00	6	20%	0.00
409	764	70.1	SO BEVERWYCK RD	BRUCALE, RONALD/JOYCE	Qualifies. Visual inventory shows the lot is developed with an access driveway.	2.12	1.15	6	20%	1.38
410	765	43.12	BROOKSIDE COURT	WILDLIFE PRESERVES INC%MEYNER&LANDS	Qualifies.	0.34	0.34	6	20%	0.41
411	765	43.13	BROOKSIDE COURT	WILDLIFE PRESERVES INC%MEYNER&LANDS	Qualifies.	0.34	0.34	6	20%	0.41
412	765	43.14	BROOKSIDE COURT	WILDLIFE PRESERVES INC%MEYNER&LANDS	Qualifies.	0.44	0.44	6	20%	0.53
413	765	43.15	BROOKSIDE COURT	WILDLIFE PRESERVES INC%MEYNER&LANDS	Not developable. To be dedicated to Township as a detention basin	0.85	0.00	6	20%	0.00
414	765	68	EDWARDS RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	Does not qualify. Completely constrained by wetlands, nonCI stream and 100 yr floodplain.	1.58	0.00	6	20%	0.00
415	765	71	ROUTE 80 ACCESS RD	IBOFF, JOEL T/SHARON E	Does not qualify. Parcel constrained by wetlands.	1.59	0.00	6	20%	0.00
416	765	72	ROUTE 280 ACCESS RD	PINERO, L & A	Lot does not qualify due to environmental constraints limiting developable area	0.98	0.00	6	20%	0.00
417	765	74	ROUTE 280 ACCESS RD	VAL DAN FAMILY LIMITED PARTNERSHIP	Lot too small to qualify.	0.65	0.00	6	20%	0.00
418	765	77	EDWARDS RD	BIG X LLC C/O DARIN PIHTO	Lot does not qualify due to environmental constraints limiting developable area	16.73	0.00	6	20%	0.00
419	765	81.3	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	Does not qualify. Landlocked and completely constrained by wetlands, nonCI stream, and 100 yr. floodplain.	15.94	0.00	6	20%	0.00
420	765	81.4	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	wetlands, and nonCI streams.	39.23	0.00	6	20%	0.00
421	765	81.5	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	and 100 yr floodplain.	8.45	0.00	6	20%	0.00
422	765	81.6	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	and 100 yr floodplain.	4.46	0.00	6	20%	0.00
423	765	81.7	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	and 100 yr floodplain.	18.22	0.00	6	20%	0.00
424	765	81.8	EDWARDS RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	Does not qualify. Constrained by wetlands and 100 yr. floodplain. Areas unconstrained are inaccessible.	15.80	0.00	10	20%	0.00
425	765	81.9	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	Not developable. Constrained with wetland areas, as per LCI	3.17	0.00	6	20%	0.00
426	765	82	ROUTE 80 ACCESS RD	LEVITT, B EST % LAWRENCE LEVITT, ESQ	Lot does not qualify due to environmental constraints limiting developable area	0.94	0.00	10	20%	0.00
427	765	83	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	Does not qualify. Landlocked and completely constrained by wetlands, nonCI stream, and 100 yr. floodplain.	10.63	0.00	10	20%	0.00
428	765	85	TROY MEADOW RD	WILDLIFE PRESERVES INC%MEYNER&LANDS	Does not qualify. Landlocked and completely constrained by wetlands, nonCI stream, and 100 yr. floodplain.	5.19	0.00	10	20%	0.00

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ID #	Block	Lot	Property Location	Owner Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved density/acre	Setback %	RDP of Developable
429	765	88	EDWARDS RD	CDMG REALTY CO ET ALS % DORNAN	Does not qualify. Land fill	2.24	0.00	6	20%	0.00
430	765	89	EDWARDS RD	CDMG REALTY CO ET ALS % DORNAN	Does not qualify. Land fill	12.04	0.00	10	20%	0.00
431	765	90	TROY MEADOW RD	COOKE, J H M C/O WILDLIFE PRESERVES	Does not qualify. Completely constrained by wetlands, 100 yr. floodplain, and non-C1 stream.	15.11	0.00	10	20%	0.00
432	765	93	TROY MEADOW RD	WILDLIFE PRESERVES INTERNATIONAL	developable area	7.23	0.00	10	20%	0.00
433	765	94	EDWARDS RD	LAGANELLA, NICHOLAS A, II	Lot too small to qualify.	0.19	0.00	10	20%	0.00
434	766	1	ROUTE 46 EDWARDS RD	KNOLL MANOR ASSOCIATES	280 and US 46.	0.91	0.00	10	20%	0.00
435	766	3	EDWARDS RD	LEVITT, B EST % LAWRENCE LEVITLESQ	Lot too small to qualify.	0.29	0.00	10	20%	0.00
436	766	8	EDWARDS RD	750 EDWARDS RD, LLC	Qualifies -when combined with Block 766, Lot 9, environmental constraints limiting developable area	3.00	0.43	10	20%	0.87
437	766	9	EDWARDS RD	750 EDWARDS RD, LLC	Qualifies-when combined with Block 766, Lot 8	0.46	0.03	10	20%	0.05
438	766	10	EDWARDS RD	NETO, CHRISTOPHER F	Lot does not qualify due to environmental constraints limiting developable area. Areas unconstrained are inaccessible.	2.04	0.00	10	20%	0.00
439	766	11	EDWARDS RD	PARSIPPANY PARTNERS, LLC	Lot does not qualify due to environmental constraints limiting developable area. Areas unconstrained are inaccessible.	14.23	0.00	10	20%	0.00
440	766	18	ROUTE 46 EDWARDS RD	KNOLL MANOR ASSOCIATES	Lot does not qualify due to environmental constraints limiting developable area.	9.05	0.00	10	20%	0.00
441	767	15	EDWARDS RD	PARSIPPANY PARTNERS, LLC	Lot does not qualify due to environmental constraints limiting developable area. Areas unconstrained are inaccessible.	11.30	0.00	10	20%	0.00
442	767	17	NEW RD	SAVANNAH DEVELOPMENT CORP	Lot does not qualify due to environmental constraints limiting developable area.	2.71	0.00	10	20%	0.00
443	767	27	NEW RD	HARRINGTON, JOHN SR	Lot too small to qualify.	0.46	0.00	10	20%	0.00
444	767	34	EDWARDS RD	NEW ROAD GARDENS C/O 88 MANAGEMENT	Lot does not qualify due to environmental constraints limiting developable area	0.93	0.00	10	20%	0.00
445	768	3.01	1100 EDWARDS RD	HMAT ASSOC C/O M LUCIANO	Lot does not qualify due to presence of a capped land fill comprising most of the site restricting further residential development.	8.81	0.00	10	20%	0.00
446	770	6.01	239 NEW RD	PARSIPPANY OFFICE PLAZA CONDOMINIUM	Common open space for development. Does not qualify.	6.74	0.00	10	20%	0.00
P1	7	5.1	WEST HANOVER AVE	COUNTY OF MORRIS	Lot too small to qualify.	0.10	0.00	6	20%	0.00
P2	7	50.1	UNION HILL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.46	0.00	6	20%	0.00
P3	7	34	RIDGE RD REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Landlocked and constrained by steep slopes.	5.62	0.00	6	20%	0.00
P4	10	1.02	CENTRAL AVE	COUNTY OF MORRIS	Does not qualify. County parkland. Environmental constraints.	54.43	0.00	6	20%	0.00
P5	13	12	OLD DOVER RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.09	0.00	6	20%	0.00
P6	13	9	MOUNTAIN WAY	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	32.27	0.00	6	20%	0.00
P7	13	8	MOUNTAIN WAY	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	3.11	0.00	6	20%	0.00
P8	13	10	MOUNTAIN WAY	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	14.89	0.00	6	20%	0.00
P9	13	7	MOUNTAIN WAY REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	22.08	0.00	6	20%	0.00
P10	13	1.19	OLD DOVER RD	COUNTY OF MORRIS	Does not qualify due to County ownership.	181.25	0.00	6	20%	0.00
P11	13	1.20	OLD DOVER RD	NJ DEPT OF HUMAN SERVICES	Does not qualify due to State ownership.	44.93	0.00	6	20%	0.00
P12	14	11	OLD DOVER RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	11.14	0.00	6	20%	0.00
P13	14	12.01	OLD DOVER RD	PARSIPPANY-TROY HILLS TWP	Qualifies. Constrained by steep slopes.	1.00	0.97	6	20%	1.17

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ID #	Block	Lot	Property Location	Owners Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved density/acre	Setback %	RDP of Developable
P14	14	18	OLD DOVER RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Landlocked and constrained by nonCI stream. Remaining land is too small to qualify.	1.00	0.00	6	20%	0.00
P15	14	30	UNION HILL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Constrained by steep slopes. Remaining land too small to qualify.	1.18	0.00	6	20%	0.00
P16	14	8	MOUNTAIN WAY REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	4.00	0.00	6	20%	0.00
P17	15	60	MOUNTAIN WAY REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	10.60	0.00	6	20%	0.00
P18	15	35	MOUNTAIN WAY REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	56.69	0.00	6	20%	0.00
P19	15	39	WATNONG MT	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	8.65	0.00	6	20%	0.00
P20	15	37	MOUNTAIN WAY	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	22.51	0.00	6	20%	0.00
P21	15	32	ROUTE 10 REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	7.90	0.00	10	20%	0.00
P22	15.1	19	50 POWDERMILL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.02	0.00	10	20%	0.00
P23	15.1	18	114 50 POWDERMILL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.47	0.00	10	20%	0.00
P24	15.11	9.01	EMERSON RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	4.67	0.00	6	20%	0.00
P25	15.8	49	EMERSON RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	4.10	0.00	6	20%	0.00
P26	15.8	35	MOUNTAIN WAY	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	36.08	0.00	6	20%	0.00
P27	18	16	11 POWDER MILL RD	NI DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	0.95	0.00	6	20%	0.00
P28	18.7	4	WATERLOO DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	6.34	0.00	6	20%	0.00
P29	25	53.02	15 MANOR LN	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.60	0.00	6	20%	0.00
P30	25	31.2	ROUTE 10	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.37	0.00	6	20%	0.00
P31	26	14	TABOR RD	COUNTY OF MORRIS	Does not qualify. On ROSI list.	3.77	0.00	10	20%	0.00
P32	26	13	660 TABOR RD	COUNTY OF MORRIS	Does not qualify. On ROSI list.	9.32	0.00	10	20%	0.00
P33	26.01	1	ROUTE 53 & ROUTE 10	NI DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	2.75	6.00	10	20%	0.00
P34	27	16	TABOR RD,REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	7.38	0.00	10	20%	0.00
P35	35	8	DICKERSON RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.02	0.00	10	20%	0.00
P36	41	1	DERBIN AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.05	0.00	10	20%	0.00
P37	67	7	E MORRIS AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.03	0.00	10	20%	0.00
P38	78	1	RESERVOIR PARK	PARSIPPANY-TROY HILLS TWP	Qualifies.	0.73	0.73	10	20%	1.46
P39	90	19	TABOR RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Buffer area behind rear yards of parcels fronting on Hilsinger Rd. Irregularly shaped and narrow.	1.11	0.00	10	20%	0.00
P40	93	6	PARK RD	BOARD OF EDUCATION	Lot too small to qualify.	0.00	0.00	10	20%	0.00
P41	93	22	WOODLAND RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.40	0.00	10	20%	0.00
P42	97	1	FOX HILL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.02	0.00	10	20%	0.00
P43	97	4.12	FOX CHASE RD REAR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.23	0.00	10	20%	0.00
P44	97	5	FOX HILL RD	PARSIPPANY-TROY HILLS TWP	Qualifies. Constrained by wetlands.	5.11	3.49	10	20%	6.99
P45	98	51.7	PARK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify. Irregularly shaped and narrow.	0.60	0.00	6	20%	0.00
P46	98	61.02	PARK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.00	0.00	6	20%	0.00
P47	98	61	PARK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.57	0.00	6	20%	0.00
P48	98	14	FOX HILL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.02	0.00	10	20%	0.00
P49	98	18.12	FOX RUN	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.40	0.00	10	20%	0.00
P50	98	26	PARK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.41	0.00	10	20%	0.00
P51	98	77	ARUNDEL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.52	0.00	10	20%	0.00
P52	98	45.15	PENN RD	PARSIPPANY-TROY HILLS TWP	Qualifies.	0.62	0.69	10	20%	1.38
P53	98	24	IRONWOOD DR	PARSIPPANY-TROY HILLS TWP	Qualifies. Constrained by steep slopes.	7.09	5.91	10	20%	11.83
P54	98	48	PARK RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Landlocked and constrained by steep slopes.	3.28	0.00	6	20%	0.00
P55	98	8	DICKERSON RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	10.67	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owner's Name	Comments	Total Area (sq)	Developable Area (sq)	Applied or Approved density/acre	Setback %	ROP of Developable
P56	98	76	PARK RD	PARSIPPANY-TROY HILLS TWP	Qualifies. Historical artifact site. Constrained by steep slopes.	12.35	7.33	10	20%	14.66
P57	101	5	FOX HILL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.04	0.00	10	20%	0.00
P58	101	2	BIRCH LN	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.88	0.00	10	20%	0.00
P59	101	12	FOX HILL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.96	0.00	10	20%	0.00
P60	101	1	FOX HILL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	3.62	0.00	10	20%	0.00
P61	101	33	HIGHWOOD RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	20.98	0.00	10	20%	0.00
P62	102	10	FOX HILL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.00	0.00	10	20%	0.00
P63	102	7	FOX HILL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	5.38	0.00	10	20%	0.00
P64	103	1	FOX HILL RD	NJ DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	1.01	0.00	10	20%	0.00
P65	106	13	WILLOW LN	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.94	0.00	10	20%	0.00
P66	106	5	PARK PL	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	2.60	0.00	10	20%	0.00
P67	114	23	FOX HILL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.85	0.00	10	20%	0.00
P68	116	9	UPPER RAINBOW TRL	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.64	0.00	10	20%	0.00
P69	119	5	RAINBOW TRL	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.07	0.00	10	20%	0.00
P70	120	10	UPPER RAINBOW TRL	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.19	0.00	10	20%	0.00
P71	122	4	UPPER RAINBOW TRL	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.00	0.00	10	20%	0.00
P72	122	1	MAPLE LN	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.03	0.00	10	20%	0.00
P73	122	3	UPPER RAINBOW TRL	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.13	0.00	10	20%	0.00
P74	123	1	SCENIC DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.26	0.00	10	20%	0.00
P75	124	8	HILLSIDE RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.01	0.00	10	20%	0.00
P76	127	3	OVERLOOK TER	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.29	0.00	10	20%	0.00
P77	128	3	OVERLOOK TER	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.10	0.00	10	20%	0.00
P78	128	1	OVERLOOK TER	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.11	0.00	10	20%	0.00
P79	128	7	OVERLOOK TER	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.18	0.00	10	20%	0.00
P80	136	36.1	WALSH DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.53	0.00	10	20%	0.00
P81	136	31	MAPLE LN	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	14.02	0.00	10	20%	0.00
P82	136	32	MAPLE LN	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	14.88	0.00	10	20%	0.00
P83	136	36.4	WALSH DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Stormwater basin	3.28	0.00	10	20%	0.00
P84	155	30	FAIRVIEW PL	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.17	0.00	10	20%	0.00
P85	155	20	FAIRVIEW PL	PARSIPPANY-TROY HILLS TWP	Qualifies.	0.62	0.62	10	20%	1.23
P86	163	2	PARK PL	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.34	0.00	10	20%	0.00
P87	164	3	PLAZA-TABOR AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.23	0.00	10	20%	0.00
P88	164	2	FAIRVIEW PL	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.68	0.00	10	20%	0.00
P89	165	7	PARK PL	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.10	0.00	10	20%	0.00
P90	165	16	ARLINGTON & LOOKOUT	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	1.98	0.00	10	20%	0.00
P91	166	26	BROOKLAWN DR	BOARD OF EDUCATION	Does not qualify. Lot is unusually shaped and too limited by setbacks to develop.	1.60	0.00	6	20%	0.00
P92	166	134	GEOFFERY DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.12	0.00	6	20%	0.00
P93	166	136	PARK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.48	0.00	6	20%	0.00
P94	166.1	8	PARK RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Developed as a detention basin for stormwater management.	1.01	0.00	6	20%	0.00
P95	168	174	TABOR DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.22	0.00	10	20%	0.00
P96	168	158	TABOR RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	5.58	0.00	10	20%	0.00
P97	168	25	TABOR RD BACK	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	23.70	0.00	10	20%	0.00
P98	169	44.2	LEDGEROCK CT	PARSIPPANY-TROY HILLS TWP	Qualifies.	0.63	0.63	10	20%	1.26
P99	181	60	TRAR RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.24	0.00	10	20%	0.00
P100	181	54	GRAFTON RD REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	4.32	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owner's Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved density/acre	Setback %	RDP or Developable
P101	195	14	LITTLETON RD REAR	NJ DEPT OF TRANSPORTATION	Lot too small to qualify, Restricted by DOT highway access.	0.99	0.00	10	20%	0.00
P102	195	15	LITTLETON RD BACK	NJ DEPT OF TRANSPORTATION	Lot too small to qualify, Restricted by DOT highway access.	0.22	0.00	10	20%	0.00
P103	195	16	LITTLETON RD REAR	NJ DEPT OF TRANSPORTATION	Lot too small to qualify, Restricted by DOT highway access.	0.23	0.00	10	20%	0.00
P104	200	3	ROUTE 10	NJ DEPT OF TRANSPORTATION	Lot too small to qualify.	0.28	0.00	10	20%	0.00
P105	203	4	BRAEHWOOD RD	BOARD OF EDUCATION	Does not qualify, BOE	2.33	0.03	10	20%	0.00
P106	208	61.18	BRAEMAR CT	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.62	0.00	10	20%	0.00
P107	223	1	LITTLETON RD	PARSIPPANY-TROY HILLS TWP	Qualifies.	0.52	0.62	10	20%	1.24
P108	242	10.1	ORSTON RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.05	0.00	10	20%	0.00
P109	245	14	KINGSTON RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.09	0.00	10	20%	0.00
P110	302	3	CENTERTON DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00
P111	315	15	HUDSON CT	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.51	0.00	10	20%	0.00
P112	315	12	POND, MIRROR	PARSIPPANY-TROY HILLS TWP	Does not qualify, Constrained by waterbody.	3.45	0.00	10	20%	0.00
P113	317	1	GEORGENE CT	PARSIPPANY-TROY HILLS TWP	Qualifies, Constrained by wetlands, non-C1 stream, and 100 yr. floodplain.	4.25	2.74	10	20%	5.48
P114	318	1	WARREN DR	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.10	0.00	10	20%	0.00
P115	319	1	ELMWOOD DR	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.30	0.00	10	20%	0.00
P116	320	2	ELMWOOD DR	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.88	0.00	10	20%	0.00
P117	321	2	VERNON RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.52	0.00	10	20%	0.00
P118	333	1	VERNON RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.63	0.00	10	20%	0.00
P119	334	1	VERNON RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.63	0.00	10	20%	0.00
P120	335	1	VERNON RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	2.20	0.00	10	20%	0.00
P121	336	1	VERNON RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.73	0.00	10	20%	0.00
P122	337	1	DUNELLEN RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.95	0.00	10	20%	0.00
P123	338	7	CHESTERFIELD RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.26	0.00	10	20%	0.00
P124	346	16	JACKSONVILLE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.05	0.00	10	20%	0.00
P125	357	19	GARFIELD RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.09	0.00	10	20%	0.00
P126	361	11	JACKSONVILLE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.05	0.00	10	20%	0.00
P127	372	2	ENGLISH TOWN RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.08	0.00	10	20%	0.00
P128	392.1	3	PARSIPPANY RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.49	0.00	10	20%	0.00
P129	400	2	ROUTE 46 & VAIL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.09	0.00	10	20%	0.00
P130	401	2	LITTLETON RD & RT 80	NJ DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	1.15	0.00	10	20%	0.00
P131	401	1	LITTLETON RD & RT 80	NJ DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	1.60	0.00	10	20%	0.00
P132	402	1	LITTLETON RD & RT 80	NJ DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	0.97	0.00	10	20%	0.00
P133	402	2	LITTLETON RD & RT 80	NJ DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	3.06	0.00	10	20%	0.00
P134	403	1	LITTLETON RD & RT 80	NJ DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	3.62	0.00	10	20%	0.00
P135	411	14.00	CHERRY HILL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.00	0.00	10	20%	0.00
P136	411	14.01	CHERRY HILL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.00	0.00	10	20%	0.00
P137	411	25	ROUTE 46	NJ DEPT OF TRANSPORTATION	Does not qualify, Developed as a surface parking lot	2.62	0.00	10	20%	0.00
P138	412	9	260 LITTLETON RD	COUNTY OF MORRIS	Lot too small to qualify.	0.18	0.00	10	20%	0.00
P139	421	14	FOREST DR	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.49	0.00	10	20%	0.00
P140	421	47	CEDAR CREST RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.65	0.00	10	20%	0.00
P141	421	9	LAKE MANOR	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	4.95	0.00	10	20%	0.00
P142	421	25.2	PARSIPPANY BLVD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	3.12	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owner's Name	Comments	Total Area (sq)	Developable Area (sq)	Applied or Approved density/acre	Schedule #	RDP of Developable
P143	421	13	PIIT RD REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	3.36	0.00	10	20%	0.00
P144	425	37	3 ALPINE RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.22	0.00	10	20%	0.00
P145	425	25	RED GATE RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.23	0.00	10	20%	0.00
P146	425	36	ALPINE RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.57	0.00	10	20%	0.00
P147	425	38	ALPINE RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.69	0.00	10	20%	0.00
P148	425	34	38 LAKESIDE DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.77	0.00	10	20%	0.00
P149	435	29	PARSIPPANY BLVD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.20	0.00	10	20%	0.00
P150	446.1	12	PARSIPPANY BLVD	NJ DEPT OF TRANSPORTATION	Lot too small to qualify. Lot is irregularly shaped and narrow.	0.59	0.00	10	20%	0.00
P151	457	5	VAIL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	2.46	0.00	10	20%	0.00
P152	469	8	345 KNOLL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	5.11	0.00	10	20%	0.00
P153	469	5	409 KNOLL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	6.01	0.00	10	20%	0.00
P154	469	4	KNOLL RD REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	7.00	0.00	10	20%	0.00
P155	492	17	VAIL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	7.33	0.00	10	20%	0.00
P156	492	18	VAIL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	13.30	0.00	10	20%	0.00
P157	493	2	GREENBANK RD	NJ DEPT OF ENV PROTECTION	Does not qualify. Constrained by 100 yr. floodplain and non-C1 stream. Remaining area is too irregularly shaped and narrow.	3.66	0.00	10	20%	0.00
P158	494	3	KNOLL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.00	0.00	10	20%	0.00
P159	494	2	KNOLL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	14.17	0.00	10	20%	0.00
P160	495	3	NO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.70	0.00	10	20%	0.00
P161	501	54	126 RIVER DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.23	0.00	10	20%	0.00
P162	501	29	200 RIVER RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.35	0.00	10	20%	0.00
P163	501	61	MID-RIVER OSWEGO	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	1.50	0.00	10	20%	0.00
P164	501	51	REAR OF RIVER RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	2.76	0.00	10	20%	0.00
P165	501	23	HOFFMAN AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	3.11	0.00	10	20%	0.00
P166	517	1	7 CHESAPEAKE AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.00	0.00	10	20%	0.00
P167	526	7	67 HIAWATHA BLVD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Completely constrained by 100 yr floodplain.	0.16	0.00	10	20%	0.00
P168	528	6	63 RIVER RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Completely constrained by 100 yr floodplain.	0.13	0.00	10	20%	0.00
P169	528	11	1 MINNEHAHA BLVD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Completely constrained by 100 yr floodplain.	0.14	0.00	10	20%	0.00
P170	528	10	49 RIVER RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Completely constrained by 100 yr floodplain.	0.29	0.00	10	20%	0.00
P171	528	8	59 RIVER DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Completely constrained by 100 yr floodplain.	0.31	0.00	10	20%	0.00
P172	529	2	68 RIVER DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Completely constrained by 100 yr floodplain.	0.20	0.00	10	20%	0.00
P173	529	1	HIAWATHA BLVD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.10	0.00	10	20%	0.00
P174	529	12	RIVER DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.70	0.00	10	20%	0.00
P175	540	5	82 LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.24	0.00	10	20%	0.00
P176	540	1	RIVER DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.00	0.00	10	20%	0.00
P177	540	3.1	HURON AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00
P178	541	2	80 LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.25	0.00	10	20%	0.00
P179	541	1	80 LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.52	0.00	10	20%	0.00
P180	545	13	CALLUMET AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.13	0.00	10	20%	0.00
P181	549	29	SEMINOLE AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.59	0.00	10	20%	0.00
P182	550	8	3 CHEROKEE AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00
P183	551	17	4 CHEROKEE AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
Vacant Land, RDP ANALYSIS
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ID #	Block	Lot	Property Location	Owner's Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved Setback/acre	Setback %	RD of Developable
P184	552	21	18 HURON AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list	0.13	0.00	10	20%	0.00
P185	552	4	57 ROCKAWAY BLVD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list	0.14	0.00	10	20%	0.00
P186	552	1	67 LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list	0.16	0.00	10	20%	0.00
P187	552	28	71 LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list	0.23	0.00	10	20%	0.00
P188	553	7	53 LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.18	0.00	10	20%	0.00
P189	553	11	3 WILBUR AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.09	0.00	10	20%	0.00
P190	553	11.1	WILBUR AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.06	0.00	10	20%	0.00
P191	553	12	WILBUR AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00
P192	553	2	65 LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00
P193	553	5	LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.17	0.00	10	20%	0.00
P194	553	6	LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.18	0.00	10	20%	0.00
P195	554	19	40 LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.21	0.00	10	20%	0.00
P196	554	3.1	ALONG ROCKAWAY RIVER	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list	6.44	0.00	10	20%	0.00
P197	557	25	NORMAN AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.09	0.00	10	20%	0.00
P198	558	13	35 LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.16	0.00	10	20%	0.00
P199	559	7	NORMAN AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.17	0.00	10	20%	0.00
P200	564	13	MANITO AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.08	0.00	10	20%	0.00
P201	565	12	LUTE AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.05	0.00	10	20%	0.00
P202	581	14	GLENWOOD AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.09	0.00	10	20%	0.00
P203	601	15	77 MINNEHAHA BLVD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.10	0.00	10	20%	0.00
P204	601	16	MINNEHAHA BLVD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00
P205	601	14	NO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.20	0.00	10	20%	0.00
P206	611	4	NO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.05	0.00	10	20%	0.00
P207	611	5	NO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.05	0.00	10	20%	0.00
P208	621	86	PERCYPENY LN	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.00	0.00	10	20%	0.00
P209	621	83	PERCYPENY LN	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.00	0.00	10	20%	0.00
P210	621	80	PERCYPENY LN	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.19	0.00	10	20%	0.00
P211	621	26	EDWARDS RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.66	0.00	10	20%	0.00
P212	621	77	PERCYPENY LN	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	27.82	0.00	10	20%	0.00
P213	621	85	PERCYPENY LN	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.99	0.00	10	20%	0.00
P214	621	84	PERCYPENY LN	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.35	0.00	10	20%	0.00
P215	621	11	VAIL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	5.53	0.00	10	20%	0.00
P216	621	78	PERCYPENY LN	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	5.84	0.00	10	20%	0.00
P217	621	13	VAIL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	8.71	0.00	10	20%	0.00
P218	621	24	EDWARDS RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	16.47	0.00	10	20%	0.00
P219	621	72	SAGAMORE ROAD	PARSIPPANY-TROY HILLS TWP	Does not qualify, Constrained by wetlands, nonC1 stream, waterbody and 100 yr. floodplain.	41.56	0.00	10	20%	0.00
P220	626	19	OAK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.13	0.00	10	20%	0.00
P221	626	20	PINE ST	BOARD OF EDUCATION	Does not qualify, Completely constrained by wetlands and 100 yr. floodplain.	0.67	0.00	10	20%	0.00
P222	626	18	OAK AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	1.78	0.00	10	20%	0.00
P223	627	1	ELM AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.85	0.00	10	20%	0.00
P224	628	1	ELM AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	2.01	0.00	10	20%	0.00
P225	629	3	MAPLE AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.13	0.00	10	20%	0.00
P226	629	5	MAPLE AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.32	0.00	10	20%	0.00
P227	629	4	MAPLE AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI list.	0.38	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owners Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved Density/acre	Setback %	RDP % Developable
P228	629	1	ELM AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	0.76	0.00	10	20%	0.00
P229	631	2	MAPLE AVE REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	2.47	0.00	10	20%	0.00
P230	631	1	MAPLE AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	3.32	0.00	10	20%	0.00
P231	631	3.01	OLD BLOOMFIELD AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	7.65	0.00	10	20%	0.00
P232	632	2	OLD BLOOMFIELD AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.75	0.00	10	20%	0.00
P233	693.01	2	ROUTE 46	NJ DEPT OF TRANSPORTATION	Does not qualify due to State Ownership.	1.69	0.00	10	20%	0.00
P234	693.01	1	NEW RD	NJ DEPT OF TRANSPORTATION	Does not qualify due to State Ownership.	1.06	0.00	10	20%	0.00
P235	705	2	VAIL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.11	0.00	10	20%	0.00
P236	705	1	VAIL & BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.17	0.00	10	20%	0.00
P237	712	19.3	FARRAND DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.46	0.00	10	20%	0.00
P238	712	40.01	ROUTE 46 & BALDWIN RD	NJ DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	1.06	0.00	10	20%	0.00
P239	714	6	BALL AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.11	0.00	10	20%	0.00
P240	719	21	SANDRA CT	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.21	0.00	10	20%	0.00
P241	725	2	1839 ROUTE 46 (REAR)	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.00	0.00	10	20%	0.00
P242	725	4.01	1839 ROUTE 46 (REAR)	PARSIPPANY-TROY HILLS TWP	Does not qualify due to Green Acres funding. On ROSI list.	12.21	0.00	10	20%	0.00
P243	726	10	1399 ROUTE 46	NJ DEPT OF TRANSPORTATION	Lot too small to qualify. Developed with a travel lane.	0.82	0.00	10	20%	0.00
P244	728	4.01	240 TROY RD	PARSIPPANY-TROY HILLS TWP	Does not qualify due to Green Acres Funding. On ROSI list.	0.43	0.00	10	20%	0.00
P245	728	8	69 BALDWIN RD	PARSIPPANY-TROY HILLS TWP	Does not qualify due to Green Acres Funding. On ROSI list.	0.64	0.00	10	20%	0.00
P246	728	7	59 BALDWIN RD	PARSIPPANY-TROY HILLS TWP	Does not qualify due to Green Acres Funding. On ROSI list.	0.69	0.00	10	20%	0.00
P247	728	1	ROUTE 46	PARSIPPANY-TROY HILLS TWP	Does not qualify due to Green Acres Funding.	5.03	0.00	10	20%	0.00
P248	729	4	8 GRANGE RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.34	0.00	10	20%	0.00
P249	729	5	10 GRANGE RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.34	0.00	10	20%	0.00
P250	729	3	GRANGE RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	2.84	0.00	10	20%	0.00
P251	730	5	TROY RD	PARSIPPANY-TROY HILLS TWP	Does not qualify due to Green Acres Funding.	4.36	0.00	6	20%	0.00
P252	730	6	BARBARA ST REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify due to Green Acres Funding.	7.53	0.00	6	20%	0.00
P253	733	18	CARLTON DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Stormwater basin. Constrained by wetland, nonC1 stream, waterbody and 100 yr. floodplain.	5.28	0.00	10	20%	0.00
P255	734	58	SMITH RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.15	0.00	6	20%	0.00
P256	734	16.7	PARROTT DR	PARSIPPANY-TROY HILLS TWP	Qualifies. Constrained by wetlands, nonC1 streams.	2.37	1.33	6	20%	1.60
P257	734	18	HANCOCK ST	PARSIPPANY-TROY HILLS TWP	Does not qualify. Constrained by wetlands and nonC1 stream. Remaining area is too narrow.	4.40	0.00	6	20%	0.00
P258	734	2	SMITH RD	FORGE POND DEVELOPERS, LLC	Does not qualify. On ROSI list. Constrained by wetlands and nonC1 stream.	124.17	0.00	6	20%	0.00
P259	736	11.15	550 SMITH RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.49	0.00	10	20%	0.00
P260	736	9.1	550 SMITH RD	PARSIPPANY-TROY HILLS TWP	Does not qualify due to Green Acres funding. On ROSI list.	0.90	0.00	10	20%	0.00
P261	741	4.2	SMITH RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	41.58	0.00	6	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owner Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved Density/Acre	Setback %	RDP of Developable
P262	742	47	STAFFORD TER	PARSIPPANY-TROY HILLS TWP	Does not qualify. Stormwater basin.	2.34	0.00	6	20%	0.00
P263	753	66	REYNOLDS AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	1.09	0.00	6	20%	0.00
P264	753	14	REYNOLDS AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	11.39	0.00	6	20%	0.00
P265	757	47	SO BEVERWYCK RD	COUNTY OF MORRIS	Does not qualify due to Green Acres funding. On ROSI list.	48.38	0.00	6	20%	0.00
P266	757	21	PRESTON RD	COUNTY OF MORRIS	Does not qualify due to Green Acres funding. On ROSI list. Constrained by wetlands and nonC1 stream.	9.56	0.00	6	20%	0.00
P267	757	48.31	SO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI list.	6.69	0.00	6	20%	0.00
P268	757	61.04	27 PHILLIP DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Too constrained by wetlands. Remaining area is inaccessible.	7.10	0.00	6	20%	0.00
P269	764	24	TROY MEADOW RD	NJ DEPT OF ENV PROTECTION	Lot too small to qualify.	0.46	0.00	10	20%	0.00
P270	764	65	SO BEVERWYCK RD	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	0.33	0.00	6	20%	0.00
P271	764	61	SO BEVERWYCK RD	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	0.35	0.00	6	20%	0.00
P272	764	63.2	SO BEVERWYCK RD	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	2.63	0.00	6	20%	0.00
P273	764	47	TROY MEADOW RD	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	8.28	0.00	6	20%	0.00
P274	764	50	SO BEVERWYCK RD	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	10.53	0.00	6	20%	0.00
P275	764	49	SO BEVERWYCK RD	NJ DEPT OF CONS & ECO DEV	Does not qualify due to Green Acres funding. On ROSI list.	12.29	0.00	6	20%	0.00
P276	764	45	TROY MEADOW RD	NJ DEPT OF CONS & ECO DEV	Does not qualify due to Green Acres funding. On ROSI list.	15.77	0.00	6	20%	0.00
P277	764	73	SO BEVERWYCK RD	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	34.33	0.00	6	20%	0.00
P278	764	52	PERRINE RD	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	94.35	0.00	6	20%	0.00
P279	764	66	SO BEVERWYCK RD	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	78.85	0.00	6	20%	0.00
P280	764	68.1	SO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Qualifies. Constrained by wetlands and 100 yr. floodplain.	1.54	1.84	6	20%	2.21
P281	764	38	TROY MEADOWS	COUNTY OF MORRIS	Does not qualify due to County ownership.	23.57	0.00	6	20%	0.00
P282	765	70	EDWARDS RD REAR	NJ DEPT OF ENVIRONMENTAL PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	25.26	0.00	10	20%	0.00
P283	765	69	ROUTE 46	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	40.00	0.00	10	20%	0.00
P284	765	63	SO BEVERWYCK RD	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	51.30	0.00	6	20%	0.00
P285	765	79	EDWARDS RD BACK	NJ DEPT OF ENV PROTECTION	Does not qualify due to Green Acres funding. On ROSI list.	34.84	0.00	6	20%	0.00
P286	765	73	ROUTE 80 ACCESS RD	NJ DEPT OF ENV PROTECTION	Does not qualify. Completely constrained by wetlands, nonC1 stream, and 100 yr. floodplain.	4.19	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owners Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved density/acre	Setback %	RDY of Developable
P287	765	84	TROY MEADOW RD	NJ DEPT OF ENVIRONMENTAL	Does not qualify. Completely constrained by wetlands.	2.70	0.00	6	20%	0.00
P288	765	81.1	EDWARDS RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Completely constrained by wetlands.	6.20	0.00	6	20%	0.00
P289	765	66	EDWARDS RD REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Completely constrained by wetlands. No access off of 1-280 and US 46.	7.55	0.00	6	20%	0.00
P290	765	86	TROY MEADOW RD	NJ DEPT OF TRANSPORTATION	Does not qualify due to State ownership.	8.36	0.00	6	20%	0.00
P291	766	17	EDWARDS & HEW RD	COUNTY OF MORRIS	Lot too small to qualify.	0.56	0.00	10	20%	0.00
P292	767	16.1	NEW RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.03	0.00	10	20%	0.00
P293	768	1	1010 EDWARDS RD	COUNTY OF MORRIS	Does not qualify due to County ownership and development of on ramp/off ramp.	2.18	0.00	10	20%	0.00
P294	770	7	EDWARDS RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Constrained by 100 yr. floodplain and non-CI stream. Remaining area is not assembled in such a way to be developed.	7.72	0.00	10	20%	0.00
P295	770	17	4 NEW RD	COUNTY OF MORRIS	Lot too small to qualify.	0.15	0.00	10	20%	0.00
P296	770	19	359 NEW RD	COUNTY OF MORRIS	Lot too small to qualify.	0.28	0.00	10	20%	0.00
P297	770	18	6 NEW RD	COUNTY OF MORRIS	Lot too small to qualify.	0.38	0.00	10	20%	0.00
P298	771	1	NEW RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Site of capped landfill.	25.33	0.00	6	20%	0.00
P299	771	1	WEST HANOVER AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. Lists a duplicate of P299. ID P299 Removed from analysis.	0.12	0.00	6	20%	0.00
P300	3	16	HIGH RIDGE RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Currently developed with tennis court and a water tower.	1.15	0.00	6	20%	0.00
P301	7	1	59 KOCH AVE	NJ DEPT OF HUMAN SERVICES	Does not qualify. State of NJ Mental Hospital	135.41	0.00	6	20%	0.00
P302	7	2	500 W HANOVER AVE	COUNTY OF MORRIS	Does not qualify. County building	107.15	0.00	6	20%	0.00
P303	10	1.01	KOCH AVE	NJ DEPT OF HUMAN SERVICES	Does not qualify. County building	139.23	0.00	6	20%	0.00
P304	10	1.03	CENTRAL AVE	COUNTY OF MORRIS	Does not qualify. County building	63.28	0.00	6	20%	0.00
P305	15	28	2387 WATNONG TER	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	0.93	0.00	6	20%	0.00
P306	15	29	2379 WATNONG TER	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	1.29	0.00	6	20%	0.00
P307	15.2	5	90 SO POWDERMILL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Municipal utility site	0.23	0.00	10	20%	0.00
P308	15.8	35.02	MOUNTAIN WAY REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Municipal utility site	0.87	0.00	10	20%	0.00
P309	15.8	35.02	MOUNTAIN WAY REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Municipal utility site	1.87	0.00	6	20%	0.00
P310	15.8	40.01	MOUNTAIN WAY	PARSIPPANY-TROY HILLS TWP	Does not qualify. Municipal utility site	0.12	0.00	10	20%	0.00
P311	18	17	2830 ROUTE 10	NJ DEPT OF TRANSPORTATION	Does not qualify. Not vacant	1.49	0.00	6	20%	0.00
P312	18.5	17	35 WATERLOO DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. pump station and active recreation	5.96	0.00	6	20%	0.00
P313	19	9	2600 ROUTE 10	PARSIPPANY-TROY HILLS TWP	Does not qualify. Historic-Craftsman Farms (NHL ID#2215)	1.69	0.00	6	20%	0.00
P314	19	10	2580 ROUTE 10	PARSIPPANY-TROY HILLS TWP	Does not qualify. Historic-Craftsman Farms (NHL ID#2215)	2.31	0.00	6	20%	0.00
P315	25	14	HECTOR RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Municipal utility site	0.23	0.00	6	20%	0.00
P316	25	31	2550 ROUTE 10	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	27.32	0.00	6	20%	0.00
P317	25	31.1	ROUTE 10	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	0.94	0.00	6	20%	0.00
P318	25	32	SOUTHWOOD DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	6.00	0.00	6	20%	0.00
P319	35	4	53 DICKERSON RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Municipal utility site	0.13	0.00	10	20%	0.00
P320	93	7	900 PARK RD	BOARD OF EDUCATION	Does not qualify. School building	8.00	0.00	10	20%	0.00
P321	98	47	510 PARK RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Municipal utility site	1.03	0.00	10	20%	0.00
P322	106	13.1	WILLOW LN	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	2.73	0.00	10	20%	0.00
P323	114	6.01	HIGHWOOD RD, LONG RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.26	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owners Name	Comments	Total Area (ac)	Developable Area (ac)	Approved or Approved Denial/Acre	Spillside %	ROP of Developable
P324	114	22	OAKDALE RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	1.30	0.00	10	20%	0.00
P325	136	28	HIGHVIEW RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	56.50	0.00	6	20%	0.00
P326	136	65	LACKAWANNA AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify. Developed with Lackawanna water tank.	0.91	0.00	10	20%	0.00
P327	161	1	STEPHEN B PARK	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	1.84	0.00	10	20%	0.00
P328	162	1	STEPHEN PL	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	2.53	0.00	10	20%	0.00
P329	166	83	20 RITA DR	BOARD OF EDUCATION	Does not qualify. School building.	44.08	0.00	6	20%	0.00
P330	166	16	BROOKLAWN DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	8.30	0.00	10	20%	0.60
P331	168	34	250 BROOKLAWN DR	BOARD OF EDUCATION	Does not qualify. School building.	18.96	0.00	6	20%	0.00
P332	168	132	DARTFORD RD	PARSIPPANY-TROY HILLS TWP	Qualifies. Constrained by wetlands. Wrapped with single-family lots.	5.06	3.91	10	20%	7.82
P333	176	9	1788 LITTLETON RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00
P334	199	3	250 BEACHWOOD RD	BOARD OF EDUCATION	Does not qualify. School building.	35.10	0.00	10	20%	0.00
P335	199	20	449 HALSEY RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Library.	6.15	0.00	10	20%	0.00
P336	202	905	ENTINI WAY	PARSIPPANY-TROY HILLS TWP	Does not qualify. Pump station.	12.50	0.00	10	20%	0.00
P337	202	15	DRYDEN WAY	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.23	0.00	10	20%	0.00
P338	208	43	125 KINGSTON RD	BOARD OF EDUCATION	Does not qualify. School building.	11.33	0.00	10	20%	0.00
P339	208	52	CRESTVIEW DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	1.50	0.00	10	20%	0.00
P340	226	5	40 EBA RD	BOARD OF EDUCATION	Does not qualify. School building.	9.36	0.00	10	20%	0.00
P341	350	11	PAWSCOE DR	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	0.14	0.00	10	20%	0.00
P342	383	10	FAIRFIELD RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00
P343	388	3	192 PARSIPPANY RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Library.	2.50	0.00	10	20%	0.00
P344	400	1.1	KNOLL RD-REAR	PARSIPPANY-TROY HILLS TWP	Does not qualify. Water tank.	0.87	0.00	10	20%	0.00
P345	400	3.2	2-A TORRES LN	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify. Irregularly shaped and narrow.	0.06	0.00	10	20%	0.00
P346	405	7	HOMER ST	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	6.53	0.00	10	20%	0.00
P347	411	13	CHERRY HILL RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.31	0.00	10	20%	0.00
P348	411	22.1	9299 ROUTE 46	UNITED STATES POSTAL SERVICE	Does not qualify. Post Office.	2.18	0.00	10	20%	0.00
P349	411	22.2	ROUTE 46	NJ DEPT OF TRANSPORTATION	Lot too small to qualify.	0.52	0.00	10	20%	0.00
P350	411	22.3	ROUTE 46	NJ DEPT OF TRANSPORTATION	Lot too small to qualify.	0.23	0.00	10	20%	0.00
P351	411	24.01	13339 ROUTE 46	PARSIPPANY-TROY HILLS TWP	Does not qualify. Police Station.	8.79	0.00	10	20%	0.00
P352	411	24.02	PUMPHOUSE RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Public Works.	16.12	0.00	10	20%	0.00
P353	420	1	1001 PARSIPPANY BLVD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Municipal building.	3.11	0.00	10	20%	0.00
P354	421	12	60 PITT RD	BOARD OF EDUCATION	Does not qualify. School building.	12.85	0.00	10	20%	0.00
P355	421	25.1	736 PARSIPPANY BLVD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	2.75	0.00	10	20%	0.00
P356	421	26	760 PARSIPPANY BLVD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	4.11	0.00	10	20%	0.00
P357	421	29.04	WATERVIEW BLVD - REAR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify. Developed as a surface parking lot.	10.63	0.00	6	20%	0.00
P358	429	32	100 BELL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	7.23	0.00	10	20%	0.00
P359	435	28	280 PARSIPPANY BLVD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.11	0.00	10	20%	0.00
P360	469	3	445 KNOLL RD	BOARD OF EDUCATION	Does not qualify. School building.	16.67	0.00	10	20%	0.00
P361	469	6	389 KNOLL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Developed as a residence and farm.	5.77	0.00	10	20%	0.00
P362	481	36	1 LINCOLN AVE	BOARD OF EDUCATION	Does not qualify. School building.	13.17	0.00	10	20%	0.00
P363	483	2	CLAUDINE TER	BOARD OF EDUCATION	Does not qualify. On ROSI List.	24.66	0.00	10	20%	0.00
P364	483	28	COLONY ST	PARSIPPANY-TROY HILLS TWP	Does not qualify. Pump Station and completely constrained.	0.34	0.00	10	20%	0.00
P365	494	6.1	1130 KNOLL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Rec center.	5.90	0.00	6	20%	0.00
P366	494	1	1100 KNOLL RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	338.00	0.00	6	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owner's Name	Comments	Total Area (sq)	Developable Area (Ac)	Applied or Approved density/acre	Setback %	RDP of Developable
P367	498	24	10 EILEEN CT	BOARD OF EDUCATION	Does not qualify, School building.	11.94	0.00	10	20%	0.00
P368	498	23	60-70 EILEEN CT	PARSIPPANY-TROY HILLS TWP	Does not qualify, Developed as active recreation.	11.31	0.00	10	20%	0.00
P369	498	25	EILEEN CT	PARSIPPANY-TROY HILLS TWP	Does not qualify, Well.	1.08	0.00	10	20%	0.00
P370	517	6	RIVER DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.09	0.00	10	20%	0.00
P371	520	1	NOKOMIS AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.14	0.00	10	20%	0.00
P372	520	2	NOKOMIS AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.09	0.00	10	20%	0.00
P373	521	1	68 NOKOMIS AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.18	0.00	10	20%	0.00
P374	526	10	19 MOHICAN PL	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.17	0.00	10	20%	0.00
P375	553	3	LAKE SHORE DR	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.17	0.00	10	20%	0.00
P376	601	10	69 NO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.10	0.00	10	20%	0.00
P377	626	21	156 OLD BLOOMFIELD AVE	BOARD OF EDUCATION	Does not qualify, School building.	1.16	0.00	10	20%	0.00
P378	629	2	MAPLE AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	0.44	0.00	10	20%	0.00
P379	630	1	41 ELM AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	0.84	0.00	10	20%	0.00
P380	698	32	160 EDWARDS RD	BOARD OF EDUCATION	Does not qualify, School building.	11.06	0.00	10	20%	0.00
P381	698	20	410 OLD BLOOMFIELD AVE	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify, Irregularly shaped and narrow.	0.55	0.00	10	20%	0.00
P382	717	37	309 BALDWIN RD	BOARD OF EDUCATION	Does not qualify, School building.	40.54	0.00	10	20%	0.00
P383	716	7	BALL AVE	PARSIPPANY-TROY HILLS TWP	Lot does not qualify, Developed with utility pump house.	0.52	0.00	10	20%	0.00
P384	716	26	300 BALDWIN RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, School building.	1.86	0.00	10	20%	0.00
P385	718	26.1	320 BALDWIN RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.15	0.00	10	20%	0.00
P386	721	3	1620 ROUTE 46	BOARD OF EDUCATION	Does not qualify, School building.	22.02	0.00	10	20%	0.00
P387	722	1	ROUTE 46 & SO BEVERWYCK	NJ DEPT OF TRANSPORTATION	Does not qualify, Constrained by slopes and developed as Park n Ride. Remaining area is an archaeological site with identified artifacts.	11.77	0.00	10	20%	0.00
P388	723	1	SO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	12.71	0.00	6	20%	0.00
P389	725	5.01	1839 ROUTE 46	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	5.31	0.00	10	20%	0.00
P390	728	3	ROUTE 46	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	16.06	0.00	10	20%	0.00
P391	728	5	220 TROY RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, Veterans of Foreign Wars Building.	0.70	0.00	10	20%	0.00
P392	728	6	33 BALDWIN RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	2.13	0.00	10	20%	0.00
P393	734	2.06	TROY RD	PARSIPPANY-TROY HILLS TWP	Lot does not qualify, Developed with utility pump house.	1.10	0.00	10	20%	0.00
P394	734	4	460 SO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, Township Historic Society building (Smith-Baldwin House).	2.85	0.00	6	20%	0.00
P395	736	7.07	SMITH & MAZDABROOK RD	PARSIPPANY-TROY HILLS TWP	Lot too small to qualify.	0.31	0.00	10	20%	0.00
P396	736	9.2	580 SMITH RD	PARSIPPANY-TROY HILLS TWP	Qualifies, Constrained by wetlands.	4.17	4.05	10	20%	8.10
P397	736.1	3	459 POMEROY RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, Water tank.	1.01	0.00	10	20%	0.00
P398	753	35	29 TROUVILLE DR	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	2.31	0.00	6	20%	0.00
P399	753	65	REYNOLDS AVE	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	14.60	0.00	6	20%	0.00
P400	753	66	REYNOLDS AVE	PARSIPPANY-TROY HILLS TWP	P400 removed from analysis.	1.10	0.00	6	20%	0.00
P401	757	20	REYNOLDS AVE	COUNTY OF MORRIS	Does not qualify, On ROSI List.	103.79	0.00	6	20%	0.00
P402	763	11	509 S. BEVERWYCK RD	BOARD OF EDUCATION	Does not qualify, School building.	12.28	0.00	10	20%	0.00
P403	764	29	803 SO BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	5.48	0.00	10	20%	0.00
P404	764	51	MEADOW RD	PARSIPPANY-TROY HILLS TWP	Does not qualify, Completely constrained.	0.18	0.00	6	20%	0.00
P405	764	64	SO BEVERWYCK RD	NJ DEPT OF ENV PROTECTION	Lot too small to qualify.	0.42	0.00	6	20%	0.00
P406	765	33	MARSHA TER	PARSIPPANY-TROY HILLS TWP	Does not qualify, On ROSI List.	4.05	0.00	10	20%	0.00

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owner's Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved density/acre	Setback %	RDV of Developable	
P407	765	64	50 BEVERWYCK RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. On ROSI List.	10.83	0.00	6	20%	0.00	
P408	768	2.01	1100 EDWARDS RD	MORRIS COUNTY MUNICIPAL UTILITIES A	Does not qualify. Morris County Municipal Utility Authority.	2.00	0.00	10	20%	0.00	
P409	769	1	1139 EDWARDS RD	PARSIPPANY-TROY HILLS TWP	Does not qualify. Sewer Treatment Facility	59.99	0.00	10	20%	0.00	
LD1	406	4.01	440 LITTLETON RD	440 LITTLETON ROAD, LLC	Qualifies for RDP Analysis. Developed plant nursery. Considered developable for RDP purposes	2.91	2.91	10	20%	5.80	
DDP1	14	9	660 OLD DOVER RD	700 MOUNTAIN WAY LLC	Qualifies for RDP Analysis. Approved inclusionary site. Although lot constrained by steep slopes, considered developable for RDP purposes with adjoining parcel B 14 L 9 & 10 for a total of 97 units	14.00	1.53	6.12	20%	19.40	
	14	9.1	660 OLD DOVER RD	700 MOUNTAIN WAY LLC			1.53	6.12	20%		
	14	10	646 OLD DOVER RD	700 MOUNTAIN WAY, LLC			1.83	6.12	20%		
DDP2	136	44	100 CHERRY HILL RD	MORRIS CORP CTR VI, LLC % SJP PROP	Qualifies for RDP analysis. Proposed inclusionary site. Lot is constrained by wetlands non-C1 stream and waterbody, considered developable for RDP purposes with adjoining parcel B136 L76 for a total of 325 units.	27.47	22.01	11.8	20%	65.00	
	136	76	120 CHERRY HILL RD	MORRIS VI REALTY, LLC % SJRPPERTIES			0.98				
DDP3	166	96	1050 LITTLETON RD	ST CHRISTOPHERS R.C. CHURCH	Qualifies for RDP Analysis. Rear of lot being offered for sale although constrained by slopes housing Approved inclusionary site. Considered developable for RDP purposes	11.50	11.50	6	20%	13.80	
DDP4	181	19	1500 LITTLETON RD	PARSIPPANY LITTLETON, LLC	Qualifies for RDP analysis. Proposed inclusionary site. Lot is constrained by wetlands non-C1 stream and waterbody, considered developable for RDP purposes for a total of 250 AR & 120 ASL units.	25.95		14.3	20% & 10%	62.00	
DDP5	200	1.2	1515 ROUTE 10	1515 PARSIPPANY, LLC	Qualifies for RDP analysis. Proposed inclusionary site. Lot is constrained by wetlands non-C1 stream and waterbody, considered developable for RDP purposes for a total of 441 units.	11.13		39.8	20%	88.20	
DDP6	200	8	169 JOHNSON RD	A. CONCLU TRUSTEE, J & P WEICHERT	Qualifies for RDP analysis. Proposed inclusionary site. Lot is constrained by wetlands non-C1 stream and waterbody, considered developable for RDP purposes for a total of 91 units.	2.51		36.3	20%	18.20	
DDP7	202	3.1	1633 LITTLETON RD	LITTLETON REALTY ASC LLC % MACK-CALI	Qualifies for RDP analysis. Proposed inclusionary site. Considered developable for RDP purposes with adjoining parcels for a total of 400 units	5.19	5.19	19.5	20%	80.00	
	202	3.20	2 CAMPUS DR	RRT 2 CAMPUS LLC % MACK-CALI REALTY			5.04				5.04
	202	3.12	3 CAMPUS DR	1 CAMPUS ASSOC % MACK-CALI			10.02				10.02
DDP8	245	18.1	181 KINGSTON RD	SHREEJI GAJA LAXMI, LLC	Qualifies for RDP Analysis. Approved inclusionary site. Although lot is developed, considered developable for RDP purposes for a total of 8 units	0.87	0.87	9.2	20%	1.60	
DDP9	392	1	800-900 PARSIPPANY RD	8HIGH LANIDEX, LLC	Qualifies for RDP analysis. Proposed inclusionary site. Considered developable for RDP purposes with adjoining parcels for a total of 600 units unless need third round.	11.36		13.3	20%	120.00	
	392	2	100-700 PARSIPPANY RD	1HIGH LANIDEX, LLC % MILELLJ REAL EST		33.72					
DDP10	411	15	199 CHERRY HILL RD	199 CHERRY HILL ROAD LLC	Qualifies for RDP Analysis. Proposed inclusionary site. Although lot is developed, it is considered developable for RDP purposes for a total of 60 units	2.40	2.40	25	20%	12.00	
DDP11	698	15.2, 50	808 ROUTE 46	WESTMOUNT-ARLINGTON PLAZA JOINT VEN	Qualifies for RDP Analysis. Proposed inclusionary site. Although lot is developed, it is considered developable for RDP purposes for a total of 313 units	22.08	22.08	10.03	20%	62.60	
DDP12	766	6	750 EDWARDS RD	750 EDWARDS RD, LLC	Qualifies for RDP analysis. Proposed inclusionary site. Lot is constrained by wetlands non-C1 stream and waterbody, considered developable for RDP purposes with adjoining parcels B766 L 6 thru 9 for a total of 114 units.	4.73		13.3	20%	22.80	
	766	7	760 EDWARDS RD	CORVELL ASSOC % CORVELL BROTHERS			0.35				
	766	8	EDWARDS RD	750 EDWARDS RD, LLC			3.02				
	766	9	EDWARDS RD	750 EDWARDS RD, LLC			0.44				

PARSIPPANY-TROY HILLS:
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ID #	Block	Lot	Property Location	Owners Name	Comments	Total Area (ac)	Developable Area (ac)	Applied or Approved density/acre	Setaside %	BDP of Developers
DDPL3	767	36	887 EDWARDS RD	CORVELLI ASSOCIATES INC	Qualifies for RDP Analysis. Proposed industrial site. Although lot developed, considered developable for RDP purposes for 24 units	1.18		20.3	20%	4.80
NRD1	15	5	2889 ROUTE 10	2889 ROUTE 10, LLC	Negotiated qualification for RDP Analysis. Although lot developed as lot 5 and 6 included in RDP at 80 units	2.04		12.6	20%	16.00
NRD2	15	6	2889 ROUTE 10	2889 ROUTE 10, LLC		4.29				
NRD3	734	51.29	SCHINDLER CT	STERLING MUST LLC	Negotiated qualification for RDP Analysis. Although lot developed, included in RDP at 6 units to the acre or 39 units	6.56		6	20%	7.80
NRD4	421	29.03	30 WATERVIEW BLVD	WATERVIEW MARKETPLACE LLC	Negotiated qualification for RDP Analysis. Although lot developed, included in RDP at 12 units to the acre or 193 units	16.10	16.10	12	20%	38.60
TOTAL RDP OF VACANT AND LOTS CONTRIBUTING TO RDP BASED UPON SETTLEMENT AGREEMENT										856.43

Exhibit B: Overlay zoning on designated sites

EXHIBIT B

Unmet Need Overlay Zoning Exhibit

The following is a summary of locations proposed as overlay zones to address unmet need in the Township.

Overlay Area A: North Beverwyck Rd Site. (Block 607, Lot 1)

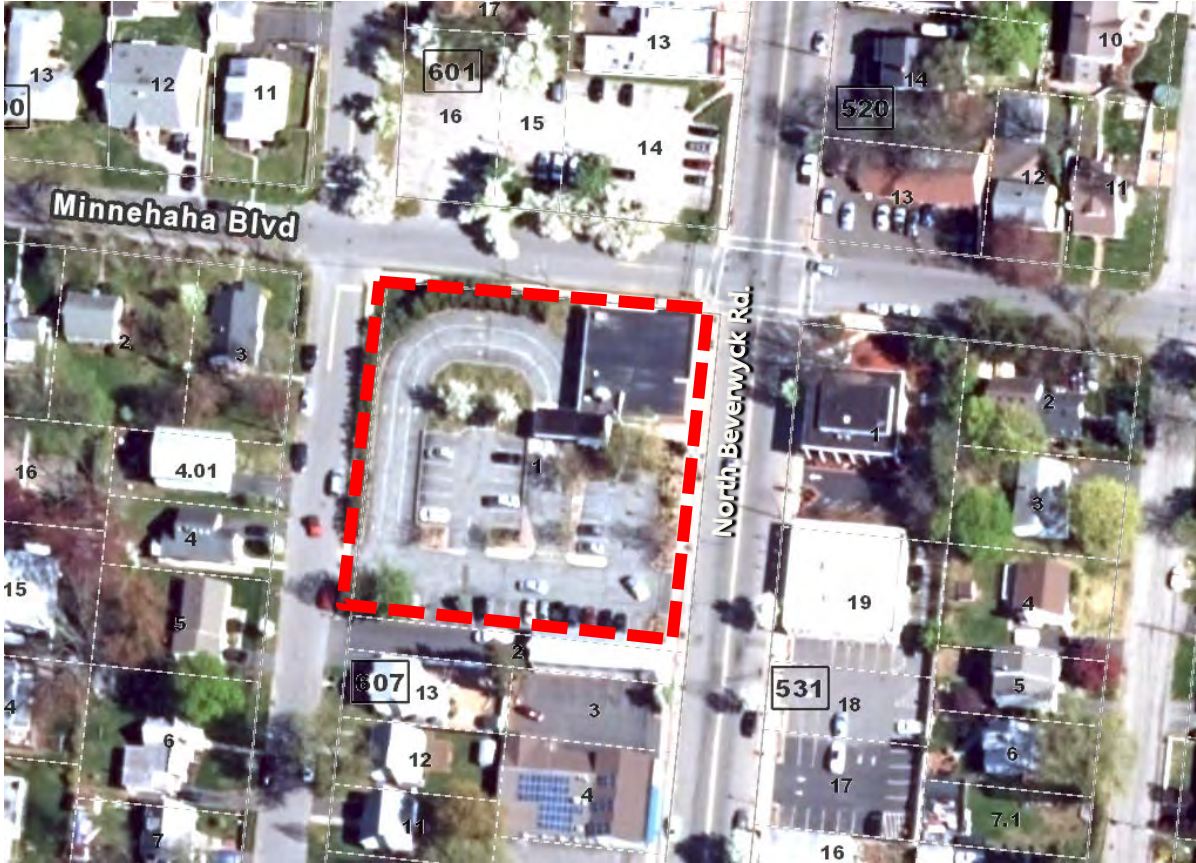


Table 1: Overlay Area A

Address	Block and Lot	Area (ac)	Proposal	Density (du/ac)	Potential Units (rounded)	Set-aside	Potential Affordable Units (rounded)
53 North Beverwyck	B 607, L 1	0.918	Mixed use: residential over commercial	18du/ac	16.0	20%	4
TOTAL		0.92		18 du/ac	16.0		4

Overlay Area B: Mara and North Beverwyck Road. (Block 497, Lots 6 & 70)

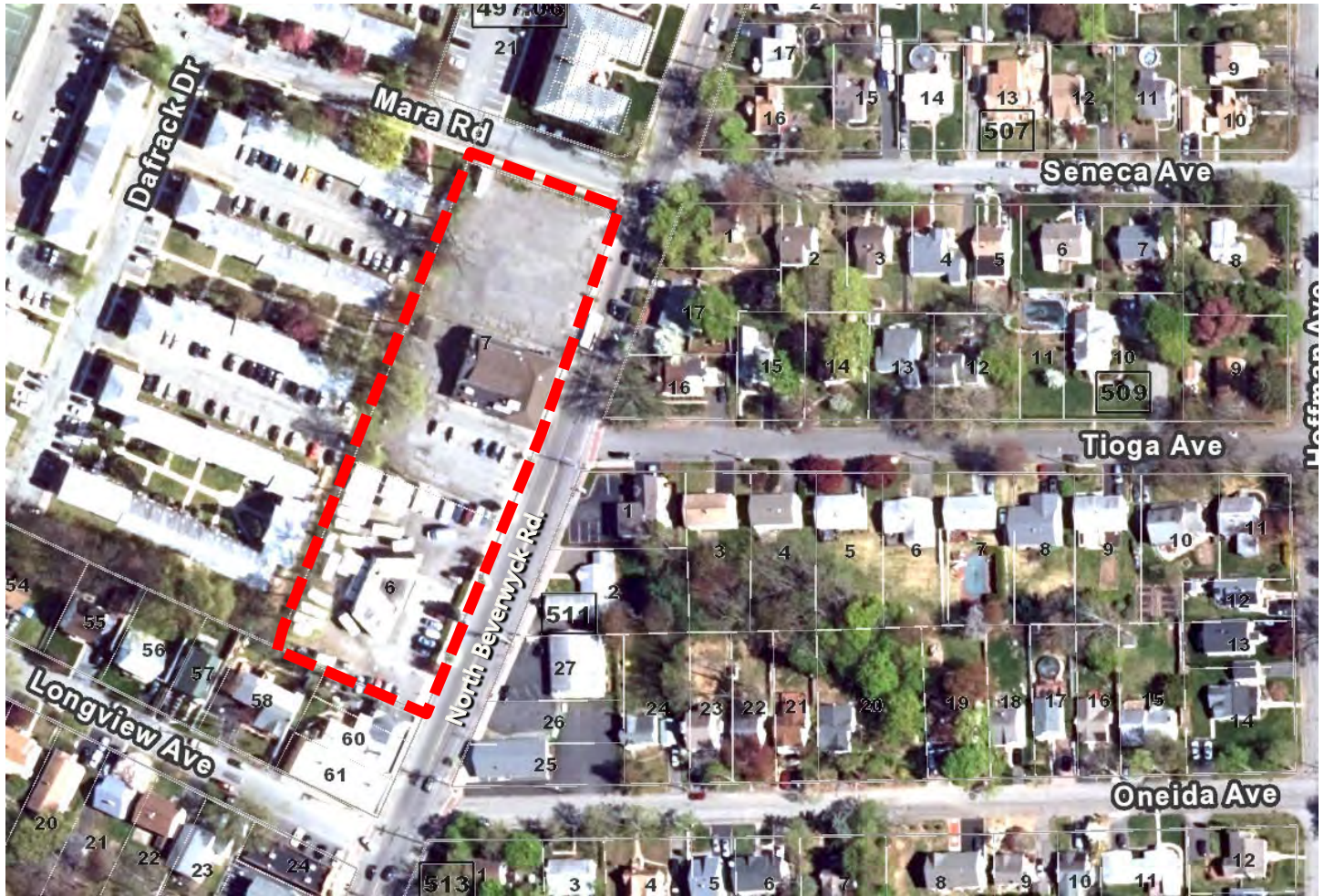


Table 2: Overlay Area B

Address	Block and Lot	Area (ac)	Proposal	Density (du/ac)	Potential Units (rounded)	Set-aside	Potential Affordable Units (rounded)
141 North Beverwyck	B 497, L 6	0.68	Mixed use: residential over commercial	18 du/ac	12.0	20%	3
149 North Beverwyck	B 497, L 7	1.05	Mixed use: residential over commercial	18 du/ac	18.0	20%	4
Combined Total		1.73		18 du/ac	31.0	20%	7

Overlay Area C: Lanidex Development-Parsippany Road (Block 392 Lots 1 & 2)



Table 3: Overlay Area C

Address	Block and Lot	Lot Area (ac)	Proposal	Density (du/ac)	Potential Units (rounded)	Set-aside	Potential Affordable Units (rounded)
100-900 Lanidex Plaza	B 392, L 1&2	23.7* net (45.08 gross)	Mixed use: residential & commercial	25.3 du/net ac*	600.0	20%	120
Combined Total				25.3 du/net ac*	600.0	20%	120

* The overlay zoning area proposed is for the net area contemplated as phase 1 and 2 only in this proposal which comprises a portion of the properties not the entirety of the lots identified herein.

Overlay D: Continental Rd. Pine View: (Block 15.12, Lot 1)



Table 4: Overlay D

Address	Block and Lot	Lot Area (ac)	Proposal	Density (du/ac)	Potential Units (rounded)	Set-aside	Potential Affordable Units (rounded)
301 Gibraltar Drive	B 15.12, L 1	12.97	Mixed use: residential and convenience retail	18 du/ac	233.0	20%	47
TOTAL		12.97		18 du/ac	233.0		47

Overlay Area E: Mount Arlington Center- East Side (Block 69.8, Lot 15.2)

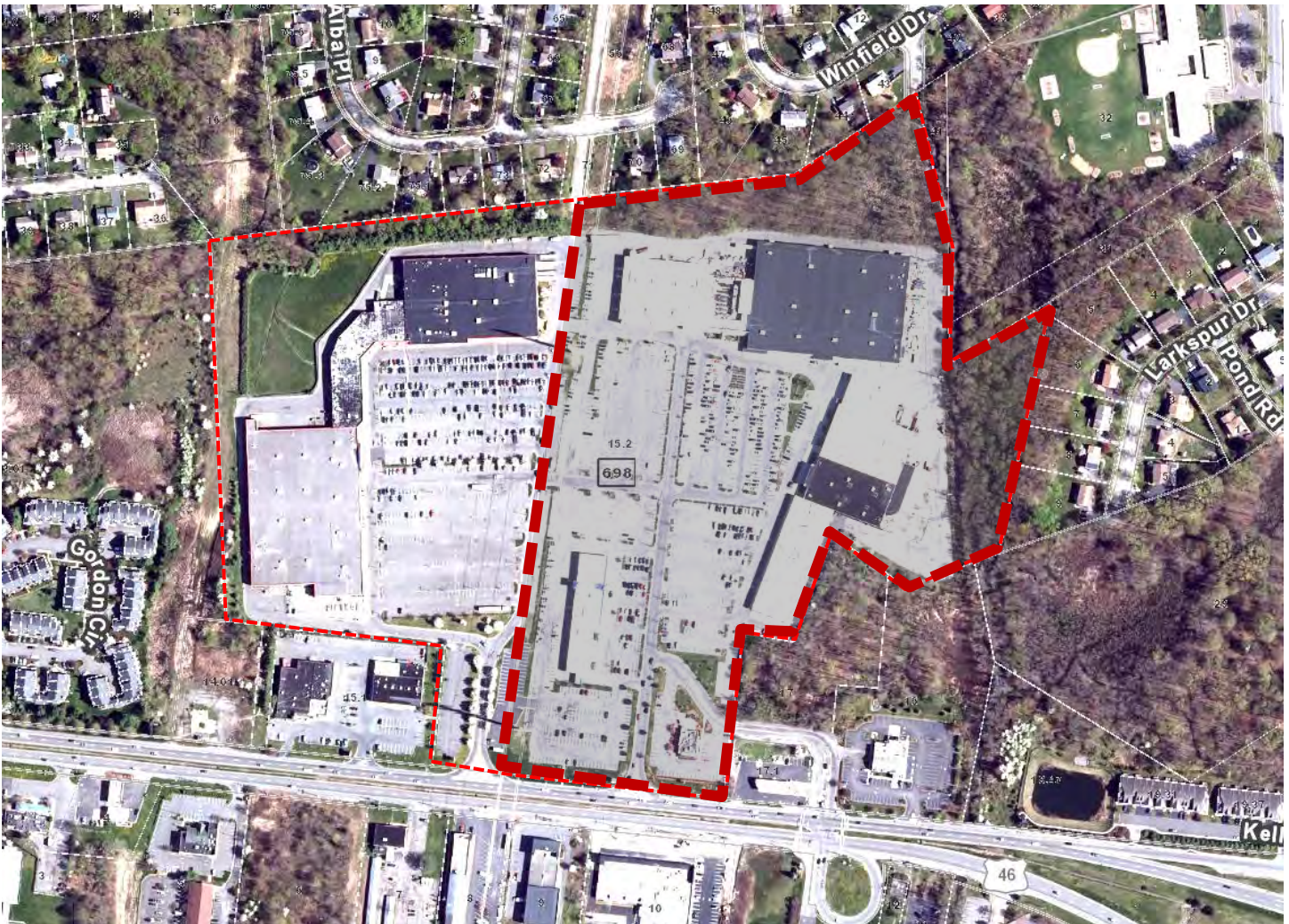


Table 5: Overlay Area E

Address	Block and Lot	Lot Area (ac)	Proposal	Density (du/ac)	Potential Units (rounded)	Set-aside	Potential Affordable Units (rounded)
792 Route 46	B 698, L 15.2	31.16	Mixed use center: residential & commercial	10 du/ac	311.0	20%	63
TOTAL		31.16		10 du/ac	311.0		63

Overlay Area F: GSK Site (Block 181, Lot 19)



Table 6: Overlay Area F

Address	Block and Lot	Lot Area (ac)	Proposal	Density (du/ac)	Potential Units (rounded)	Set-aside	Potential Affordable Units (rounded)
1500 Littleton Rd.	B 181, L 19	25.95	Age restricted and assisted living residences	14.3 du/ac	370.0	Varies	62
TOTAL		25.95		14.3 du/ac	370.0		62

Exhibit C: 2018 Income Limits

Prepared by *Affordable Housing Professionals of New Jersey (AHPNJ) - April 2018*
2018 AFFORDABLE HOUSING REGIONAL INCOME LIMITS BY HOUSEHOLD SIZE

Income limits not officially adopted by the State of New Jersey. Contact your municipality to see if applicable in your jurisdiction. Additional information about AHPNJ income limits is posted on:

		1 Person	1.5 Person	2 Person	3 Person	4 Person	4.5 Person	5 Person	6 Person	7 Person	8+ Person	Max Increase Rents** / Sales***	Regional Asset Limit***
Region 1 Bergen, Hudson, Passaic and Sussex	Median	\$63,597	\$68,140	\$72,682	\$81,767	\$90,853	\$94,467	\$98,121	\$105,389	\$112,657	\$119,926		
	Moderate	\$50,878	\$54,512	\$58,146	\$65,414	\$72,682	\$75,589	\$78,497	\$84,311	\$90,126	\$95,940	2.2%	\$175,679
Region 2 Essex, Morris, Union and Warren	Very Low	\$19,079	\$20,442	\$21,805	\$24,530	\$27,256	\$28,346	\$29,436	\$31,617	\$33,797	\$35,978		
	Median	\$66,755	\$71,523	\$76,291	\$85,828	\$95,364	\$99,179	\$102,993	\$110,622	\$118,252	\$125,881	2.2%	\$182,955
Region 3 Hunterdon, Middlesex and Somerset	Low	\$33,377	\$35,762	\$38,146	\$42,914	\$47,682	\$49,589	\$51,497	\$55,311	\$59,126	\$62,940	2.2%	\$205,458
	Very Low	\$20,026	\$21,457	\$22,887	\$25,748	\$28,609	\$29,754	\$30,898	\$33,187	\$35,475	\$37,764		
Region 4 Mercer, Monmouth and Ocean	Median	\$69,447	\$74,407	\$79,368	\$89,289	\$99,209	\$103,178	\$107,146	\$115,083	\$123,020	\$130,956		
	Moderate	\$55,537	\$59,526	\$63,494	\$71,431	\$79,368	\$82,542	\$85,717	\$92,066	\$98,416	\$104,765	2.2%	\$186,616
Region 5 Burlington, Camden and Gloucester	Low	\$30,530	\$32,775	\$34,960	\$39,330	\$43,700	\$45,448	\$47,196	\$50,692	\$54,188	\$57,684		
	Very Low	\$18,354	\$19,665	\$20,976	\$23,598	\$26,220	\$27,269	\$28,318	\$30,415	\$32,513	\$34,610	2.2%	\$161,977
Region 6 Atlantic Cape May, Cumberland and Salem	Median	\$51,085	\$54,734	\$58,383	\$65,681	\$72,979	\$75,898	\$78,817	\$84,655	\$90,494	\$96,332		
	Moderate	\$40,868	\$43,787	\$46,706	\$52,545	\$58,383	\$60,718	\$63,054	\$67,724	\$72,395	\$77,066	2.2%	\$136,580
	Low	\$25,543	\$27,367	\$29,192	\$32,840	\$36,489	\$37,949	\$39,409	\$42,328	\$45,247	\$48,166	0.00%	
	Very Low	\$15,326	\$16,420	\$17,515	\$19,704	\$21,894	\$22,769	\$23,645	\$25,397	\$27,148	\$28,900		

Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent or less of median income.
* These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.4(a).
** This column is used for calculating the pricing for rent increases for units (as previously calculated under N.J.A.C. 5:97-9.3). The increase for 2015 was 2.3%, the increase for 2016 was 1.1%, the increase for 2017 was 1.7%, and the increase for 2018 is 2.2% (Consumer Price Index for All Urban Consumers (CPI-U): Regions by expenditure category and commodity and service group). Landlords who did not increase rents in 2015, 2016, or 2017 may increase rent by up to the applicable combined percentage from their last rental increase for that unit. In no case can rent for any particular apartment be increased more than one time per year.
*** This column is used for calculating the pricing for resale increases for units (as previously calculated under N.J.A.C. 5:97-9.3). The price of owner-occupied low and moderate income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
Low income tax credit developments may increase based on the low income tax credit regulations.
**** The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b).
Note: Since the Regional Income Limits for Region 6 in 2017 were higher than the 2018 calculations, the 2017 income limits will remain in force for 2018 (as previously required by N.J.A.C. 5:97-9.2(c)).

2. Third Round Certification

FILED

December 10, 2020

MICHAEL GAUS, J.S.C.

**Leslie G. London, Esq. (020801988)
McMANIMON, SCOTLAND & BAUMANN, L.L.C.
75 Livingston Avenue, Second Floor
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(973) 622-1800
Attorneys for Plaintiff/Petitioner,
Township of Parsippany-Troy Hills**

**IN THE MATTER OF THE APPLICATION
OF THE TOWNSHIP OF PARSIPPANY
TROY-HILLS FOR A DETERMINATION OF
MOUNT LAUREL COMPLIANCE**

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MORRIS COUNTY**

DOCKET NO.: MRS-L-1699-15
Civil Case
(Mount Laurel)

**ORDER GRANTING NON-CONDITIONAL
FINAL THIRD ROUND JUDGMENT OF
COMPLIANCE AND REPOSE**

THIS MATTER, having come before the Court by McManimon, Scotland & Baumann, LLC (Leslie G. London, Esq. appearing), attorneys for Petitioner Township of Parsippany-Troy Hills (the “Township”) by way of a Declaratory Judgment Complaint to have the Court determine the Township’s fair share affordable housing obligations, to permit the Township time to adopt a compliance plan and for temporary immunity from builder’s remedy litigation pending the Declaratory Judgment action, in response to In Re Adoption of N.J.A.C. 5:96, 221 N.J. 1 2015 (“Mt. Laurel IV”); and the Court having appointed Brian M. Slaugh, PP, AICP, as the Court Master; and Fair Share Housing Center (“FSHC”) having participated in the Declaratory Judgment action as an interested party; and the Township and FSHC having entered into a Settlement Agreement dated March 19, 2019 (the “Settlement Agreement”); and the Court having scheduled a Fairness and Preliminary Compliance Hearing (the “Fairness Hearing”) on June 21, 2019 to consider approval of the Settlement Agreement, and to determine whether the settlement is fair, reasonable and adequately protects the interest of very low, low and moderate income households, and the Township having provided proper public and actual

notice of the Fairness Hearing; and the Court Master, Brian Slaugh, PP, AICP having issued a report to the Court dated June 14, 2019 (the “June 14, 2019 Report”) recommending that the Court approve the Settlement Agreement, subject to certain terms and conditions; and the Court having conducted a Fairness Hearing on June 21, 2019 and having considered the testimony of the Township’s qualified expert Edward Snieckus, PP, LLA, ASLA, and testimony of the Court Master and FSHC; and the Court having found and determined, pursuant to the judicial standards prescribed by the Appellate Division in East/West Venture v. Bor. Of Fort Lee, 286 N.J. Super. 311 (App. Div. 1996), and sufficient notice having been given in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (“Mt. Laurel IV”) and Morris County Fair Housing Council v. Boonton Tp., 197 N.J. Super. 359 (Law Div. 1984), aff’d o.b., 209 N.J. Super. 108 (App. Div. 1986); and through analysis of the Settlement Agreement and on the basis of the testimony taken during the Fairness Hearing conducted on June 21, 2019, entered an Order Approving the Settlement Agreement and Fixing Date for a Final Hearing for Third Round Judgment of Compliance and Repose dated July 24, 2019 (the “July 24, 2019 Order”), and finding that the Settlement Agreement is fair, reasonable and adequately protects the interests of very low, low and moderate-income households, and approving the mechanisms by which the Township will meet its Prior and Third Round affordable housing obligations subject to the conditions imposed by the Court Master’s June 14, 2019 Report; and the Court having conducted a Final Compliance Hearing on October 25, 2019 (the “Final Hearing”), and having considered the submission of the Township regarding public notice of the Final Hearing, which submissions were entered into evidence at the Final Hearing as P-7 and P-8, and the documentation and information submitted by the Township in response to the conditions imposed in the Court Master’s June 14, 2019 Report, which submissions were entered into

evidence at the Final Hearing as P-9; and the Court having considered the subsequent Final Report of the Court Master dated October 21, 2019 (the “October 21, 2019 Final Report”), which was entered into evidence at the Final Hearing as C-1; and the October 25, 2019 supplemental submissions made by the Township in response to the Court Master’s October 21, 2019 Final Report, which were entered into evidence at the Final Hearing as P-10 and P-11; and the testimony of the Township’s qualified expert Edward Snieckus; and the testimony of the Court Master and FSHC (Bassam Gergi, Esq. appearing), which testimony outlined certain recommended conditions for the Township to meet in order to receive a Final Judgment of Compliance and Repose; and based on the testimony presented and submissions made, the Court having found and determined, pursuant to the judicial standards prescribed by the Appellate Division in East/West Venture v. Bor. Of Fort Lee, 286 N.J. Super. 311 (App. Div. 1996), and In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (“Mount Laurel IV”), and in Morris County Fair Housing Council v. Boonton Tp., 197 N.J. Super. 359 (Law Div. 1984), aff’d o.b., 209 N.J. Super. 108 (App. Div. 1986), that the Township had satisfied the required public notice requirements, and had satisfied the conditions set forth in the Court’s July 24, 2019 Order Approving Settlement Agreement and Fixing Date for Final Hearing for Third Round Judgment of Compliance and Repose, including but not limited to the adoption of a Housing Element and Fair Share Plan (the “HE&FSP”), the adoption of an Affordable Housing Ordinance, and adoption of affordable housing development overlay zoning amendments, with the exception of the conditions outlined by the Court Master in his October 21, 2019 Final Report and his testimony, and the conditions set forth in the testimony of FSHC; and the Court in response to such conditions, having entered an Order Granting Conditional Final Third Round Judgment of Compliance on November 13, 2019, which required satisfaction

by the Township of the Conditions set forth in said Order, which included the preparation and submission of information and documentation and Certification of the Township's qualified expert, to the Court Master for review and a subsequent determination by the Court Master that the Township has complied with all Conditions; and the Court Master having submitted a Final Letter to the Court dated May 27, 2020 stating that he is in agreement with the Certification of the Township's qualified expert and the Township has met its Judgment of Repose obligations under his review.

December
IT IS on this 10th day of ~~June~~, 2020;

ORDERED, as follows:

1. A Non-Conditional Final Third Round Judgment of Compliance and Repose through July 1, 2025 is hereby granted to the Township pursuant to the Fair Housing Act ("FHA"), N.J.S.A. 52:27D-301 et seq., applicable Council on Affordable Housing ("COAH") substantive regulations, and the Mt. Laurel case law, including Mt. Laurel IV, during which time the Township shall have repose from all Mount Laurel exclusionary zoning lawsuits, except for actions brought to enforce the terms of this Order or the Court-approved Settlement Agreement.
2. The Township shall comply with all terms of the Court-approved Settlement Agreement, which were incorporated into the HE&FSP, including the monitoring and reporting requirements set forth therein.
3. The Township's updated and adopted HE&FSP, Development Fee Ordinance, Spending Plan, and Affordable Housing Ordinance are hereby approved by the Court, and the Township may expend funds in its Affordable Housing Trust Fund in accordance with the Settlement Agreement, HE&FSP, the FHA, and applicable COAH regulations.

4. All other provisions of the Order Granting Conditional Final Third Round Judgment of Compliance and Repose that are not otherwise addressed in this Final Judgment are incorporated herein.

5. A copy of this Order shall be served upon all counsel, Intervenors, and parties on the Service List in this matter within seven (7) day of the Township's receipt thereof.

/s Michael C. Gaus

Michael C. Gaus, J.S.C.

3. Fourth Round Need Resolutions

- Parsippany Resolution 2025-049
- Court Order Fixing Fourth Round Need

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY**

RESOLUTION

**R2025-049: RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY
HILLS COMMITTING TO FOURTH ROUND AFFORDABLE
HOUSING PRESENT NEED AS CALCULATED BY DCA AND
PROSPECTIVE NEED NUMBER AS MODIFIED HEREIN**

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the Fair Housing Act (N.J.S.A. 52:27D-301 *et seq.*) (hereinafter "Amended FHA"); and

WHEREAS, the Amended FHA required the Department of Community Affairs ("DCA") to produce an estimate of the Fourth Round affordable housing obligations on or before October 20, 2024, based upon the criteria set forth in the Amended FHA; and

WHEREAS, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates the Township of ParsIPPany-Troy Hills's Fourth Round (2025-2035) obligations as follows: Present Need (Rehabilitation) Obligation of 138 units and Prospective Need (New Construction) Obligation of 553 units; and

WHEREAS, the Amended FHA provides that the DCA Report is non-binding and authorizes municipalities to either accept, or provide alternate calculations, to the DCA's calculations for present and prospective fair share obligations "by binding resolution no later than January 31, 2025", which deadline has been extended to February 3, 2025 by Acting Administrative Director of the Administrative Office of Courts via Directive #14-24 ("AOC Directive #14-24"), dated December 13, 2024 (issued on December 19, 2024); and

WHEREAS, the Township submits this Resolution in satisfaction of the requirements of the Amended FHA, by committing to the DCA estimate of the Township's Present Need (Rehabilitation) as described in the DCA Report and the Township's Prospective Need (New Construction) Obligation as modified herein; and

WHEREAS, the DCA has released a Geographic Information Systems spatial data representation of the Land Capacity Analysis for P.L. 2024, c.2 containing the Vacant and Developable land information that serves as the basis for calculating the land capacity factor; and

WHEREAS, the Township of ParsippAny-Troy Hills has reviewed the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development; and

WHEREAS, based on the foregoing, the Township of Parsippany-Troy Hills relies on the DCA calculations of the Township's fair share obligations as described in the DCA Report with respect to Present Need (Rehabilitation) and as modified herein with respect to Prospective Need (New Construction), to account for the Township's review of the lands identified by the DCA for the land capacity factor with respect to the MOD-IV Property Tax List data, construction permit data, land use board approvals, configuration, and accessibility to ascertain whether these identified developable lands may accommodate development, and as further set forth in detail and explained in the analysis attached hereto as Exhibit "A" prepared by Edward Snieckus, Jr., PP, LLA, ASLA (Burgis Associates, Inc.) Township Affordable Housing Planner, and the Township of Parsippany-Troy Hills seeks to commit to provide its fair share of 138 units Present Need (Rehabilitation) and 496 units Prospective Need, subject to any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

WHEREAS, Section 3 of the Amended FHA provides that: "the municipality's determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7" of the Amended FHA; and

WHEREAS, the Township's commitment to the Fourth Round Present Need (Rehabilitation) Obligation of 138 units as calculated by the DCA and Prospective Need (New Construction) Obligation of 496 units as modified herein are entitled to a "presumption of validity" because they are established in compliance with Sections 6 and 7 of the Amended FHA; and

WHEREAS, the Amended FHA further provides that "[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or biding court decisions" (N.J.S.A. 52:27D-311(m)); and

WHEREAS, COAH regulations authorize vacant land adjustments as well as durational adjustments; and

WHEREAS, the Township specifically reserves the right to adjust its fair share obligations in accordance with the COAH Regulations and the following, if applicable: (a) a survey, such as a windshield survey, which accounts for a higher-resolution estimate of present need and/or (b) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission, inclusive of their regulations and planning documents; and

WHEREAS, based on the foregoing, the Governing Body finds that it is in the best interest of the Township of Parsippany-Troy Hills to commit to the DCA calculations of its fair share of 138 units Present Need (Rehabilitation) and to the modified 496 units Prospective Need (New Construction) for the Fourth Round, subject to any vacant land and/or durational adjustment, and/or any other permitted adjustment it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

WHEREAS, the Township of Parsippany-Troy Hills reserves all rights to revoke or amend this Resolution and commitment, as may be necessary and/or appropriate, based on any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA; and

WHEREAS, the Township of Parsippany-Troy Hills also reserves all rights to revoke or amend this Resolution and commitment, as may be necessary and/or appropriate, in the event of a successful challenge to the Amended FHA pursuant to the case The Township of Montvale v. the State of New Jersey (MER-L-1778-24), any other such action challenging the Amended FHA; and

WHEREAS, in the event that a third party challenges the calculations provided for in this Resolution, the Township of Parsippany-Troy Hills reserves the right (which reservation shall include but not be limited to a reservation of litigation rights and positions, without prejudice) to take such position as it deems appropriate in response thereto, including that its Fourth Round Present or Prospective Need Obligations are lower than described herein; and

WHEREAS, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase to the Township's Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

WHEREAS, in light of the above, the Governing Body of the Township of Parsippany-Troy Hills finds that it is in the best interest of the Township of Parsippany-Troy Hills to declare its obligations in accordance with this binding Resolution and in accordance with the Amended FHA; and

WHEREAS, in addition to the foregoing, pursuant to AOC Directive #14-24, a "municipality seeking a certification of compliance with the FHA shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located . . . within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner"; and

WHEREAS, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of AOC Directive #14-24 and the Township of Parsippany-Troy Hills reserves any and all rights and remedies in relation to AOC Directive #14-24; and

WHEREAS, the Township of Parsippany-Troy Hills seeks a Certification of Compliance with the FHA and from the Program and, therefore, directs its Affordable Housing Counsel to file a Declaratory Judgement Complaint and Case Information Statement in Morris County, or such other appropriate venue with the Program or any other entity as may be deemed appropriate, within 48 hours of the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED on this 21 day of January, 2025 by the Township Council of the Township of Parsippany-Troy Hills, Morris County, State of New Jersey, as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution,

2. For the reasons set forth in this Resolution, the Township of Parsippany-Troy Hills hereby commits to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 138 units and a modification of the calculation of the DCA's Fourth Round Prospective Need (New Construction) Obligation of 496 units as described in this Resolution, subject to all reservations of rights set forth herein and as follows:

a) The right to adjust the Township of Parsippany-Troy Hills's fair share obligations based upon applicable COAH regulations (including but not limited to a Vacant Land Adjustment and/or a Durational Adjustment), and a survey (such as a windshield survey), and all other applicable adjustments, permitted in accordance with applicable COAH regulations or other applicable law; and

b) The right to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and

c) The right to take any contrary position, or adjust its fair share obligations, in the event of a third-party challenge to the Township of Parsippany-Troy Hills's fair share obligations.

3. The Township of Parsippany-Troy Hills, in accordance with the requirements of the Amended FHA and the Acting Administrative Director of the Administrative Office of Court's Directive #14-24, dated December 13, 2024 (issued on December 19, 2024), hereby directs its Affordable Housing Counsel to file a Declaratory Judgment Complaint and a Case Information Statement in Morris County, or any other appropriate venue with the Program or any other entity as may be deemed appropriate, within 48 hours after adoption this resolution.

4. The Township of Parsippany-Troy Hills, in accordance with the requirements of the Amended FHA and the Acting Administrative Director of the Administrative Office of Court's Directive #14-24, dated December 13, 2024 (issued on December 19, 2024), further authorizes its Affordable Housing Counsel to attach this Resolution and the Analysis attached hereto as Exhibit "A" as exhibits to the Declaratory Judgment Complaint that is filed and to submit and/or file this Resolution and the attached Analysis with the Program or any other such entity as may be deemed appropriate.

5. If any part(s) of this Resolution shall be deemed invalid, such part(s) shall be severed and the validity thereof shall not affect the remaining parts of this Resolution.

6. All resolutions or parts thereof inconsistent with this Resolution are hereby rescinded.

7. This Resolution shall take effect immediately, according to law.

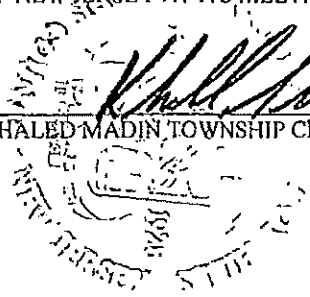
R2025-049

COUNCIL MEMBER	Aye	Nay	Abstain	Absent	Motion	Second
Mr. Cariff	X					
Ms. Hernandez	X					X
Mr. McGrath	X					
Mr. Musella	X					
Mr. Neglia	X				X	

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND LAWFUL COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AT ITS MEETING OF JANUARY 21, 2025.


KHALED MADIN TOWNSHIP CLERK

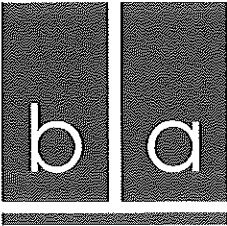

COUNCIL PRESIDENT PAUL CARIFF, JR.



Fourth Round Present and Prospective Need Analysis

Township of Parsippany-Troy Hills | Morris County,
New Jersey

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Community Planning
Land Development and Design
Landscape Architecture

B U R G I S
A S S O C I A T E S , I N C .

Principals:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

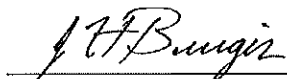
Fourth Round Present and Prospective Need Analysis

Township of Parsippany-Troy Hills
Morris County, New Jersey

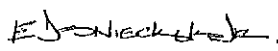
Prepared for the Township of Parsippany-Troy Hills
Mayor and Council

BA# 4173.15

The original document was appropriately signed and sealed on January 14, 2025 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners



Joseph H. Burgis, AICP, PP
Professional Planner #2450



Edward J. Snieckus Jr. PP, LLA, ASLA
Professional Planner #5442

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Executive Summary

The following **Present and Prospective Need Analysis** has been prepared for the Township of Parsippany-Troy Hills in Morris County, New Jersey.

By way of background, Governor Murphy signed A-40/S-50 into law on March 20, 2024 after the Senate and Assembly adopted it. This legislation (hereinafter "Amended FHA" or "Act") overhauled the Fair Housing Act (FHA) by abolishing the Council on Affordable Housing (COAH) and created a new process that involved the Department of Community Affairs (DCA) and the Administrative Office of the Courts (AOC).

The Amended FHA directed the New Jersey Department of Community Affairs ("DCA") to report the present need (also referred to as the rehab obligation) and the prospective need for Round Four based upon the standards set forth in the Act. The DCA issued its report on October 18, 2024; and, in accordance with the Act, made clear that the report was advisory only. For Parsippany Troy Hills, the DCA Report identifies a Present Need of 138 and a Prospective Round Four Need of 553.

Since the DCA report is non-binding, each municipality has the opportunity to study and define why its obligations should be different based on the standards in the Act. However, the municipality must adopt a binding resolution by January 31, 2025, identifying the present and prospective need obligation to which it is committing.

As to the Round Four Prospective Need of 149 units that the DCA Reported on October 18, 2024, the methodology used to determine a municipality's prospective fair share obligation requires an initial determination of the regional prospective need. The region that Hasbrouck Heights is in consists of all municipalities in Bergen, Passaic, Hudson and Sussex counties. To determine a municipality's share of the regional need, the Act requires a calculation of three factors: (1) the equalized nonresidential valuation factor; (2) the income capacity factor; and (3) the land capacity factor. The Act then requires these three factors to be averaged and applied to the regional need to determine the share of the regional need for each municipality that is not a Qualified Urban Aid Municipality ("QUAM"). The Act therefore imposes no prospective need obligation on QUAMs, it instead distributes the obligation to the other municipalities in the respective housing region.

The Township does not dispute the DCA's calculation of the Equalized Nonresidential Valuation Factor or the Income Capacity Factor. However, the Township does dispute the calculation of the Land Capacity Factor. More specifically, the Township accepts the DCA's invitation to examine the Land Capacity Factor and the lands that the DCA deemed developable for purposes of calculating this factor.

Recommendation: For the reasons set forth herein, the DCA was overinclusive. Once appropriate corrections are made to the land that is developable, the Township's Prospective Need Obligation should be adjusted from the 553 figure the DCA reported to

496 units. Based upon the findings in this report, the following summarizes the comparison of the three allocation factors as adjusted by the analysis provided herein.

Table 1: Summary of Adjusted Factors

	Equalized Nonresidential Valuation Factor	Income Capacity Factor	Land Capacity Factor
DCA Analysis	4.75%	2.15%	1.20%
Township Analysis	4.75%	2.15%	0.36%

Furthermore, while the Township could conduct a structural conditions survey pursuant to NJAC 5:93-5.2(a) to more accurately reflect those units in need of rehabilitation, the Township has chosen to accept the DCA statistical calculation of the Township’s Present Need Obligation of 138 units at this time. The Township reserves the right to perform such structural conditions survey in accordance with the applicable regulations at a later time.

Accordingly, the remainder of this Prospective Needs Analysis is divided into the following sections:

- ❖ Section 1: Present Need
- ❖ Section 2: Equalized Nonresidential Valuation Factor
- ❖ Section 3: Income Capacity Factor
- ❖ Section 4: Land Capacity Factor

Section 1: Present Need

The following section reviews the Township's Present Need as calculated by the DCA. The following is summarized:

1. The Township finds that the methodology utilized by the DCA to calculate its Present Need Obligation is acceptable.
2. The Township accepts the determination by DCA that the present need is 138 units are in need of rehabilitation. The township will continue to utilize current CDBG and allocated Affordable Housing Trust Fund funding to address this need

1.1: Present Need Background

As per the adopted legislation, a municipality's Present Need obligation shall be determined:

"by estimating the deficient housing units occupied by low- and moderate-income households in the region, following a methodology similar to the methodology used to determine third round municipal present need, through the use of most recent datasets made available through the federal decennial census and the American Community Survey, including the Comprehensive Housing Affordability Strategy dataset thereof."

The "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background" workbook released by the DCA (herein referred to as the "DCA Workbook" or the "Workbook") noted that the Present Need calculations used three factors to calculate its 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.

The analysis employed by DCA utilizes data from HUD's Comprehensive Housing Affordability Strategy (CHAS) dataset, which has municipal-level data on the number and percentage of low- and moderate-income households from a special tabulation of the US Census's American Community Survey (ACS) data. For a full explanation of how this data was utilized, see the DCA Workbook.

The DCA determined by the Township's Present Need number is 138 units and the Township does not dispute this finding at this time.

Section 2: Equalized Nonresidential Valuation Factor

The following section reviews the equalized nonresidential valuation factor calculated by the DCA. The following is summarized:

1. The Township finds that the methodology utilized by the DCA to calculate its nonresidential valuation factor is acceptable.
2. The Township’s change in equalized nonresidential valuation between 1999 and 2023 is \$1,225,399,702 which is consistent with the DCA calculations.
3. The Township’s calculated share of the region’s equalized nonresidential valuation of 4.75%.

2.1: Basis of Calculation

As per the adopted legislation, a municipality’s equalized nonresidential valuation factor shall be determined as follows:

“To determine this factor, the changes in nonresidential property valuations in the municipality, since the beginning of the round preceding the round being calculated, shall be calculated using data published by the Division of Local Government Services in the department. For the purposes of such, the beginning of the round of affordable housing obligations preceding the fourth round shall be the beginning of the gap period in 1999. The change in the municipality’s nonresidential valuations shall be divided by the regional total change in the nonresidential valuations to determine the municipality’s share of the regional change as the equalized nonresidential valuation factor.”

2.2: Analysis of Calculation

The calculation conducted by the DCA determined that the Township has a 4.75% share of the region’s equalized nonresidential valuation.

Table 2: DCA Equalized Nonresidential Valuation Calculation Summary

Year	Non-equalized Nonresidential Valuation	Equalization Ratio	Equalized Nonresidential Valuation
1999	\$924,469,200	0.5475	\$1,688,528,219
2023	\$2,207,300,400	0.7575	\$2,913,927,921
<i>Difference</i>			<i>\$1,225,399,702</i>

Source: DCA Fair Share Housing Obligations for 2025-2035 (Fourth Round) Workbook

The Township has reviewed the methodology and data utilized by the DCA for this calculation. The methodology employed by the DCA is appropriate, the Township finds that the equalization ratios employed by the DCA are accurate.

Section 3: Income Capacity Factor

The following section reviews the income capacity factor calculated by the DCA. It finds that the data and methodology utilized by the DCA relating to the Township's income capacity factor are both acceptable.

3.1: Basis of Calculation

As per the adopted legislation, a municipality's income capacity factor shall be determined by calculating the average of the following measures:

"The municipal share of the regional sum of the differences between the median municipal household income, according to the most recent American Community Survey Five-Year Estimates, and an income floor of \$100 below the lowest median household income in the region; and

"The municipal share of the regional sum of the differences between the median municipal household incomes and an income floor of \$100 below the lowest median household income in the region, weighted by the number of the households in the municipality."

3.2: Analysis of Calculation

The calculation conducted by the DCA determined that the Township has a 1.05% share of the region's income capacity factor. Table 3 below summarizes the methodology utilized by the DCA to determine this share.

The Township has reviewed the data and the methodology utilized by the DCA for this calculation and finds both to be acceptable.

Table 3: Income Capacity Factor

Number of Households	Median household income in the past 12 months (in 2022 inflation-adjusted dollars) *	\$100 Below Regional Median HH Income Floor	Diff. from Median Household Income Floor with Household Weight	HH Weighted Income Difference % of Region Total	Diff from Median Household Income Floor	Income Difference % of Region Total	Income Capacity Factor
22,159	\$109,308	\$46,360	1,394,864,732	3.5%	\$ 62,948	0.8%	2.15%

Section 4: Land Capacity Factor

The DCA issued the data and mapping that was the basis for the land capacity factor on November 27th, over a month after the DCA deadline to issue its non-binding numbers under the Amended FHA.

The link to the DCA GIS data, and the description section

(<https://njdca.maps.arcgis.com/home/item.html?id=12acdf0a5104f8f8a2f604e96063e74>)

includes the following language:

"The land areas identified in this dataset are based on an the best available data using publicly available data enumerated in N.J.S.A. 52:27D-304.3c.(4) to estimate the area of developable land, within municipal and regional boundaries, that may accommodate development. It is important to note that the identified areas could be over or under inclusive depending on various conditions and that municipalities are permitted to provide more detailed mappings as part of their participation in the Affordable Housing Dispute Resolution Program." (underlined for emphasis)

The areas identified as developable in the DCA's calculation of the Land Capacity factor is overinclusive. Accordingly, the land capacity allocation factor should be adjusted from 64.57 to 19.34 acres. When this correction is made, Parsippany Troy Hills Round Four Prospective Need number should be 496 instead of the 553-unit figure identified by DCA.

While the basis for removing land treated as developable in the DCA's calculation is set forth below, it is important to note that the analysis to correct the land allocation factor is different than the analysis to use the determine a municipality's entitlement to vacant land adjustment. While the analysis to correct the Land Capacity factor focuses on developable land, the analysis to support a vacant land adjustment focuses on land suitable for inclusionary development. Therefore, just because a site was not removed for purposes of calculating the land capacity factor has no bearing on whether it should be removed to calculate entitlement to a vacant land adjustment.

In this regard, the Township secured court approval of a vacant land adjustment in Round 3 and will necessarily seek an adjustment in Round Four in conjunction with its preparation of a Housing Element and Fair Share Plan. Nothing herein should be construed as a waiver of those rights that are explicitly reserved.

An analysis of the lands identified by the DCA as being "developable" revealed several inaccuracies. In summary, these inaccuracies generally included lands which were: artifacts of error as described by the DCA; located on developed properties or those inaccessible due to environmental constraints; located on open space or common element properties; located on properties presently under construction; and located on properties with active site plan or approvals. Correcting these inaccuracies adjusts the Township's weighted land area from 64.57 acres to 19.34 acres. This results in an adjustment of the Township's calculated share of the region's land capacity from 1.20% to 0.36%.

4.1: Basis of Calculation

As per the adopted legislation, a municipality's income capacity factor shall be determined by:

"estimating the area of developable land in the municipality's boundaries, and regional boundaries, that may accommodate development through the use of the 'land use / land cover data' most recently published by the Department of Environmental Protection, data from the American Community Survey and Comprehensive Housing Affordability Strategy dataset thereof, MOD-IV Property Tax List data from the Division of Taxation in the Department of the Treasury, and construction permit data from the Department of Community Affairs and weighing such land based on the planning area type in which such land is located. After the weighing factors are applied, the sum of the total developable land area that may accommodate development in the municipality and in the region shall be determined. The municipality's share of its region's developable land shall be its land capacity factor. Developable land that may accommodate development shall be weighted based on the planning area type in which such land is located."

The legislation identifies the primary data sources and weighing factors to utilize in calculating a municipality's land capacity factor. However, unlike the equalized nonresidential valuation factor and the income capacity factor, the legislation did not establish a delineated process to combine the aforementioned data sources into one comprehensive and coherent formula.

The DCA subsequently released a workbook entitled "Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background" (herein referred to as the "DCA Workbook" or the "Workbook") which established that department's interpretation on how to calculate the land capacity factor. In summary, that workbook identified the following steps:

1. First, the DCA divided the weighing regions established by the legislation by municipality.
2. Next, land use/land cover areas were used to identify vacant, developable lands. The workbook identifies the codes and descriptions of the land use/land cover data used in this process. In short, they include: cropland and pastureland; orchards/vineyards/nurseries/horticultural areas; deciduous forest areas; coniferous forest areas; plantations; mixed forest areas; old field areas; phragmites dominate old field areas; deciduous brush/shrubland; coniferous brush/shrubland; mixed deciduous/coniferous brush/shrubland; severe burned upland vegetation; and undifferentiated barren lands.
3. These initial vacant, developable lands were then refined to remove rights-of-way as well as developed properties. For the latter, the DCA utilized MOD-IV tax data and selected underlying tax parcels with property class codes for residential, commercial, industrial, apartment, railroad, and school.

4. Construction permit data was then analyzed to capture more recent development activities that may not have otherwise been reflected by the land use/land cover data or MOD-IV tax data.
5. Other limiting factors were utilized to remove initial vacant, developable lands. These include: open space, preserved farmland, category 1 waterways and wetlands (and associated buffers based on special area restrictions), steep slopes exceeding 15 percent, and open waters.
6. Due to limitations resulting from inconsistencies between data sources, the resulting mapping included instances of small land areas caused by an incongruous alignment of geospatial layers. To eliminate these "slivers" of leftover land, the DCA eliminated any feature part with an areas of less than 2,500 square feet. This presumed that a 25' by 100' foot area could be a developable property.
7. Finally, the resulting land area for each municipality was summed with the resulting land areas for all other municipalities within each housing region to then determine the municipal percentage of land capacity for the housing region.

4.2: Analysis of Calculation

The calculation conducted by the DCA determined that the Township has 64.57 acres of developable land which accounts for a 1.20% share of the region's land capacity factor. Overall, the Township finds the general methodology utilized by the DCA to calculate its land capacity factor acceptable. However, an analysis of the DCA's resultant mapping discovered the following:

1. Several of the lands identified as "developable" by the DCA represent slivers which "are considered artifacts of error that are common when overlaying polygons and vectors from non-coincident data sources." The DCA initially tried to eliminate these slivers by deleting any feature parts with an area of less than 2,500 square feet.
2. Other lands identified as "developable" by the DCA are located on properties with development. To eliminate "developable" lands on developable properties, the DCA had removed any lands where the underlying tax parcels had property class codes for residential, commercial, industrial, apartments, railroad, and school. However, the property classifications identified by the DCA did not account for houses of worship, properties developed with nonprofit facilities, and residential dwellings with associated farmland.
3. Several lands identified as "developable" by the DCA were in fact located on open space, common elements for homeowner's associations, or properties containing infrastructure (e.g. detention basins, flood collection areas, rights-of-way, etc.).
4. Some developable areas did not account for areas restricted by regulated 100-year floodway areas of streams and other mapped watercourses.

5. There were several instances of lands identified as "developable" by the DCA being located on properties which are presently under construction. This is likely due to a lag in construction permit reporting.
6. Finally, lands identified as "developable" by the DCA are located on properties with active site plan or general development plan (GDP) approvals which are no longer available for development.

These discrepancies are summarized in Table 4 utilizing the Land Capacity Analysis and are detailed in the mapping in Appendix A of this analysis. Removing these lands would adjust the Township's weighted land area from 64.57 acres to 19.34 acres. This results in an adjustment of the Township's calculated share of the region's land capacity from 1.21% to 0.36%.

Irrespective of the land capacity factor analysis established herein, the Township reserves the right to conduct a vacant land adjustment (VLA) to determine its realistic development potential (RDP) at a later date.

Table 4: Summary of Land Capacity Factor Analysis – Parsippany Troy Hills

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
1	32249	7	2	0.9737	Vacant non-developable Morris County owned	Not developable area on county regional facility.	0.0000
2	32250	7	2	0.3226	Vacant non-developable Morris County owned	Not developable area on county owned and developed facility	0.0000
3	32251	7	1	0.1048	Vacant non-developable State of New Jersey Mental Health facility	Not developable area on state owned and developed facility	0.0000
4	32252	7	2	2.5616	Vacant non-developable Morris County owned	Not developable area on county owned and developed facility	0.0000
5	32253	757	54.01	0.4333	Vacant developable lot although frontage compromised	Developable	0.4333
6	32254	7	1	0.2025	Vacant non-developable State of New Jersey Mental Health facility	Not developable area on county state owned and developed facility	0.0000
7	32255	7	2	0.2010	Vacant non-developable Morris County owned	Not developable area on county owned and developed facility	0.0000
8	32256	757	53.01	1.8031	Vacant	Developable	1.8031
9	32257	13	13	1.3771	Vacant but owned by utility.	Not developable	0.0000
10	32258	200	5	1.3917	Gas and electrical easement	Not developable utility owned	0.0000
11	32259	3	15	0.4623	Municipal well and water tower	Not developable utility owned	0.0000
12	32260	7	1	0.1481	Vacant non-developable State of New Jersey Mental Health facility	Not developable area on state owned and developed facility	0.0000
13	32261	7	1	0.0687	Vacant non-developable State of New Jersey Mental Health facility	Not developable area on state owned and developed facility	0.0000
14	32262	723	32	0.4859	Vacant	Developable	0.4859
15	32263	8	2	2.6298	Vacant developable lot although frontage compromised	Developable	2.6298

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
16	32264	175	54	0.4020	Vacant part of utility electrical substation	Developable	0.0000
17	32265	9	9	0.5344	Vacant developable lot although frontage compromised	Developable	0.5344
18	32266	740	4	0.1991	Developed lot	Not developable	0.0000
19	32267	202	9.04	0.1126	Developed lot	Not developable	0.0000
20	32268	14	16.1	0.2899	Vacant developable no frontage	Developable	0.2899
21	32269	8	10	0.0600	Vacant non-developable 7 foot wide	Not developable	0.0600
22	32270	734	49.6	0.3104	Vacant developable lot although frontage compromised	Developable	0.3104
23	32271	14	14.01	1.3814	Vacant not-developable and no frontage	Developable	1.3814
24	32272	15.8	35.02	0.0653	Vacant but owned by water utility	Not developable	0.0000
25	32273	15.8	35.02	0.2645	Vacant but owned by water utility	Not developable	0.0000
26	32274	734	26	0.6091	Developed lot	Not developable	0.0000
27	32275	175	58	0.2810	Vacant frontage	Developable	0.2810
28	32276	15	60	0.0847	Part of open space parcel, narrow sliver, not developable	Not developable	0.0000
29	32277	26.01	1	0.1221	Vacant part of highway offramp	Developable	0.0000
30	32278	14	31	0.2546	Utility high tension line easement	Not developable	0.0000
31	32279	14	18	0.1583	Utility high tension line easement	Not developable	0.0000
32	32280	14	31	0.1856	Open space parcel on multifamily site -not developable	Not developable	0.0000
33	32281	14	31	0.6353	Open space parcel on multifamily site -not developable	Not developable	0.0000
34	32282	199	20	0.6050	Developed lot with Township Library	Not developable	0.0000
35	32283	15	23	0.2367	Vacant with no frontage	Developable	0.2367

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
36	32289	15	56	0.7946	Vacant with no frontage	Developable	0.7946
37	32290	15	1.2	0.0817	Narrow developable area Not developable	Not developable	0.0000
38	32291	168	174	0.0877	Vacant with no frontage	Developable	0.0877
39	32292	693.01	1	0.1195	Area part of Route 46 offramp	Not developable	0.0000
40	32293	15	56	0.3177	Vacant with no frontage	Developable	0.3177
41	32294	15	7.1	0.4906	Vacant with no frontage	Developable	0.4906
42	32295			0.7983	Developed lot plus on developed school property	Not developable	0.0000
43	32296	15	17.1	0.2319	Vacant with no frontage	Developable	0.2319
44	32297	170	49	0.6082	Vacant part of open space area of prior cluster development	Not developable	0.0000
45	32298	170	49	1.1449	Vacant part of open space area of prior cluster development	Not developable	0.0000
46	32299	203	1.02	0.1111	Vacant part of open space area ROSI	Not developable	0.0000
47	32300	736	3	0.0640	Developed lot with water utility tower	Not developable	0.0000
48	32301	736	3	0.1718	Developed lot with water utility tower	Not developable	0.0000
49	32302	724	1	0.3014	Vacant	Developable	0.3014
50	32303	722	1	0.4575	State of New Jersey lot constrained by historic archeological site	Not developable	0.0000
51	32304	725	25	0.8385	Vacant	Developable	0.8385
52	32305	166	96	4.5060	Not vacant no frontage part of religious institution	Not developable	0.0000
53	32306	726	12.01	0.1429	Developed lot	Not developable	0.0000
54	32307	25	2	0.1009	Vacant with no frontage	Developable	0.1009
55	32308	726	10	0.3069	Part of US Route 46 off ramp	Not developable	0.0000
56	32309	226	3.2	0.2300	Developed lot	Not developable	0.0000

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
57	32310	718	31	0.3105	Lot developed with utility electrical substation	Not developable	0.0000
58	32311	725	12	0.8572	Lot developed with religious institution	Not developable	0.0000
59	32312	98	61	0.0669	Vacant frontage	Developable	0.0669
60	32313	719	3	0.5302	Vacant	Developable	0.5302
	32314	223	1	0.3721	Vacant	Developable	0.3721
61	32315	157	1.1	0.7104	Vacant	Developable	0.7104
62	32316	401	2	0.3060	Not developable part of US Route 80 onramp	Not developable	0.0000
63	32317	401	1	0.4557	Not developable part of US Route 80 offramp	Not developable	0.0000
64	32318	98	66	0.7678	Not vacant no frontage part of developed lot	Not developable	0.0000
65	32319	146	1	0.7764	Protected open space on ROSI	Not developable	0.0000
66	32320	166	136	0.4614	Vacant frontage	Developable	0.4614
67	32321	403	1	0.9541	Not developable part of US Route 80 interchange	Not developable	0.0000
68	32322	712	40	0.8649	Not developable area of developed school property	Not developable	0.0000
69	32323	402	2	0.3023	Not developable part of US Route 80 interchange	Not developable	0.0000
70	32324	402	1	0.2412	Not developable part of US Route 80 interchange	Not developable	0.0000
71	32325	402	2	0.1948	Not developable part of US Route 80 interchange	Not developable	0.0000
72	32326	28	1	0.1852	Vacant	Developable	0.1852
73	32327	98	51.7	0.0644	Vacant frontage	Developable	0.0644
74	32328	166	135.3	0.5481	Vacant frontage	Developable	0.5481
75	32329	136.01	1	0.2579	Small sliver on lot approved for assisted living facility.	Not developable	0.0000
76	32330	98	51.7	0.3184	Vacant frontage	Developable	0.3184

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
77	32331	136.01	1	0.0693	Small sliver on lot approved for affordable housing project	Not developable	0.0000
78	32332	90	19	0.1456	Not developable small sliver on lot Not developable	Not developable	0.0000
79	32333	98	48	2.4410	Not on vacant parcels both are developed and no frontage	Not developable	0.0000
80	32334	98	99.01	0.0891	Vacant constrained frontage	Developable	0.0891
81	32335	718	13.1	0.9690	Vacant constrained frontage	Developable	0.9690
82	32336	98	76	0.5850	Vacant frontage	Developable	0.5850
83	32337	98	76	0.1347	Vacant frontage	Developable	0.1347
84	32338	98	76	0.0871	Vacant frontage	Developable	0.0871
85	32339	98	76	0.4292	Vacant frontage	Developable	0.4292
86	32340	712	12	0.5590	Located on developed lot of religious institution	Not developable	0.0000
87	32341	98	77	0.0778	Located on water utility lot	Not developable	0.0000
88	32342	98	76	0.5873	Vacant frontage	Developable	0.5873
89	32343	98	77	0.1362	Located on water utility lot	Not developable	0.0000
90	32344	98	45.15	0.5077	Not on vacant parcels both are developed and no frontage	Not developable	0.0000
91	32345	98	76	0.1005	Vacant frontage	Developable	0.1005
92	32346	98	76	0.4240	Vacant frontage	Developable	0.4240
93	32347	498	25	0.5600	Located on water utility lot	Not developable	0.0000
94	32348	498	23	0.7696	Located on water utility lot	Not developable	0.0000
95	32349	411	24.01	3.6120	Located on developed lot of Township Police Department and Court	Not developable	0.0000
96	32350	411	17.01	0.5749	Located on developed lot with parking area for adjacent B411 L19	Not developable	0.0000

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
97	32351	136	36.1	0.1327	Located on lot with public stormwater basin	Not developable	0.0000
98	32352	498	23	0.2014	Located on lot with developed ball field property	Not developable	0.0000
99	32353	136	28	0.4541	Located on lot with developed ball field property ROSI	Not developable	0.0000
100	32354	498	23	1.0798	Located on lot with developed ball field property	Not developable	0.0000
101	32355	421	29.04	0.3260	Located on lot constrained from further development by easement	Not developable	0.0000
102	32356	136	28	0.1791	Located on lot with developed ball field property ROSI	Not developable	0.0000
103	32357	136	43.3	0.0987	Located on developed lot	Not developable	0.0000
104	32358	136	43.3	0.2781	Located on developed lot	Not developable	0.0000
105	32359	136	43.3	0.2926	Located on developed lot	Not developable	0.0000
106	32360	136	65	0.0803	Located on water utility lot with water tower	Not developable	0.0000
107	32361	421	29.04	1.8160	Located on lot constrained from further development by easement	Not developable	0.0000
108	32362	421	29.04	0.5371	Located on lot constrained from further development by easement	Not developable	0.0000
109	32363	103	1	0.8399	Not developable NJ State owned land adjacent to Route 80	Not developable	0.0000
110	32364	102	6	0.2318	Developed lot	Not developable	0.0000
111	32365	469	6	0.5819	Vacant Lot on ROSI	Developable	0.0000
112	32366	97	5	0.0680	Vacant Lot	Developable	0.0680
113	32367	494	6.1	0.3825	Developed lot	Not developable	0.0000

ID#	Shapefile Object ID*	Block	Lot	Initial Weighted Area *(acres)	Review	Status	Weighted Area Recalculated * (acres)
114	32368	494	6.1	0.1190	Developed lot	Not developable	0.0000
115	32369	494	6.1	0.9104	Developed lot	Not developable	0.0000
116	32370	450	1	0.3456	Jersey City Water Reservoir Conservation Lot	Not developable	0.0000
117	32371	450	1	0.2141	Jersey City Water Reservoir Conservation Lot	Not developable	0.0000
118	NONE	693	7	1.5371	Vacant parcel not included in DCA calculations	Developable	1.5371
TOTAL							19.3429

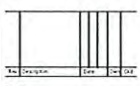
* Object ID and area computations identified were obtained from the NJDCA published Vacant and Developable Land Analysis.

Appendix A: Land Capacity Factor Area Maps

The following mapping show in more detail the specific mapping of the various land capacity areas as identified in the DCA analysis provided through the Land Capacity Analysis for P.L. 2024, c.2. They are obtained from the web based ARCGIS online mapping utilizing feature layers (hosted) by NJDCA and incorporating other layer features available through NJDEP and ARCGIS Online services.



- Legend**
- DCA Vacant Land
 - Wetlands
 - Parcel Data
 - Municipal Boundary



DCA Calculation Review



Burgis H. Burgis, P.E., A.C.P.
 Professional Engineer
 New Jersey License # 2620

Project No: 41204
 Sheet No: 1 of 4
 Date: 12/23/20
 Drawn: SC
 Scale: 1"=100'
 Date Plotted: 1/13/21
 DCA
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B BURGIS ASSOCIATES, INC.
 Community Planning
 Land Development and Design
 Landscape Architecture

Project Title
DCA Draft

Township of Parsippany, Troy Hills
 Morris County, New Jersey

- Legend**
- DCA Vacant Land
 - Wetlands
 - Parcel Data
 - Municipal Boundary



DCA Calculation Review

Graphic Scale
 0 400 800 1600 Feet

Joseph M. Burgis, P.E., AEP
 Professional Planner
 Review License # 2450

Project No. 43304
 Draw No. 1.04
 Date: 12/20/14
 Drawn By: JC
 Scale: 1"=50'
 Draw No. DCA
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New Jersey Office of GIS, Esri, TomTom,
 Garmin, SafeGraph, Geotechnologies, Inc,
 MET/NASA, USGS, EPA, NPS, US Census
 Bureau, USDA, USFWS, Maxar

PREPARED BY THE COURT:

**IN THE MATTER OF THE
DECLARATORY JUDGMENT
ACTION OF THE TOWNSHIP
OF PARSIPPANY-TROY HILLS,
MORRIS COUNTY PURSUANT
TO P.L. 2024, CHAPTER 2
(N.J.S.A. 52:27D-304.1, et seq.),**

Petitioner.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – CIVIL PART
MORRIS COUNTY
DOCKET NO. MRS-L-000188-25

FILED

MAY 13 2025

Janine M. Allen, J.S.C.

Civil Action

Mt. Laurel Program

**DECISION AND ORDER FIXING
MUNICIPAL OBLIGATIONS FOR
“PRESENT NEED” AND “PROSPECTIVE
NEED” FOR THE FOURTH ROUND
HOUSING CYCLE**

THIS MATTER, having come before the Court on referral from and recommendation issued by the Affordable Housing Dispute Resolution Program (“Program”), pursuant to the Complaint for Declaratory Judgment filed on January 23, 2025 (“DJ Complaint”) by the Petitioner, **TOWNSHIP OF PARSIPPANY-TROY HILLS** (“Petitioner” or “Municipality”), pursuant to N.J.S.A. 52:27D-304.2, -304.3, and -304.1(f)(1)(c) of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq. (collectively, the “FHA”), and in accordance with Section II.A of Administrative Directive #14-24 (“Directive #14-24”) of the “Program”, seeking a certification of compliance with the FHA;

AND IT APPEARING that, the Municipality timely adopted Resolution R2025-049 on January 21, 2025, agreeing to DCA’s calculation of 138 affordable housing units of “present need” but seeking a downward deviation from “prospective need” calculations allocated to it by the New Jersey Department of Community Affairs (“DCA”) in its report dated October 18, 2024 entitled *Affordable Housing Obligations for 2025-2035 (Fourth Round)* (the “DCA’s Fourth Round Report”) – specifically, a “prospective need” obligation of 553 affordable housing units, which calculations have been deemed “presumptively valid” - and based on the Municipality planners’

recommendation for 496 units for a “prospective need” affordable housing obligation for the Fourth Round housing cycle based on their planner’s report asserting that DCA had included many acres of property in its land capacity analysis that should have been excluded from consideration;

AND IT APPEARING that, a challenge to the Municipality’s calculations (“Challenge”) was timely and properly filed by the New Jersey Builders Association (“NJBA” or “Challenger”), by and through its counsel, wherein the Challenger disputed the Municipality’s proposed obligation for prospective need and supported DCA’s prospective need obligations, with the Municipality’s position and the NJBA Challenge supported by their own expert reports;

AND IT APPEARING that, pursuant to the Program, the Administrative Office of the Courts (“AOC”) appointed and assigned the case to Program Member, the Hon. Stephan C. Hansbury, J.S.C. (Ret.) (“Program Member”) to manage the proceedings, host settlement conferences, and make recommendations to the Court in accordance with the FHA and the AOC’s Directive #14-24 (“Directive #14-24”), and that the Program Member appointed Brian M. Slauch, PP, an independent affordable housing expert, as special adjudicator (“Special Adjudicator”) in this case to work with closely with the Program Member, make recommendations to, and assist the Program;

AND IT APPEARING that, on March 27, 2025 a settlement conference was conducted followed by a session on that same date, on notice to all parties with the participation of local officials, attorneys for the Municipality and NJBA, and the Special Adjudicator, with the session following the settlement conference when efforts at resolution through mediation failed;

AND IT APPEARING that, the Program Member heard argument at the session of March 27, 2025 from counsel for the Municipality and for the NJBA in support of their respective positions, and determined to reserve decision to allow for further consideration;

AND IT APPEARING that, after reviewing the arguments of all parties, the Program Member issued his Recommendation on April 3, 2025, wherein he found that the NJBA's challenge fails to state with particularity how the Municipal calculation fails to comply with Sections 6 and 7 of N.J.S.A. 52:27D-301, et al. and further failed to include the Challenger's own calculation of fair share obligations in compliance with Sections 6 and 7 of N.J.S.A. 52:27D-301, et al. and, consequently, recommended to the Court that the Municipality's calculation be endorsed and effectuated, thereby establishing the prospective need for the Municipality at 496 units, and for the reasons set forth in the Program Member's Statement of Reasons accompanying the Recommendation;

AND THE COURT, having received the Program Member's Recommendation dated April 3, 2025, the findings, terms, and recommendations of which are incorporated by reference as though more fully set forth herein (the "Report");

AND THE COURT, having reviewed and considered the Program Member's Recommendations, having been satisfied with the recommendation to fix the municipal present need obligation of the Municipality for 138 affordable units for the Fourth Round housing cycle, and to accept a modification such that the prospective need obligation be fixed at 496 affordable units for the Fourth Round cycle in the place and stead of the DCA's calculated number of 553 units, without revoking immunity, and that an Order fixing those obligations at those numbers will be fair and equitable as well as in the best interests of the protected class of low- and moderate-income households in the Municipality, and for good and sufficient cause having otherwise been shown:

IT IS, THEREFORE, on and effective as of the 13th day of **May 2025 ADJUDGED AND ORDERED**, that the Program Member's Report and Recommendations, be, and the same

hereby **ACCEPTED** and **ADOPTED** in their entirety; and to that end, more specifically, it is further

ORDERED, as follows:

1. That the “present need” obligation of the Municipality, be, and hereby is fixed as **one hundred thirty eight (138)** affordable units for the Fourth Round housing cycle.
2. That the “prospective need” obligation of the Municipality, be, and hereby is fixed as **four hundred ninety six (496)** affordable units for the Fourth Round housing cycle.
3. That the Petitioner is hereby authorized to proceed to the compliance phase with preparation and adoption of its proposed Housing Element and Fair Share Plan for the Fourth Round, incorporating therein the “present need” and “prospective need” allocations aforesaid (and which plan shall include the elements set forth in the “Addendum” attached to Directive #14-24), by or before June 30, 2025, as provided for and in accordance with Section III.A of Directive #14-24, with immunity, and without further delay; and
4. That any and all “challenges” to the Petitioner’s Housing Element and Fair Share Plan as adopted by Paragraph 3 above must be filed by August 31, 2025, by way of Answer/Objection filed in the eCourts case jacket for this matter, and as provided for and in accordance with Section III.B of AOC Directive #14-24.

IT IS FURTHER ORDERED, that a copy of this Order shall be deemed served on the Petitioner, Petitioner's counsel, and Challenger NJBA's counsel upon its posting by the Court to the eCourts case jacket for this matter pursuant to R. 1:5-1(a) and R. 1:32-2A.

SO ORDERED:



HON. JANINE M. ALLEN, J.S.C.

Designated Mt. Laurel Judge – Morris/Sussex Vicinage

(X) Challenged.

Pursuant to R. 1:7-4(a), the Court's Statement of Reasons is attached hereto and made a part hereof.

STATEMENT OF REASONS

[R. 1:7-4(a)]

Having reviewed and considered the Program Recommendation prepared by the Affordable Housing Dispute Resolution Program in this matter and for the reasons that follow, the Court hereby adopts the Program Member's recommendation in full and thus fixes the "present need" obligation of 138 units and a "prospective need" obligation of 496 units for the Petitioner, for the Fourth Round housing cycle.

I. Discussion and Analysis.

The Fair Housing Act, N.J.S.A. 52:27D-302 to 313.3 (the "Act"), mandates municipalities to determine their fair share of affordable housing obligations. The Act's Fourth Round covers the period from 2025 to 2035, with specific calculations conducted and completed by the New Jersey Department of Community Affairs (DCA) in accordance with the Act. Specifically, in October 2024, DCA published its Affordable Housing Obligations for the 2025-2035 (Fourth Round) Methodology and Background Report (DCA Report), which assigned numerical obligations to all non-exempt municipalities. Municipalities were then required to file binding resolutions establishing their fair share obligations by January 31, 2025, and could challenge these calculations by providing alternative ones in compliance with the Act. The Affordable Housing Dispute Resolution Program, established by the Legislature, provides a mechanism for resolving such disputes.

The case at hand involves the determination of affordable housing obligations for the Municipality as part of the Fourth Round process established by the Legislature. More specifically at issue is Parsippany-Troy Hills's "prospective need" obligation for the Fourth Round.

“Prospective Need” represents the projection of housing needs for low and moderate-income households based on expected development and growth over the next decade. The Municipality contested DCA’s calculation of 553 affordable units, proposing a reduced number of 496 units, citing alleged lack of land capacity as the principal basis for its downward deviation and calculation, and which had the effect of reducing the Municipality’s projected prospective need by 57 units.

Program Member Judge Hansbury found that the NJBA’s challenge lacked particular calculations as to why Parsippany-Troy Hills’s proposed recalculation was inadequate. In so doing, Program Member Judge Hansbury relied on the language in the Act which states at N.J.S.A. 52:27D-304.2 and 304.3 “any challenge must create with particularity how the municipal calculation fails to comply with section 6 and 7 of its provisions.” He further found that the challenge must also include the challenger’s own calculations of the Fair Share obligation in compliance with N.J.S.A. 52:27D-304.2 and 304.3. Here, NJBA filed a generic challenge to Parsippany-Troy Hills’s calculations without particularity and therefore Program Member Judge Hansbury recommends that the challenge be summarily dismissed.

The Court agrees.

Having reviewed the record, expert analyses presented, and arguments of counsel for the Petitioner and Challenger, the Court endorses Judge Hansbury’s recommendation.

II. Conclusion & Decision.

For the foregoing reasons, the Court concurs in the Program Member’s findings, and will implement the Program Member’s recommendation to dismiss the NJBA’s challenge.

Accordingly, the Court hereby adopts the Recommendations of the Program Member and will enter an Order fixing a “present need” obligation of 138 affordable units, and a modified

“prospective need” obligation of 496 affordable units for the Petitioner, Township of Parsippany-Troy Hills, for the Fourth Round housing cycle.

The Petitioner will be authorized to proceed to the compliance phase with preparation and adoption of its proposed Housing Element and Fair Share Plan for the Fourth Round, incorporating therein the “present need” and “prospective need” allocations aforesaid (and which plan shall include the elements set forth in the “Addendum” attached to Directive #14-24), by or before June 30, 2025, as provided for and in accordance with Section III.A of Directive #14-24, with immunity, and without further delay.

An appropriate form of Order implementing the Court’s decision above accompanies this Statement of Reasons.

SO ORDERED.

4. Highlands Build Out Analysis- Vacant Land Analysis

PCL BLOCK	PCL LOT	PROP LOCATION	MUNICIPAL RATIONALE	REVIEW COMMENTS	ACRES	SHARE AREA	REDP OF DEV AREA
8	2	12 BEVERLY ST	Contains steep slopes and may be developable	Incl'd in Prior RDP	2.913181	126897.7	0.00
9	9	7 PUDDINGSTONE RD	Vacant	Incl'd in Prior RDP	1.06124	46227.42	0.00
14	14.01	OLD DOVER RD		Incl'd in Prior RDP	2.325076	101279.9	0.00
15	7.1	ROUTE 10	Site is developable adjacent to the frontage of Route 10 with rear area limited by significant steep slopes.	Incl'd in Prior RDP	2.025536	88232	0.00
693	7	315 OLD BLOOMFIELD AVE		Incl'd in Prior RDP	1.537182	66959.39	0.00
725	25	129 TROY RD		Incl'd in Prior RDP	1.448448	63094.14	0.00
718	13.1	351 VAIL RD REAR		Incl'd in Prior RDP	0.969138	42215.47	0.00
420	2.01	PARSIPPANY BLVD	Available although will be subject to the review of the entirety of the overall POD zones cumulative FAR, Building and Lot coverage calculation.	Incl'd in Prior RDP	1.902766	82884.17	0.00
757	53.01	1150 SO BEVERWYCK RD		Incl'd in Prior RDP	1.829654	79699.41	0.00
13	4	MEADOW BLUFF RD	This parcel was part of the larger project approved as open space.	Not developable	16.26975	708707.7	0.00
13	5	MONETT CT	This parcel is also part of the preserved open space as a result of the development of the adjacent residential tract.	Not developable	2.890741	125920.2	0.00
13.2	74	AVERELL DR	This area was part of a larger tract of development that developed as a townhouse development and this is the home owners association open space.	Not developable	2.028346	88354.4	0.00
13	13	MOUNTAIN WAY	This parcel is owner by the Southeast Morris County Municipal Utilities Authority and is not available	Not developable	3.017619	131447	0.00
7	2	500 W HANOVER AVE	Parcel not available as part of Morris County facilities.	Not developable	111.7301	4866945	0.00
13.3	31	AVERELL DR	This area was part of a larger tract of development that developed as a townhouse development and this is the home owners association open space.	Not developable	1.595051	69480.14	0.00

PCL BLOCK	PCL LOT	PROP LOCATION	MUNICIPAL RATIONALE	REVIEW COMMENTS	ACRES	SHARE AREA	REDP OF DEV AREA
12	1	BUENA VISTA WAY	This site is occupied by a water storage utility owned by Southeast Morris Utility	Not developable	1.165749	50779.83	0.00
13.2	73	EDGEFIELD DR	Lot was part of a cluster development and this area is the remaining open space lands which are deed restricted	Not developable	9.083092	395657.9	0.00
6	9.01	58 LONG RIDGE RD	Parcel developed not available	Not developable	0.926349	40351.59	0.00
7	1	59 KOCH AVE	Parcel part of the Greystone psychiatric facility campus	Not developable	148.8722	6484849	0.00
6	12	12 VIOLET ST	Parcel has home under construction	Not developable	1.964996	85594.9	0.00
202	3.20	2 CAMPUS DR	Site has also received site plan approval for affordable housing and not available for additional development.	Not developable	5.121504	223091.8	0.00
734	51.29	80 SCHINDLER CT	Parcel is developed as a comprehensive multifamily development with open space.	Not developable	6.558555	285689.5	0.00
175	58	ROUTE 10	Parcel was part of development on adjacent Block 175, Lot 56	Not developable	2.455582	106964.7	0.00
769	1	1139 EDWARDS RD	Parcel used for the municipal sewer authority for waste water treatment	Not developable	61.85155	2694243	0.00
14	31	UNION HILL	Site is location of high tension power line and site owned by JCP&L	Not developable	5.581719	243138.7	0.00
14	17.01	558 OLD DOVER RD	Lot part of larger parcel approved for development and this parcel resulted as open space parcel for development	Not developable	16.5084	719103	0.00
15.12	40.01	STOCKTON CT	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	1.314011	57238.1	0.00
199	20	449 HALSEY RD	Parking area for adjacent public library on	Not developable	5.320428	231756.9	0.00

PCL BLOCK	PCL LOT	PROP LOCATION	MUNICIPAL RATIONALE	REVIEW COMMENTS	ACRES	SHARE AREA	REDP OF DEV AREA
15.9	43	CONTINENTAL RD	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	3.056255	133129.9	0.00
388	7.01	362 PARSIPPANY RD	Parcel is developed with mixed use commercial and residential development.	Not developable	0.987431	43012.31	0.00
15.5	86	PATRIOTS RD	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	3.078671	134106.4	0.00
15.12	2	STOCKTON CT	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	1.954681	85145.59	0.00
15.3	80	CONTINENTAL RD	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	4.765618	207589.5	0.00
15.25	51	2467 ROUTE 10	Parcel is developed for multifamily housing including common open space	Not developable	52.98697	2308103	0.00
15.3	78	HERITAGE CT	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	2.621356	114185.8	0.00
25.4	1	2350 ROUTE 10	This lot is approved as open space for contiguous multifamily development	Not developable	12.39001	539706.5	0.00
15.4	17	HERITAGE CT	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	1.123875	48955.82	0.00
15.3	1.01	84 CONTINENTAL RD	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	3.806537	165812.1	0.00

PCL BLOCK	PCL LOT	PROP LOCATION	MUNICIPAL RATIONALE	REVIEW COMMENTS	ACRES	SHARE AREA	REDP OF DEV AREA
736	24	JILLIAN BLVD	This parcel is preserved as the combined open space for the multifamily development and subject to significant environmental limitations.	Not developable	20.95346	912729.3	0.00
734	2	SMITH RD	Parcel on Township ROSI list as preserved land.	Not developable	122.9343	5354997	0.00
737	1	399 POMEROY RD	Parcel owned and used by JCP&L for public utility substation	Not developable	1.005357	43793.2	0.00
735	1.02	SMITH RD	Parcel preserved as part of larger multisite office development plan containing Block 725, Lots 1.04, 1.05 and 1.06 Block 735.02, Lot 1, 1.02, 2 and 4	Not developable	3.167778	137987.9	0.00
15	6	2889 ROUTE 10	Parcel is common open space established during the site plan approval of adjacent development. Significant steep slope limitations adjacent to Route 10	Not developable	2.039271	88830.29	0.00
387	1	146-194 PARSIPPANY RD	Parcel is developed with Green Hill Commercial Development	Not developable	2.646272	115271.1	0.00
726	12.01	10 BALDWIN RD	Recently constructed religious institution	Not developable	3.207934	139737.1	0.00
722	1	ROUTE 46 & SO BEVERWYCK	Portion of lot developed for municipal park and ride bus line parking, remainder of the lot was to be developed for additional parking until it was discovered the area contains a significant archeological site with remains-not developable	Not developable	10.22528	445411.3	0.00
226	3.2	20 LANIDEX PLAZA W	Site is approved for multisite mixed use affordable housing development	Not developable	4.727892	205946.2	0.00
715	11.1	1180 ROUTE 46	Parcel recently redeveloped as a Chick Fil-A	Not developable	2.751867	119870.8	0.00
718	31	ROUTE 46	Parcel is developed with a JCP&L substation development	Not developable	1.41752	61746.92	0.00

PCL BLOCK	PCL LOT	PROP LOCATION	MUNICIPAL RATIONALE	REVIEW COMMENTS	ACRES	SHARE AREA	REDP OF DEV AREA
698.05	13.01	940-950 ROUTE 46	common open space of adjacent residential development	Not developable	41.72032	1817330	0.00
393.1	2	189 LITTLETON RD	Parcel open space as part of larger residential garden apartment development	Not developable	2.648791	115380.9	0.00
25	2	TABOR RD	Site severely constrained by steep slopes	Not developable	10.47711	456381.2	0.00
712	38	239-275 BALDWIN RD	The open space is aprt of an approved development and contains parking and related site improvements	Not developable	1.443204	62865.7	0.00
412	6	180 LITTLETON RD	Parcel part of site plan approval of adjacent development of multifamily development	Not developable	3.434093	149588.5	0.00
29	6	JAIME CT	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	12.67334	552048.4	0.00
136.01	1	79 INTERPACE PKWY	This parcel received approval in late 2022 for a 150 unit Continuum of Care Retirement Community	Not developable	7.091272	308894.6	0.00
86	3	RIDGEWOOD AVE	Parcel contains part of the Mount Tabor Country Club a facility owned and operated by its members not eligible under NJSA 5:93-4.2(d)	Not developable	4.306225	187578.4	0.00
411	24.02	PUMPHOUSE RD	Developed as municipal DPW facility	Not developable	15.3448	668416.8	0.00
421.5	1	WATERVIEW BLVD	JCPL Substation not available	Not developable	1.207373	52592.96	0.00
609	13	LINCOLN GARDENS	Parcel is developed as open space for garden apartment development , not developed	Not developable	2.442368	106389.1	0.00
497.03	55	199 NO BEVERWYCK RD	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	1.898968	82718.72	0.00
449	3	FANNY RD	Site not vacant but used as part of adjacent contractor storage yard	Not developable	1.090001	47480.24	0.00

PCL BLOCK	PCL LOT	PROP LOCATION	MUNICIPAL RATIONALE	REVIEW COMMENTS	ACRES	SHARE AREA	REDP OF DEV AREA
411	24.01	3339 ROUTE 46	Developed for Municipal Police Department	Not developable	9.506825	414115.6	0.00
450	14.34	WATERSEDGE DR	Parcel is common open space established during the site plan approval of adjacent development. Not available.	Not developable	2.295649	99998.05	0.00
200	5	159 JOHNSON RD	Parcel is owned by Southeast Morris Utility and contains significant underground easements	Not developable	14.02096	610750.8	0.00
736	20	299 WEBRO RD	This parcel is developed with a parking area to serve building on adjacent lot 20	Not developable	2.899422	126298.3	0.00
725	6	ROUTE 46	Parcel is currently developed with three mixed uses including multifamily housing	Not developable	13.80377	601289.8	0.00
136	43.3	10 UPPER POND RD	Developed for office development-UPS Data Center	Not developable	20.27245	883064.3	0.00
136	47	24 HILL RD	Parcel developed with office development-see aerial	Not developable	1.412177	61514.18	0.00
202	3.12	3 CAMPUS DR	Parcel has received site plan approval for affordable housing development.	Not developable	10.138	441609.6	0.00
15	2	YACENDA DR	Site is developed with a office building development. Not available	Not developable	8.798836	383275.8	0.00

5. Rehabilitation Program

- Program Funding Schedule
- Rehabilitation Program Manual
- Township's 2022 CDBG Program

Parsippany-Troy Hills Rehabilitation Program Funding Schedule

The Township's program has been funded through Community Development Block Grants ("CDBG") from the New Jersey Department of Community Affairs for many years. As identified in the Third-Round, the CDBG funding only provides for the rehabilitation of owner-occupied units. The Township's most recent Small Cities award was in 2025 for \$195,551. The Township will continue to apply for Small Cities grants to fund its program. To address the rehabilitation of renter-occupied units, the program as in the Third-Round, will continue to be funded in part by the Township's Affordable Housing Trust Funds. Should these funding sources be insufficient to address Parsippany's Rehabilitation Share, the Township will address the funding shortfall as noted in its Resolution of Intent to Fund (see Fair Share Plan Appendix).

Based on the Township's 2023 homeownership rate of 58% (rounded up to 60% to account for vacancies), the Township anticipates an owner-occupied rehabilitation program of 83 units (138-unit Rehabilitation Share x 60% = 83). As such, the Township estimates the potential costs of the homeowner component of the program to be \$1,660,000 (83 x \$20,000 = \$ 1,660,000) assuming a rehabilitation cost of \$14,000 per unit (\$14,000 hard costs and \$6,000 administration). As discussed earlier, the Township will continue to apply for CDBG grants to fund this program.

Approximately 39% (rounded to 40% to account for vacancies identified) of the Township's occupied housing units were renter-occupied. Based on this (adjusted) renter occupancy rate, the Township anticipates a renter-occupied rehabilitation program of 55 units (138-unit remaining Rehabilitation Share x 40% = 55). As such, the Township estimates the potential costs of the rental portion of the program to be \$1,100,000 (55 x \$20,000 = \$1,100,000) assuming a rehabilitation cost of \$20,000 per unit (\$14,000 hard costs and \$6,000 administration).

Both the ownership at \$1,660,000 and rental program at \$1,100,000 will amount to \$2,760,000 in funding which is allocated from the Township's Trust Fund for this rehabilitation program.

N.J.A.C. 5:93-5.2(h)1 requires one-third of the total rental rehabilitation program cost to be available within one (1) year of the Court's issuance of a Judgment of Compliance and Repose and one-sixth for each subsequent year. The Township will adhere to the following schedule:

By Winter 2026: \$910,800

By Each Winter from 2027 through 2035: \$205,466

Although the Township will ensure the financing of both the renter- and owner-occupied portions of this program, the required funding will also be based on homeowner and tenant demand for the program.

Home Improvement Program

Policies and Procedures Manual

Township of Parsippany-Troy Hills

Created October 1, 2019

Prepared by:



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Home Improvement Program

Policies & Procedures Manual

I. INTRODUCTION

The purpose of this document is to establish policies, guidelines and procedures which will govern the Home Improvement Program (HIP). The HIP was created by the Township to assist properties occupied by very low, low and moderate-income households to correct all existing interior and exterior health, safety and code violations in conformity with the standards of the New Jersey State Housing Code, N.J.A.C. 5:28 and the Rehabilitation Subcode, N.J.A.C. 5:23-6. Additionally, the HIP was designed to fulfill Parsippany-Troy Hills's rehabilitation portion of the Parsippany-Troy Hills's Fair Share Plan as submitted to and approved by the Court Master. The HIP is guided by N.J.A.C. 5:93-5.2 and is subject to all laws, regulations, ordinances, and codes of the New Jersey Department of Community Affairs (DCA) and the Township of Parsippany-Troy Hills¹. The Township of Parsippany-Troy Hills has contracted with Community Grants, Planning & Housing LLC (CGP&H), a private consulting firm specializing in the implementation of publicly-funded housing rehabilitation programs, to manage and administer the HIP. The Program's funding source will be municipal housing trust funds. If the funding source changes, the manual will be updated to reflect the change as well as changes to regulation requirements, if any.

A. Fair Housing and Equal Housing Opportunities

It is unlawful to discriminate against any person making application to participate in the housing rehabilitation/home improvement programs or rent a unit with regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression or source of lawful income used for mortgage or rental payments.



For more information on discrimination or if anyone feels they are a victim of discrimination, please contact the New Jersey Division on Civil Rights at 1-866-405-3050 or <http://www.state.nj.us/lps/dcr/index.html>. Fair Housing and Equal Housing Opportunities apply to both owner and tenant applications.

¹ The HIP is guided by N.J.A.C. 5:93 except for the length of affordability controls for both owner- and renter-occupied (10 years, not six (6) years) and except for the required average hard cost expenditure (\$10,000, not \$8,000).

II. ELIGIBLE PARTICIPANTS

A. Program Area

The HIP is a Township wide program currently aimed at scattered site housing rehabilitation of housing occupied by very low, low and moderate-income households throughout the Township of Parsippany-Troy Hills.

B. Categories of Participants

Both owner-occupied and renter-occupied housing units are eligible to receive funding for rehabilitation provided that the occupants of the units are determined to be income eligible, the units are determined to be substandard and for primary residency only. Owners of rental properties do not have to be income eligible households. If a structure contains two or more units and an owner, who is not income eligible, occupies one unit, funding may be provided for the rehabilitation of the rest of the units if income-eligible households occupy those units. Rents must be affordable to low- or moderate-income households.

C. Income Limits

Household income is defined as the combined annual income of all family members over 18 years of age including wages, Social Security, disability insurance, unemployment insurance, pensions, dividend/interest income, alimony, etc. Each unit's total household income must fall within or below the State's moderate-income limits based on family size.

Since the 2015 NJ Supreme decision declaring COAH nonfunctioning, it is now left to the local court vicinages to approve income, sales and rental increases using similar methodologies that were employed by COAH.

The income limits and applicable methodology are in Appendix B, and the plan for properly amending median incomes and rental increases every year going forward until or unless COAH or another state entity becomes functional again is also included in Appendix B at the end of this manual. The Program Administrator will ensure that the annual chart in Appendix B is updated whenever updates become available.

If at any time, COAH (or a successor administrative agency duly empowered by an amendment to the Fair Housing Act) begins to issue updated annual income limits and rules for increasing sales prices and rent levels each year, said updated income limits and rules for increasing sales prices and rent levels each year may be used instead of the methodology set forth herein.

D. Application Selection

At program start-up, and if and when the homeowner intake demand exceeds the number of openings, applications will be prioritized based on the reported income of the household as a percentage of the maximum allowable income for households of that size. This will give priority to the lowest income applicants and assist the municipality in reaching its goal of providing assistance to a minimum of 50% of the properties comprising of low income households. Otherwise, the Program will process new applicants added to the waiting list/applicant pool on a first-come, first served basis, to qualified applicants. If and when there is a waiting list, priority will be given to homeowners with less than \$200,000 in liquid assets. Assets in federally recognized retirement accounts do not apply to the liquid asset limit. The HIP will establish the waiting list from the program marketing efforts identified in Section IX of this manual.

Emergency Processing Order

Properties with safety and/or health hazards, confirmed/certified as an emergency by the municipal Construction Official or Health Department, can by-pass the first-come, first served process however they must meet all the other program requirements including income eligibility and bringing the unit up to code.

The Program Administrator shall determine that an emergency situation exists based on the following:

- A. The repair problem is an immediate and serious threat to the health and safety of the building's residents
- B. The problem has been inspected and the threat verified by the appropriate local building inspector and/or health official

Depending on the type and extent of the emergency and with the homeowner's permission, the Program may by-pass the standard bid process outlined in *Section V sub-section N* to expedite the bid/contractor selection process. Instead the Program may have a proven qualified contractor familiar with the Program present at the initial property inspection with the homeowner to count as the contractor's site visit. This will allow for a quick turn-around on emergency scope of work to be contracted on a single quote basis. To be awarded the emergency work, the contractor's quote must be determined to be a reasonable cost based on the Program Inspector's cost estimate and the contractor must commit to a tight timeline to resolve the emergency situation. This emergency process may apply to heavily leaking roofs, inoperable heating systems during the winter months, immediately hazardous electrical systems and/or blocked sewer lines unresolvable to unclog via a simple service call for under \$1,000.

Please note that the loan agreement will state that if the homeowner takes the emergency funds to abate the safety/health hazards and then subsequently decides to voluntarily remove themselves from participation in the Township's Home Improvement Program to complete the non-emergency substandard code violation components of their project, essentially negating any opportunity for the municipality to gain credit for a fully rehabilitated home for this unit, those public funds used for the emergency shall be immediately due and payable back to the Township.

To address this potential, any homeowner receiving emergency funds will also be required to execute a statement indicating that the Township will place a lien on the property assisted for the Township to recapture the emergency funds, to be repaid with interest, based on the monthly average mortgage loan commitment rates at the time of closing in the event of noncompliance.

III. ELIGIBLE ACTIVITIES

A. Eligible Improvements

The purpose of the program is to bring substandard housing up to code. In order to qualify for participation in the program, the condition of each home must be certifiable as being "substandard" as defined in N.J.A.C. 5:93-1.3.

In other words, at least one of the following major systems must be in need of replacement or substantial repair:

- Roof
- Plumbing (including wells)
- Heating
- Electrical
- Sanitary plumbing (including septic systems)
- Load bearing structural systems
- Weatherization (building insulation for attic, exterior walls and crawl space, siding to improve energy efficiency, replacement storm windows and storm doors and replacement windows and doors)

The related work may include, but not be limited to the following:

- Lead paint remediation
- Interior trim work

- Interior and/or exterior doors
- Interior and/or exterior hardware
- Window treatment
- Interior stair repair
- Exterior step repair or replacement
- Porch repair
- Wall surface repair
- Painting
- Exterior rain carrying system repair

B. Ineligible Improvements

Work not eligible for program funding includes but is not limited to luxury improvements (improvements which are upgrades/higher than mid-grade and/or strictly cosmetic), carpets, additions, conversions (basement, garage, porch, attic, etc.), repairs to structures separate from the living units (detached garage, shed, barn, etc.), furnishings, pools, landscaping, solar panels and generators. If determined unsafe, stoves may be replaced. The replacement or repair of other appliances is prohibited.

Rehabilitation work performed by property owners shall not be funded under this program.

C. Rehabilitation Standards

Funds are to be used for work and repairs required to make the unit standard and abate all interior and exterior violations of the New Jersey State Housing Code, N.J.A.C. 5:28, the Rehabilitation Subcode, N.J.A.C. 5:23-6, and Chapter 213 of the Township housing and property maintenance code (of which the more restrictive requirements will apply), conserve energy and remove health and/or safety hazards; and any other work or repairs, including finishing and painting, which are directly related to the above listed objectives. For projects that require construction permits, the rehabilitated unit shall be considered complete at the date of final approval pursuant to the Uniform Construction Code.

Municipal rehabilitation investment for hard costs shall average at least \$10,000 per unit, and include the rehabilitation of at least one major system, as previously defined under eligible improvements.

D. Certifications of Substandard/Standard

The Program Building Inspector will inspect the property to determine which systems, if any, are substandard in accordance with sub-section A above and issue a Certification of Substandard. Upon program construction completion, all code deficiencies noted in the inspection report must be corrected and rehabilitated units must be in compliance with the standards proscribed in sub-section C above upon issuance of a municipal certificate of completion/approval.

IV. FUNDING TERMS FOR OWNER OCCUPIED AND INVESTOR OWNED UNITS

Funding will be provided on the following terms:

A. Terms and Conditions for Owner Occupied Units

Table 1 Owner-Occupied Single Family Home Terms & Conditions

Owner-Occupied Single Family Unit Terms and Conditions of Loan	
Minimum Loan Amount	The municipality may rehabilitate substandard units that require less than \$10,000 of work, provided the municipal rehabilitation activity shall average at least \$10,000 per unit.
Maximum Loan Amount	\$24,000 per unit
Interest Rate	0% (No monthly payments)
Payment Terms:	100% forgivable if homeowner maintains occupancy and title during the 10-year period. Original Principal is due if house is sold and/or title/occupancy changes years 1 through 10 except for <i>Exceptions to Loan Repayment Terms</i> section below.
Mechanism for Securing Loan	Mortgage and Mortgage Note recorded against property

If the owner decides to sell the property, transfer title, or if the owner should die before the terms of the lien expire, the owner, heirs, executors or legal representatives must repay 100% of the original loan per the schedule above upon a title change. Rental of house is allowable under certain conditions subject to approval by the Administrative Agent.

Exceptions to Loan Repayment Terms above during the lien period:

1. If the loan transfers due to inheritance by a Class A beneficiary who will take occupancy upon death of Program mortgagee/Borrower and assume the lien (income eligibility not a requirement); or if by inheritance by a qualified income eligible non-Class A beneficiary, or
2. If the house is sold at an affordable price pursuant to UHAC to someone who can be qualified as income eligible, takes occupancy and agrees to assume the program lien, or
3. If the house is sold at an affordable price pursuant to UHAC to an investor who assumes the lien and also signs a deed restriction for the remaining duration of the affordability period to rent the dwelling at the affordability controls restricted rental rate and according to the affirmative marketing requirements for re-rentals. When this occurs, the Township’s Administrative Agent will be responsible for monitoring compliance over that unit.

B. Terms and Conditions on Owner-Occupied Multi-Family Rental Units

Table 2 Owner-Occupied Multi-Family Home Terms & Conditions

Owner-Occupied Multi-Family Including Tenant Unit(s) Terms and Conditions of Loan	
Minimum Loan Amount	The municipality may rehabilitate substandard units that require less than \$10,000 of work, provided the municipal rehabilitation activity shall average at least \$10,000 per unit.
Maximum Loan Amount	\$18,000 per unit
Interest Rate	0% (No monthly payments)
Payment Terms	100% forgivable if homeowner maintains occupancy and title during the 10 year period. Original Principal is due if not in compliance with affordability controls. Rental restrictions transfer with property. See Restrictions below.
Mechanism for Securing Loan	Mortgage, Mortgage Note and Deed Restriction recorded on property

The assisted housing unit(s) must be occupied by and affordable to a household that is certified as an income eligible household as per either the latest Income Limits by Region, or in compliance with the municipality’s Settlement Agreement and Court Order, whichever is applicable

The owner will execute a Mortgage, Mortgage Note, and Deed Restriction, the latter which guarantees the continued availability of the rental unit to low or moderate-income households for the terms of the ten-year deed restricted affordability period. The affordability terms for the rental units do not expire even if the owner sells the property, transfers title to the property, or dies within the ten-year program deed restricted affordability period.

Moreover, if Program funds were expended on the owner-occupied unit, and the homeowner sells, transfers title, dies or is not in compliance during the ten-year deed restricted affordability period, unless ownership is transferred to another low or moderate-income homeowner, any Program funds expended on work done on the owner's individual unit along with a pro-rata portion of the shared improvements must be fully repaid to the Township and used to rehabilitate another housing unit.

Additionally, for rental units in a multi-family owner-occupied home:

For tenant units, the maximum permitted rent is pursuant to UHAC and subject to annual adjustment. If a unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the Deed Restriction shall require the unit to be rented to a low- or moderate- income household at an affordable rental price and will be affirmatively marketed by the Township designated Administrative Agent, in accordance with the Township of Parsippany-Troy Hills' Affordable Housing Affirmative Marketing Plan. Landlords are responsible to pay income certification fees and affirmative marketing cost for re-rentals.

For information regarding future rental increases: Please refer to Section VIII C of this manual.

C. Terms and Conditions on Investor-Owned Multi-Family Rental Units

Table 3 Investor-Owned Terms & Conditions

Investor-Owned Multi-Family Unit Terms and Conditions of Loan	
Minimum Loan Amount	Per N.J.A.C. 5:93-5.2, the municipality may rehabilitate substandard units that require less than \$8,000 of work, provided the municipal rehabilitation activity shall average at least \$10,000 per unit.
Maximum Loan Amount	\$17,000 per unit of credit
Interest Rate	0% (No monthly payments)
Payment Terms	Owner pays 25% of rehab cost at construction agreement signing. 75% balance forgiven if in compliance with rental restrictions. Rental restrictions transfer with property. See restrictions below. The 25% rehab cost is waived for non-profit corporation rentals, including group homes.
Mechanism for Securing Loan	Mortgage, Mortgage Note and Deed Restriction recorded against property

The ten-year affordability controls against the property will be recorded in a Deed Restriction. The property owner agrees to abide by the rental affordability controls for the life of the Deed Restriction. Additionally, the following conditions apply:

The assisted housing unit(s) must be occupied by and affordable to a household that is certified as an income eligible household as per either the latest Income Limits by Region, or in compliance with the municipality's Settlement Agreement and Court Order, whichever is applicable and as designated by unit in the Deed Restriction. The maximum permitted rent is determined by the Township's Administrative Agent and is pursuant to UHAC and subject to annual adjustment. A copy of the income figures for 2018, and the methodology for going forward, until the reinstatement of COAH or another state entity performing this function is included in Appendix B of this document.

Throughout the ten year affordability controls, if a rental unit is vacant upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the Deed Restriction shall require the unit to be rented to a low- or moderate-income household(as designated by unit in the Deed Restriction) at an affordable price and will be affirmatively marketed in accordance with the Township of Parsippany-Troy Hills Affordable

Housing Affirmative Marketing Plan by the Townships' current Administrative Agent at the rates and terms defined within that Agreement. Landlords are responsible to pay income certification fees and affirmative marketing costs for re-rentals.

The owner will execute a Mortgage, Mortgage Note and Deed Restriction, the latter which will guarantee the continued availability of the unit to income eligible households for the terms of the ten-year lien affordability period.

Throughout the ten-year deed restrictive period, the affordability terms do not expire even if the owner sells the property, transfers title to the property, dies, or rents to other than low or moderate-income renters, before the terms of the lien expire.

D. Special Needs Waivers for Higher Cost Rehabilitation Projects

In cases of housing rehabilitation costs exceeding the program maximum loan amounts listed in applicable Tables 1, 2 and 3 above:

- The Program will get confirmation of whether or not the homeowner can contribute personal funding.
- If needed, the Program will attempt to partner with other possible funding sources such as the Low Income Home Energy Assistance Program (LIHEAP) and/or the municipality's CDBG Housing Rehabilitation Program (HRP).
- The Program reserves the right to make an exception and allow the expenditure of up to an additional \$3,000 per unit to address code violations. The Township will consider other situations for special needs waivers. Individual files will be reviewed on a case-by-case basis. Upon Program and Township approval, a Special Needs Funding Limit Waiver may be issued.
- If no viable options, the case will have to be terminated.

E. Use of Recaptured Program Funds

All recaptured funds will be deposited into a Parsippany-Troy Hills Township affordable housing trust fund in accordance with N.J.A.C. 5:93-8.15

V. IMPLEMENTATION PROCESS

A. Application/Interview

For each prospective applicant, this process starts with a homeowner either submitting an online preliminary application or the Case Manager pre-qualifies the interested homeowner by phone, whichever is the homeowner's preference. The information is entered in the program applicant

pool/waiting list. Preliminary applications for owner-occupied single-family homes will be forwarded to the Township's Purchasing Department to first be assisted via the Township's CDBG funded Housing Rehabilitation Program prior to the HIP's assistance. Preliminary applications for rental properties will be processed via the HIP only.

If the homeowner passes the preliminary criteria review, program information, guidelines, and an application package will be mailed or emailed to the applicant when their name is reached in the program's waiting list. Each prospective applicant is to complete the application and return it to the Case Manager, along with the required verification documents. Upon receipt of the completed application package, a case file will be opened for the applicant and a case file number will be assigned to the unit. The Case Manager will be available via a direct phone line to assist applicants during this and all other phases of the process. Additionally, as needed, a Case Manager will be available for face to face prescheduled appointments. Once a case is assigned a number, the cases are processed in the order of receipt of completed applications.

B. Eligibility Certification

To be eligible for assistance, households in each unit to be assisted must be determined to be income eligible. All adult members, 18 years of age and older, of both the owner household and tenant household (if any) must be fully certified as income-eligible before any assistance will be provided by the Program. The HIP will income qualify applicant, and when applicable tenant, households in accordance with N.J.A.C. 5:93-9 and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-16.1 et seq., except for the asset test.

The following is a list of various types of wages, payments, rebates and credits. Those that are considered as part of the household's income are listed under Income. Those that are not considered as part of the household's income are listed under Not Income.

C. What is Considered Income

The following income sources are considered income and will be included in the income eligibility determination:

- Wages, salaries, tips, commissions
- Alimony
- Regularly scheduled overtime
- Pensions
- Social security
- Unemployment compensation (verify remaining eligible number of weeks)
- TANF (Temporary Assistance For Needy Families)
- Verified regular child support

- Disability
- Net income from business or real estate
- Interest income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds
- Imputed interest (using a current average annual rate of two percent) from non-income producing assets, such as equity in real estate. Rent from real estate is considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance.
- Rent from real estate is considered income
- Any other forms of regular income reported to the Internal Revenue Service

D. What is Not Considered Income

The following income sources are not considered income and will not be included in the income eligibility determination:

- Rebates or credits received under low-income energy assistance programs
- Food stamps
- Payments received for foster care
- Relocation assistance benefits
- Income of live-in attendants
- Scholarships
- Student loans
- Personal property such as automobiles
- Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements
- Part-time income of dependents enrolled as full-time students
- Court ordered payments for alimony or child support paid to another household shall be deducted from gross annual income

E. How to Verify Income

To calculate income, the current gross income of the applicant is used to project that income over the next 12 months. Income verification documentation should include, but is not limited to the following for each and every member of a household who is 18 years of age or older:

1. Four current consecutive pay stubs, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure or if self-employed, a current Certified Profit & Loss Statement and Balance Sheet.
2. A signed copy of regular IRS Form 1040 (Tax computation form), 1040A or 1040EZ (as applicable) and state income tax returns filed for the last three years prior to the date of interview or notarized tax waiver letter for respective tax year(s)- A Form 1040 Tax Summary for the past three tax years can be requested from the local Internal Revenue Service Center or by calling 1-800-829-1040.
3. If applicable, a letter or appropriate reporting form verifying monthly benefits such as:
 - Social Security or SSI – Current award letter or computer printout letter
 - Unemployment – verification of Unemployment Benefits
 - Welfare -TANF current award letter
 - Disability - Worker’s compensation letter or
 - Pension income (monthly or annually) – a pension letter
4. A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support – copy of court order or recent original letters from the court (includes separation agreement or divorce papers) or education scholarship/stipends – current award letter;
5. Reports from the last two consecutive months that verify income from assets to be submitted by banks or other financial institutions managing savings and checking accounts (bank statements and passbooks), trust funds, money market accounts, certificate of deposit, stocks or bonds (In brokerage accounts – most recent statements and/or in certificate form – photocopy of certificates), whole life insurance. Examples include copies of all interest and dividend statements for savings accounts, interest and non-interest bearing checking accounts, and investments;
6. Evidence or reports of income from directly held assets, such as real estate or businesses owned by any household member 18 years and older.
7. Interest in a corporation or partnership – Federal tax returns for each of the preceding three tax years.
8. Current reports of assets – Market Value Appraisal or Realtor Comparative Market Analysis and Bank/Mortgage Co. Statement indicating Current Mortgage Balance. For rental property attach copies of all leases.

F. Additional Income Verification Procedures

1. Student Income

Only full-time income of full-time students is included in the income calculation. A full-time student is a member of the household reported to the IRS as a dependent who is enrolled in a degree seeking program for 12 or more credit hours per semester; and part-time income is income earned on less than a 35-hour workweek.

2. Income from Real Estate

If real estate owned by an applicant for affordable housing is a rental property, the rent is considered income. After deduction of any mortgage payments, real estate taxes, property owner insurance and reasonable property management expenses as reported to the Internal Revenue Service, the remaining amount shall be counted as income.

If an applicant owns real estate with mortgage debt, which is not to be used as rental housing, the Program Case Manager should determine the imputed interest from the value of the property. The Program Case Manager should deduct outstanding mortgage debt from the documented market value established by a market value appraisal. Based on current money market rates, interest will be imputed on the determined value of the real estate.

G. Other Eligibility Requirements

Applicant to submit the following in the application package:

- Copy of current Homeowner's insurance declarations page (not the policy or receipt);
- Proof of flood insurance, if property is located in a flood zone;
- Copy of recorded deed to the property to be assisted;
- If deed co-holder resides at another location, provide proof of same (driver's license, etc.);
- If widow or widower, copy of spouse's Death Certificate;
- Receipt for paid property taxes;
- Proof that all mortgage payments and, when applicable, Homeowner Association (HOA) Fees are paid current;
- Copy of any and all other liens recorded against the property;
- Personal identification (a copy of any of the following: Driver's License, Passport, Birth Certificate, Social Security Card, Adoption Papers, Alien Registration Card, etc.); and
- Original of signed Eligibility Release form.

Properties for sale are ineligible for program assistance as well as any property the homeowner plans to sell within the next two years.

H. Requirements of Property Taxes and Municipal Utilities Account Paid Current

All applicants' property tax as well as municipal water and sewer accounts must be paid current. The Program reserves the right to make an exception to the requirement of paid up municipal accounts. Individual files will be reviewed on a case-by-case basis. Upon approval by the appropriate municipal officials and the Program, a Special Needs Eligibility Requirements Waiver may be issued.

I. Sufficient Equity and Carrying Cost

Additionally, to be determined eligible, there must be sufficient equity in the home to cover the program lien. In other words, the market value of the house must be greater than the total of the existing liens and anticipated program lien combined. For the sake of this rule, the market value of the home will be calculated using the municipality's assessed value divided by the equalization ratio. All existing property liens (mortgage, home equity loan, etc.) are then deducted from the calculated house value to determine the current property equity. The Township may consider a Special Needs Waiver approved by the municipality on a case-by-case basis for limited equity, but not for negative equity. Additionally, the applicant's income shall be sufficient to meet the carrying costs of the unit or the homeowner is to demonstrate how the unit's carrying costs are funded. This will be reviewed on a case-by-case basis.

J. House Conditions:

All areas of the house must be readily accessible, uncluttered, and clean. This is in anticipation of the Program Inspector and contractors needs of proper and sanitary access for inspections and construction work progress.

If there are any repairs or renovations currently being undertaken on the home by others or the homeowner or done within the last few years that require or required municipal permits, the work must be completed and the permits closed out prior to the homeowner applying to the Program.

K. Eligibility Scenarios of Multi-Family Structures

Several possibilities exist concerning the determination of eligibility in a multi-family structure.

Scenario 1. The Program Administrator determines that the owner is income eligible and the renters in each unit are income eligible. In this case, all of the units are eligible for rehabilitation.

Scenario 2. The Program Administrator determines that the owner is income eligible, but the renters are not. In this case, only the landlord's unit is eligible for rehabilitation. If a home improvement is undertaken which affects all the units in the house (e.g., replacement of a roof), the HIP will only cover a prorated percentage of the cost. For example, in a two-family home with units of approximately equal size, only 50% of the cost of roof replacement will be covered. Where

units differ by more than 10% in size, the proration should be based on percentage of square footage within each unit compared to the total interior square footage of all other units in the structure. Shared common areas should not be counted in the denominator for the pro rata calculation.

Scenario 3. The Program Administrator determines that the owner is not income eligible, but the renters are. In this case, the rental units are eligible for rehab, but the owner's is not. If a rehab activity is undertaken which affects all of the units in the house (e.g., replacement of roof), the HIP will only cover a prorated percentage of the cost. For example, in a four-family home, only 75% of the cost of roof replacement would be covered. Where units differ in size, the proration is based on percentage of square footage.

If any of the conditions above apply to a particular applicant's case, CGP&H sends a letter that explicitly identifies which of the units is eligible for rehabilitation, as well as specifies any applicable percentage of the hard costs of rehabilitation between the Program and the homeowner. The homeowner's monetary contribution is to be paid prior to the start of construction at the preconstruction conference in the form of a money order or certified check made payable to the contractor. The payment is held by the Program until the work is satisfactorily completed, at which time the Program will release the payment to the contractor.

L. Eligibility Certification

After the Program Administrator has determined that the household is income eligible and meets all other eligible requirements, the Program Manager will complete and sign the Eligibility Certification. This certification is valid for 180 days starting from date of eligibility certification. A Construction Agreement must be signed within this time period. If not, the Program Administrator must reevaluate the household's eligibility.

After the household is certified as income eligible, the Homeowner/Program Agreement will be executed between the owner and the program.

If an applicant is determined ineligible, for any reason, the Program will issue a Notice of Ineligibility explaining the reason for the ineligibility determination and case termination.

M. Housing Inspection/Substandard Certification/Work Write Up/Cost Estimate

The Program Inspector will perform a comprehensive inspection to determine what work items are necessary to bring the home up to code, as identified in section III C. Photos will be taken at the comprehensive inspection to document existing conditions. As a result of the comprehensive inspection, the Program Inspector will prepare a work write-up and cost estimate. All repairs

needed to bring the home up to code will be identified. To the extent that the budget may permit, home weatherization will also be included. This work write-up will include a breakdown of each work item by category and by location in the house. The work write-up will contain information as to the scope of work and specifics on materials such as type, quantity and cost. A total cost estimate will be calculated for each housing unit. Improvements approved under the Program shall be based on the cost of mid-grade fixtures and materials. No upgrades from this standard shall be allowed. Only eligible rehab work will be funded by the Program. In the event that not all items can be accomplished due to program funding caps, the Program Inspector will establish a priority repair system which addresses the code violations before the non-code violations. The HIP's policy is to create Work Write-Ups and Cost Estimates that fall within the HIP funding caps. In unusual hardship cases and when the cost to correct all code violations exceeds the program funding limit, the HIP will seek the homeowner's monetary contribution. If the homeowner is unable to contribute funds or obtain funds from another funding source, the HIP will request additional funds from Parsippany-Troy Hills.

For houses built prior to 1978, refer to Section VII Lead Base Paint (LBP).

N. Contractor Selection

The homeowner, with the approval of the Program Inspector, will select the contractor. The Case Manager will provide the homeowner with a copy of the work write up and the Program Contractor List. The homeowner will complete the Work Write-Up Review Form indicating review and approval of the work write-up and advising of any contractors currently on the Program Contractor List that the homeowner does not wish to have notified of the availability of the bid package. If the homeowner wishes to solicit a bid from a contractor not currently on the Program Contractor List, the homeowner will provide the contractor's name, address and telephone number on the Work Write-Up Review Form. Any contractors that have not been previously qualified are eligible to participate but must submit their qualifications as well as their bid in the bid package.

The Case Manager will notify at least three (3) currently active contractors that a bid package for the property is available. Each contractor must contact the Case Manager to obtain a full bid package and the contractor must submit a bid to the Case Manager by the submission deadline (usually within three (3) weeks of the date of the bid notification letter). All submitted bids will be opened and recorded by the Program Administrator at a meeting open to all interested parties.

The submitted bids will be reviewed by the homeowner and the Program Inspector. Generally, the lowest responsible bid from a qualified contractor will be chosen. If the homeowner selects a higher bid, he/she must pay the difference between the chosen and the lowest responsible bid.

O. Pre-Construction Conference/Contract Signing

The Program Inspector will conduct a pre-construction conference with the homeowner and contractor. Prior to the pre-construction conference the homeowner will be provided with copies of the loan documents and the Construction Agreement and the contractor will be provided with a copy of the Construction Agreement for review. At the time of the pre-construction conference, the scope of work will once again be reviewed. The homeowner and contractor responsibilities will also be reviewed, as well as the Program's construction procedures and program limitations. The homeowner and contractor will each sign the Construction Agreement and receive copies. The homeowner will sign and receive copies of the Mortgage and Mortgage Note in the amount of the HIP subsidy. For rental properties, the property owner will also sign the Deed Restriction (COAH form Appendix E-3).

If the homeowner is providing any funds for the rehabilitation of his/her home, those funds must be provided at the time of the pre-construction conference in the form of a certified check or money order made payable to the contractor. The check will be held by the Program and will be applied towards the contractor's first progress payment.

The contractor will be provided with information regarding the Lead-Based Paint Poisoning Prevention Act (4a.U.S.C. 483 1 (b)). The homeowner will be advised of the hazards of lead base paint in houses built prior to 1978 and provided with the EPA booklet Renovate Right. Both contractor and homeowner will each sign the respective Certifications. Additionally, for houses built prior to 1978, Section VII Lead Base Paint (LBP) applies.

Following the pre-construction conference, the Case Manager will provide the Township with a copy of the Construction Agreement which includes an itemized price list of the work.

It is the contractor's responsibility to ensure all required permits are applied for prior to the start of construction and, if applicable, at the time of any change orders.

The construction permitting process is handled by the municipality's Construction office.

P. Initiate Township Voucher

Upon contractor award decision, the Township will provide the Case Manager with a blanket purchase order to create two purchase orders for each case for the contractor to sign at the pre-construction conference at time of contract signing. The contractor's signed purchase orders will be held by the Case Manager until construction progress is sufficient to submit to the municipality.

The Township voucher will be separated into two potential payments. The Program staff will match the payment request up with the Township voucher issued at the pre-construction conference and adjust the payment amount as per the inspection results. Ultimately upon construction completion, the payments will equal the full voucher amount plus or minus any change orders.

For each contractor's first award in a calendar year, the Case Manager will provide the municipal applicable staff with the awarded contractor Business Registration Certificate (BRC) and W-9 form.

Q. Progress Inspections

The Program Inspector will make the necessary inspections of the progress of property improvements. Inspections are necessary to ensure that the ongoing improvements coincide with the scope of work outlined in the work write-up. It is the contractor's responsibility to notify the Program Inspector when a minimum of 40% of the total contract work is completed. The Program Inspector will schedule the inspection with the homeowner, at which time the Program Inspector will also obtain verbal confirmation from the homeowner that the work is ready for inspection.

If work passes the satisfactory progress inspection, the Case Manager will follow the procedures spelled out in Section V subsection T *Payment Structure and Process* to process a contractor's progress payment request.

The Program Inspector will notify the contractor and the homeowner in writing of any work deficiencies discovered during the progress inspection. Work deficiencies must be corrected prior to the contractor's request for the next inspection.

For houses built prior to 1978, a work item marked EPA RRP Rule cannot be paid for until the contractor provides a post renovation report to the Program. Refer to Section VII Lead Base Paint (LBP) for the EPA regulation.

R. Change Orders

If it is determined during rehabilitation that a change from the original work write-up is required, a Program Change Order Authorization form must be completed and approved by the homeowner, the contractor, and the Program. The Case Manager will forward the executed change order to the Township.

The contractor will be notified by the Case Manager of the results, and no change order work should be undertaken by the contractor until he has received a copy of the fully executed Change Order Authorization or the contractor risks non-payment for the change order work.

S. Final Inspection

Prior to requesting a final inspection, it is the contractor's responsibility to:

- Properly close out all the permits and to provide proof of closed out permits to the Case Manager via the municipal Certificate of Approval;
- Deliver to the homeowner a complete release of all liens arising out of the Construction Agreement, a receipt in full covering all labor, materials and equipment for which a lien could be filed or a bond satisfactory to the owner indemnifying owner against any lien; and;
- Provide the homeowner with all applicable warranties for items installed and work completed during the course of the rehabilitation.

Once the contractor has provided the Case Manager with all required job closeout forms, the contractor will be responsible to request the Program's final inspection. The Program Inspector will schedule the final inspection with the homeowner, at which time the Program Inspector will also obtain verbal confirmation from the homeowner that the rehabilitation work has been completed and is ready for inspection. The Program Inspector will then conduct a final inspection to certify that the required property improvements are complete. The homeowner will be present during the final inspection and the contractor will be present if there are issues to resolve.

Construction progress on work line items will be inspected and considered for payment. If the work passes satisfactory final inspection, the Case Manager will follow the procedures spelled out in Section V subsection T. *Payment Structure and Process* to process the contractor's final payment request.

For houses built prior to 1978, a work item marked EPA RRP Rule cannot be paid for until the contractor provides a post renovation report to the program. Refer to Section VII Lead Base Paint (LBP) for the EPA regulation.

If the Program Inspector identifies any work deficiencies during the final inspection, the Program Inspector will notify the contractor and the homeowner of the deficiencies in writing and the value of said deficiencies will be deducted from the final payment request. Work deficiencies discovered during the final inspection will require the Program Inspector to conduct a subsequent inspection upon contractor's correction of deficiencies. The Rehabilitation Program reserves the right to hold the contractor responsible to pay the cost of any additional inspections beyond the final inspection at a rate of \$350 per inspection for prematurely requesting the final inspection with the work not 100% completely done in a workman-like manner. Additional inspections are

those in excess of the one progress inspection and the final inspection which are needed to inspect corrected deficiencies. The contractor must issue the failed final inspection penalty payment directly to CGP&H via a check prior to the Program Inspector scheduling and repeating the final inspection process. CGP&H will notify the municipality each time a penalty is levied.

The Program lien period will commence upon satisfactory completion of the final inspection. Photographs will be taken of the rehabilitated housing unit by the Program Inspector at the time of the satisfactory final inspection.

T. Payment Structure and Process

The Township will issue all payments, which will be made according to the following schedule:

One progress payment (representing a minimum of 40% of total contract work completed) will be paid. Upon completion of one hundred percent (100%) of the rehabilitation work, the contractor is eligible for final payment of the contract price.

Upon a satisfactory program inspection, and confirmation from the Case Manager that all contractor's documents have been submitted according to program procedures, the Case Manager will submit to the Township:

- Program's Request for Payment form with Owner's and Program's written approval
- The Township voucher signed by the contractor and adjusted to match the current payment amount
- Copy of change order, if one occurred

The Township retains the right to make payments to the contractor without homeowner approval should the homeowner become unavailable to sign the Program contractor payment form due to illness or absence. In such instance, the Program shall make reasonable attempts to contact the homeowner. If such efforts are not successful within a two-week period from the final inspection date, the Program shall advise the Township, provide documentation of efforts to obtain homeowner approval, and may authorize contractor payment without homeowner sign-off, to not hold up payment rightfully due to the contractor.

The Case Manager is to submit the contractor payment request to the Township's Chief Financial Officer (CFO) and, if acceptable, the payment request will be placed on the upcoming Bill List agenda. The Township will forward to the Case Manager a copy of the executed payment to the contractor for case file records.

Upon job completion, the combined Township payments will total the Construction Agreement, including all applicable change order(s) if any, and minus owner contribution, if any. The

combined Township payments will also match the final Township Voucher amount. Progress and final payments will be made payable to the contractor.

U. Standard Certification

A Certificate of Approval issued by the municipal construction official at the time the contractor closes out the rehabilitation construction permits, will confirm the scope of rehabilitation work has been completed and that the housing unit is now up to code standard. The contractor is to provide the Certificate of Approval to the Case Manager when requesting the final inspection. The Case Manager will ensure that a copy of the Certificate of Approval is placed in the case file.

V. Record Mortgage Documentation

At construction completion, the Case Manager will forward the executed mortgage to the Township for recording. The Township will immediately file the mortgage with the County Clerk. For rental properties, the Deed Restriction will also be recorded.

W. File Closing

The Case Manager will close the homeowner's file after the final payment is made and the mortgage, and when applicable, Deed Restriction is/are returned from the County with recorded date, book and page.

The Case Manager will send the homeowner a case closeout letter explaining the warranty period, importance of program documents for personal record keeping, explaining the homeowner's responsibility to continue to maintain the home, providing the homeowner with a home maintenance checklist as guidance, thanking the owner for program participation, and encouraging him/her to recommend the program to other households in the community and, when applicable, reminding owner of the affordable housing rental requirements listed in the program lien documents and deed restriction.

X. Requests for Subordination or Program Loan Payoff

Parsippany-Troy Hills may agree to subordination of its lien if the mortgage company supplies an appraisal showing that the new loan plus the balance(s) on all unpaid loans (including the value of the rehabilitation assistance) does not exceed ninety-five (95%) of the appraised value of the unit. If the homeowner is simply refinancing their primary mortgage to a lower interest rate and not "cashing out" any equity, Parsippany-Troy Hills will subordinate up to 100% of the appraised value.

The fee to process program loan subordination requests will be paid by the homeowner directly to the Program Administrator in accordance with the fee set forth in the yearly program administration contract.

VI. CONTRACTOR REQUIREMENTS AND RECRUITMENT

A. Marketing

The Program will coordinate with the Township to advertise the availability of construction work on the Township's website and display a contractor outreach poster and handouts in the municipal building, including the local construction office. Additionally, CGP&H will reach out to home improvement contractors registered with Consumer Affairs who are geographically near or in Parsippany-Troy Hills. If determined needed, additional outreach will be conducted in the local newspapers and through the posting of community notices. As necessary, the Program will advertise the availability of construction work by posting information at local building supply dealers. All interested contractors will have the opportunity to apply for inclusion on the Program Contractor List, which will be made available for the homeowner's use in selecting rehabilitation contractors. The contractor outreach material will also be posted on CGP&H's website.

B. Contractor Qualifications

To qualify, contractors must meet the following minimum requirements:

- Contractors must carry at least \$1,000,000 in general liability insurance. The Contractor shall carry full workmen's compensation coverage including Employer's Liability limits of at least \$500,000 and statutory state coverage for all his/her employees and those of his/her subcontractors engaged in program rehab work. The Contractor must provide the Case Manager with a certificate of insurance naming the Program as Certificate Holder, and naming the Municipality and CGP&H as additional insureds at time of Program job award; and
- At least three favorable references on the successful completion of similar work; and
- A reference of permit compliance from a municipal inspector (building inspector, code official, etc.); and
- The Contractor's State Business Registration Certificate; and
- Current Consumer Affairs Home Improvement Contractor license; and

- Applicable lead certifications for contractors working on houses built prior to 1978. As identified in the scope of work, the contractor must comply with the EPA Renovation, Repair and Painting (RRP) Rule regarding certification; and
- If claiming prior experience with local, state or federally funding housing rehabilitation programs, a record of satisfactory performance in a neighborhood rehabilitation program or other federal/state programs; and
- Appropriate licenses; e.g. plumbing, electrical.

Contractors must also complete a Contractor Qualification Form. The contractor's qualifications will be reviewed and the references cited will be checked by the Program Inspector before the contractor is awarded a job.

VII. Lead Based Paint (LBP):

For houses built prior to 1978, contractors must comply with the Environmental Protection Agency Renovation, Repair and Painting Rules (40 CFR Part 745) when any work item is marked with (EPA-RRP Rule) in the work specifications. The requirements are spelled out in the General Conditions of the work specifications.

VIII. Rental Procedures:

Rental units are subject to the Uniform Housing Affordability Controls (UHAC) at N.J.A.C.5-80:26.1 et. seq. once the rental units are rehabilitated. In addition to the mortgage and mortgage note, the controls on affordability shall be in the form of a deed restriction.

- If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit be rented to an income eligible household at an affordable rent and affirmatively marketed pursuant to UHAC.
- If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to UHAC.
- Rental Increases: See section VIII C, below.

The municipality's Administrative Agent will administer the rental affordability controls during the 10 year affordability period for each rental property assisted. Landlords are responsible to pay income certification fees for re-rentals.

A. Determining Initial Affordable Rents

The initial maximum affordable rent for a rehabilitated unit is determined by the program staff based on several NJ rules and regulations. The Administrative Agent will make every attempt to price initial rents to average fifty-two percent (52%) of the median income for the household size appropriate to the sized unit within each individual project (N.J.A.C. 5:80-26.3 (d)). Thirty percent (30%) (N.J.A.C. 5:80-26-12 (a)) of that figure is considered the "maximum base rent." Subtracted from the maximum base rent is the cost of all tenant-paid utilities as defined and calculated by the HUD Utilities Allowance figures (updated annually). The remainder becomes the maximum initial rent for that unit. The Home Improvement Program staff can provide potential applicants/landlords with a reasonable estimate of what the maximum base rent will be on their rental unit if they elect to participate in the program.

B. Pricing by Household Size

Initial rents are based on the number of legal bedrooms in each unit. Initial rents must adhere to the following rules.

Table 4 Initial Rental Pricing by Housing Size

Size of Unit	Household Size Used to Determined Max Rent
Studio/Efficiency	1
1 Bedroom	1.5
2 Bedrooms	3
3 Bedrooms	4.5
4 Bedrooms	6

- A studio shall be affordable to a one-person household;
- A one-bedroom unit shall be affordable to a one- and one-half person household;
- A two-bedroom unit shall be affordable to a three-person household;
- A three-bedroom unit shall be affordable to a four- and one-half person household; and
- A four-bedroom unit shall be affordable to a six-person household.

The above rules are only to be used for setting initial rents.

C. Determining Rent Increases

Rents for rehabilitated units may increase annually based on the standards in Appendix B, entitled "Approved Calculation of Annual Increases to Income Limits, Resale Prices and Rents" and only upon written notification from the Administrative Agent.

In addition, the Township's Administrative Agent must be used by the Landlord to ensure that all appropriate affirmative marketing and all other affordable housing compliance procedures are followed and will continually oversee compliance for these affordable rental units throughout their restrictive term.

These increases must be filed with and approved by the Administrative Agent. Property managers or landlords who have charged less than the permissible increase may use the maximum allowable rent with the next tenant with permission of the Administrative Agent. Rents may not be increased more than once a year, may not be increased by more than one approved calculated increment at a time, and may not be increased at the time of new occupancy if this occurs less than one year from the last rental. No additional fees may be added to the approved rent without the express written approval of the Administrative Agent.

IX. MARKETING STRATEGY

In coordination with the Township, the Program Administrator will employ a variety of proven strategies to advertise the program within Parsippany-Troy Hills to establish the Program's applicant pool/waiting list. The marketing strategy/plan possibilities include but are not limited to:

- Creation and distribution of Program homeowner outreach posters, flyers and handouts
- Place Program outreach material on the Township's website
- Place Program outreach material on CGP&H's website
- Municipal E-newsletter and paper newsletter (if available)
- Appending announcements and/or flyers to other municipal mailings as they become available (tax, etc.) or direct mailing, if approved by the municipality
- Municipal email blasts and Twitter communication (if available)

- Program marketing will be distributed to local community organizations and major employers including religious organizations, civic groups, senior group, ethnic organizations, etc.
- Free local cable TV advertising (when available)
- Periodic Press releases
- Program group presentations to community organizations or at the Township Municipal Building to prospective homeowners and even to local contractors
- Paid newspaper advertisements (last resort) when deemed necessary and appropriate
- The order of method used will be analyzed to implement the most effective combination of strategies. Extensive marketing efforts are essential for all successful housing rehabilitation programs to meet their productivity objectives.

Available rental units assisted via the HIP will be affirmatively marketed in accordance with the Township of Parsippany-Troy Hills Affordable Housing Affirmative Marketing Plan.

X. MAINTENANCE OF RECORDS AND CLIENT FILES

A. Programmatic Recording

The Program files will include:

- The policies and procedures manual, which will also be updated when applicable.
- An applicant pool will be maintained by the Program staff to track intake of the people interested in the program and the corresponding outgoing application invites.
- A rehabilitation log will be maintained by the Program staff that depicts the status of all applications in progress.

B. Participant Record Keeping

The Program will be responsible for ensuring that individual files for each unit are established, maintained and then submitted to the municipality upon completion. Each completed file will contain a minimum of the following:

- Checklist
- Application form

- Tenant Application form (Rental Units Only) including rental lease
- Proof of ownership
- Income verification (for all households)
- Proof of currency of property tax and water/sewer accounts
- Proof of homeowner extended coverage/hazard insurance (Declaration Page)
- Proof that the municipal lien plus the total of other liens does not exceed the market value of the unit.
- Certification of Eligible Household or Notice of Ineligible Household (whichever is applicable)
- Homeowner/Program Agreement
- Certificate of Substandard
- Work Specifications/Cost Estimate aka Work Write-Up
- Bid Notice
- Contractor bids
- Bid Tabulation
- Construction Agreement
- Mortgage and Mortgage Note, and for rental properties, Deed Restriction
- Notice of Right of Rescission
- Homeowner Confirmation of Receipt of EPA Lead Information Pamphlet
- Contractor Confirmation of Receipt of Lead Paint Notice
- Copies of all required permits
- Change orders, if any
- Work progress and final inspection reports
- Copies of contractor payment documentation

- Photographs (Before and After)
- Close-out documents
- Certification of Approval

C. State Reporting

For each unit the following information must be retained to be reported annually:

- Street Address
- Block/Lot/Unit Number
- Owner/Renter
- Income: Low/Mod
- Final Inspection Date
- Funds expended on Hard Costs
- Funds Recaptured
- Major Systems Repaired
- Unit Below Code & Raised to Code
- Effective date of affordability controls
- Length of Affordability Controls (yrs.)
- Date Affordability Controls removed
- Reason for removal of Affordability Controls

The Program Administrator will enter each completed unit's data into the State's online CTM system, if available access

D. Financial Recordkeeping

Financial recordkeeping is the responsibility of the Municipal Housing Liaison, with assistance from the Administrative Agent, as may be requested from time to time.

XI. HOUSING ADVISORY COMMITTEE AND APPEALS PROCESS

The Program staff is skilled in effectively achieving resolution of homeowner/contractor disputes, in a fair and documented manner.

If a homeowner refuses to pay the contractor and work has been done to work specification and to the satisfaction of the Program, it may authorize payment to the contractor directly. However, the Program will make a reasonable attempt to resolve the differences before taking this step.

However, on the rare occasion if a homeowner or contractor decides to dispute a Program staff decision, the Program will refer the matter to the Township for further resolution. It is recommended the Township forms a Housing Advisory Committee to mediate and resolve the differences. Homeowners or contractors involved in a dispute will be instructed to submit their concerns in writing. The homeowner or contractor may request a hearing conducted by the Housing Advisory Committee. All Housing Advisory Committee decisions are final. The Housing Advisory Committee formation may occur when the first need arises.

XII. CONCLUSION

If the procedures described in this manual are followed, the Township of Parsippany-Troy Hills' Home Improvement Program should operate smoothly and effectively. Where it is found that a new procedure will eliminate a recurring problem, that procedure may be incorporated into the program operation. In addition, this manual may be periodically revised to reflect changes in local, state and federal policies and regulations relative to the Home Improvement Program.

APPENDIX A - LIST OF PROGRAM FORMS

- Application Transmittal Letter
- Program Information Handout
- Application for Assistance- Homeowner
- Application for Assistance- Landlord (Investor)
- Application for Assistance- Tenant
- Eligibility Release Form
- Checklist
- Special Needs Waiver (Eligibility Requirements)
- Special Needs Waiver (Exceed Program Limit)
- Certification of Eligible Household
- Eligibility Determination Form
- Notification of Eligibility
- Notification of Ineligibility
- Homeowner/Program Agreement
- Certificate of Substandard
- Certificate of Substandard – Emergency Situation
- Letter: forward work write-up and contractor list to homeowner
- Work Write-Up Review form
- Request for Rehabilitation Bid
- Affidavit of Contractor
- Subcontractor Bid Sheet
- Bid Tabulation/Contractor Selection
- Construction Agreement
- Mortgage
- Mortgage Note – single family, multi family, investor versions
- Notice of Right of Rescission
- COAH Deed Restriction (when applicable)
- Homeowner Confirmation of Receipt of EPA Lead Information Pamphlet
- Contractor Confirmation of Receipt of Lead Paint Notice
- Notice to Proceed
- Contractor's Request for Final Inspection
- Change Order Authorization
- Certificate and Release
- Closeout Statement

APPENDIX B – Approved Calculation of Annual Increases to Income Limits, Resale Prices and Rents

Methodology for Calculating Regional Income Limits and Rental Increase:

Income limits for all units that are part of the municipality's Housing Element and Fair Share Plan and for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26.1 shall be updated by the municipality annually within 30 days of the publication of determinations of median income by HUD as follows:

- a. Regional income limits shall be established for the region that the municipality is located within, based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in the municipality's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low-income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.
- b. The income limits attached are the result of applying the percentages set forth in paragraph (a) above to HUD's determination of median income for the most recent year and shall be utilized until the municipality updates the income limits after HUD has published revised determinations of median income for the next fiscal year.
- c. If at any time, COAH (or a successor administrative agency duly empowered by an amendment to the Fair Housing Act) begins to issue updated annual income limits and

rules for increasing sales prices and rent levels each year, said updated income limits and rules for increasing sales prices and rent levels each year may be used instead of the methodology set forth herein.

In establishing sale prices and rents of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the regional income limits established pursuant to the process defined above:

The rent levels of very-low-, low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the Northeast Urban Area, upon its publication for the prior calendar year. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing.

Prepared by Affordable Housing Professionals of New Jersey (AHPNJ) - May 2019
2019 AFFORDABLE HOUSING REGIONAL INCOME LIMITS BY HOUSEHOLD SIZE

Income limits not officially adopted by the State of New Jersey. Contact your municipality to see if applicable in your jurisdiction. Additional information about AHPNJ income limits is posted on AHPNJ.org

		1 Person	*1.5 Person	2 Person	*3 Person	4 Person	*4.5 Person	5 Person	6 Person	7 Person	8+ Person	Max Increase Rents** Sales***	Regional Asset Limit****
Region 1	Median	\$66,607	\$71,365	\$76,122	\$85,637	\$95,153	\$98,959	\$102,765	\$110,377	\$117,989	\$125,602		
	Moderate	\$53,286	\$57,092	\$60,898	\$68,510	\$76,122	\$79,167	\$82,212	\$88,302	\$94,391	\$100,481	2.6%	\$183,994
	Low	\$33,303	\$35,682	\$38,061	\$42,819	\$47,576	\$49,479	\$51,382	\$55,189	\$58,995	\$62,801	4.73%	
	Passaic and Sussex	\$19,982	\$21,409	\$22,837	\$25,691	\$28,546	\$29,688	\$30,829	\$33,113	\$35,397	\$37,680		
Region 2	Median	\$70,537	\$75,576	\$80,614	\$90,691	\$100,767	\$104,798	\$108,829	\$116,890	\$124,952	\$133,013		
	Moderate	\$56,430	\$60,460	\$64,491	\$72,553	\$80,614	\$83,838	\$87,063	\$93,512	\$99,961	\$106,410	2.6%	\$193,321
	Low	\$35,269	\$37,788	\$40,307	\$45,345	\$50,384	\$52,399	\$54,414	\$58,445	\$62,476	\$66,506	5.67%	
	Union and Warren	\$21,161	\$22,673	\$24,184	\$27,207	\$30,230	\$31,439	\$32,649	\$35,067	\$37,485	\$39,904		
Region 3	Median	\$82,810	\$88,725	\$94,640	\$106,470	\$118,300	\$123,032	\$127,764	\$137,228	\$146,692	\$156,155		
	Moderate	\$66,248	\$70,980	\$75,712	\$85,176	\$94,640	\$98,426	\$102,211	\$109,782	\$117,354	\$124,925	2.6%	\$225,261
	Low	\$41,405	\$44,363	\$47,320	\$53,235	\$59,150	\$61,516	\$63,882	\$68,614	\$73,346	\$78,078	9.64%	
	Somerset	\$24,843	\$26,618	\$28,392	\$31,941	\$35,490	\$36,910	\$38,329	\$41,168	\$44,008	\$46,847		
Region 4	Median	\$72,165	\$77,319	\$82,474	\$92,783	\$103,092	\$107,216	\$111,340	\$119,587	\$127,834	\$136,082		
	Moderate	\$57,732	\$61,855	\$65,979	\$74,226	\$82,474	\$85,773	\$89,072	\$95,670	\$102,268	\$108,865	2.6%	\$193,919
	Low	\$36,082	\$38,660	\$41,237	\$46,392	\$51,546	\$53,608	\$55,670	\$59,794	\$63,917	\$68,041	3.91%	
	Ocean	\$21,649	\$23,196	\$24,742	\$27,835	\$30,928	\$32,165	\$33,402	\$35,876	\$38,350	\$40,825		
Region 5	Median	\$63,070	\$67,575	\$72,080	\$81,090	\$90,100	\$93,704	\$97,308	\$104,516	\$111,724	\$118,932		
	Moderate	\$50,456	\$54,060	\$57,664	\$64,872	\$72,080	\$74,963	\$77,846	\$83,613	\$89,379	\$95,145	2.6%	\$166,981
	Low	\$31,535	\$33,788	\$36,040	\$40,545	\$45,050	\$46,852	\$48,654	\$52,258	\$55,862	\$59,466	3.09%	
	Gloucester	\$18,921	\$20,273	\$21,624	\$24,327	\$27,030	\$28,111	\$29,192	\$31,355	\$33,517	\$35,680		
Region 6	Median	\$53,714	\$57,550	\$61,387	\$69,061	\$76,734	\$79,803	\$82,873	\$89,011	\$95,150	\$101,289		
	Moderate	\$42,971	\$46,040	\$49,110	\$55,248	\$61,387	\$63,843	\$66,298	\$71,209	\$76,120	\$81,031	2.6%	\$143,713
	Low	\$26,857	\$28,775	\$30,694	\$34,530	\$38,367	\$39,902	\$41,436	\$44,506	\$47,575	\$50,644	5.15%	
	and Salem	\$16,114	\$17,265	\$18,416	\$20,718	\$23,020	\$23,941	\$24,862	\$26,703	\$28,545	\$30,387		

Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent or less of median income.

* These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.4(a).

** This column is used for calculating the pricing for rent increases for units (as previously calculated under N.J.A.C. 5:97-9.3). The increase for 2015 was 2.3%, the increase for 2016 was 1.1%, the increase for 2017 was 1.7%, and the increase for 2018 was 2.2%. The increase for 2019 is 2.6% (Consumer Price Index for All Urban Consumers (CPI-U); Regions by expenditure category and commodity and service group). Landlords who did not increase rents in 2015, 2016, 2017, or 2018 may increase rent by up to the applicable combined percentage including 2019 or 9.0% whichever is less in accordance with N.J.A.C. 5:97-9.3(c). In no case can rent for any particular apartment be increased more than one time per year.

*** This column is used for calculating the pricing for resale increases for units (as previously calculated under N.J.A.C. 5:97-9.3). The price of owner-occupied low and moderate income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.

Low income tax credit developments may increase based on the low income tax credit regulations.

**** The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)(3).

**PUBLIC NOTICE
PARSIPPANY TROY-HILLS
ANNUAL ACTION PLAN FY 2024**

Notice is hereby given that in accordance with the Federal regulations at 24 CFR, Part 91 and the Township's Citizen Participation plan, the Township of Parsippany-Troy Hills has prepared the FY 2024 Annual Action Plan for the Community Development Block Grant Program. The Township anticipates a grant of \$243,764. One hundred percent (100%) of the funds will be used to benefit low- and moderate-income persons.

ACTIVITY	ADDRESS	AMOUNT
Public Infrastructure and Facilities Improvements	Township-wide	\$106,475
Housing Rehabilitation	Township-wide	\$106,475
Administration	1001 Parsippany Boulevard Parsippany-Troy Hills, NJ 07054	\$30,814
TOTAL		243,764

Though unexpected, any program income received in 2024 will be used to provide additional resources for the Housing Rehabilitation Program.

DISPLACEMENT POLICY

The Township of Parsippany-Troy Hills has established a policy on Displacement and Benefits. This policy applies to all involuntary, permanent displacement resulting from CDBG Activities. As a Policy, the Township will minimize displacement by limiting activities to those that do not require displacement. If displacement is required, the Township will provide reasonable benefits including prompt notification of possible relocation, referral assistance and advice and counseling if needed.

PUBLIC COMMENT

Citizens have an opportunity to comment on the proposed use of funds through July 8, 2024. The FY 2024 Annual Plan identifies the activities that will be undertaken to address priority needs and local objectives. The Plan may be reviewed at the Municipal Building and Parsippany Senior Community Center from June 7, 2024, through July 8, 2024. Comments and questions may be directed to Suzanne Taylor, Director of Purchasing, Parsippany-Troy Hills Municipal Building, 1001 Parsippany Boulevard, Parsippany NJ 07054 or at: staylor@parsippany.net.

PUBLIC HEARING

A public hearing regarding the Township of Parsippany-Troy Hills 2024 Annual Plan will be held on June 20, 2024, at 10:00 a.m. in the Municipal Building, Council Chambers, 1001 Parsippany Boulevard, Parsippany NJ 07054. Comments and questions will be entertained at this meeting. The location is fully accessible to persons with disabilities. If translation or sign language assistance is needed, please call Suzanne Taylor at 973-263-4377 (TDD: 7-1-1)

The Township is part of the Morris County Consortium. The plan will be submitted to the U.S. Department of Housing and Urban Development by the County before July 9, 2024.

La información será proporcionada en español a petición.

6. Market to Affordable Program

TOWNSHIP OF PARSIPPANY MARKET TO AFFORDABLE PROGRAM MANUAL

Created 10/24/2019

INTRODUCTION

This manual has been prepared to assist in the administration of a Market to Affordable (M2A) Program for rental units in the Township of Parsippany. This manual will serve as a guide to the CGP&H program staff and is available upon request for public review.

This manual describes the basic content and operation of the M2A program elements, examines program purpose and provides the guidelines for implementing the program. It has been prepared with a flexible format allowing for periodic updates of its sections, when required, due to revisions in regulations, funding allocations and/or procedures.

The manual explains the steps in the M2A program. It describes the requirements for Landlord, applicant, and tenant participation in the program. It also addresses record keeping and overall program administration. Implementation of any procedure, even if it is not specifically mentioned in these Guidelines, must always be in accordance with the federal fair housing laws and policies, including, inter alia, the Federal Fair Housing Act and other Equal Opportunities laws¹, the New Jersey Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26.1 et seq.² and the affordable housing regulations of the Township of Parsippany (hereafter referred to as the "Regulations") as found in the Township's Ordinances, Chapter 430 Article XLIX. See also Appendix B of the Administrative Agent Operating Manual for a copy of the Township's Affordable Housing Ordinance.



The Federal Fair Housing Act and Equal Opportunities laws prohibit discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.

¹ A copy may be viewed at: <http://www.hud.gov/offices/fheo/FHLaws/index.cfm>

² A copy may be viewed at: <http://www.nj.gov/dca/services/lps/hss/uhac.html>

Process

Parsippany Township, along with its Administrative Agent, CGP&H, will market the M2A program to property owners and landlords and work with owners of existing market rate rental units to reduce the rent of one or more units in a rental property or properties to an affordable level. Landlords will be offered a subsidy in exchange for deed restricting specific units in a development so that the households renting the unit(s) will be paying an affordable rent as determined under this Program for a period of at least 30 years. This will be done through a lump sum subsidy payment up front to the landlord. The arrangement for payment of the subsidy will be documented in the program's Landlord Agreement.

Subsidy Amounts & Unit Breakdown

The Township will spend \$50,000 to subsidize a moderate-income unit, \$75,000 to subsidize a low-income, and \$125,000 to subsidize a very-low income unit to write down the rent of the unit to an affordable price. Market to affordable subsidies will be used to permanently write down the cost of the unit for a minimum of 30 years and until released by the Township in accordance with UHAC.

The Township will comply with the Settlement Agreement's requirement that the M2A units comply with the UHAC requirements for income and bedroom distribution. The required distribution for the 35 units is illustrated in the table below:

Income Level	Studio/ Efficiency	1-Bedroom	2-Bedroom	3-Bedroom	Total
Very-low (30%)	2	2	1	-	5
Low (44%)	-	-	9	4	13
Moderate (60%)	1	2	11	3	17
Total	3	4	21	7	35

The current goal between 2018 and 2025 is to create at least thirty-five (35) affordable units via this program before July 1, 2025, half of which are to be completed by the end of 2022. Given the distribution of units above and the proposed subsidy costs, the program cost is budgeted to be \$2,450,000 plus program administrative costs. If additional funding is available or if other program areas are not meeting their production expectations, additional units may be considered for inclusion into this program. While typical UHAC income and bedroom distribution requirements will be observed for the above mentioned 35 units, any additional units will not be subject to UHAC income and bedroom distribution requirements.

The maximum rent for a restricted rental unit, including all utilities, shall be calculated so as not to exceed:

- 60 percent (moderate income) or
- 44 percent (low income), or
- 30 percent (very low income)

of the eligible monthly income of the appropriate household size. The Administrative Agent will work with the Landlords and provide feedback to help them in the decision-making process regarding which rents to charge for which units. The Township will attempt to be as flexible as practicable when setting the initial rents with the Landlords.

The number of bedrooms in a unit shall be a factor in the determination of whether to include a unit in the Program in order to comply with the terms of the Settlement Agreement. The Administrative Agent shall maintain a list of bedroom and income-limits that are “available” and shall inform interested parties as to what combination (i.e. 1-bedroom low, 2 bedroom moderate, etc) is available to participate in the program. If all the available units in a particular category have been exhausted, a landlord will be required to choose another category to subsidize. For example, if a landlord wanted to deed restrict a 1-bedroom moderate units, but two other units had previously been deed restricted through this program, the landlord would have to choose another bedroom & income type to continue participating in the program.

The landlord will retain ownership and oversight of the building and the affordable units and may conduct standard credit and background checks. However, affirmative marketing and maintenance of the waiting list will be completed according to UHAC by Parsippany Township’s Administrative Agent, CGP&H, in accordance with Chapter III of the Township’s Affordable Housing Operating Manual.

New affordable housing renters may also benefit from the Township’s first month’s rental assistance program whenever affordability assistance funding is appropriated for that purpose. That funding would need to be from a separate line item in the Township’s affordable housing spending plan. When available, it will help tenants more easily come up with the rent escrow, and therefore increase affordability for income eligible households.

Inspection Requirement

Landlords will be required to identify specific units to be deed restricted. Parsippany Township will perform an inspection of the unit prior to a transfer of funds and the Landlord renting it as an affordable unit to determine if any work is required to make the unit habitable and bring it up to code. If it is determined that improvements are necessary, funding for the work may come from the Township's Affordability Assistance account, if:

1. that funding is available via an affordability assistance program, and
2. if determined necessary to complete the Agreement with the Landlord. This will be determined by the Township Council on a case by case basis.

Following the initial inspection as an affordable unit, the unit will thereafter conform to the Township's regular inspection schedule if applicable and set forth in the township code.

In order to expend as few of the Township's Trust Fund dollars as possible, the objective will be to favor units that do not require rehabilitation work, or to have the Landlord address all renovation/rehabilitation requirements at their own cost prior to receiving the subsidy. While this is of no consequence to either Landlords or Tenants, it needs to be noted for the record that if affordability assistance funds are provided to assist with renovations, the unit will not be eligible for a rehabilitation credit in addition to the new construction credit. Once code related issues are addressed, and/or optional renovations are completed, the unit will be made available to an income-eligible applicant and rented pursuant to UHAC regulations and the Parsippany Township Affordable Housing Operating Manual.

Rental Restrictions

Once the owner agrees to deed restrict the designated units as affordable housing, a 30-year deed restriction in the form of Appendix E in UHAC will be recorded, specifying each applicable unit. The deed restriction will specifically identify the unit addresses that are restricted. The deed restriction will clearly state that the unit(s) will be administered by Parsippany-Troy Hills Township and/or its designated township-wide Administrative Agent. Identification and placement of an income-eligible household in the unit will conform to UHAC regulations and the Parsippany Township Affordable Housing Operating Manual for Rental Units.

Administration

The Township of Parsippany's Affordable Rental Program will be administered by Parsippany Township and its designated township-wide Administrative Agent. Once units are deed restricted as affordable units, all aspects of administering these units including marketing for both initial rent-up and all subsequent activities will follow the policies and procedures laid out in the Township's Administrative Agent Operating Manual, to which this document is appended to, as Appendix C.

Interested landlords should contact Dan Levin, Project Coordinator, at CGP&H at dlevin@cgph.net, or via his direct line at 609-642-4857.

7. Affordable Housing and Development Fee Ordinance

ARTICLE LX
Affordable Housing
[Added 10-1-2019 by Ord. No. 2019:60]

§ 430-415. Purpose.

- A. This article is intended to assure that very-low-, low- and moderate-income units (affordable units) are created with controls on affordability and that very-low-, low- and moderate-income households shall occupy these units. This article shall apply except where inconsistent with applicable law.
- B. The Township of Parsippany-Troy Hills Planning Board has adopted a Housing Plan Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan has been adopted by the Planning Board and endorsed by the governing body. The Fair Share Plan describes how the Township of Parsippany-Troy Hills shall address its fair share for very-low-, low- and moderate-income housing as documented in the Housing Element and outlined in the terms of the settlement agreement between the Township of Parsippany-Troy Hills and Fair Share Housing Center (FSHC).
- C. This article implements the Township's Fair Share Plan and addresses the requirements of the Court and the terms of the settlement agreement.
- D. The Township of Parsippany-Troy Hills shall track the status of the implementation of the Housing Element and Fair Share Plan. Any plan evaluation report of the Housing Element and Fair Share Plan shall be available to the public at the Township's Municipal Building.

§ 430-416. Definitions.

The following terms when used in this article shall have the meanings given in this section:

ACT — The Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.).

ADAPTABLE — Constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

ADMINISTRATIVE AGENT — The entity designated by the Township to administer affordable units in accordance with this article, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

AFFIRMATIVE MARKETING — A regional marketing strategy designed to attract buyers and/ or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

AFFORDABILITY AVERAGE — The average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

AFFORDABLE — A sales price or rent level that is within the means of a very-low-, low- or moderate-income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

AFFORDABLE HOUSING DEVELOPMENT — A development included in or approved

pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Township's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable housing development.

AFFORDABLE HOUSING PROGRAM(S) — Any mechanism in a municipal Fair Share Plan prepared or implemented to address a Township's fair share obligation.

AFFORDABLE UNIT — A housing unit proposed or created pursuant to the Act, credited pursuant to applicable COAH regulations, the FSHC settlement agreement, or an order of the Superior Court.

AGE-RESTRICTED UNIT — A housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population where the head of household is a minimum age of either 62 years, or 55 years and meets the provisions of the 42 U.S.C. § 3601 et seq., except that due to death, a remaining spouse of less than 55 years of age shall be permitted to continue to reside.

AGENCY — The New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

ALTERNATIVE LIVING ARRANGEMENT — A structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

ASSISTED LIVING RESIDENCE — A facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

CERTIFIED HOUSEHOLD — A household that has been certified by an administrative agent as a very-low-income household, low-income household or moderate-income household.

COAH — The New Jersey Council on Affordable Housing and/or its successors and assigned pursuant to applicable laws.

DCA — The State of New Jersey Department of Community Affairs.

DEFICIENT HOUSING UNIT — A housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

DEVELOPER — Any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT — The division of a parcel of land into two or more parcels, the construction,

reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1, et seq.

INCLUSIONARY DEVELOPMENT — A development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a nonresidential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

LOW-INCOME HOUSEHOLD — A household with a total gross annual household income equal to 50% or less of the median household income.

LOW-INCOME UNIT — A restricted unit that is affordable to a low-income household.

MAJOR SYSTEM — The primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load-bearing structural systems.

MARKET-RATE UNITS — Housing not restricted to very-low-, low-, or moderate-income households that may sell or rent at any price.

MEDIAN-INCOME — The median income by household size for the applicable housing region, as updated annually by COAH or through a court-approved process.

MODERATE-INCOME HOUSEHOLD — A household with a total gross annual household income in excess of 50% but less than 80% of the median household income.

MODERATE-INCOME UNIT — A restricted unit that is affordable to a moderate-income household.

MULTIFAMILY UNIT — A structure containing five or more dwelling units.

MUNICIPAL HOUSING LIAISON — The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for the Township of Parsippany-Troy Hills.

NONEXEMPT SALE — Any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary and the transfer of ownership by court order.

RANDOM SELECTION PROCESS — A process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

REGIONAL ASSET LIMIT — The maximum housing value in each housing region affordable to a four-person household with an income at 80% of the regional median as defined by duly adopted regional income limits published annually by COAH, a successor entity, or established by the Court.

REHABILITATION — The repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

RENT — The gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

RESTRICTED UNIT — A dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented.

UHAC — The Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26, et seq.

VERY-LOW-INCOME HOUSEHOLD — A household with a total gross annual household income equal to 30% or less of the median household income for the applicable housing region.

VERY-LOW-INCOME UNIT — A restricted unit that is affordable to a very-low-income household.

WEATHERIZATION — Building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

§ 430-417. Applicability.

- A. The provisions of this article shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Township of Parsippany-Troy Hills pursuant to the Township's most recently adopted Housing Element and Fair Share Plan.
- B. In addition, any property in the Township of Parsippany-Troy Hills that is currently zoned for nonresidential uses and that is subsequently rezoned for residential purposes or receives a zoning change or a use variance to permit residential development, or receives a zoning change or a density variance to permit higher density residential development, and provided such residential development provides a sufficient compensatory benefit in terms of the density of development permitted, shall provide an affordable housing set-aside as set forth in Section 35-606-1.5. The determination of a sufficient compensatory benefit shall be made by the reviewing authority based upon prevailing legislation and/or case law.
- C. The following sections shall apply to all developments that contain affordable housing units, as defined herein, including any currently unanticipated future developments that will provide affordable housing units.

§ 430-418. Alternative living arrangements.

- A. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:
 - (1) Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;

- (2) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
- B. With the exception of units established with capital funding through a twenty-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least thirty-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.
- C. The service provider for the alternative living arrangement shall act as the administrative agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

§ 430-419. Phasing schedule for inclusionary zoning.

In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Very-low, Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100
100	—

§ 430-420. New construction.

- A. Very-low, low and moderate split and bedroom distribution of affordable housing units:
 - (1) The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit. At least 13% of all restricted rental units shall be very-low-income units (affordable to a household earning 30% or less of median income). The very-low-income units shall be counted as part of the required number of low-income units within the development. At least 25% of the obligation shall be met through rental units, including at least half in rental units available to families. A maximum of 25% may be age restricted. At least half of the units in total shall be available to families.
 - (2) In each affordable development, at least 50% of the restricted units within each bedroom distribution shall be low-income units.
 - (3) Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - (a) The combined number of efficiency and one-bedroom units shall be no greater than 20% of the total affordable units;

- (b) At least 30% of all affordable units shall be two-bedroom units;
 - (c) At least 20% of all affordable units shall be three-bedroom units; and
 - (d) The remaining units may be allocated among two- and three-bedroom units at the discretion of the developer.
- (4) Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted very-low-, low- and moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

B. Accessibility requirements:

- (1) The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7)
- (2) All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - (a) An adaptable toilet and bathing facility on the first floor; and
 - (b) An adaptable kitchen on the first floor; and
 - (c) An interior accessible route of travel on the first floor; and
 - (d) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - (e) If not all of the foregoing requirements in Subsection B(2)(a) through (d) can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of Subsection B(2)(a) through (d) above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and
 - (f) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7, or evidence that Parsippany-Troy Hills has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:
 - [1] Where a unit has been constructed with an adaptable entrance, upon the request of a person with disabilities who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - [2] To this end, the builder of restricted units shall deposit funds within the Township of Parsippany-Troy Hills's Affordable Housing Trust Fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
 - [3] The funds deposited under Subsection B(2)(f) above shall be used by the

Township of Parsippany-Troy Hills for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.

[4] The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Township of Parsippany-Troy Hills for the conversion of adaptable to accessible entrances.

[5] Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free SubCode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township's Affordable Housing Trust Fund in care of the Township Chief Financial Officer who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.

(g) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7.

C. Design:

- (1) In inclusionary developments, very-low-, low- and moderate-income units (also to be called affordable units) shall be integrated with the market units to the extent possible.
- (2) In inclusionary developments, affordable units shall have access to all of the same common elements and facilities as the market units.

D. Maximum rents and sales prices:

- (1) In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC, utilizing the most recently published regional weighted average of the uncapped Section 8 income limits published by HUD.
- (2) The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60% of median income, and the average rent for restricted rental units shall be affordable to households earning no more than 52% of median income.
- (3) The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for very-low-, low-income and moderate-income units, provided that at least 13% of all low- and moderate-income rental units shall be affordable to very-low-income households, earning 30% or less of the regional median household income.
- (4) The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70% of median

income, and each affordable development must achieve an affordability average of 55% for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.

- (5) In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
 - (a) A studio shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one-and-one-half-person household;
 - (c) A two-bedroom unit shall be affordable to a three-person household;
 - (d) A three-bedroom unit shall be affordable to a four-and-one-half-person household;
and
 - (e) A four-bedroom unit shall be affordable to a six-person household.
- (6) In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
 - (a) A studio shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one-and-one-half-person household;
and
 - (c) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
- (7) The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95% of the purchase price and the FreddieMac thirty-year fixed-rate mortgage rate (formerly Federal Reserve H.15), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28% of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- (8) The initial rent for a restricted rental unit shall be calculated so as not to exceed 30% of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- (9) Income limits for all units that are part of the Township's Housing Element and Fair Share Plan, and for which income limits are not already established through a federal

program exempted from the UHAC pursuant to N.J.A.C. 5:80-26.1, shall be updated by the Township annually within 60 days of the publication of determinations of median income by HUD as follows:

- (a) Regional income limits shall be established for Region 2 based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial census in the Township's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80% of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50% of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very-low-income unit for a household of four shall be 30% of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

(10) The income limits are the result of applying the percentages set forth in Subsection D(9)(a) above to HUD's determination of median income for the current fiscal year and shall be utilized by the Township until the Township updates the income limits after HUD has published revised determinations of median income for the next fiscal year.

(11) The regional asset limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3 shall be calculated by the Township annually by taking the percentage increase of the income limits calculated pursuant to Subsection D(9)(a) above over the previous year's income limits and applying the same percentage increase to the regional asset limit from the prior year. In no event shall the regional asset limit be less than that for the previous year.

E. Affordable housing set-asides.

- (1) Refer to § 430-436.
- (2) No development that has an affordable housing set-aside obligation may fulfill that obligation by utilizing the Township's Market-to- Affordable or Accessory Apartment Program unless otherwise provided by ordinance, redevelopment or development agreement.
- (3) Payments in lieu and off-site provision of affordable housing shall be subject to Council approval.

§ 430-421. Minimum floor area requirements for very-low-, low- and moderate-income

housing units.

The minimum floor area requirements for very-low-, low- and moderate- income housing units shall comply with minimum applicable building code requirements.

§ 430-422. Utilities.

- A. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.
- B. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

§ 430-423. Occupancy standards.

- A. In referring certified households to specific restricted units, the administrative agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:
 - (1) Provide an occupant for each bedroom;
 - (2) Provide children of different sexes with separate bedrooms;
 - (3) Provide separate bedrooms for parents and children; and
 - (4) Prevent more than two persons from occupying a single bedroom.

§ 430-424. Control periods for restricted ownership units and enforcement mechanisms.

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this article for a period of at least 30 years, until the Township of Parsippany-Troy Hills takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- C. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- D. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the administrative agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay the Township, upon the first nonexempt sale after the unit's release from the restrictions set forth in this article, an amount equal to the difference between the unit's nonrestricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

- E. The affordability controls set forth in this section shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- F. A restricted ownership unit shall be required to obtain a continuing certificate of occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

§ 430-425. Price restrictions for restricted ownership units, homeowner association fees and resale prices.

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- A. The initial purchase price for a restricted ownership unit shall be approved by the administrative agent.
- B. The administrative agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- C. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by very-low-, low- and moderate-income purchasers and those paid by market purchasers.
- D. The owners of restricted ownership units may apply to the administrative agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See § 430-358.

§ 430-426. Buyer income eligibility.

- A. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low- income ownership units shall be reserved for households with a gross household income less than or equal to 50% of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80% of median income. In addition, in accordance with the A500 ACS amendment to the Act, very-low-income ownership units shall be reserved for households with a gross household income less than or equal to 30% of median income,
- B. Notwithstanding the foregoing, however, the administrative agent may, upon approval by the Township Council, and subject to the Court's approval, permit moderate-income purchasers to buy low-income units in housing markets if the administrative agent determines that there are an insufficient number of eligible low-income purchasers to permit prompt occupancy of the units. All such low- income units to be sold to moderate-income households shall retain the required pricing and pricing restrictions for low-income units.
- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the administrative agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified

household for a period not to exceed one year.

- D. The administrative agent shall certify a household as eligible for a restricted ownership unit when the household is a very-low-income, low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33% of the household's eligible monthly income.

§ 430-427. Limitations on indebtedness secured by ownership unit; subordination.

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the administrative agent for a determination in writing that the proposed indebtedness complies with the provisions of this section, and the administrative agent shall issue such determination prior to the owner incurring such indebtedness.
- B. With the exception of first purchase money mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of the unit, as such price is determined by the administrative agent in accordance with N.J.A.C. 5:80-26.6(b).

§ 430-428. Capital improvements to ownership units.

- A. The owners of restricted ownership units may apply to the administrative agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that adds an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the administrative agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to ten-year, straight-line depreciation, has been approved by the administrative agent. Unless otherwise approved by the administrative agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

§ 430-429. Control period for restricted rental units.

- A. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this article for a period of at least 30 years, until Parsippany-Troy Hills takes

action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.

- B. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Morris. The deed shall also identify each affordable unit by apartment number and/or address and whether that unit is designated as a very-low-, low- or moderate-income unit. Neither the unit nor its affordability designation shall change throughout the term of the deed restriction. A copy of the filed document shall be provided to the administrative agent within 30 days of the receipt of a certificate of occupancy.
- C. A restricted rental unit shall remain subject to the affordability controls of this section despite the occurrence of any of the following events:
 - (1) Sublease or assignment of the lease of the unit;
 - (2) Sale or other voluntary transfer of the ownership of the unit; or
 - (3) The entry and enforcement of any judgment of foreclosure on the property containing the unit.

§ 430-430. Rent restrictions for rental units; leases.

- A. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the administrative agent.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the administrative agent.
- C. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit and shall be payable to the developer and/or landlord or to the administrative agent, to be applied only to the costs of administering the controls applicable to the unit as set forth in this article.
- D. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least 15% of the total number of dwelling units are restricted rental units in compliance with this article.

§ 430-431. Tenant income eligibility.

- A. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
 - (1) Very-low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of median income by household size.
 - (2) Low-income rental units shall be reserved for households with a gross household

income less than or equal to 50% of median income by household size.

- (3) Moderate-income rental units shall be reserved for households with a gross household income less than 80% of median income by household size.
- B. The administrative agent shall certify a household as eligible for a restricted rental unit when the household is a very-low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
- (1) The household currently pays more 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - (2) The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - (3) The household is currently in substandard or overcrowded living conditions;
 - (4) The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - (5) The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the administrative agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of the circumstances in Subsection B(1) through (5) above with the administrative agent, who shall counsel the household on budgeting.

§ 430-432. Administrative agent.

The administrative agent may be an independent entity serving under contract to and reporting to the Township. For new sale and rental developments, all of the fees of the administrative agent shall be paid by the owners of the affordable units for which the services of the administrative agent are required. For resales, single-family homeowners and condominium homeowners shall be required to pay 3% of the sales price for services provided by the administrative agent related to the resale of their homes. That fee shall be collected at closing and paid directly to the administrative agent. The administrative agent shall perform the duties and responsibilities of an administrative agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which include:

A. Affirmative marketing:

- (1) Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Parsippany-Troy Hills and the provisions of N.J.A.C. 5:80-26.15; and

- (2) Providing counseling or contracting to provide counseling services to very-low-, low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

B. Household certification:

- (1) Soliciting, scheduling, conducting and following up on interviews with interested households;
- (2) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a very-low-, low- or moderate-income units;
- (3) Providing written notification to each applicant as to the determination of eligibility or noneligibility;
- (4) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
- (5) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;
- (6) Employing a random selection process as provided in the Affirmative Marketing Plan of the Township of Parsippany-Troy Hills when referring households for certification to affordable units; and
- (7) Notifying the following entities of the availability of affordable housing units in the Township of Parsippany-Troy Hills: FSHC; the New Jersey State Conference of the NAACP; the Latino Action Network; the Morris County, Newark, and East Orange chapters of the NAACP; Housing Partnership for Morris County; Community Access Unlimited Inc.; NORWESCAP; Homeless Solutions of Morristown; and the Supportive Housing Association.

C. Affordability controls:

- (1) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- (2) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- (3) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Morris County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit;
- (4) Communicating with lenders regarding foreclosures; and
- (5) Ensuring the issuance of continuing certificates of occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

D. Resales and rentals:

- (1) Instituting and maintaining an effective means of communicating information between owners and the administrative agent regarding the availability of restricted units for resale or rental; and
- (2) Instituting and maintaining an effective means of communicating information to very-low-, low- and moderate-income households regarding the availability of restricted units for resale or rental.

E. Processing requests from unit owners:

- (1) Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this section;
- (2) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;
- (3) Notifying the Township of an owner's intent to sell a restricted unit; and
- (4) Making determinations on requests by owners of restricted units for hardship waivers.

F. Enforcement:

- (1) Securing annually from the Township a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
- (2) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent;
- (3) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent or other charges can be made;
- (4) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
- (5) Establishing a program for diverting unlawful rent payments to the Township's Affordable Housing Trust Fund; and
- (6) Creating and publishing a written operating manual for each affordable housing program administered by the administrative agent, to be approved by the Township Council and the Court, setting forth procedures for administering the affordability controls.

G. Additional responsibilities:

- (1) The administrative agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
- (2) The administrative agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet any monitoring requirements and deadlines imposed by the Court.
- (3) The administrative agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

§ 430-433. Affirmative marketing requirements.

- A. The Township of Parsippany-Troy Hills shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs marketing activities toward Housing Region 2 and is required to be followed throughout the period of restriction.
- C. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 2, comprised of Essex, Morris, Union and Warren Counties.
- D. The Township has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and re-rentals. The administrative agent designated by the Township of Parsippany-Troy Hills shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.
- E. In implementing the Affirmative Marketing Plan, the administrative agent shall provide a list of counseling services to very-low, low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- F. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the administrative agent shall consider the use of language translations where appropriate.
- G. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
- H. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county

within the housing region; the municipal administration building and the municipal library in the Township in which the units are located; and the developer's rental office. Preapplications shall be emailed or mailed to prospective applicants upon request.

- I. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

§ 430-434. Enforcement of affordable housing regulations.

- A. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant, the Township shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an owner, developer or tenant of a very-low-, low- or moderate-income unit and advising the owner, developer or tenant of the penalties for such violations, the Township may take the following action(s) against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
 - (1) The Township may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the owner, developer or tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - (a) A fine of not more than \$2,500 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;
 - (b) In the case of an owner who has rented a very-low-, low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Township of Parsippany-Troy Hills Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - (c) In the case of an owner who has rented a very-low-, low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
 - (2) The Township may file a court action in the Superior Court seeking a judgment that would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the very-low-, low- or moderate-income unit.
 - (a) The judgment shall be enforceable, at the option of the Township, by means of an execution sale by the Sheriff, at which time the very-low-, low- and moderate-

income unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the Township, including attorney's fees. The violating owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.

- (b) The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien and any prior liens upon the very-low-, low- and moderate-income unit. The excess, if any, shall be applied to reimburse the Township for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the Township in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the Township in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the Township for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the Township for such. Failure of the owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the Township. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the Township, whether such balance shall be paid to the owner or forfeited to the Township.
- (c) Foreclosure by the Township due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the very-low-, low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- (d) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the Township may acquire title to the very-low-, low- and moderate-income unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the very-low-, low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- (e) Failure of the very-low-, low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the Township shall obligate the owner to accept an offer to purchase from any qualified purchaser which may be referred to the owner by the Township, with such offer to purchase being equal to the maximum resale

price of the very-low-, low- and moderate-income unit as permitted by the regulations governing affordable housing units.

- (f) The owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.

§ 430-435. Appeals.

Appeals from all decisions of an administrative agent appointed pursuant to this article shall be filed in writing with the Court.

ARTICLE XIV
Development Fees

[Added 6-29-1993 by Ord. No. 93:24; amended 10-18-2005 by Ord. No. 2005:27; 11-25-2008 by Ord. No. 2008:35; 12-16-2008 by Ord. No. 2008:41; 10-1-2019 by Ord. No. 2019:59]

§ 225-84. Purpose.

- A. In *Holmdel Builder's Ass'n v. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH) adoption of rules.
- B. Pursuant to P.L. 2008, c. 46 section 8 (N.J.S.A. 52:27D-329.2) and the Statewide Nonresidential Development Fee Act (N.J.S.A. 40:55D-8.1 through 40:55D-8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH approved spending plan may retain fees collected from nonresidential development.
- C. This section establishes standards for the collection, maintenance and expenditure of development fees pursuant to COAH's rules and in accordance P.L. 2008, c. 46, Sections 8 and 32 through 38. Fees collected pursuant to this article shall be used for the sole purpose of providing very low, low and moderate income housing. This article shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

§ 225-85. Basic requirements.

- A. This section shall not be effective until approved by the Court, COAH, or a successor agency.
- B. The Township of Parsippany-Troy Hills shall not spend development fees until the Court, COAH, or a successor agency has approved a plan for spending such fees (spending plan).

§ 225-86. Definitions.

The following terms, as used in this section, shall have the following meanings:

AFFORDABLE HOUSING DEVELOPMENT — A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable development.

COAH or THE COUNCIL — The New Jersey Council on Affordable Housing and/or its successors and assigned pursuant to applicable laws.

DEVELOPER — The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT FEE — Money paid by a developer for the improvement of property as permitted by applicable COAH regulations.

EQUALIZED ASSESSED VALUE — The assessed value of a property divided by the current average ratio of assessed to true value for the Township in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c. 123 (N.J.S.A. 54:135a through N.J.S.A. 54:1-35c).

GREEN BUILDING STRATEGIES — Those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

§ 225-87. Residential development fees.

A. Imposition of fees.

- (1) Within the Township of Parsippany-Troy Hills, all residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
- (2) When an increase in residential density pursuant to a "d" variance is granted under N.J.S.A. 40:55D-70d(5) (known as a "d" variance), developers shall be required to pay a "bonus" development fee of 6% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding filing of the "d" variance application. Example: If an approval allows four units to be constructed on a site that was zoned for two units, the development fees will equal 1 1/2% of the equalized assessed value on the first two units; and 6% of the equalized assessed value for the two non-age-restricted additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.
 - (a) Eligible exactions, ineligible exactions and exemptions for residential development.
 - [1] Affordable housing developments and developments where the developer is providing for the construction of affordable units elsewhere in the Township, if permitted by ordinance or by agreement with the Township of Parsippany-Troy Hills, shall be exempt from development fees.
 - [2] Developments that have received preliminary or final site plan approval prior to the adoption of the first development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval is not applicable, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final

site plan approval for the purpose of determining the right to exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that building permit is issued.

- [3] In addition to the construction of new principal and/or accessory buildings, development fees shall be imposed and collected when an existing structure is demolished and replaced, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the new structure. Furthermore:
- [a] No development fee shall be collected for a demolition and replacement of a residential building resulting from a natural disaster.
- [b] No development fee shall be collected for the construction of an "accessory structure" which is not a "building" as these terms are defined in the Parsippany-Troy Hills Township "Land Use Regulations" Ordinance.
- [4] Nonprofit organizations which have received tax-exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code, providing current evidence of that status is submitted to the Municipal Clerk, together with a certification that services of the organization are provided at reduced rates to those who establish an inability to pay existing charges, shall be exempted from paying a development fee.
- [5] Federal, state, county, and local governments shall be exempted from paying a development fee.

§ 225-88. Nonresidential development fees.

A. Imposition of fees.

- (1) Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted below, shall pay a fee equal to 2.5% of the increase in equalized assessed value of the land and improvements, for all new nonresidential construction on an unimproved lot or lots.
- (2) Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.
- (3) Eligible exactions, ineligible exactions and exemptions for nonresidential development:
 - (a) The nonresidential portion of a mixed-use inclusionary or market rate development shall be subject to the 2.5% development fee, unless otherwise exempted below.
 - (b) The 2.5% fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

- (c) Nonresidential projects that have received a certificate of occupancy or general development plan approval or have entered into a developer's agreement or a redevelopment agreement, all prior to July 17, 2008 (the effective date of P.L. 2008, c. 46), shall be exempt from the payment of nonresidential development fees, provided that an affordable housing fee of at least 1% of the equalized assessed value of the improvements is included in the development plan, developer's agreement or redevelopment agreement.
- (d) Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
- (e) A developer of a nonresidential development exempted from the nonresidential Township development fee shall be subject to the fee at such time the basis for the exemption no longer applies and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the nonresidential development, whichever is later.
- (f) If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by Parsippany-Troy Hills Township as a lien against the real property of the owner.

§ 225-89. Collection procedures.

- A. The Township of Parsippany-Troy Hills shall collect development fees for affordable housing in accordance with the following:
 - (1) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the Township Construction Code Official responsible for the issuance of a building permit of the applicable approval.
 - (2) For nonresidential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption," to be completed by the developer as per the instructions provided. The Township Construction Official shall verify the information submitted by the nonresidential developer as per the instructions provided in the Form N-RDF. The Township Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
 - (3) The Township Construction Official responsible for the issuance of a building permit shall notify the Township Tax Assessor of the issuance of the first building permit for a development that is subject to a development fee.

- (4) Within 90 days of receipt of that notice, the Township Tax Assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- (5) The Construction Official responsible for the issuance of a final certificate of occupancy shall notify the Township Tax Assessor of any and all requests for the scheduling of a final inspection on a property that is subject to a development fee.
- (6) Within 10 business days of a request for the scheduling of a final inspection, the Township Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- (7) Should the Township fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b of Section 37 of P.L. 2008, c. 46 (N.J.S.A. 40:55D-8.6).
- (8) Fifty percent of the initially calculated development fee shall be collected at the time of the issuance of the building permit. The remaining portion shall be tendered to Parsippany-Troy Hills Township at the time of the issuance of a certificate of occupancy. The developer shall be responsible for paying any difference between the fee calculated at the issuance of the building permit and the fee determined at issuance of certificate of occupancy.
- (9) Upon tender of the remaining development fee, provided the developer is in full compliance with all other applicable laws and regulations, the Township shall issue a final certificate of occupancy for the subject property.
- (10) Regardless of the time of collection of the development fee, the fee shall be based upon the percentage that applies on the date that the construction permit is issued.
- (11) The Construction Code Official shall forward all collected development fees to Parsippany-Troy Hills Township's Chief Financial Officer who shall deposit such fees into the established Housing Trust Fund.

§ 225-90. Appeal of development fees.

- A. A developer may challenge residential development fees imposed due to a disagreement as to the equalized assessed value of the property by filing a challenge with the County Board of Taxation. Such a challenge must be made within 45 days from the issuance of the certificate of occupancy. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Parsippany-Troy Hills Township. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party. Other challenges to the imposition of a residential development fee must be brought in the Superior Court as a prerogative writ challenge.
- B. A developer may challenge nonresidential development fees imposed by filing a challenge

with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Parsippany-Troy Hills Township. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§ 225-91. Affordable Housing Trust Fund.

- A. All collected development fees and any proceeds from the sale of units with extinguished controls shall be deposited by the Chief Financial Officer of the Township of Parsippany-Troy Hills into a separate designated interest-bearing Housing Trust Fund, which shall be maintained by the Township Chief Financial Officer.
- B. The following additional funds shall be deposited in the Housing Trust Fund and shall at all times be identifiable by source and amount:
 - (1) Recapture funds;
 - (2) Proceeds from the sale of affordable units;
 - (3) Rental income from municipally operated units;
 - (4) Affordable housing enforcement fines and application fees;
 - (5) Developer contributed funds for barrier free affordable housing pursuant to N.J.A.C. 5:97-8.5;
 - (6) Repayments from affordable housing program loans; and
 - (7) Any other funds collected in connection with the Township's affordable housing program.
- C. Interest accrued in the Affordable Housing Trust Fund shall only be used on eligible affordable housing activities approved by the Court.

§ 225-92. Use of funds.

- A. The expenditure of all funds shall conform to a spending plan approved by the Court, COAH, or its successor agency. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by the Court to address the Township's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to:
 - (1) A housing rehabilitation program;
 - (2) New construction of affordable housing units and related costs; in the case of inclusionary developments, eligible costs shall be prorated based on the proportion of affordable housing units included in the development;

- (3) Accessory apartment, market to affordable, or regional affordable housing partnership programs;
 - (4) Financial assistance designed to increase affordability;
 - (5) Conversion of existing nonresidential buildings to create new affordable units;
 - (6) Purchase of and/or improvement of land to be used for affordable housing;
 - (7) Purchase of existing market rate or affordable housing for the purpose of maintaining or implementing affordability controls;
 - (8) Extensions or improvements of roads and infrastructure directly serving affordable housing sites; in the case of inclusionary developments, costs shall be prorated based on the proportion of affordable housing units included in the development;
 - (9) Green building strategies designed to be cost-saving and in accordance with accepted national or state standards;
 - (10) Administration necessary for implementation of the Housing Plan Element and Fair Share Plan, or any other activity as specified in the approved spending plan and as permitted by the Court and specified in the approved spending plan.
- B. Funds shall not be expended to reimburse the Township of Parsippany-Troy Hills for past housing activities.
- C. At least 30% of all development fees collected and interest earned shall be used to provide affordability assistance to very-low-, low- and moderate-income households in affordable units included in the Housing Element and Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of median income for Housing Region 2, in which Parsippany-Troy Hills is located.
- (1) Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner's association or condominium fees and special assessments, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the spending plan.
 - (2) Affordability assistance to households earning 30% or less of median income may include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income. The specific programs to be used for very-low-income affordability assistance shall be identified and described within the spending plan.
 - (3) Payments in lieu of constructing affordable units on site, if permitted by ordinance or by agreement with the Township of Parsippany-Troy Hills, and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- D. The Township of Parsippany-Troy Hills may contract with a private or public entity to

administer any part of its Housing Plan Element and Fair Share Plan, including the requirement for affordability assistance.

- E. No more than 20% of development fee revenues collected in any given year from the development fees may be expended on administration, including, but not limited to, the salaries and benefits for Parsippany-Troy Hills Township employees or consultant fees necessary to develop or implement a new affordable housing program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program.
- (1) In the case of a rehabilitation program, the administrative costs of the rehabilitation program shall be included as part of the 20% of the collected development fees that may be expended on administration.
 - (2) Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH and or its successor agency, and/or Court monitoring requirements. All other housing rehabilitation costs are considered programmatic and not administrative. Legal or other fees related to litigation opposing affordable housing sites or related to securing or appealing a judgment from the Court are not eligible uses of the Affordable Housing Trust Fund.

§ 225-92.1. Monitoring.

The Parsippany-Troy Hills Township municipal housing liaison shall provide annual reporting of Affordable Housing Trust Fund activity to the State of New Jersey, Department of Community Affairs, Council on Affordable Housing or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and nonresidential developers, payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the Township), funds from the sale of units with extinguished controls, barrier free escrow funds, repayments from affordable housing program loans, and any other funds collected in connection with the Township's housing program, as well as an accounting of the expenditures of the revenues and implementation of the spending plan approved by the Court.

§ 225-92.2. Ongoing collection of development fees.

The ability for the Township of Parsippany-Troy Hills to impose, collect and, expend development fees shall expire with its substantive certification unless Parsippany-Troy Hills Township has filed an adopted Housing Element and Fair Share Plan with the Court, COAH or its successor agency, has petitioned for substantive certification, and has received the Court's or COAH's approval of its development fee ordinance. If the Township of Parsippany-Troy Hills fails to renew its ability to impose and collect development fees prior to the date of expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey

Affordable Housing Trust Fund" established pursuant to section 20 of P.L. 1985, c. 222 (N.J.S.A. 52:27D-320). The Township of Parsippany-Troy Hills shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification, or judgment of compliance.

8. Affirmative Marketing Plan

TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY

RESOLUTION

**R2019 -188: RESOLUTION OF THE TOWNSHIP COUNCIL ADOPTING AN
AFFIRMATIVE MARKETING PLAN**

WHEREAS, in accordance with applicable Council on Affordable Housing (“COAH”) regulations and the New Jersey Uniform Housing Affordability Controls (“UHAC”) N.J.A.C. 5:80-26, et seq., the Township of Parsippany-Troy Hills is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by rehabilitation are affirmatively marketed to very low, low and moderate income households, particularly those living and/or working within Housing Region 2, the Housing Region encompassing the Township of Parsippany-Troy Hills;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. All affordable housing units in the Township of Parsippany-Troy Hills shall be marketed in accordance with the provisions herein unless otherwise provided in N.J.A.C. 5:93-1, et seq. This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low, low or moderate-income units, including those that are part of the Township’s prior round obligation and its current Fair Share Plan, and those that may be constructed in future developments not yet anticipated by the Fair Share Plan.
- B. The Affirmative Marketing Plan shall be implemented by an Administrative Agent designated by and/or under contract with the Township of Parsippany-Troy Hills. All the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of the affordable unit(s).
- C. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Township, shall undertake all the following strategies:
 - 1. Review, approve and ensure that the developers/sellers/owners publish at least one advertisement in a newspaper of general circulation within the housing region.
 - 2. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region.
 - 3. At least one additional regional marketing strategy using one of the other sources listed below at Sec. E of this plan.
- D. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability,

age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 2 in which the Township is located and covers the entire period of deed restriction for each restricted housing unit.

E. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:

1. All newspaper articles, announcements and requests for applications for very low, low, and moderate-income units shall appear in the Star Ledger and Morristown Daily Record.

The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspaper during the first week of the marketing program and subsequently utilizing internet advertisements each month thereafter until all available units have been leased. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Administrative Agent. All press releases and advertisements must be approved in advance by the Township's Administrative Agent.

Advertisements will also be placed on the following websites:

Parsippany-Troy Hills Township - <http://www.parsippany.net>

New Jersey Housing Resource Center (NJHRC) - <http://www.njhrc.gov>

CGP&H - AffordableHomesNewJersey.com

1. The advertisement shall include a description of the:
 - i. Street address(es) of the units;
 - ii. Directions to the units;
 - iii. Range of prices for the units;
 - iv. Number of bedrooms in the affordable units (bedroom mix);
 - v. Maximum income permitted to qualify for the units;
 - vi. Location of applications;
 - vii. Business hours when interested households may obtain an application;
 - viii. Application fees, if any;
 - ix. Number of units currently available; and
 - x. Anticipated dates of availability.
2. Newspaper advertisements, announcements and information on where to request applications for very low, low, and moderate-income housing shall appear in at least one locally oriented weekly newspaper within the region.
3. Advertisements will be broadcast on at least one regional cable television or radio station.

4. Applications shall be mailed or emailed by the Administrative Agent to the prospective applications upon request. However, when on-line preliminary applications are utilized, if prospective applicants do not have internet access they will be given a phone number to call the Administrative Agent, who will then enter all pre-application information online during the phone call. Locations of applications, brochures, and flyers to affirmatively market the program are listed in attached Appendix II, and will also be made available on the Township's website. Also, information on how to apply shall be made available at the developer's sales/rental office and shall be mailed or emailed to prospective applicants upon request.
5. The Administrative Agent shall develop, maintain and regularly update a list of community contact person(s) and/or organizations(s) in Morris, Essex, Union, and Warren Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers. Please see Appendix I for a complete list.
 - i. Quarterly information shall be sent to each of the following agencies with a request for publication in their journals and for circulation among their members:
 - North Central Jersey Association of Realtors
 - West Essex Board of Realtors
 - Warren County Board of Realtors
 - ii. Quarterly information shall be sent to the administrators of each of the following agencies in each of the counties and requests to post same shall be sent to the administrators of each of the following agencies within the counties of Morris, Essex, Union, and Warren:
 - Welfare or Social Service Board
 - Rental Assistance Office (local office of DCA)
 - Offices on Aging or Division of Senior Services
 - Housing Authority
 - Community Action Agencies
 - Community Development Departments
 - iii. Quarterly information shall be sent to the chief personnel administrators of all the major employers within the region as listed in attached Appendix I in accordance with the Region 2 Affirmative Marketing Plan.

- iv. Quarterly information and copies of any press releases and advertisements of the availability of very low, low and moderate-income housing shall be sent to the following additional community and regional organizations:

Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002)
New Jersey State Conference of the NAACP (4326 Harbor Beach Blvd. #775, Brigantine, NJ 08203)
The Latino Action Network (P.O. Box 943, Freehold, NJ 07728)
Morris County Chapter of the NAACP (P.O. Box 2256, Morristown, NJ, 07960)
Newark Chapter of the NAACP (P.O. Box 1262, Newark, NJ, 07102)
East Orange Chapter of the NAACP (P.O. Box 1127, East Orange, NJ, 07017)
Housing Partnership for Morris County (2 East Blackwell St., Suite 12, Dover, NJ, 07801)
Community Access Unlimited, Inc. (80 West Grand St., Elizabeth, NJ, 07202)
Northwest New Jersey Community Action Program (NORWESCAP) (350 Marshall St., Phillipsburg, NJ, 08865)
Homeless Solutions of Morristown (540 W. Hanover Ave., Morristown, NJ, 07960)
Supportive Housing Association (185 Valley St., South Orange, NJ, 07079)

- v. The Administrative Agent will also provide specific direct notice to the following community and regional organizations whenever affordable housing units become available in the Township to the organizations including, but not limited to those listed below (see Appendix I for full list):

Fair Share Housing Center (510 Park Boulevard, Cherry Hill, NJ 08002)
New Jersey State Conference of the NAACP (4326 Harbor Beach Blvd. #775, Brigantine, NJ 08203)
The Latino Action Network (P.O. Box 943, Freehold, NJ 07728)
Morris County Chapter of the NAACP (P.O. Box 2256, Morristown, NJ, 07960)
Newark Chapter of the NAACP (P.O. Box 1262, Newark, NJ, 07102)
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Homeless Solutions of Morristown (540 W. Hanover Ave., Morristown, NJ, 07960)
Supportive Housing Association (185 Valley St., South Orange, NJ, 07079)

6. A random selection method to select occupants of very low, low and moderate-income housing will be used by the Township's Administrative Agent in conformance with N.J.A.C. 5:80-26.16(l).
7. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 2 comprised of Morris, Essex, Union, and Warren

Counties.

8. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify very low, low and moderate income households; to place income eligible households in very low, low and moderate income units upon initial occupancy;; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to very low, low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.1, et seq.
9. Whenever appropriate, the Administrative Agent shall provide or direct qualified very low, low and moderate-income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
10. All developers/owners of very low, low and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy.
11. The implementation of the Affirmative Marketing Plan shall continue until all very low, low and moderate-income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary. Please note that in addition to complying with this Township-wide Affirmative Marketing Plan that the Administrative Agent shall also review and approve a separate Affirmative Marketing Plan for every new affordable development in Parsippany-Troy Hills that is subject to N.J.A.C. 5:80-26.1 et seq. That document shall be completed by the owner/developer and will be compliant with the Township's Affirmative Marketing Plan as presented herein, and incorporate development specific details and permitted options, all subject to the Administrative Agent's review and approval. The development specific affirmative marketing plans will use the standard form for Region 2, which is attached hereto as Appendix III.
12. The Administrative Agent shall provide the Municipal Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, et seq. and the Order granting the Township a Final Judgment of Compliance and Repose.

BE IT FURTHER RESOLVED that the appropriate Township officials and professionals are authorized to take all actions required to implement the terms of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

COUNCIL MEMBER	Aye	Nay	Abstain	Absent	Motion	Second
Mr. Carifi	X					
Mr. dePierro	X					X
Mrs. Gragnani				X		
Mrs. McCarthy	X					
Mrs. Peterson	X				X	

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND LAWFUL COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AT ITS MEETING OF **OCTOBER 1, 2019.**



 KHALED MADIN TOWNSHIP CLERK



 COUNCIL PRESIDENT PAUL CARIFI JR.

9. Appointment of Municipal
Affordable Housing Liaison- TO BE
PROVIDED

10. Resolution Designating CGP&H
as the Township's Administrative
Agent and the 2025 Professional
Services Agreement- TO BE
PROVIDED

11. Resolution of Intent to Fund- TO BE PROVIDED

12. Proposed Development Draft Ordinances

TOWNSHIP OF PARSIPPANY-TROY HILLS
-DRAFT ONLY FOR REVIEW SUBJECT TO FURTHER REFINEMENT -
ORDINANCE NO. 2025-__
(DRAFT#2: 4 Gatehall)

**AN ORDINANCE TO AMEND CHAPTER 430 ENTITLED “ZONING” OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS TO ESTABLISH A NEW AHD-8
AFFORDABLE HOUSING DISTRICT ZONE**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that amendments set forth below are made to the Revised General Ordinances of the Township of Parsippany-Troy Hills, Chapter 430 entitled “Zoning.”

Section 1. Section 430-4, “Districts established,” of the Code of the Township of Parsippany-Troy Hills shall be amended to include a new district as follows:

AHD-8 Affordable Housing District.

Section 2. Section 430-5, Zoning Map. The Township of Parsippany-Troy Hills Zoning Map shall be amended to include a new AHD-8 Affordable Housing District, which shall be shown to encompass Block 175, Lot 52, as shown on the accompanying Map.

Section 3. Section 430-35 – Attachment 2, Schedule of Area and Bulk Requirements shall be amended to include a new ‘AHD-8’ row, within which the phrase ‘See Article _____’.

Section 4. Chapter 430 shall be amended and supplemented by the insertion of a new Article _____ entitled “AHD-8 Affordable Housing District” This new article shall read as follows:

Article _____. **AHD-8 Affordable Housing District.**

§ 430-____. **Purpose.**

The purpose of the AHD-8 Affordable Housing District is to create a realistic opportunity for the construction of low- and moderate-income housing in a suitable portion of the Township of Parsippany-Troy Hills, and thereby help to address the fair share housing obligation of the Township of Parsippany-Troy Hills under the New Jersey Fair Housing Act (“FHA”), applicable Council on Affordable Housing (“COAH”) regulations and the Township’s Housing Element and Fair Share Plan. The AHD-8 Affordable Housing District encourages the development of low- and moderate-income housing by allowing for an inclusionary townhouse and stacked townhouse residential development.

§ 430-____. **Permitted uses.**

The uses set forth below shall be permitted as a development.

A. Principal uses. The following principal uses are permitted in the AHD-8 Affordable Housing District:

(1) Townhouse and stacked townhouse residential dwellings.

B. Accessory uses. The following accessory uses are permitted in the AHD-8 Affordable Housing District:

(1) Off-street loading and parking, including surface parking, under-building parking, and parking garages.

(2) Fences and walls.

(3) Signs.

(4) Open space and outdoor amenity space.

(5) Buildings for storage of maintenance equipment.

(6) Private amenity and recreation buildings and facilities including swimming pools, workout rooms, lobby, leasing office, clubroom, coworking space, common areas and the like, intended for use by residents of the premises and their guests.

(7) Trash and recycling facilities intended for use by residents of the premises.

(8) Other accessory uses normally incidental to the principal permitted use.

§ **430-____. Prohibited uses.**

Uses prohibited in the AHD-8 Affordable Housing District shall include the following:

A. Any principal use not specifically permitted herein or permitted by other applicable law.

§ **430-____. Affordable housing requirements.**

A. All multifamily residential developments constructed in the AHD-8 Affordable Housing District shall be required to set aside a minimum percentage of units for affordable housing. The minimum set aside shall be twenty percent (20%). When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded upwards to the next whole number.

B. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Ordinance at Article LX of the Township Code, as may be amended and

supplemented, the Uniform Housing Affordability Controls (“UHAC”)(N.J.A.C. 5:80-26.1 et seq.), or any successor regulation, the Township’s Housing Element and Fair Share Plan, as may be amended from time to time, and any applicable order of the Court, including but not limited to a Compliance Certification, Judgment of Compliance, and Repose Order. This includes, but is not limited to, the following requirements for all affordable units:

- (1) Low/Moderate Income Split: A maximum of fifty percent (50%) of the affordable units shall be moderate-income units and a minimum of fifty percent (50%) of the affordable units shall be low-income units. At least thirteen percent (13%) of all restricted rental units shall be very low-income units, which shall be counted as part of the required number of low-income units within the development.
- (2) Bedroom Mix: The UHAC (N.J.A.C. 5:80-26.1 et seq.) requirements shall apply in the AHD-8 Affordable Housing District.
- (3) Deed Restriction Period: All affordable units shall be deed restricted for a period of at least thirty (30) years from the date of the initial occupancy of each affordable unit (the “Deed-Restriction Period”). The affordability controls shall expire only after they are properly released by the Township and/or the Township’s Administrative Agent at the Township’s sole option in accordance with N.J.A.C. 5:80-26.12 for rental units or N.J.A.C. 5:80-26.6 for for-sale units.
- (4) Administrative Agent: All affordable units shall be administered by a qualified Administrative Agent paid for by the developer.
- (5) Other Affordable Housing Unit Requirements: Developers shall also comply with all of the other requirements of the Township’s Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. Developers shall ensure that the affordable units are dispersed between the buildings on its site and shall identify the exact location of each affordable unit at the time of site plan application.

§ **430-_____ . Development standards.**

A. Area and bulk requirements. The area and bulk requirements for the uses permitted in the AHD-8 Affordable Housing District are set forth below.

Criteria	AHD-8 Requirements Block 175, Lot 52
Max. Number of Dwelling Units	179
Minimum. Tract Lot Area (ac)	13
Minimum. Front Yard Setback (ft)	50
Minimum. Side Yard Setback Each (ft)	50
Minimum. Rear Yard Setback (ft)	50
Maximum Percent Lot Coverage by Buildings (%)	30
Maximum Percent Lot Coverage by all Buildings and Pavement. (%)	70
Maximum. Bldg. Sty/Height (ft)	3/40
Minimum Buffer:	
-Front Yard (ft)	25
-Side Yard (ft)	25
-Rear Yard (ft)	25
Maximum Length of Bldg. w/o 2-foot jog in the front facade (ft)	75
Minimum Setback: Building, to Building: (ft)	30

B. Off-street parking and loading requirements.

- (1) Off-street parking spaces and loading areas shall be as set forth in the Residential Site Improvement Standards (N.J.A.C. 5:21).
- (2) All off-street parking and drive aisles shall be located a minimum of 10 feet from buildings, except for parking and drive aisles which extend continuously into or under a building from outside the building.
- (3) All off-street parking and drive aisles shall be located a minimum of 10 feet from property lines.

- (4) All parking areas shall be designed in accordance with the applicable provisions of Article XXXVII of this Chapter; however, in the event of a conflict between Article XXXVII and this Article, this Article shall govern.
- (5) Off-street parking shall not be provided for any use or to any party other than a resident or visitor of the site, nor shall parking areas be used for any purpose other than parking.
- (6) Signage shall be provided where parking spaces are to be reserved for residents.

C. Design Standards. The design standards of §430-350D are applied to the AHD-8 Affordable Housing District but only to the extent appropriate for the site and only if not inconsistent with the express standards of this ordinance.

D. Accessory buildings and structures: All accessory buildings and structures shall be subject to the standards set forth at § 430-13. Architectural design and materials used in the construction of accessory buildings and structures shall conform to those used in the construction of principal buildings.

Section 5. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Parsippany-Troy Hills, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Parsippany-Troy Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 7. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Morris County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 8. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Parsippany-Troy Hills for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is

directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 9. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 10. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED the _____ day of _____, 2025.

ADOPTED the _____ day of _____, 2025

_____, Mayor

ATTEST:

_____, Township Clerk

Proposed Zoning Illustration
TO BE PROVIDED

DRAFT

TOWNSHIP OF PARSIPPANY-TROY HILLS
-DRAFT ONLY FOR REVIEW SUBJECT TO FURTHER REFINEMENT -
ORDINANCE NO. 2025-__
(DRAFT#3: 3081 Rt 46)

**AN ORDINANCE TO AMEND CHAPTER 430 ENTITLED “ZONING” OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS TO ESTABLISH A NEW AHD-MU2
AFFORDABLE HOUSING MIXED USE ZONE**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that amendments set forth below are made to the Revised General Ordinances of the Township of Parsippany-Troy Hills, Chapter 430 entitled “Zoning.”

Section 1. Section 430-4, “Districts established,” of the Code of the Township of Parsippany-Troy Hills shall be amended to include a new district as follows:

AHD-MU2 Affordable Housing Mixed Use District-2.

Section 2. Section 430-5, Zoning Map. The Township of Parsippany-Troy Hills Zoning Map shall be amended to include a new AHD-MU2, which shall be shown to encompass Block 411, Lot 31.1, and which shall rezoned to the AHD-MU2 Affordable Housing Mixed Use Zone District designation for this parcel, as shown on the accompanying Map.

Section 3. Section 430-35 – Attachment 2, Schedule of Area and Bulk Requirements shall be amended to include a new ‘AHD-MU2’ row, within which the phrase ‘See Article _____’.

Section 4. Chapter 430 shall be amended and supplemented by the insertion of a new Article _____ entitled “AHD-MU2 Affordable Housing Mixed Use District.” This new article shall read as follows:

Article _____. **AHD-MU2 Affordable Housing Mixed Use District.**

§ 430-____. **Purpose.**

The purpose of the AHD-MU2 District is to create a realistic opportunity for the construction of low- and moderate-income housing in a suitable portion of the Township of Parsippany-Troy Hills, and thereby help to address the fair share housing obligation of the Township of Parsippany-Troy Hills under the New Jersey Fair Housing Act (“FHA”), applicable Council on Affordable Housing (“COAH”) regulations, and the Township’s Housing Element and Fair Share Plan. The AHD-MU2 District encourages the development of low- and moderate-income housing by allowing for a mixed use inclusionary multifamily residential development. The remainder of the lot shall be

developed for non-residential uses in accordance with the B-1 Zone standards as specifically permitted and required herein.

§ 430-____. Permitted uses.

The uses set forth below shall be permitted.

A. Principal uses. The following principal uses are permitted in the AHD-MU2 District:

- (1) Multifamily residential dwellings.
- (2) Commercial in separate buildings in accordance with the permitted uses identified in §430-85 with the exception of items H, I J, K, and O thereof.

B. Accessory uses. The following accessory uses are permitted in the AHD-MU2 District:

- (1) Off-street parking, including surface parking, under-building parking, and parking garages.
- (2) Fences and walls.
- (3) Signs.
- (4) Buildings for storage of maintenance equipment.
- (5) Private recreation buildings and facilities, including swimming pools, workout rooms, common areas and the like, intended for use by residents of the premises.
- (6) Trash and recycling facilities intended for use by residents of the premises.
- (7) Other accessory uses normally incidental to the principal permitted use.

§ 430-____. Prohibited uses.

Uses prohibited in the AHD-MU2 District shall include the following:

A. Any principal use not specifically permitted herein or permitted by other applicable law.

§ 430-____. Affordable housing requirements.

- A. All multifamily residential developments constructed in the AHD-MU2 District shall be required to set aside a minimum percentage of units for affordable housing. The minimum set aside shall be twenty percent (20%). When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded upwards to the next whole number.
- B. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Ordinance at Article LX of the Township Code, as may be amended and

supplemented, the Uniform Housing Affordability Controls (“UHAC”)(N.J.A.C. 5:80-26.1 et seq.), or any successor regulation, the Township’s Housing Element and Fair Share Plan, as may be amended from time to time, and any applicable order of the Court, including but not limited to a Compliance Certification, a Judgment of Compliance, and Repeal Order. This includes, but is not limited to, the following requirements for all affordable units:

- (1) Low/Moderate Income Split: A maximum of fifty percent (50%) of the affordable units shall be moderate-income units and a minimum of fifty percent (50%) of the affordable units shall be low-income units. At least thirteen percent (13%) of all restricted rental units shall be very low-income units, which shall be counted as part of the required number of low-income units within the development.
- (2) Bedroom Mix: The UHAC (N.J.A.C. 5:80-26.1 et seq.) requirements shall apply in the AHD-MU2 District.
- (3) Deed Restriction Period: All affordable units shall be deed restricted for a period of at least thirty (30) years from the date of the initial occupancy of each affordable unit (the “Deed-Restriction Period”). The affordability controls shall expire only after they are properly released by the Township and/or the Township’s Administrative Agent at the Township’s sole option in accordance with N.J.A.C. 5:80-26.12 for rental units or N.J.A.C. 5:80-26.6 for for-sale units.
- (4) Administrative Agent: All affordable units shall be administered by a qualified Administrative Agent paid for by the developer.
- (5) Other Affordable Housing Unit Requirements: Developers shall also comply with all of the other requirements of the Township’s Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. Developers shall ensure that the affordable units are dispersed between buildings on its site and shall identify the exact location of each affordable unit at the time of site plan application.

§ 430-____. Development standards.

- A. Area and bulk requirements. The area and bulk requirements for the multifamily residential uses permitted in the AHD-MU2 District are set forth below. The area and bulk regulations of the B-1 zoning district shall remain in full force and effect for the commercial development devoted exclusively to uses permitted in the B-1 zoning district (as noted herein), except for requirements of minimum lot area, maximum percent lot coverage by buildings and maximum percent lot coverage by all buildings and pavement which shall comply with the standards of this AHD-MU2 zone as noted below:

Criteria	AHD-MU2 Requirements
Maximum Number of Dwelling Units	390
Minimum Tract Lot Area (ac.)*	18
Minimum Front Yard Setback (ft.)	100
Minimum Side Yard Setback Each (ft.)	50
Minimum Rear Yard Setback (ft.)	75
Maximum Percent Lot Coverage by Buildings (%)	50
Maximum Percent Lot Coverage by all Buildings and Pavement. (%)	75
Max. Bldg. Sty/Height (ft.)	4/48
Minimum Buffer:	
-Front Yard (ft.)	50
-Side Yard (ft.)	50
-Rear Yard (ft.)	50
Maximum Length of Bldg. w/o 5-foot jog in the front facade (ft.)	80
Minimum Setback: Building. to Building:	
-Front to Front (ft.)	60
-Front to Rear(ft.)	60
-Front to Side (ft.)	50
-Side to Side (ft.)	30
-Side to Rear (ft.)	30
-Rear to Rear (ft.)	50

B. Off-street parking requirements.

(1) Off-street parking (**To be defined**)

C. Signage. (**To be defined**).

D. Design Standards The following standards shall apply to all residential (only), buildings and grounds, including public spaces, where appropriate. These standards shall be maintained in all phases of development. The proposed design of buildings and grounds are subject to

Township review to insure the appropriate development context is represented to the greatest extent possible. A thematic style shall relate to the development. Deviations from these standards are a design waiver for purposes of Board review.

(To be further defined)

- E. Accessory buildings and structures: All accessory buildings and structures shall be subject to the standards set forth at § 430-13. Architectural design and materials used in the construction of accessory buildings and structures shall conform to those used in the construction of principal buildings.

Section 5. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Parsippany-Troy Hills, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Parsippany-Troy Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 7. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Morris County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 8. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Parsippany-Troy Hills for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 9. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 10. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED the _____ day of _____, 20____.

ADOPTED the _____ day of _____, 20____.

_____, Mayor

ATTEST:

_____, Township Clerk

Proposed Zoning Illustration
TO BE PROVIDED

DRAFT

TOWNSHIP OF PARSIPPANY-TROY HILLS
-DRAFT ONLY SUBJECT TO FURTHER REFINEMENT -
ORDINANCE NO. 2025-__
(DRAFT#3: 909 Parsippany Blvd)

**AN ORDINANCE TO AMEND CHAPTER 430 ENTITLED “ZONING” OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS TO ESTABLISH A NEW AHD-9
AFFORDABLE HOUSING DISTRICT ZONE**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that amendments set forth below are made to the Revised General Ordinances of the Township of Parsippany-Troy Hills, Chapter 430 entitled “Zoning.”

Section 1. Section 430-4, “Districts established,” of the Code of the Township of Parsippany-Troy Hills shall be amended to include a new district as follows:

AHD-9 Affordable Housing District.

Section 2. Section 430-5, Zoning Map. The Township of Parsippany-Troy Hills Zoning Map shall be amended to include a new AHD-9 Affordable Housing District, which shall be shown to encompass Block 420, Lot 2, as shown on the accompanying Map.

Section 3. Section 430-35 – Attachment 2, Schedule of Area and Bulk Requirements shall be amended to include a new ‘AHD-9’ row, within which the phrase ‘See Article _____’.

Section 4. Chapter 430 shall be amended and supplemented by the insertion of a new Article _____ entitled “AHD-9 Affordable Housing District” This new article shall read as follows:

Article _____. **AHD-9 Affordable Housing District.**

§ 430-_____. Purpose.

The purpose of the AHD-9 Affordable Housing District is to create a realistic opportunity for the construction of low- and moderate-income housing in a suitable portion of the Township of Parsippany-Troy Hills, and thereby help to address the fair share housing obligation of the Township of Parsippany-Troy Hills under the New Jersey Fair Housing Act (“FHA”), applicable Council on Affordable Housing (“COAH”) regulations, and the Township’s Housing Element and Fair Share Plan. The AHD-9 Affordable Housing District encourages the development of low- and moderate-income housing by allowing for an inclusionary multifamily residential development.

§ 430-____. **Permitted uses.**

The uses set forth below shall be permitted as a development.

A. Principal uses. The following principal uses are permitted in the AHD-9 Affordable Housing District:

(1) Multifamily residential dwellings.

B. Accessory uses. The following accessory uses are permitted in the AHD-9 Affordable Housing District:

(1) Off-street loading and parking, including surface parking, under-building parking, and parking garages.

(2) Fences and walls.

(3) Signs.

(4) Open space and outdoor amenity space.

(5) Buildings for storage of maintenance equipment.

(6) Private amenity and recreation buildings and facilities including swimming pools, workout rooms, lobby, leasing office, clubroom, coworking space, common areas and the like, intended for use by residents of the premises and their guests.

(7) Trash and recycling facilities intended for use by residents of the premises.

(8) Other accessory uses normally incidental to the principal permitted use.

§ 430-____. **Prohibited uses.**

Uses prohibited in the AHD-9 Affordable Housing District shall include the following:

A. Any principal use not specifically permitted herein or permitted by other applicable law.

§ 430-____. **Affordable housing requirements.**

A. All multifamily residential developments constructed in the AHD-9 Affordable Housing District shall be required to set aside a minimum percentage of units for affordable housing. The minimum set aside shall be twenty percent (20%). When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded upwards to the next whole number.

B. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Ordinance at Article LX of the Township Code, as may be amended and supplemented, the Uniform Housing Affordability Controls ("UHAC")(N.J.A.C. 5:80-26.1 et seq.), or any successor regulation, the Township's Housing Element and Fair Share Plan, as may be amended from time to time, and any applicable order of the Court, including a Judgment of Compliance and Repose Order. This includes, but is not limited to, the following requirements for all affordable units:

- (1) Low/Moderate Income Split: A maximum of fifty percent (50%) of the affordable units shall be moderate-income units and a minimum of fifty percent (50%) of the affordable units shall be low-income units. At least thirteen percent (13%) of all restricted rental units shall be very low-income units, which shall be counted as part of the required number of low-income units within the development.
- (2) Bedroom Mix: The UHAC (N.J.A.C. 5:80-26.1 et seq.) requirements shall apply in the AHD-9 Affordable Housing District.
- (3) Deed Restriction Period: All affordable units shall be deed restricted for a period of at least thirty (30) years from the date of the initial occupancy of each affordable unit (the "Deed-Restriction Period"). The affordability controls shall expire only after they are properly released by the Township and/or the Township's Administrative Agent at the Township's sole option in accordance with N.J.A.C. 5:80-26.12 for rental units or N.J.A.C. 5:80-26.6 for for-sale units.
- (4) Administrative Agent: All affordable units shall be administered by a qualified Administrative Agent paid for by the developer.
- (5) Other Affordable Housing Unit Requirements: Developers shall also comply with all of the other requirements of the Township's Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. Developers shall ensure that the affordable units are dispersed between the buildings on its site and shall identify the exact location of each affordable unit at the time of site plan application.

§ 430-___. **Development standards.**

A. Area and bulk requirements. The area and bulk requirements for the uses permitted in the AHD-9 Affordable Housing District are set forth below.

Criteria	AHD-9 Requirements Block 420, Lot 2
Max. Number of Dwelling Units	210
Minimum. Tract Lot Area (ac)	8
Minimum. Front Yard Setback (ft)	100
Minimum. Side Yard Setback Each (ft)	50
Minimum. Rear Yard Setback (ft)	50
Maximum Percent Lot Coverage by Buildings (%)	30
Maximum Percent Lot Coverage by all Buildings and Pavement. (%)	70
Maximum. Bldg. Sty/Height (ft)	5/60
Minimum Buffer:	
-Front Yard (ft)	50
-Side Yard (ft)	25
-Rear Yard (ft)	25
Maximum Length of Bldg. w/o 2-foot jog in the front facade (ft)	75
Minimum Setback: Building. to Building: (ft)	80

B. Off-street parking and loading requirements. (To be defined)

C. Signage. (To be defined)

D. Design Standards. The design standards of §430-350D are applied to the AHD-9 Affordable Housing District but only to the extent appropriate for the site and only if not inconsistent with the express standards of this ordinance.

E. Accessory buildings and structures: All accessory buildings and structures shall be subject to the standards set forth at § 430-13. Architectural design and materials used in the construction

of accessory buildings and structures shall conform to those used in the construction of principal buildings.

Section 5. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Parsippany-Troy Hills, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Parsippany-Troy Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 7. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Morris County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 8. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Parsippany-Troy Hills for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 9. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 10. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED the _____ day of _____, 20_____.

ADOPTED the _____ day of _____, 20_____

_____, Mayor

ATTEST:

_____, Township Clerk

DRAFT

Proposed Zoning Illustration
TO BE PROVIDED

DRAFT

TOWNSHIP OF PARSIPPANY-TROY HILLS
-DRAFT ONLY SUBJECT TO FURTHER REFINEMENT -
ORDINANCE NO. 2025-__
(DRAFT#3: 400 Interpace Parkway)

**AN ORDINANCE TO AMEND CHAPTER 430 ENTITLED “ZONING” OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS TO ESTABLISH A NEW AHD-10
AFFORDABLE HOUSING DISTRICT ZONE**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that amendments set forth below are made to the Revised General Ordinances of the Township of Parsippany-Troy Hills, Chapter 430 entitled “Zoning.”

Section 1. Section 430-4, “Districts established,” of the Code of the Township of Parsippany-Troy Hills shall be amended to include a new district as follows:

AHD-10 Affordable Housing District.

Section 2. Section 430-5, Zoning Map. The Township of Parsippany-Troy Hills Zoning Map shall be amended to include a new AHD-10 Affordable Housing District, which shall be shown to encompass Block 136, Lot 43.5, as shown on the accompanying Map.

Section 3. Section 430-35 – Attachment 2, Schedule of Area and Bulk Requirements shall be amended to include a new ‘AHD-10’ row, within which the phrase ‘See Article _____’.

Section 4. Chapter 430 shall be amended and supplemented by the insertion of a new Article _____ entitled “AHD-10 Affordable Housing District” This new article shall read as follows:

Article _____. **AHD-10 Affordable Housing District.**

§ 430-_____. Purpose.

The purpose of the AHD-10 Affordable Housing District is to create a realistic opportunity for the construction of low- and moderate-income housing in a suitable portion of the Township of Parsippany-Troy Hills, and thereby help to address the fair share housing obligation of the Township of Parsippany-Troy Hills under the New Jersey Fair Housing Act (“FHA”), applicable Council on Affordable Housing (“COAH”) regulations, and the Township’s Housing Element and Fair Share Plan. The AHD-10 Affordable Housing District encourages the development of low- and moderate-income housing by allowing for an inclusionary multifamily residential development.

§ 430-____. **Permitted uses.**

The uses set forth below shall be permitted as a development.

A. Principal uses. The following principal uses are permitted in the AHD-10 Affordable Housing District:

(1) Multifamily residential dwellings.

B. Accessory uses. The following accessory uses are permitted in the AHD-10 Affordable Housing District:

(1) Off-street loading and parking, including surface parking, under-building parking, and parking garages.

(2) Fences and walls.

(3) Signs.

(4) Open space and outdoor amenity space.

(5) Buildings for storage of maintenance equipment.

(6) Private amenity and recreation buildings and facilities including swimming pools, workout rooms, lobby, leasing office, clubroom, coworking space, common areas and the like, intended for use by residents of the premises and their guests.

(7) Trash and recycling facilities intended for use by residents of the premises.

(8) Other accessory uses normally incidental to the principal permitted use.

§ 430-____. **Prohibited uses.**

Uses prohibited in the AHD-10 Affordable Housing District shall include the following:

A. Any principal use not specifically permitted herein or permitted by other applicable law.

§ 430-____. **Affordable housing requirements.**

A. All multifamily residential developments constructed in the AHD-10 Affordable Housing District shall be required to set aside a minimum percentage of units for affordable housing. The minimum set aside shall be twenty percent (20%). When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded upwards to the next whole number.

- B. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Ordinance at Article LX of the Township Code, as may be amended and supplemented, the Uniform Housing Affordability Controls ("UHAC") (N.J.A.C. 5:80-26.1 et seq.), or any successor regulation, the Township's Housing Element and Fair Share Plan, as may be amended from time to time, and any applicable order of the Court, including but not limited to a Compliance Certification, a Judgment of Compliance, and Repose Order. This includes, but is not limited to, the following requirements for all affordable units:
- (1) Low/Moderate Income Split: A maximum of fifty percent (50%) of the affordable units shall be moderate-income units and a minimum of fifty percent (50%) of the affordable units shall be low-income units. At least thirteen percent (13%) of all restricted rental units shall be very low-income units, which shall be counted as part of the required number of low-income units within the development.
 - (2) Bedroom Mix: The UHAC (N.J.A.C. 5:80-26.1 et seq.) requirements shall apply in the AHD-10 Affordable Housing District.
 - (3) Deed Restriction Period: All affordable units shall be deed restricted for a period of at least thirty (30) years from the date of the initial occupancy of each affordable unit (the "Deed-Restriction Period"). The affordability controls shall expire only after they are properly released by the Township and/or the Township's Administrative Agent at the Township's sole option in accordance with N.J.A.C. 5:80-26.12 for rental units or N.J.A.C. 5:80-26.6 for for-sale units.
 - (4) Administrative Agent: All affordable units shall be administered by a qualified Administrative Agent paid for by the developer.
 - (5) Other Affordable Housing Unit Requirements: Developers shall also comply with all of the other requirements of the Township's Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. Developers shall ensure that the affordable units are dispersed between the buildings on its site and shall identify the exact location of each affordable unit at the time of site plan application.

§ 430-___. **Development standards.**

A. Area and bulk requirements. The area and bulk requirements for the uses permitted in the AHD-10 Affordable Housing District are set forth below.

Criteria	AHD-10 Requirements Block 136, Lot 43.5
Max. Number of Dwelling Units	202
Minimum. Tract Lot Area (ac)	27
Minimum. Front Yard Setback (ft)	100
Minimum. Side Yard Setback Each (ft)	50
Minimum. Rear Yard Setback (ft)	50
Maximum Percent Lot Coverage by Buildings (%)	30
Maximum Percent Lot Coverage by all Buildings and Pavement. (%)	70
Maximum. Bldg. Sty/Height (ft)	5/65
Minimum Buffer:	
-Front Yard (ft)	50
-Side Yard (ft)	25
-Rear Yard (ft)	25
Maximum Length of Bldg. w/o 2-foot jog in the front facade (ft)	100
Minimum Setback: Building. to Building: (ft)	80

B. Off-street parking and loading requirements. (To be defined)

C. Signage. (To be defined)

D. Design Standards. The design standards of §430-350D are applied to the AHD-10 Affordable Housing District but only to the extent appropriate for the site and only if not inconsistent with the express standards of this ordinance.

E. Accessory buildings and structures: All accessory buildings and structures shall be subject to the standards set forth at § 430-13. Architectural design and materials used in the construction

of accessory buildings and structures shall conform to those used in the construction of principal buildings.

Section 5. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Parsippany-Troy Hills, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Parsippany-Troy Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 7. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Morris County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 8. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Parsippany-Troy Hills for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 9. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 10. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED the _____ day of _____, 20_____.

ADOPTED the _____ day of _____, 20_____.

_____, Mayor

ATTEST:

_____, Township Clerk

DRAFT

Proposed Zoning Illustration
TO BE PROVIDED

DRAFT

TOWNSHIP OF PARSIPPANY-TROY HILLS
-DRAFT ONLY FOR REVIEW SUBJECT TO FURTHER REFINEMENT -
ORDINANCE NO. 2025-__
(DRAFT#6: 1 Upper Pond Road)

AN ORDINANCE TO AMEND CHAPTER 430 ENTITLED “ZONING” OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS TO ESTABLISH A NEW AHD-11
AFFORDABLE HOUSING DISTRICT ZONE

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that amendments set forth below are made to the Revised General Ordinances of the Township of Parsippany-Troy Hills, Chapter 430 entitled “Zoning.”

Section 1. Section 430-4, “Districts established,” of the Code of the Township of Parsippany-Troy Hills shall be amended to include a new district as follows:

AHD-11 Affordable Housing District.

Section 2. Section 430-5, Zoning Map. The Township of Parsippany-Troy Hills Zoning Map shall be amended to include a new AHD-11 Affordable Housing District, which shall be shown to encompass Block 136, Lot 43.4, as shown on the accompanying Map.

Section 3. Section 430-35 – Attachment 2, Schedule of Area and Bulk Requirements shall be amended to include a new ‘AHD-11’ row, within which the phrase ‘See Article _____’.

Section 4. Chapter 430 shall be amended and supplemented by the insertion of a new Article _____ entitled “AHD-11 Affordable Housing District” This new article shall read as follows:

Article _____. **AHD-11 Affordable Housing District.**

§ 430-____. **Purpose.**

The purpose of the AHD-11 Affordable Housing District is to create a realistic opportunity for the construction of low- and moderate-income housing in a suitable portion of the Township of Parsippany-Troy Hills, and thereby help to address the fair share housing obligation of the Township of Parsippany-Troy Hills under the New Jersey Fair Housing Act (“FHA”), applicable Council on Affordable Housing (“COAH”) regulations and the Township’s Housing Element and Fair Share Plan. The AHD-11 Affordable Housing District encourages the development of low- and moderate-income housing by allowing for an inclusionary townhouse and stacked townhouse residential development.

§ 430-____. Permitted uses.

The uses set forth below shall be permitted as a development.

A. Principal uses. The following principal uses are permitted in the AHD-11 Affordable Housing District:

(1) Townhouse and stacked townhouse residential dwellings.

B. Accessory uses. The following accessory uses are permitted in the AHD-11 Affordable Housing District:

(1) Off-street loading and parking, including surface parking, under-building parking, and parking garages.

(2) Fences and walls.

(3) Signs.

(4) Open space and outdoor amenity space.

(5) Buildings for storage of maintenance equipment.

(6) Private amenity and recreation buildings and facilities including swimming pools, workout rooms, lobby, leasing office, clubroom, coworking space, common areas and the like, intended for use by residents of the premises and their guests.

(7) Trash and recycling facilities intended for use by residents of the premises.

(8) Other accessory uses normally incidental to the principal permitted use.

§ 430-____. Prohibited uses.

Uses prohibited in the AHD-11 Affordable Housing District shall include the following:

A. Any principal use not specifically permitted herein or permitted by other applicable law.

§ 430-____. Affordable housing requirements.

A. All multifamily residential developments constructed in the AHD-7 Affordable Housing District shall be required to set aside a minimum percentage of units for affordable housing. The minimum set aside shall be twenty percent (20%). When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded upwards to the next whole number.

B. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Ordinance at Article LX of the Township Code, as may be amended and supplemented, the Uniform Housing Affordability Controls ("UHAC")(N.J.A.C. 5:80-26.1 et seq.), or any successor regulation, the Township's Housing Element and Fair Share Plan, as may be amended from time to time, and any applicable order of the Court, including a Judgment of Compliance and Repose Order. This includes, but is not limited to, the following requirements for all affordable units:

- (1) Low/Moderate Income Split: A maximum of fifty percent (50%) of the affordable units shall be moderate-income units and a minimum of fifty percent (50%) of the affordable units shall be low-income units. At least thirteen percent (13%) of all restricted rental units shall be very low-income units, which shall be counted as part of the required number of low-income units within the development.
- (2) Bedroom Mix: The UHAC (N.J.A.C. 5:80-26.1 et seq.) requirements shall apply in the AHD-11 Affordable Housing District.
- (3) Deed Restriction Period: All affordable units shall be deed restricted for a period of at least thirty (30) years from the date of the initial occupancy of each affordable unit (the "Deed-Restriction Period"). The affordability controls shall expire only after they are properly released by the Township and/or the Township's Administrative Agent at the Township's sole option in accordance with N.J.A.C. 5:80-26.12 for rental units or N.J.A.C. 5:80-26.6 for for-sale units.
- (4) Administrative Agent: All affordable units shall be administered by a qualified Administrative Agent paid for by the developer.
- (5) Other Affordable Housing Unit Requirements: Developers shall also comply with all of the other requirements of the Township's Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. Developers shall ensure that the affordable units are dispersed between the buildings on its site and shall identify the exact location of each affordable unit at the time of site plan application.

§ **430-_____ . Development standards.**

A. Area and bulk requirements. The area and bulk requirements for the uses permitted in the AHD-11 Affordable Housing District are set forth below.

Criteria	AHD-11 Requirements Block 136, Lot 43.4
Max. Number of Dwelling Units	160
Minimum. Tract Lot Area (ac)	15
Minimum. Front Yard Setback (ft)	100
Minimum. Side Yard Setback Each (ft)	50
Minimum. Rear Yard Setback (ft)	50
Maximum Percent Lot Coverage by Buildings (%)	30
Maximum Percent Lot Coverage by all Buildings and Pavement. (%)	70
Maximum. Bldg. Sty/Height (ft)	3/40
Minimum Buffer:	
-Front Yard (ft)	25
-Side Yard (ft)	25
-Rear Yard (ft)	25
Maximum Length of Bldg. w/o 2-foot jog in the front facade (ft)	75
Minimum Setback: Building, to Building: (ft)	30

B. Off-street parking and loading requirements.

- (1) Off-street parking spaces and loading areas shall be as set forth in the Residential Site Improvement Standards (N.J.A.C. 5:21).
- (2) All off-street parking and drive aisles shall be located a minimum of 10 feet from buildings, except for parking and drive aisles which extend continuously into or under a building from outside the building.
- (3) All off-street parking and drive aisles shall be located a minimum of 10 feet from property lines.

- (4) All parking areas shall be designed in accordance with the applicable provisions of Article XXXVII of this Chapter; however, in the event of a conflict between Article XXXVII and this Article, this Article shall govern.
- (5) Off-street parking shall not be provided for any use or to any party other than a resident or visitor of the site, nor shall parking areas be used for any purpose other than parking.
- (6) Signage shall be provided where parking spaces are to be reserved for residents.

- C. Design Standards. The design standards of §430-350D are applied to the AHD-11 Affordable Housing District but only to the extent appropriate for the site and only if not inconsistent with the express standards of this ordinance.
- D. Accessory buildings and structures: All accessory buildings and structures shall be subject to the standards set forth at § 430-13. Architectural design and materials used in the construction of accessory buildings and structures shall conform to those used in the construction of principal buildings.

Section 5. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Parsippany-Troy Hills, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Parsippany-Troy Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 7. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Morris County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 8. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Parsippany-Troy Hills for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is

directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 9. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 10. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED the _____ day of _____, 2025.

ADOPTED the _____ day of _____, 2025

_____, Mayor

ATTEST:

_____, Township Clerk

Proposed Zoning Illustration
TO BE PROVIDED

DRAFT

TOWNSHIP OF PARSIPPANY-TROY HILLS
-DRAFT ONLY SUBJECT TO FURTHER REFINEMENT-
ORDINANCE NO. 2025-__
(DRAFT#7: 1855 Route 46)

**AN ORDINANCE TO AMEND CHAPTER 430 ENTITLED “ZONING” OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS TO ESTABLISH A NEW AHD-12
AFFORDABLE HOUSING DISTRICT ZONE**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that amendments set forth below are made to the Revised General Ordinances of the Township of Parsippany-Troy Hills, Chapter 430 entitled “Zoning.”

Section 1. Section 430-4, “Districts established,” of the Code of the Township of Parsippany-Troy Hills shall be amended to include a new district as follows:

AHD-12 Affordable Housing District.

Section 2. Section 430-5, Zoning Map. The Township of Parsippany-Troy Hills Zoning Map shall be amended to include a new AHD-12 Affordable Housing District, which shall be shown to encompass Block 725, Lot 1, as shown on the accompanying Map.

Section 3. Section 430-35 – Attachment 2, Schedule of Area and Bulk Requirements shall be amended to include a new ‘AHD-12’ row, within which the phrase ‘See Article _____’.

Section 4. Chapter 430 shall be amended and supplemented by the insertion of a new Article _____ entitled “AHD-12 Affordable Housing District” This new article shall read as follows:

Article ____. **AHD-12 Affordable Housing District.**

§ 430-____. **Purpose.**

The purpose of the AHD-12 Affordable Housing District is to create a realistic opportunity for the construction of low- and moderate-income housing in a suitable portion of the Township of Parsippany-Troy Hills, and thereby help to address the fair share housing obligation of the Township of Parsippany-Troy Hills under the New Jersey Fair Housing Act (“FHA”), applicable Council on Affordable Housing (“COAH”) regulations, and the Township’s Housing Element and Fair Share Plan. The AHD-12 Affordable Housing District encourages the development of low- and moderate-income housing by allowing for an inclusionary multifamily residential development.

§ 430-____. **Permitted uses.**

The uses set forth below shall be permitted as a development.

A. Principal uses. The following principal uses are permitted in the AHD-12 Affordable Housing District:

(1) Multifamily residential dwellings.

B. Accessory uses. The following accessory uses are permitted in the AHD-12 Affordable Housing District:

(1) Off-street loading and parking, including surface parking, under-building parking, and parking garages.

(2) Fences and walls.

(3) Signs.

(4) Open space and outdoor amenity space.

(5) Buildings for storage of maintenance equipment.

(6) Private amenity and recreation buildings and facilities including swimming pools, workout rooms, lobby, leasing office, clubroom, coworking space, common areas and the like, intended for use by residents of the premises and their guests.

(7) Trash and recycling facilities intended for use by residents of the premises.

(8) Other accessory uses normally incidental to the principal permitted use.

§ 430-___. Prohibited uses.

Uses prohibited in the AHD-12 Affordable Housing District shall include the following:

A. Any principal use not specifically permitted herein or permitted by other applicable law.

§ 430-___. Affordable housing requirements.

A. All multifamily residential developments constructed in the AHD-12 Affordable Housing District shall be required to set aside a minimum percentage of units for affordable housing. The minimum set aside shall be twenty percent (20%). When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded upwards to the next whole number.

B. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Ordinance at Article LX of the Township Code, as may be amended and

supplemented, the Uniform Housing Affordability Controls (“UHAC”)(N.J.A.C. 5:80-26.1 et seq.), or any successor regulation, the Township’s Housing Element and Fair Share Plan, as may be amended from time to time, and any applicable order of the Court, including but not limited to a Compliance Certification, a Judgment of Compliance and Repose Order. This includes, but is not limited to, the following requirements for all affordable units:

- (1) Low/Moderate Income Split: A maximum of fifty percent (50%) of the affordable units shall be moderate-income units and a minimum of fifty percent (50%) of the affordable units shall be low-income units. At least thirteen percent (13%) of all restricted rental units shall be very low-income units, which shall be counted as part of the required number of low-income units within the development.
- (2) Bedroom Mix: The UHAC (N.J.A.C. 5:80-26.1 et seq.) requirements shall apply in the AHD-12 Affordable Housing District.
- (3) Deed Restriction Period: All affordable units shall be deed restricted for a period of at least thirty (30) years from the date of the initial occupancy of each affordable unit (the “Deed-Restriction Period”). The affordability controls shall expire only after they are properly released by the Township and/or the Township’s Administrative Agent at the Township’s sole option in accordance with N.J.A.C. 5:80-26.12 for rental units or N.J.A.C. 5:80-26.6 for for-sale units.
- (4) Administrative Agent: All affordable units shall be administered by a qualified Administrative Agent paid for by the developer.
- (5) Other Affordable Housing Unit Requirements: Developers shall also comply with all of the other requirements of the Township’s Affordable Housing Ordinance, including, but not limited to, (1) affirmative marketing requirements, (2) candidate qualification and screening requirements, (3) integrating the affordable units amongst the market rate units, and (4) unit phasing requirements. Developers shall ensure that the affordable units are dispersed between the buildings on its site and shall identify the exact location of each affordable unit at the time of site plan application.

§ 430-___. **Development standards.**

A. Area and bulk requirements. The area and bulk requirements for the uses permitted in the AHD-12 Affordable Housing District are set forth below.

Criteria	AHD-12 Requirements Block 725, Lot 1
Max. Number of Dwelling Units	126
Minimum. Tract Lot Area (ac)	4
Minimum. Front Yard Setback (ft)	50
Minimum. Side Yard Setback Each (ft)	50
Minimum. Rear Yard Setback (ft)	50
Maximum Percent Lot Coverage by Buildings (%)	30
Maximum Percent Lot Coverage by all Buildings and Pavement. (%)	70
Maximum. Bldg. Sty/Height (ft)	5/65
Minimum Buffer:	
-Front Yard (ft)	50
-Side Yard (ft)	25
-Rear Yard (ft)	25
Maximum Length of Bldg. w/o 2-foot jog in the front facade (ft)	100
Minimum Setback: Building. to Building: (ft)	80

B. Off-street parking and loading requirements. (To be defined)

C. Signage. (To be defined)

D. Design Standards. The design standards of §430-350D are applied to the AHD-12 Affordable Housing District but only to the extent appropriate for the site and only if not inconsistent with the express standards of this ordinance.

E. Accessory buildings and structures: All accessory buildings and structures shall be subject to the standards set forth at § 430-13. Architectural design and materials used in the construction

of accessory buildings and structures shall conform to those used in the construction of principal buildings.

Section 5. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Parsippany-Troy Hills, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Parsippany-Troy Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 7. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Morris County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 8. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Parsippany-Troy Hills for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 9. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 10. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED the _____ day of _____, 20_____.

ADOPTED the _____ day of _____, 20_____

_____, Mayor

ATTEST:

_____, Township Clerk

DRAFT

Proposed Zoning Illustration
TO BE PROVIDED

DRAFT

TOWNSHIP OF PARSIPPANY-TROY HILLS
-DRAFT ONLY FOR REVIEW SUBJECT TO FURTHER
REFINEMENT -ORDINANCE NO. 2025-__
(DRAFT #1-)

AN ORDINANCE TO AMEND CHAPTER 430 ENTITLED “ZONING” OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS TO AMEND THE OVL-3 OVERLAY ZONE

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Parsippany Troy Hills, in the County of Morris and State of New Jersey, that Chapter 430 Article LVI entitled “OVL-3 Overlay District” Section 430-397 entitled “Development standards” is hereby amended and supplemented in the existing code in the following particulars only:

Section 1. Amend Chapter 430 §430-397A(8) entitled “Maximum number of residential units” by changing the following (deleted sections are noted by ~~strikethroughs~~, new sections are **bold**).

Maximum number of residential units: ~~600~~ **Up to 1,570 units**, consisting of 550 multifamily residential rental units and ~~75~~ **minimally 125** townhouses, ~~which may be adjusted to provide 75 townhouses with a proportionate reduction of the market rate rental units.~~ **with the remainder as multifamily attached residential units.** **The following are the standards specifically applicable to townhouse units:**

Section 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Parsippany-Troy Hills, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Parsippany-Troy Hills are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 4. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Morris County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15, and N.J.S.A. 40:55D-63 (if required).

Section 5. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Parsippany-Troy Hills for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Council, within 35 days after referral, a report including identification of any provisions in the proposed ordinance which are inconsistent with the master plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 6. This Ordinance shall be presented to the Mayor for his approval and signature, which approval shall be granted or denied within ten (10) days of receipt of same, pursuant to N.J.S.A. 40:69A-149.7. If the Mayor fails to return this Ordinance with either his approval or objection to same within ten (10) days after it has been presented to him, then this Ordinance shall be deemed approved.

Section 7. This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Morris County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

INTRODUCED the _____ day of _____, 20125.

ADOPTED the _____ day of _____, 20125.

, Mayor

ATTEST:

, Township Clerk

13. Documentation: Proposed Fourth Round Development Concept Plans

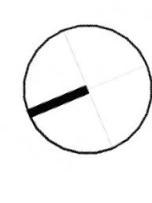
PROGRAM SUMMARY

TOTAL RESIDENTIAL: 202 UNITS
TOTAL GARAGE: 345 SP (1.75P/DU)
BUILDING : 202 UNITS
345 SPACES



GROUND FLOOR PLAN

SCALE: 1" = 100'-0"



CONCEPT PLANS

DATE: 01/25/2025

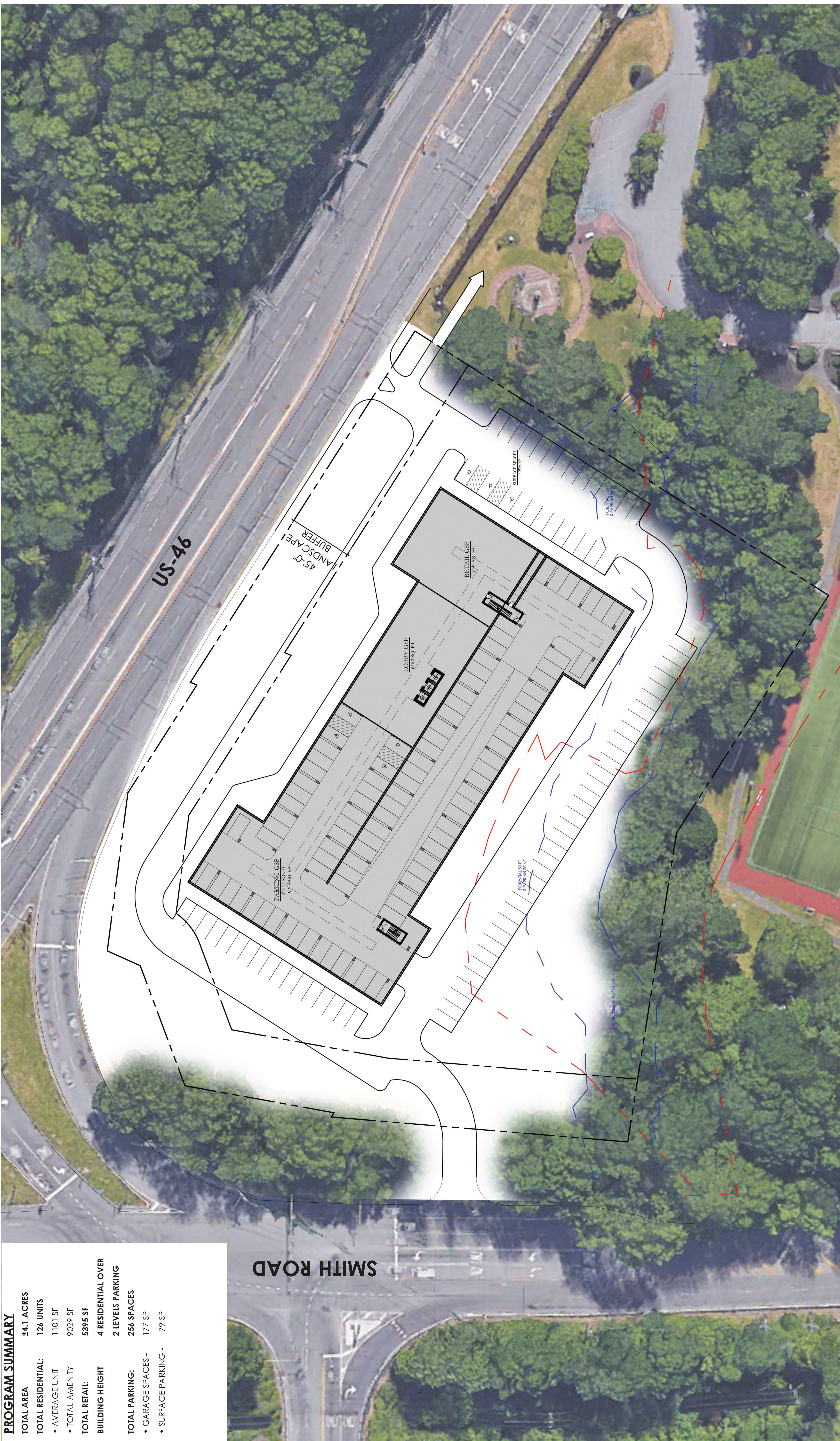
MINNO WASKO
ARCHITECTS AND PLANNERS
204 N. UNION STREET, LAMBERTVILLE, NEW JERSEY 08530
GATEWAY TWO, SUITE 1700, NEWARK, NEW JERSEY 07102
MINNOWASKO.COM

PREPARED FOR:
P 3 PROPERTIES

400 INTERPACE PKWY
PARSIPPANY, NEW JERSEY
COPYRIGHT © MINNO & WASKO ARCHITECTS AND PLANNERS

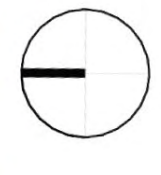
PROGRAM SUMMARY	
TOTAL AREA	±4.1 ACRES
TOTAL RESIDENTIAL:	126 UNITS
• AVERAGE UNIT	1101 SF
• TOTAL AMENITY	9029 SF
TOTAL RETAIL:	5395 SF
BUILDING HEIGHT	4 RESIDENTIAL OVER 2 LEVELS PARKING
TOTAL PARKING:	256 SPACES
• GARAGE SPACES-	177 SP
• SURFACE PARKING-	79 SP

SMITH ROAD



GROUND FLOOR PLAN

SCALE: 1" = 30'-0"



CONCEPT YIELD STUDY

DATE: 012/18/2024

MINNO WASKO
ARCHITECTS AND PLANNERS
 80 LAMBERT LANE, SUITE 105, LAMBERTVILLE, NEW JERSEY 08530 MINNOWASKO.COM
 TWO GATEWAY CENTER, SUITE 1700, NEWARK, NEW JERSEY 07102

PREPARED FOR:
SHREE 1855 US-46, LLC

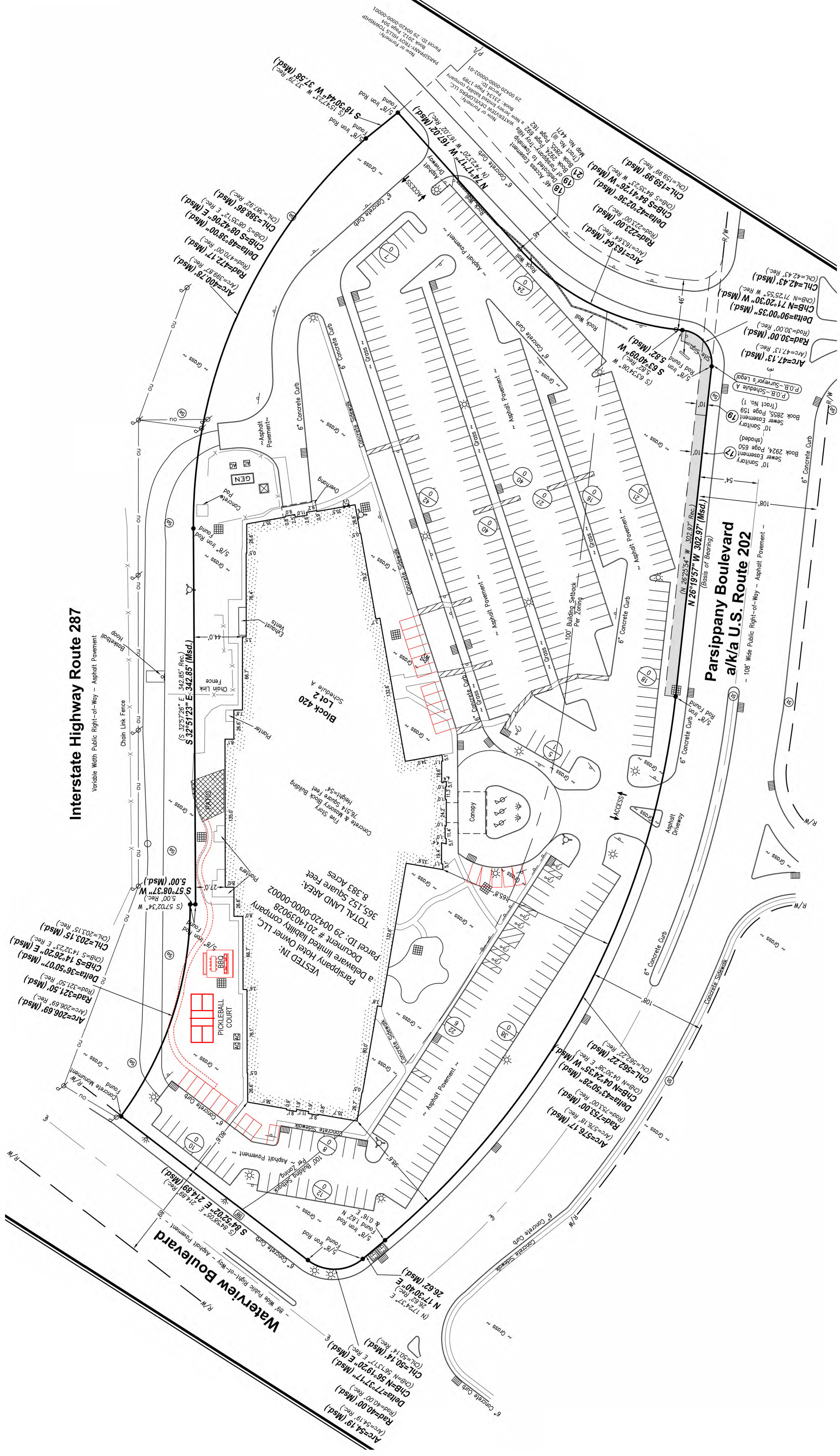
1855 US-46
 PARSIPPANY, NEW JERSEY
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SITE PLAN
SCALE: 1:80

CONCEPTUAL SITE PLAN
DATE: 05/14/2025





Parking Provisions

Existing	337 spaces
New	25 spaces
TOTAL	362 spaces

@ 1.72 sp/du for 210 units

*NOTE: REFER TO CIVIL FOR SITE PLAN AND CIVIL INFORMATION. LANDSCAPE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO LANDSCAPE FOR TREES AND LANDSCAPE INFORMATION.



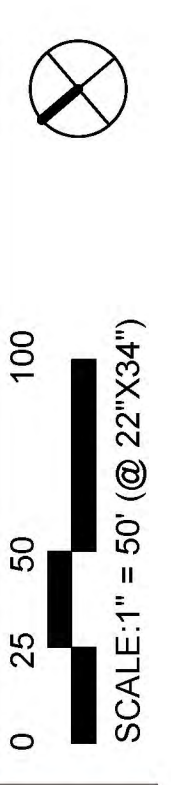
ILLUSTRATIVE SITE PLAN

SCHEMATIC DESIGN

EMBASSY SUITES

Parsippany, NJ

NOV 19, 2024
FCFG#X



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GROUND FLOOR PLAN
SCALE: 1" = 50'-0"

CONCEPTUAL PLANS
DATE: 01/31/24

14. Township Council Endorsing
Resolution-TO BE PROVIDED

15. 2025 Spending Plan

May 15, 2025
Parsippany Troy Hills Township
Affordable Housing Trust Fund Spending Plan

INTRODUCTION

The Parsippany Troy Hills Township (hereinafter the "Township"), Morris County, has prepared a Housing Element and Fair Share Plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Amended Fair Housing Act (N.J.S.A. 52:27D-301) and the proposed new Fair Housing Act Rules promulgated by the New Jersey Department of Community Affairs (DCA) (N.J.A.C. 5:99) and the regulations of the Council on Affordable Housing ("COAH"), N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:91 Second Round and N.J.A.C. 5:97-8.10 Third Round procedural and substantive regulations. The Township began collecting development fees on January 5, 1999, to be put towards their affordable housing trust fund. The Township's most recent amendment to the development fee ordinance was approved in 2017 to adhere to the July 17, 2008 passage of amendments to the FHA (P.L. 2008, c. 46).

As of **January 1, 2025**, the Township has a balance of **\$ 8,873,539.73** in its Affordable Housing Trust fund. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund account for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:99 and N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:91 and N.J.A.C. 5:97-8.10 as described in the sections that follow.

1. REVENUES FOR CERTIFICATION PERIOD

It is anticipated that during the period of January 1, 2025 through June 30, 2035, which encompasses the period that the Township will have a Fourth Round Judgment of Compliance and Repose (hereinafter "Fourth Round JOR"), the Township will add an additional **\$1,250,000** to its Affordable Housing Trust Fund. This is detailed below.

- (a) Development fees: The Township does anticipate non-residential development fees to be generated between January 1, 2025 and June 30, 2035. The Township does anticipate collection of residential development fees. This figure assumes that, on average, the Township will collect approximately **\$125,000** in development fees per year during the remainder of the Third Round and throughout the Fourth Round.

- (b) Payment in lieu (PIL): The Township is not anticipating a payment-in-lieu of constructing affordable units from a proposed development at this time.
- (c) Other Funds: The Township does not currently anticipate the contribution of any other funds toward the municipal Affordable Housing Trust Fund during the period of its Fourth Round JOR.
- (d) Projected interest: It is estimated that the Township will collect approximately **\$25,000** in interest between January 1, 2025, through June 30, 2035. This figure is based upon only the projected income per year and a conservative interest rate of 2 percent to account for potential market fluctuations. This estimate assumes that, on average, the Township will collect approximately **\$2,500** in interest per year throughout the Fourth Round.

SOURCE OF FUNDS	PROJECTED REVENUES – AFFORDABLE HOUSING TRUST FUND JANUARY 1, 2025 THROUGH JUNE 30, 2035												
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	1/1/2035-6/30/2035	Total	
Development Fees	\$62,500.00	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00	\$125,000.00	\$62,500.00	\$1,250,000.00
Payment in Lieu	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interest	\$1,250.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$1,250.00	\$25,000.00
TOTAL	\$63,750.00	\$127,500.00	\$127,500.00	\$127,500.00	\$127,500.00	\$127,500.00	\$127,500.00	\$127,500.00	\$127,500.00	\$127,500.00	\$127,500.00	\$63,750.00	\$1,275,000.00

In sum, the Township projects a total of **\$1,275,000** in revenue to be collected between January 1, 2025 and June 30, 2035. This projected amount, when added to current trust fund balance of **\$ 8,873,539.73** , results in a total anticipated trust fund balance of **\$10,148,539.73** available to fund and administer the Township’s affordable housing plan. All interest earned on the account shall be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Township:

- (a) Collection of development fee revenues: Collection of development fee revenues shall be consistent with the Township's development fee ordinance for both residential and non-residential developments in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Amended Fair Housing Act (FHA-2) (N.J.S.A. 52:27D-301) and the proposed new Fair Housing Act Rules promulgated by the New Jersey Department of Community Affairs (DCA) (N.J.A.C. 5:99).
- (b) Distribution of development fee revenues: The Planning Board adopts and forwards a resolution to the Council recommending the expenditure of development fee revenues as set forth in this spending plan. The Council reviews the request for consistency with the spending plan and adopts the recommendation by resolution. The release of funds requires adoption of the governing body resolution in accordance with the spending plan. Once a request is approved by resolution, the Chief Financial Officer releases the requested revenue from the trust fund for the specific use approved in the governing body's resolution.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

Parsippany Troy Hills Township may use the funds in the Affordable Housing Trust Fund for any of the below listed items, pursuant to N.J.A.C. 5:93-8.16(a) and (c):

- Rehabilitation;
- New construction;
- Purchase of land for low- and moderate-income housing;
- Improvement of land to be used for low- and moderate-income housing;
- Extensions and/or improvements of roads and infrastructure to low- and moderate-income housing sites;
- Acquisition and/or improvement of land to be used for affordable housing;
- Assistance designed to render units to be more affordable; and
- Administration of the implementation of the Housing Element and Fair Share Plan.

(a) Parsippany Troy Hills Present Need Rehabilitation Program.

The Township has a rehabilitation obligation of 138 units. The Township's current program has been funded through a Community Development Block Grants ("CDBG") from the New Jersey Department of Community Affairs. The Township will

continue to apply for these grants to fund its program. In addition to such grants and unsure of the success in receiving such awards in the future, the Township anticipates contributing up to \$20,000 per unit funding for the 138 unit need for a total of up to \$2,760,000 during the Fourth Round, which includes \$1,660,000 for up to 83 home ownership units (83 x \$20,000 = \$ 1,660,000) assuming a rehabilitation cost of \$14,000 per unit (\$14,000 hard costs and \$6,000 administration) and an expenditure of \$1,100,000 for up to 55 rental units (55 x \$20,000 = \$1,100,000) assuming a rehabilitation cost of \$20,000 per unit (also \$14,000 hard costs and \$6,000 administration).

(b) Market-to-Affordable Program.

The Township proposes to implement a Market-to-Affordable program to create 12 affordable family units. Parsippany Troy Hills Township will purchase or subsidize existing housing units for the creation of 12 affordable family housing units, 6 of which will be sold or rented to low-income households and 6 will be sold or rented to moderate-income households. The Township anticipates providing \$60,000 per unit (to subsidize and possibly renovate each unit). The total program cost of approximately \$720,000 will be funded through the Township's Affordable Housing Trust Fund. The units will be deed restricted in accordance with applicable rules in the Fourth Round. The Market-to-Affordable program is proposed to be funded through the Township's Affordable Housing Trust Fund and operated by CGP&H, the Township affordable housing administrator. CGP&H will implement the program in accordance with applicable regulations.

(c) Affordability Assistance.

In prior spending plans, N.J.A.C. 5:93-8.16(c), required an allocation for affordability assistance, although as amended by the FHA-2 and N.J.A.C. 5:99-2.5, the spending plan no longer required to set aside a minimum amount of funding for this program. "Affordability assistance" means the use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner's association or condominium fees and special assessments, common maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5. The Township seeks to implement this program and will allocate \$900,000 towards this program and will monitor the income into the Trust Fund and should income exceed expectations consider expanding such an affordability assistance program.

(d) Market to Affordable Program.

The Township proposes to implement a Market-to-Affordable program to create 10 affordable family units to be deed restricted for at least 30 years in the Fourth Round. The Market-to-Affordable program is proposed to be funded through the Township's Affordable Housing Trust Fund and operated by CGP&H, the Township affordable housing administrator. CGP&H will implement the program in accordance with applicable regulations.

Parsippany Troy Hills will purchase or subsidize existing housing units for the creation of 10 affordable family housing units, The Township's program will be implemented such that all 10 affordable family units will receive certificates of occupancy within seven (7) years of the Court's issuance of a Fourth Round Judgment of Compliance and Repose. Pursuant to N.J.A.C. 5:97-6.9(b), each unit will be certified to be in sound condition by the Township's licensed building inspector prior to occupancy as an affordable unit.

(e) Accessory Apartment Program.

The Township will provide funding for up to 10 accessory apartments through its Affordable Housing Trust Fund and maintain an Accessory Apartment Program, including the Township's zoning regulations to permit accessory apartments in the R-1 zone district. The Township proposes to commit on average \$47,500 per accessory apartment deed restricted for income qualified families, including up to \$55,000 per accessory apartment restricted for low-income families, and up to \$40,000 per accessory apartment restricted for moderate income families. The Township will maintain an allocation of \$550,000 in this Spending Plan.

(f) Administrative Expenses.

Per N.J.A.C. 5:99-2.4(a), no more than 20% of all affordable housing trust funds shall be expended on administration. The Township projects that a maximum of **\$2,029,707.95** is projected to be available from the affordable housing trust fund to be used for administrative purposes through June 30, 2035. Projected administrative expenditures, subject to the 20% cap, include the payment for the salaries and benefits for municipal employees and consultant fees related to costs as set forth at N.J.A.C. 5:99-2.4(b), (c) and (d).

(g) Other Emergent Housing Opportunities.

The Township will reserve the remaining trust fund balance, projected at **\$2,378,831.78**, for other emergent opportunities to create affordable housing that may arise during the Fourth Round. The Township shall seek approval for any emergent affordable housing opportunities not included in the Township's fair share plan in accordance with N.J.A.C. 5:99-4.1.

ADMINISTRATIVE EXPENSES

Actual development fees + interest through 1/1/25		\$ 8,873,539.73
Development fees + interest projected 2025-2035	+	\$ 1,275,000.00
Total	=	\$10,148,540.73
20 percent requirement	x 0.20 =	\$2,029,707.95
Less administrative expenditures through 1/1/25	-	\$0.00
PROJECTED MAXIMUM Administrative Expenses Requirement 2025-2035	=	\$2,029,707.95

4. EXPENDITURE SCHEDULE

The Township intends to use affordable housing trust fund revenues for the creation of housing units, affordability assistance, and administration. Where applicable, the funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

PROGRAMS	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Parsippany Rehabilitation Program											
Rehabilitation-Owner	\$830,000.00	\$103,750.00	\$103,750.00	\$103,750.00	\$103,750.00	\$103,750.00	\$103,750.00	\$103,750.00	\$103,750.00	\$0.00	\$1,660,000.00
Rehabilitation-Rental	\$550,000.00	\$68,750.00	\$68,750.00	\$68,750.00	\$68,750.00	\$68,750.00	\$68,750.00	\$68,750.00	\$68,750.00	\$0.00	\$1,100,000.00
Group Home	\$0.00	\$750,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$750,000.00
Market to Affordable Program	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$120,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$720,000.00
Affordability Assistance	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$0.00	\$900,000.00
Accessory Apartment Program	\$550,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$550,000.00
Certificates of Habitability	\$60,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$60,000.00
Administration	202,970.79	\$202,970.79	\$202,970.79	\$202,970.79	\$202,970.79	\$202,970.79	\$202,970.79	\$202,970.79	\$202,970.79	\$202,970.79	\$2,029,707.95
Other Emergent Opportunities	\$237,883.18	\$237,883.18	\$237,883.18	\$237,883.18	\$237,883.18	\$237,883.18	\$237,883.18	\$237,883.18	\$237,883.18	\$237,883.18	\$2,378,831.78
Total	\$2,650,853.97	\$1,583,353.97	\$833,353.97	\$833,353.97	\$833,353.97	\$833,353.97	\$713,353.97	\$713,353.97	\$713,353.97	\$440,853.97	\$10,148,539.73

5. EXCESS OR SHORTFALL OF FUNDS

In the event of any expected or unexpected shortfall of funds necessary to implement the Fair Share Plan, the Township will handle the shortfall of funds through an alternative funding source to be identified by the Township and/or by adopting a resolution with an intent to bond. In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be dedicated toward the Township's additional affordability assistance and/or any other emergent affordable housing opportunities that may arise during the Fourth Round.

6. SUMMARY

The Township intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:99 and consistent with the housing programs outlined in the Township's Housing Element and Fair Share Plan.

The Township has a balance of \$ 8,873,539.73 as of January 1, 2025 and anticipates an additional \$1,250,000 in revenues through June 30, 2035 for a total of \$10,148,539.73. During the period of the Township's Fourth Round JOR through June 30, 2035, the Township agrees to set aside \$2,760,000 towards rehabilitation assistance, \$750,000 towards assistance with up to 5 group home providers, \$720,000 towards a Township wide market to affordable program, \$900,000 towards an affordable assistance program, \$550,000 towards an accessory apartment program, up to \$60,000 for administrative costs associated with inspecting affordable units for habitability during these various funding affordability mechanisms, up to an estimated \$2,029,707 towards administrative costs (if necessary), and \$2,378,831 towards other emergent affordable housing opportunities that may arise during the Fourth Round, totaling \$10,148,539 in anticipated expenditures.

Any shortfall in funds will be offset by an alternative funding source to be identified by the Township. In the unlikely event that no alternative funding is available, the Township will bond or allocate funding to provide the necessary funding. The Township will dedicate any excess funds or remaining balance toward its affordability assistance and/or any other emergent affordable housing opportunities that may arise during the Fourth Round.

SPENDING PLAN SUMMARY		
Balance as of January 1, 2025		\$8,873,539.73
Projected REVENUE 2025-2035		
Development fees	+	\$1,250,000.00
Payments in lieu of construction	+	\$0.00
Other funds	+	\$0.00
Interest	+	\$25,000.00
SUBTOTAL REVENUE	=	\$1,275,000.00
TOTAL REVENUE	=	\$10,148,539.73
EXPENDITURES		
Rehabilitation Program-owner and rental units	-	\$2,760,000.00
Group Home Program	-	\$750,000.00
Market to Affordable Programs	-	\$720,000.00
Affordability Assistance *	-	\$900,000.00
Accessory Apartment Program		\$550,000.00
Habitability Certificate Inspections		\$60,000.00
Administration	-	\$2,029,707.95
TOTAL PROJECTED EXPENDITURES	=	\$7,769,707.95
Excess Funds or Remaining Balance Reserved for Emergent Opportunities Affordability Assistance and/or Additional Affordable Housing Activity Necessary to Address Fourth Round Obligation	=	\$2,378,831.78
*The Township reserves the right to adjust the affordability assistance allocation should future revenues fail to reach the anticipated levels.		